

**TOWN OF BRISTOL**  
**HARBOR MANAGEMENT PLAN**  
**AND HARBOR ORDINANCES**  
**5-Year Update 2011**



Approved by Bristol Harbor Commission: December 6, 2010  
Adopted by Bristol Town Council: January 26, 2011  
Approved by RI Coastal Resources Management Council: February 15, 2012

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## INTRODUCTION

The Bristol Harbor Management Plan and Harbor Ordinance, as amended through January 2011 replaces and fully supersedes the 2005 Harbor Management Plan. The present documents have the following history:

- Update commenced in 2001, was adopted, with amendments to the Harbor Ordinance, by the Town Council on December 12, 2001 and submitted to CRMC;
- June of 2003, the CRMC staff provided their review of deficiencies that needed to be addressed;
- September of 2003 the CRMC approved a one-year extension of the 1994 Plan so the Town could address the CRMC staff comments.
- August 2004 the Plan was amended and referred back to CRMC
- August 2004 CRMC hearing, the CRMC raised concerns about some items in the plan that needed to be brought to a current status and a further 6 month extension on the 1994 Plan was granted.
- Changes to bring the Plan into current status have been made through January 2005.
- This is the required update to the 2005 Harbor Management Plan that was approved by Coastal Resources Management Council in 2006.

The 2005 plan update was prepared through the work of the Harbor Planning Committee appointed by the Town Council in January 2001 as follows:

Kathleen Bazinet, Town Council Member

Raymond Cordeiro, Town Council Member (served Vice Chairman)

Matthew Hayes, Resident (served as Chairman)

Joseph Cabral, Harbormaster

Matt Calouro, Harbor Patrol

Joseph DaRosa, Harbor Patrol

Robert Hamel, Harbor Commission Member

David Sartrys, Harbor Commission Member

Andrew Tyska, Bristol Marine, liaison to committee

The current Harbor Commission and Harbor Commission Advisory Committee and Town Council have also been instrumental in bringing this plan to completion.

Harbor Commission Members:

Dominic Franco, Chairman  
Thomas Breslin  
James Dollins  
David Miller  
John (Jack) Evans  
Steven Roth (Alternate)  
John Troiano (Alternate)

Harbor Commission Advisory Committee:

Anthony Murgo  
Kevon Ledwell  
Scott Medeiros  
Robert Hammel  
Leeds Mitchell

Town Council:

Kenneth A. Marshall, Chairman  
David Barboza, Vice Chairman  
Halsey Herreshoff  
Mary Parella  
Antonio Teixeira

The 2001 Harbor Planning Committee held monthly meetings from January through October 2001 in order to prepare this Harbor Plan Update. The Committee also conducted a boat tour of the Bristol Harbor. A public workshop to solicit public input was held in October 2001. A copy of the notes from the workshop is included in Appendix A. A public workshop was also held with the Town Council on December 4, 2001 and a copy of the minutes is also included in Appendix A. This plan was also the subject of a public workshop with the Town Council and the Harbor Commission held on January 25, 2005 and a public hearing before the Town Council on February 2, 2005

In an effort to address the water quality issue of existing mooring fields in Class SA waters, the Town has had several meetings with representatives from the RI Department of Environmental Management Water Resources Section. A public workshop regarding this issue was also held on November 8, 2004 with the Town Council, the Harbor

Commission the RI Department of Environmental Management Water representatives.

In preparing the 2011 Harbor Management Plan update, the Harbor Commission reviewed and discussed the plan at 3 workshops in September, October and December 2010.

This update includes a current inventory of the existing conditions relative to the waterfront. The existing description of the harbor is included in Appendix B. The update sets forth the goals and policies some of which were contained within the original plan and reaffirmed by the Committee and others that have been added to address current issues with the Town's waterfront and harbor activities. The goals, policies, and implementation strategies that have been formulated for this update will shape the Bristol harbor and waterfront in the years to come. Each implementation strategy includes an action agent and time frame for implementation. The time frame is intended to run from the date of the CRMC approval.

In conjunction with the Harbor Plan Update, the Harbor Planning Committee prepared a draft update to the Harbor Ordinance which is included in Appendix C

Technical Assistance was provided by Diane Williamson, Director of Community Development, Department of Community Development and Matthew Calouro, Assistant Harbor Master

**Cover Photo Courtesy of R.G. Brown, photographer**

Photo Credits: Harbor Commission

Aerial Photos: By Tony Avila, courtesy of Matt Hayes

## VISION STATEMENTS

After defining the issues, the Harbor Planning Committee set the vision that would steer the policy and implementation sections of the Harbor Plan Update. The Harbor Commission reaffirms the visions with the 2011 update and expands them to include the protection of the watershed, as applicable.

- To gain proper balance between the diversity and intensity of activities taking place on the water to provide for the safe and orderly use of the water and waterfront.
- To provide for equitable and efficient distribution and management of commercial, transient, and private moorings.
- To manage the location of moorings in the mooring fields for efficient distribution without compromising boating safety.
- To improve, expand, and maintain public access to the water and waterfront to maximize the ability of residents to use and enjoy coastal and marine resources.
- To safeguard and improve water quality, ecosystems and natural resources and habitat by prudent and environmentally friendly watershed and waterside development, to ensure continued swimming, boating, and fishing in Bristol's jurisdictional water.
- To promote and encourage the prudent use of the water, the local watershed and waterfront in a manner that stimulates economic development and protects the coastal environment.

## HARBOR FACILITIES AND BOAT RAMPS

Harbor Facilities consist of public, private, and commercial marinas, yacht clubs, boatyards, docks, and boat ramps.



*Photo: From Top to Bottom – Mahoney Property, Thames Street Landing, State Street Dock and Boat Ramp; and, Rockwell Dock. August 2001*

### 1. FINDINGS

#### Town-Owned Structures

Bristol owns several key harbor structures along the downtown waterfront which supply numerous slips to the boating community.

- ◆ Church Street Dock (defined as a pier) with 43 slips.
  
- ◆ Rockwell Dock (defined as a pier with floating docks) with 82 slips and a pump out station; approximately 19 of the slips at this dock are utilized by commercial fisherman with the remainder utilized by recreational boaters. When this dock was permitted by CRMC in 1991, there was a stipulation that 37 of the slips are for commercial shell

fishing boat use. A copy of the CRMC assent is included in Appendix D.

- ◆ State Street Dock (defined as a bulkhead) with 6 slips for commercial fishermen. The west side of State Street dock is a deep water access landing area for commercial fishermen.
- ◆ There are commercial fishermen slips along the wall at the recreation center, which is at the end of Church Street.
- ◆ The Town owns 7 commercial slips along the eastern edge of Bristol Harbor between Church Street and Prudence Island Ferry dock. These are primarily used by shell fishermen.
- Dock space for 15 minute tie-ups is located behind the fire station with 2 dock spaces available.
- Independence Park Dinghy Dock (Floating dock) – This is a dock is for use by transient boaters and was partially funded with a grant from the Boating Infrastructure Grant program of the US Fish and Wildlife.

#### Privately Owned Structures

The Harbor Master has inventoried all of the existing dock facilities using the Global Positioning System. There are 41 sites with harbor structures, most of which are privately owned residential docks. Others include: Herreshoff Museum, Columban Fathers, Blithwold, and The Mount Hope Trust in Bristol. Appendix E has the inventory of properties with the type of structure (i.e. docks, wharfs or bulkhead) noted.

The Thames Street Landing development has 6 slips for transient boaters. Thames Street Landing also provides tie-up for small shell fishing boats on the south side of their wall at the State Street boat ramp. Currently there are 5 tie-ups in this area. Stone Harbour Condominiums (formally Premier Thread) has added 39 dock slips for condominium owners.



*Photo: Thames Street Landing Under Construction on the left with State Street Dock on the right. State Street Boat Ramp in the middle. August 2001.*

A new ramp, with parking area, has been added by the State of Rhode Island at the Mount Hope Fishing area (“Teepee site”). It includes floating docks for loading and unloading and launching.

Bristol Yacht Club, a private, member club, has an existing pier, boat ramp, dingy launch and storage. During the summer season, floating docks accommodate 6 large boats for members only.

Adjacent to the Bristol Yacht Club, Bristol Marine is a full service marine repair facility. They have commercial docks with 20 slips (defined as a pier with floating docks).

Other harbor structures include the Coast Guard facility piers at the end of Constitution Street, the Prudence Ferry dock (defined as a pier) adjacent to Rockwell dock, and the State Bay Islands Park System dock (defined as a pier) at Colt State Park.



*Photo: Bristol Marine on the left and Bristol Yacht Club on the right.  
August 2001*

### Other Harbor Facilities

Waterfront development in the downtown proposes additional dock space in Bristol Harbor. .

A need for dock space has been identified to serve the boat building industry in Town. Most of Bristol's boat builders do not have waterfront properties but rather are located in industrial parks near the center of Town. The Harbor Master has made three (3) slips available for large commercial vessels associated with Bristol-based marine businesses at the end of Church Street. These slips are 30' long and are available on a year to year basis.

There has been an increase in visitors who come to Bristol by way of the water. A need for more transient and seasonal dock space to accommodate these visitors has been identified. The Town has constructed a dinghy dock for transient boaters at Independence Park with a Boating Infrastructure Grant from The US Fish and Wildlife Service. The west end of Rockwell Dock has been identified as the location for new transient dock space with a floating dock and ramp. This project is being funded by a Boating Infrastructure Grant from the US Fish and Wildlife Service. There may also be opportunities for a floating dock at either transient space or short term tie up at the end of State Street.

Bristol Marine operates a launch which brings visitors from their boats moored in Bristol Harbor to the downtown area. The Bristol Marine launch currently has an agreement with Thames Street Landing to use their docks which is a convenient location downtown.

There are approximately 6 residents of Prudence Island who come to Bristol year round by boat for shopping, banking, and conducting other business with local merchants such as haircuts, insurance, etc. These boats are smaller in size, ranging from 23' - 25'. A need has been identified for transient dock space to accommodate these boaters. Due to the parking situation downtown, there is an advantage to providing some dock space for these Prudence Island residents to come by boat rather than by car.

Parking on Thames Street is available for Bristol residents who are also marina slip owners. Parking at State Street and Church Street is available for Bristol residents only. The parking lot at State Street Dock is available for residents with stickers. This parking lot is also used by shell fishermen who launch their boats at the State Street boat ramp and park their trailers here. This parking lot could be utilized more efficiently with improvements such as new paving and striping.

The Harbor Commission has provided a list of future capital improvements which are either planned or proposed for construction over the next five years. Some of these improvements include much

needed repairs or upgrades to the existing docks and boat ramps. This Capital Improvements listing is included in Appendix F of this document.

### Downtown Harbor Boardwalk

The Downtown Harbor Boardwalk, as set forth in the Town's Comprehensive Plan and Update, is a harbor's edge walk to connect the public parks and access points between Independence Park and the Coast Guard Station. As part of the Town's historic policy of providing public access to the water, the boardwalk will be pieced together through easements and acquisitions during the development approval process. (Reference CRMC Section 335)

The Town began the Boardwalk in conjunction with the Rockwell Dock. The State-Owned Independence Park also includes a segment of the Boardwalk. The first segment of this public boardwalk that has been constructed by a private developer was in conjunction with the Thames Street Landing development. This was the first major redevelopment project in the downtown waterfront zone. A continuation of this boardwalk to the north was completed with the re-development of the former Premier Thread property into residential condominiums, known as "Stone Harbour". This large segment of the boardwalk will connect the Thames Street landing boardwalk to Independence Park with an easement over land of Quito's restaurant.

The Town is currently in the process of designing a boardwalk linkage along the State Street dock. This segment is planned in conjunction with improvements to the parking area on the dock. The western and northern edges of the dock are currently deep water access for fishermen. The dock is also used as a fishing pier. The boardwalk design should be coordinated with these other uses.

The Robin Rug owner has conveyed the riparian rights to the Town. The Town is planning for a continuation of the boardwalk and for dock slips. The new boardwalk will be built by the Developer in association with the Robin Rug redevelopment. Appendix K has the conveyance document.

## 2. POLICY

- There needs to be a fair and efficient allocation of dock space for resident, non-resident, and commercial users.
- There needs to be a balance of dock space between recreational and commercial fishermen.
- The Town's existing docks should be inspected regularly with a maintenance program for same.
- Construction of future docks must not degrade water quality, natural flow or hydrodynamics, impact natural resources and habitat, or compromise the Town's existing mooring fields.
- Requests for future dock expansions and new dock requests should be carefully reviewed weighing all potential impacts, including; but not limited to; economic development, water quality impacts, water flow dynamics, the local watershed, aesthetics, navigational safety, storm safety, and, the State's Public Trust responsibilities.
- Construction of future, large-scale private docks must provide necessary support services.
- There should be provisions to accommodate visitors who come to Bristol by water since these visitors help to bring economic vitality to the downtown without increasing vehicular traffic and parking problems.
- Continue to maximize the ability of Bristolians to gain access to, and enjoy, the waterfront.
- Requests for future docks and new dock requests should be carefully reviewed using, but not limited to, the validated Predictive Habitat Model developed by Save Bristol Harbor, the University of Rhode Island, and Brown University. The model enables the Town and the

Harbor Commission to scientifically and objectively evaluate the proposed physical and chemical changes to the local waters including the Harbor and their impact on water flow dynamics, water quality and watershed before the changes are actually made or implemented in the environment.

### 3. IMPLEMENTATION

D1 – In new development of large-scale private dock space, the Town should ensure sufficient parking and support services provided by the owner, including pump-out facilities, if determined to be necessary. Consideration should be given to setting aside a, to be determined, percentage of slips for transient use, if feasible.

*Action Agent: Harbor Master, Harbor Commission, Planning Board, Department of Community Development.*

*Time Frame: Ongoing*

D2 – In any new waterfront subdivision, the Planning Board should encourage the developer to consolidate the docks, if part of the project, to lessen the impact on the water and the environment.

*Action Agent: Planning Board, Harbor Commission and Harbor Master*

*Time Frame: Ongoing*

D3 – The Town should keep track of all requests to CRMC for proposed docks and make every effort to meet with CRMC staff if there are concerns about dock requests.

*Action Agent: Harbor Commission, Harbor Master and, Department of Community Development.*

*Time Frame: Ongoing*

D4 – Applicants constructing private docks should be required to meet with the Harbor Commission to review the plans prior to applying to CRMC so the Commission can assess any impacts to Town waters or incompatibility with future Town projects.

*Action Agent: Department of Community Development, Harbor Commission*

*Time Frame: Ongoing*

D5 – In existing and future Town dock space, the Town must ensure that there is a balance of commercial and recreational users, and adequate parking facilities.

*Action Agent: Harbor Master and Harbor Commission.*

*Time Frame: Ongoing*

D6 – The Town should allocate dock space and provide dinghy landings for transient boaters in Bristol Harbor, including residents from Prudence Island. This will give transient boaters a place to tie-up and go ashore in the downtown area. These areas should be properly signed with “parking” time limits established.

*Action Agent: Harbor Master and Harbor Commission.*

*Time Frame: Within two years*

D7 – The Harbor Commission should conduct regular inspections of docks to determine their condition and develop a plan for their maintenance.

*Action Agent: Harbor Commission and Harbor Master*

*Time Frame: Yearly*

D8 – The Town should carefully consider grants for dock improvements, particularly State Street Dock, and not accept any grants that come with stipulations that may impact use by Bristol residents.

*Action Agent: Town Council, Town Administrator*

*Time Frame: Ongoing*

D9 – State Street dock is in need of major improvements to the parking area and seawall to keep this dock and parking area operational. Any improvements to the parking area needs to be sensitive to keeping this as a working/functional dock.

*Action Agent: Department of Community Development, Town Administrator, Town Council*  
*Time Frame: Within 2 years*

D10 – The Harbor Commission should review and update the proposed Capital Improvements listed in Appendix F of this document on a yearly basis. The Harbor Commission should also work toward implementation of the projects, with large infrastructure improvements presented to the Town Administrator and Town Council for budgeting with a 5–year plan for action.

*Action Agent: Harbor Commission, Harbor Master, Town Administrator, Town Council*  
*Time Frame: Yearly*

D11 –The area at State Street and Rockwell Park has also been identified as having potential for additional transient docks or short term tie ups. A Master Plan for this area needs to be developed integrating all of the elements including parking, public boardwalk, dock spaces, and amenities such as lighting, benches and signage. The plan for this area should integrate the “working waterfront” into the design.

*Action Agent: Harbor Commission, Planning Board, Harbor Master, Department of Community Development, Town Administrator, Town Council*  
*Time Frame: Within 1 year for development of the plan*

D12 – Continue the process of piecing together the Downtown Harbor Boardwalk as part of the development or re–development of the Bristol Waterfront.

*Action Agent: Department of Community Development, Planning Board*  
*Time Frame: Ongoing*

## Boat Launching Ramps

### 1. FINDINGS

Bristol has five public boat launching ramps which serve the Bristol and regional tailored boat launch users:

- Independence Park
- State Street
- Colt State Park
- Mount Hope Fishing Area (the Teepees)
- Narrows Fishing Area.

All of these boat ramps vary in use and condition.

Independence Park was improved in 2003 and presently has sufficient launching area and parking spaces. There are also dinghy racks at Independence Park.

State Street launch area is also in good condition for launching but is in need of maintenance to keep it operational. In order to facilitate boat haul-out and prevent propeller wash, the Town is in the process of obtaining approval to install additional concrete slabs on the ramp. Repairs to the existing seawall are also planned. The parking area also needs to be improved. The parking area is in very poor condition with areas of the wall crumbling into the water. The parking lot could be expanded and used more efficiently if it was re-paved to the limits of the Town's property line and striped. The Town Council has appointed a committee, named the State Street Dock Upgrade Committee, in the Spring of 2008. This Committee is currently reviewing recommendations to present to the Town Council.

Colt Drive launching area, while more than adequate for parking area, is a difficult place to launch a boat because of the wind conditions.

The Narrows Peninsula launch also has several drawbacks – it is an unimproved sand spit and parking is somewhat limited. It is acceptable

for “seasoned boaters”. The Town has preserved the property that includes the Narrows Peninsula. The property has been preserved for open space and is owned by a not-for-profit trust known as “The Waypoyset Trust”.

The Mount Hope Fishing Area. . Ramp was completely upgraded by the State of Rhode Island in 2010. The upgrade includes parking, launching ramp, floating docks for loading, unloading, and launching

There are several small neighborhood boat launch sites scattered throughout Town – Sherman Avenue, Fales Road, and Azalea Drive. These launch areas are public, however, there is no parking adjacent making them unsuitable for tailored boat launches. These neighborhood boat launch areas should remain small scale.

Private boat launching facilities also exist at Bristol Marine, Bristol Yacht Club, and the Herreshoff Docks.

## 2. POLICY

- The Town recognizes the importance of boat launching areas in Town as a means for all boaters to access the water.
- The existing public boat ramps should be kept and maintained to ensure that there are useable boat ramps within the Town.
- As revenues generated by the moorings and docks increase, more funding should be assigned to harbor capital upgrades and maintenance.
- Provisions for new and/or improved launching areas should be examined.

### 3. IMPLEMENTATION

BR1 – The Harbor Commission should conduct regular inspections for the boat ramps to determine the condition of the ramps and develop a plan for their maintenance and improvements. This should include not only the physical condition of the boat launch ramps but also the adequacy of parking, the physical condition of the parking area, and the provision of other necessities or amenities.

*Action Agent: Town Administrator, Harbor Master, Harbor Commission*

*Time Frame: Within 1 year for plan*

BR2 –As monies become available from local, state, and federal programs, the Town should apply for grants to improve boat launching areas or to acquire additional boat launching areas.

*Action Agent: Town Administrator, Harbor Master, Department of Community Development*

*Time Frame: Ongoing*

BR3 – The Constitution Street right of way might be considered for installation of a dinghy or transient dock on the north wall.

*Action Agent: Town Administrator, Harbor Master, Harbor Commission*

*Time Frame – Within one year*

BR4 – State Street Boat Ramp needs immediate maintenance to keep it operational. This maintenance should include dredging, if possible, and extension of concrete slabs. Since this boat ramp is heavily used, maintenance should be high priority.

*Action Agent – Harbor Commission, Department of Community Development, Town Administrator.*

*Time Frame – Ongoing; completion within one year*

## **MOORING MANAGEMENT**

### 1. FINDINGS

In 1998, Bristol received a grant from the Rhode Island Department of Environmental Management (RIDEM) Narragansett Bay Estuary Program to produce Resource Inventory Maps for the Harbor Management Plan. This mapping included individual moorings as well as RIDEM water quality classifications, shoreline access points, estuarine habitats, conservation areas and shellfish areas. The Town was selected for this project since the mooring field perimeters had already been mapped by the Coastal Resources Management Council (CRMC). The intent of the project was to provide information for decision makers in order to minimize conflicts between the different uses and protect the critical resources.

The perimeters of the existing mooring fields and one (1) new mooring field (Church Cove) were mapped in 1997 with the assistance of the Coastal Resources Management Council and adopted by the Town Council on March 19, 1997. The mooring fields are as follows: Highlands, Usher's Cove, Bristol Harbor, Walker's Cove, Church Cove, Narrows North, Hopeworth, Kickemuit South and Kickemuit North. The town manages all of the mooring fields in Bristol waters. The map is included in Appendix G.

The Town has been working with RIDEM on the issue of mooring fields in Class SA waters. After much review, the RIDEM has determined that there are two classifications of mooring areas -- "destination mooring areas" where boaters moor overnight for extended periods of time; and, "residential parking areas" where owners in essence "park" their boats until they use them again. The conflict is with the "destination mooring areas" which RIDEM will be prohibiting in Class SA waters. However, the RIDEM has determined that none of Bristol's existing mooring fields in Class SA waters would be classified as "destination mooring areas".

The CRMC prohibits mooring fields in Type 1 waters. The Church Cove mooring field, off of Mount Hope, is in Type 1 waters and therefore this

field has been eliminated. This former field was populated by riparian moorings only so this is not an issue.

During review of the mooring fields with the RIDEM, the Town requested an adjustment to the Walker's Cove field in order to maintain better mooring management. This field will be shortened on the south side as indicated on the maps in Appendix G. RIDEM and CRMC supported this amendment. As a future amendment, the Hopeworth field will be expanded slightly south.

Additionally, it has been determined that the Usher's Cove mooring field is only populated by riparian moorings. Given the rocky area and susceptibility of this field to winds it is not heavily used and based on the recommendation of the Harbor Master's Office this field has been eliminated.

The Resource Inventory Mapping expanded the base map information provided from the CRMC by mapping each of the individual moorings in each of the mooring fields using the Global Positioning System. Each mooring also has a data set assigned to it which identifies the owners name, mooring number, and name of boat. The Harbor Master's Office has also created and maintains a database of legally registered moorings which includes:

- the mooring number;
- latitude and longitude;
- current mooring owner name, address and phone numbers and emergency contact numbers;
- length, type, color, and name of boat; type of marine sanitation device, registration and hull identification numbers;
- vessel owner name;
- mooring type, class and weight;
- required weight;
- date of last mooring inspection; and,
- payment information.

The Harbor Master's office has been updating the actual mooring locations as well as adding to the data base of information. This will be used by the Harbor Master in the administration of mooring permits and mooring fees.



**Bristol Harbor view to the North. August 2001**

The chart below outlines the number of moorings in the mooring fields and shows the increase over the past twelve (12) years.

	1998	2001	2004	2010
<i>Mooring Field</i>	<i>Number of Moorings</i>	<i>Number of Moorings</i>	<i>Number of Moorings</i>	<i>Number of Moorings</i>
Bristol Harbor	346	468	491	495
Kickemuit River North field and South field	114	162	142	151
All other mooring fields	87	104	189	191
<b>TOTAL</b>	<b>547</b>	<b>734</b>	<b>823</b>	<b>837</b>

Public Mooring Field maps indicating boundary lines by GPS and State Plan coordinates, vessel sizes, mooring field statuses, water depth, priority uses, swimming areas, transplant beds are included in Appendix G.

## 2. ISSUES

As the chart above illustrates the Bristol Harbor has seen a large increase in new moorings over the last 12 years. Additionally, many private moorings in the harbor have been converted to commercial moorings with a current total of 122 commercial moorings. The majority of these are held by one commercial entity.

There have been problems in the past with unregistered moorings being illegally placed, as well as, abandoned moorings. All of these things impact the availability of mooring space and the efficient and equitable allocation of moorings.

There are several considerations to take into account in the future siting and allocation of moorings in Bristol: water quality, storm damage, the shellfish transplant bed, and the harbor patrol staffing ability. As the number of moorings increase, they move closer to channels and fairways to the point where they may create unnecessary navigational hazards.

When the 1994 Harbor Management Plan was completed, the Bristol Harbor and Kickemuit mooring fields had “appeared to reach their capacity”. The Bristol Harbor mooring field is physically limited from expansion by the shell fish transplant bed on its southwestern end, however, there may be an opportunity for limited future expansion to the southeast in the area of Class SB waters.

Navigational safety is another concern in Bristol Harbor. The expansion of the mooring areas and the lack of distinct fairways have made it difficult to traverse the upper area of the harbor, especially for transient boaters unfamiliar with the area.

Storm damage is an additional consideration that has to be taken into account. The Harbor Patrol Office is seeing damage with even minor storms due to the current density of moorings in the Bristol Harbor.

In consideration of the above concerns about overcrowding and safety, the Town Harbor Ordinance sets a maximum number of moorings allowed in each of these fields as well as a maximum number of commercial moorings in any field. Under this ordinance, the Bristol Harbor has a maximum number of moorings set at 525; the Kickemuit River mooring fields have a maximum number of moorings set at 180. Commercial moorings shall only be allowed in Mooring Fields 2 and the number of commercial moorings allowed in any field shall be up to 30% of the total mooring spaces authorized. The ordinance also caps the number of commercial moorings that may be owned by one entity at 15.

The Town Harbor Ordinance also sets provisions for the removal of abandoned and illegal moorings. The Town Harbor Master's Office is exploring the purchase of a "mooring puller" not only to remove abandoned and illegal moorings but also to adjust those that may have shifted.

The need for additional transient moorings has been identified. To help meet this need, the Town has received a grant from the Boating Infrastructure Grant program for the purchase and installation of 8 transient moorings which have been placed in a designated area in the Harbor.

### 3. POLICIES

- In order to keep the Bristol Harbor and Kickemuit River mooring fields safe for navigation and the boating public, there shall be a limit on the total number of moorings that can be placed in these mooring fields.
- There will be equitable and efficient allocation of available mooring space to private and commercial mooring owners.
- There will be equitable and efficient allocation of available mooring space to residents and non-residents, consistent, respectively, with the CRMC requirements of no greater than 3:1.

- There shall be no unregistered moorings in the Town's waters.
- Mooring fees shall be consistent with market conditions and with the services provided or anticipated in the future.
- Requests to reduce the area of the mooring fields in order to allow construction of permanent structures, such as docks, should be carefully considered.

#### 4. IMPLEMENTATION

M1 -The total number of moorings to be allowed in the Bristol Harbor and Kickemuit River shall be set by ordinance. New moorings would be available only by attrition.

*Action Agent: Town Council, Harbor Master, Harbor Commission.*

*Time Frame: Completed*

M2 - The total number of commercial moorings to be allowed in the mooring fields shall be set by ordinance.

*Action Agent: Town Council, Harbor Master, Harbor Commission.*

*Time Frame: Completed*

M3 - The Harbor Master shall be provided with the necessary ordinances, staff, and resources to manage the mooring fields including: keeping an accurate count, the precise location, and waiting list for moorings.

*Action Agent: Town Council, Harbor Master and Harbor Commission.*

*Time Frame: Ongoing*

M4 - The Town shall maintain comprehensive mooring ordinance and regulations that address items such as permitting requirements and enforcement provisions.

*Action Agent: Town Council, Harbor Master and Harbor Commission.*

*Time Frame: Review once a year*

M5 – The Town shall maintain, and continue to update, the mooring field mapping, database, and GPS coordinates of all moorings and boats completed by the State in 1998.

*Action Agent: Harbor Master and Harbor Patrol*

*Time Frame: Ongoing*

M6 – As set forth in the Town’s ordinance, the Town has developed procedures for the removal of illegal and abandoned moorings.

*Action Agent: Town Council and Harbor Master*

*Time Frame: Completed*

M7 – The Town shall review the mooring fee schedules each year and ensure that the fees are consistent with market conditions and commensurate with the value of Town services provided or anticipated.

*Action Agent: Town Council, Harbor Master, Harbor Commission*

*Time Frame: Once a year*

M8 – The Town shall carefully consider requests to reduce the area of the mooring fields for construction of permanent structures such as docks.

*Action Agent: Town Council, Harbor Master, Harbor Commission*

*Time Frame: Ongoing*

M9 – The Town should explore the feasibility and cost/benefits of redoing the Bristol Harbor Mooring Field in a grid system.

*Action Agent: Harbor Commission, Harbor Master*

*Time Frame: Within two to four years.*

M10 – The Town will install transient moorings with funding provided from the Boating Infrastructure Grant and continue to maintain them for transient boaters. *Action Agent: Harbor Commission, Harbor Master*

*Time Frame: Ongoing*

M11 – Consistent with CRMC requirement as set forth in the Town’s ordinances, moorings shall be allocated at no greater than a 3:1 resident to non-resident ratio for each designated mooring area.

*Action Agent: Town Council, Harbor Master*

*Time Frame: Ongoing*

M12 – The Town of Bristol will require that all moored vessels are kept within mooring area perimeters except those on riparian moorings, as set forth in the Town’s ordinances.

*Action Agent: Town Council, Harbor Master*

*Time Frame: Completed*

M13 –As set forth in the ordinance, the Town will require setbacks from mooring fields to prevent moorings from interfering with access to fairways and channels. Additionally, a fifty foot setback will apply to residential docks, piers, floats, and public launching ramps. Setback limits from riparian moorings and shoreline public rights of ways shall be sufficient to allow ingress and egress and prevent interference with the exercise of private and public right in these areas. Mooring areas shall be setback at least three times the US Army Corps of Engineers authorized project depth from federal navigation projects.

*Action Agent: Town Council, Harbor Master*

*Time Frame: Completed*

M14 – In conjunction with the adoption of the 2005 plan, the Town adopted the ordinance to prohibit moorings in Federal navigation projects which is still in effect.

*Action Agent: Town Council, Harbor Master*

*Time Frame: Completed*

M15 – In conjunction with the adoption of the 2005 plan, the Town adopted the ordinance requiring that all new and significantly expanded mooring fields be sited to ensure that tides and currents aid in flushing the mooring area which is still in effect.

*Action Agent: Town Council, Harbor Master*

*Time Frame: Completed*

M16 – In conjunction with the adoption of the 2005 plan, the Town adopted the ordinance requiring that all new and significantly expanded

mooring areas be sited to avoid adverse effects on water quality, which is still in effect.

*Action Agent: Town Council, Harbor Master*

*Time Frame: Completed*

M17- In conjunction with the adoption of the 2005 plan, the Town adopted the ordinances prohibiting swimming and water skiing in all designated channels, fairways and mooring areas which are still in effect.

*Action Agent: Town Council, Harbor Master*

*Time Frame: Completed*

M-18 - In conjunction with the adoption of the 2005 plan, the Town adopted the ordinance to ensure that moorings areas sited so as not to substantially interfere with designated shellfish management areas, traditional fishing grounds, public recreational areas and conservation areas, which is still in effect.

*Action Agent: Town Council, Harbor Master*

*Time Frame: Completed*

M-19 - In conjunction with the adoption of the 2005 plan, the Town adopted the ordinance to ensure that mooring areas are sited not to significantly effect finfish and or shellfish resources, wetlands, submerged aquatic vegetation and aquatic habitat, which is still in effect.

M - 20 -, The Town will adopted an ordinance to ensure that mooring areas are adequately serviced and pump out stations are accessible, which is still in effect.

*Action Agent: Town Council, Harbor Master*

*Time Frame: Completed*

M-21- The Town eliminated the Church Cove mooring field as it is in Type 1 waters as identified by CRMC.

*Action Agent: Town Council, Harbor Commission and Harbor Master*

*Time Frame: Completed.*

M-22- The Town eliminated the Usher's Cove mooring field as has been recommended by the Harbor Master's Office.

*Action Agent: Town Council, Harbor Commission and Harbor Master*

*Time Frame: Completed.*

## BEACHES, SWIMMING, and WINDSURFING AREAS

### MUNICIPAL SHORELINE ZONES

#### 1. FINDINGS

##### Public Beaches –

The Town Beach and Sports Complex is a 27.15 acre park located near the entrance to Colt State Park. It has a public beach with lifeguards, a large grassy expanse with a new playground, new picnic tables; and a pavilion with new ample parking. The Sports Complex includes 3 baseball/softball fields, tennis courts, basketball court, a roller hockey arena, four soccer fields, a large multipurpose field and a skate park. The Town has made significant investments in this complex including a recent connection to Town Sewer and upgrades to the bathrooms and showers.

##### Swimming Areas –

In addition to the public beach at Colt State Park noted above, there are also several smaller areas with access for swimming along the Bay and Kickemuit River. Appendix E lists and describes the Shoreline Access points. In particular, Union Street, at the westerly end off Hope Street, is an ideal spot for wading and swimming. Walley Beach, (a.k.a “Green Grass”) is an area where swimming is allowed. The Hopeworth Association has beach frontage on the Kickemuit River accessed by steps from Viking Drive. There is also public swimming at the end of Annawamscutt Avenue in an area known as “The Teepees”. Identified swimming areas are indicated in Appendix G.

##### Windsurfing Areas –

Walley Beach, at the end of Walley Street where it intersects with Hope Street, is a designated staging area for windsurfing.

##### Municipal Shoreline Zoning Districts –

The Town does not have a specific “shoreline” zoning district. For the most part residential zones extend along the properties abutting the shoreline; however there are some key parcels which have been zoned as

Open Space or Mandatory Cluster for the preservation of open space. The Town's Waterfront zone encompasses properties along Thames Street in the downtown section and along Hope Street to its intersection with Poppasquash Road. The Waterfront zone is intended for mixed use residential, commercial and limited industrial use along the downtown waterfront with an emphasis on preservation, economic development, recreation, and open space.

## 2. POLICIES

- Acquire additional beach frontage along Mount Hope Bay
- Acquire other beach or waterfront frontage as possible

## 3. IMPLEMENTATION

OUA1 – Acquire land along the shore along the Kickemuit River and the Mount Hope Bay.

*Action Agent: Town Administrator, Community Development Director, Town Council, Recreation Department*  
*Time Frame – As the opportunities arise*

OUA2 – The town will explore the creation of shoreline zoning districts.

*Action Agent: Department of Community Development, Planning Board and Town Council.*

*Time Frame: 3 years*

## SHORELINE PUBLIC ACCESS

### 1. FINDINGS

As of 1992, there were 35 shoreline public access points designated by the Town of Bristol and/or the Rhode Island Coastal Resources Management Council (CRMC) in Bristol.



The following additional public access areas were created since the 1994 plan.

In 1998, the Mount Hope Farm, which fronts on Mount Hope Bay, was preserved as open space. It is currently owned by The Mount Hope Trust in Bristol and is open to the public. Parking is available on the site and visitors can walk to the shoreline. Vehicular traffic is not allowed on the drives except on certain dates when vehicles with handicapped tags are allowed. The property consists of 127 acres which includes Seal Island in Church Cove. Seal Island is a valuable haul out and resting place for Harbor Seals during the winter months. This property abuts the Brown University property which has the largest undeveloped coastline in Bristol. Preservation of this property for public access is a top priority.

The condominium project known as Weetamoe Farm has been completed with the construction of 62 residential townhouses to be known as "Bristol Landing". As a condition of the approval, there is an east/west access to the shoreline across this property which fronts on Mount Hope Bay. This access is available for public use, with permission from the property owners.

The downtown harbor boardwalk has been extended since the 1994 plan with the development of Thames Street Landing and the ongoing Stone Harbour Condominium development. The Town's long range plans

include extending this boardwalk to the Rockwell Park for a complete walk from Independence Park to Rockwell Park. One of the missing links is the connection from State Street to Rockwell which would run from State Street dock behind the Fire Station and other privately-owned property.

The 20 acres of vacant land on the north side of Bristol Narrows have been preserved as public open space by the Waypoysset Trust. This property includes the existing CRMC designated right-of-way, beach area and boat launch.

In May of 2000, the Harbor Commission conducted a site inspection of the shoreline access points; their full report, with photographs, is also included in Appendix H. In the summer of 2003 the Bristol Parks and Recreation Department installed large granite markers to designate the public shoreline access points. These markers were funded with a trail grant from the RIDEM. The size of these markers makes them very recognizable and difficult to destroy or remove, which should ensure their permanence.

### Waterfront Public Parks

In addition to the existing public parks that were mentioned in the 1994 CRMC approved Harbor Management Plan, the Town has added to the inventory as follows.

Silver Creek and Thomas Park at Silver Creek – preservation of the property was made possible by Cumberland Farms who sold the property to the Town after it became clear that the residents would not support the construction of a gas station at the site. A new park has been established, at this site, by the Town in 2009.

## 2. ISSUES

There are some public access points that are overgrown; obstructed; or without proper identification.

In the past, access to the shore was lost or diminished by “privatization” of public rights-of-way.

### 3. POLICIES

- The Town shall not allow any future “privatization” of existing public access points.
- The Town will actively support efforts to maintain and protect the public access points to the shore. Continued maintenance of the Town’s rights-of-way is an important element of providing access to the shore.
- Where necessary, the Town will support the physical improvements of shoreline access areas on a priority basis to ensure safe access.
- The Town will support and encourage the efforts of the Planning Board in the creation of new access points for all new waterfront development.
- The Town will support the participation of citizens in the physical restoration, upgrading and maintenance of rights of ways.
- The Town will examine the possibilities for the acquisition of or donation of lands adjacent to access points for open space and recreation as monies become available.
- The Town should not abandon any public shoreline access points.
- The Town should explore the potential for additional public shoreline access points, including municipal paper streets, dedicated easements, drainage outfalls, and buried cables.

### 4. IMPLEMENTATION

PA1 – The Harbor Commission should continue their efforts to determine which public access points need improvements. These areas should be prioritized and targeted for improvements to ensure safe access to the shore working with the Department of Community Development to seek funds for such improvements.

*Action Agent – Harbor Commission, Town Council, Town Administrator, and Department of Community Development.*

*Time Frame: Ongoing*

PA2 – The Harbor Commission should coordinate with the Town Administrator on a plan for long-term maintenance of rights-of-way including regular trash removal, periodic mowing and annual brush removal. Also, where needed, signs to identify each right-of-way should be erected and illegal “no parking” signs should be removed.

*Action Agent – Harbor Commission and Town Administrator*

*Time Frame: Ongoing*

PA3 – Waterfront development should not restrict or diminish public access. The Town shall require that new or expanded developments provide some form of public access (i.e. downtown harbor boardwalk).

*Action Agent – Town Council, Planning Board, Department of Community Development.*

*Time Frame: Ongoing*

PA4 – The Town should begin planning work on connection of the public boardwalk from State Street to Rockwell Park. This area has also been identified as having potential for additional transient docks or short term tie ups. A Master Plan for this area needs to be developed integrating all of the elements including parking, boardwalk, dock spaces, amenities

such as lighting, benches and signage. The plan for this area should integrate the “working waterfront” into the design. A time frame for implementation should also be developed.

*Action Agent: Harbor Commission, Planning Board, Harbor Master, Department of Community Development, Town Administrator, Town Council*

*Time Frame: Ongoing*

PA5 – Inventory the paper streets, dedicated easements, drainage outfalls, and buried utilities as they may provide opportunities for potential new public shoreline access points. Some of this inventory could be conducted in conjunction with the Phase 2 Stormwater Management Plan implementation

*Action Agent: Department of Community Development, Harbor Commission, Town Council, Department of Public Works*

*Time Frame: Within three years.*

PA6 – Continue to identify shoreline public access points for their potential to be officially designated as such by CRMC.

*Action Agent: Department of Community Development, Harbor Commission, Town Council*

*Time Frame: Ongoing.*

## MANAGEMENT OF HARBOR ACTIVITIES

### 1. FINDINGS

The roles of the Harbormaster, Harbor Commission; and, Harbor Advisory Commission are crucial to the implementation of the Harbor Management Plan.

The Harbormaster and the Harbor Patrol play an important role in harbor management activities, including: enforcement of the Harbor Ordinance; mooring management including managing disputes and placement of moorings; contributing to public safety and emergency response; and, control of wrecks and debris. Taken together, these duties exceed what can be reasonably accomplished on a part-time schedule, especially, during the boating season. There is currently one full time employee in this department. The department is staffed for 8 hours (from 8:00 a.m. to 4:00 p.m.) every day from Monday through Friday. Summer hours are extended to include staffing from 6:00 p.m. – 11:00 p.m.

### 2. POLICIES

- Clearly define the responsibilities of the Harbormaster and ensure that staffing and resources are adequate to fulfill the responsibilities.
- Clearly define the responsibilities of the Harbor Commission and the Harbor Advisory Commission.
- Improve enforcement and management of the Harbor Management Ordinance, implement strategies of the Harbor Management Plan, and provide appropriate training for all personnel engaged in Harbor Management activities.
- Harbor management will have sufficient funds to carry out the responsibilities assigned.

### 3. IMPLEMENTATION

HM1 – As more use of the harbor occurs by transient and seasonal boaters, a full-time daytime presence on the harbor is needed. This position must include enforcement capabilities. The Town has filled this position by extending the working schedule of the Harbor Master.

*Action Agent: Harbor Commission, Town Council, Town Administrator*

*Time Frame: Completed*

HM2 – The Town should ensure that there is adequate administrative support for harbor management.

*Action Agent: Town Council, Town Administrator*

*Time Frame: Within one – two years*

HM3 – The Town should define the position of the Harbor Master, Assistant Harbor Masters and Harbor Patrols and set minimum qualifications and requirements for each position.

*Action Agent: Town Council*

*Time Frame: Within six months*

HM4 – The Harbor Master, Assistant Harbormasters, and, Harbor Patrol should participate in annual training and certification appropriate to their positions.

*Action Agent: Harbor Master, Assistant Harbormasters; and, Harbor Patrol*

*Time Frame: Yearly*

HM5 – There needs to be open channels of communication between all departments and officials who are charged with overseeing the management and enforcement of the Harbor.

*Action Agent: Harbor Commission, Harbor Master, Harbor Patrol*

*Time Frame: Ongoing*

HM6 – The Town shall review the mooring and dock fee structures each year and ensure that the fees are consistent with market conditions and commensurate with the value of Town services provided or anticipated.

*Action Agent: Town Council, Harbor Master, Harbor Commission*

*Time Frame: Yearly*

HM7 - Clear responsibilities for the Harbor Commission and Harbor Advisory Commission should be established. Rules and procedures for Commission Meetings should also be adopted. (See Appendix I for model Rules and Regulations)

*Action Agent: Town Council, Harbor Commission, Harbor Advisory Commission*

*Time Frame: Within 6 months (edit 1/10/11)*

HM8 - The Harbor Commission should be represented by all constituencies of the waterfront, including commercial and recreational shell fishermen and commercial and recreational boaters.

*Action Agent: Town Council*

*Time Frame: As needed based on appointments*

HM9 - The Harbor Patrol should be tied into the Police Department to better coordinate the harbor ordinance enforcement and management activity.

*Action Agent: Harbor Master, Police Department*

*Time Frame: Two year*

## WATER QUALITY

### 1. FINDINGS

Commercial shell fishing has traditionally been an important part of the economy of Rhode Island and the Town of Bristol. Recreational shell fishing is also enjoyed by many Bristol residents.

Through a cooperative effort between the RI Department of Environmental Management, Narragansett Bay Commission; and Narragansett Bay Shell fishermen clams from marginally polluted, closed waters are transplanted to the shell fish bed in the west side of Bristol Harbor annually. Generally the



clams are transplanted from the east side of Bristol Harbor but clams have also been transplanted from closed waters of Tiverton, Greenwich Cove and Warwick Cove. These clams can purge themselves of bacterial pollutants in a matter of weeks when relocated to non-polluted waters and are then available for harvest.

Discharge of sewage from marine sanitation devices (MSDs) on boats within Bristol's waters contributes to the degradation of water quality. The Narragansett Bay has been designated a "no discharge" area by the US Environmental Protection Agency. The Town has a pump out facility located at Rockwell Dock at Bristol Harbor and also owns and operates a pump out boat. The Harbor Master was recognized by the US Division of Fish and Wildlife with an award for the implementation of the pump out boat pennant system. The pump out boat, which operates 20 hours per week, gets more use than the pump out station and has been a very successful operation. Bristol also has a mutual agreement with the Town of Warren for their pump out boat to aid in services on the Kickemuit River.

In March 2004, the Town of Bristol adopted a Phase 2 Storm Water Management Plan. This plan was revised in September 2008 and submitted to the RIDEM for approval. This plan addresses the Town's requirements to address storm water runoff under the EPA's regulations. The Town, acting through the Department of Public Works, is currently utilizing a variety of Best Management Practices, as identified by the EPA, to minimize pollutant loads into the local waterways and water bodies. The Town intends to continue with the current practices and supplement additional measures where required to adhere to the requirements and reduce the overall effects of storm water pollutants to Bristol water bodies to the "maximum extent possible".

## 2. ISSUES

- Pollution within the Town's waters potentially impacts the water quality, resulting in closed shellfish beds and limiting the enjoyable use of the water.
- Swimmers, fisherman, boaters, and the local boating industry are all dependent on good water quality.

## 3. POLICIES

- The Town supports actions to improve opportunities for shellfishing through management of water quality and control of potential sources of pollution.
- The Town supports all public educational opportunities pertinent to the preservation and protection of the ecology of Bristol's waters.
- The Town supports efforts to monitor water quality conditions in Bristol's jurisdictional waters.
- The Town shall require that all new waterfront development comply with Coastal Resources Management Program requirements.

- The Town will support the possibility of future designation, acquisition, easements (or other techniques) of open space and conservation areas bordering the Kickemuit River, Mount Hope Bay, Narragansett Bay, Bristol Harbor, and Silver Creek to aid in the preservation or upgrading of current water quality condition.
- Discharges of pollutants to the Town’s waters should be prohibited.

#### 4. IMPLEMENTATION

WQ1 – The Town should review and comment on CRMC permits regarding the impact of proposed development on coastal lands and environments.

*Action Agent: Harbor Commission, Planning Board, Conservation Commission*

*Time Frame: Ongoing*

WQ2 – The Town shall continue the educational program for boaters to keep them aware of the “no discharge” zone. Information should be sent to boaters on a yearly basis.

*Action Agent: Harbor Commission, Harbor Master*

*Time Frame: Ongoing*

WQ3 – The Town shall support efforts to determine where the primary sources of pollution are emanating from in the Kickemuit Watershed. The Town shall begin a phasing program to retrofit any drainage structures that contribute to this watershed to better protect water quality.

*Action Agent: Town Council, Town Administrator, Department of Community Development; and, Department of Public Works.*

*Time Frame: Within two years*

WQ4 – The Town shall require Best Management Practices in all new drainage structures installed in the watershed (i.e. oil water separators).

*Action Agent: Department of Public Works, Planning Board*

*Time Frame: Within two years*

WQ5 – In new and replacement waterfront development the Town should strongly encourage the use of permeable surfaces for driveways, parking lots, sidewalks, and roads; ensure a vegetated buffer consistent with CRMC guidelines; require sewer connections, if sewer is available; tailor infrastructure to size of development (i.e. road widths, etc).

*Action Agent: Planning Board, Department of Community Development*

*Time Frame: Ongoing*

WQ6 – The Town should continue to actively pursue State and Federal money to acquire waterfront land for conservation and passive recreation purposes.

*Action Agent: Department of Community Development and Recreation Department*

*Time Frame: Ongoing*

WQ7 – The Town should recommend that RIDEM deny applications for new or expanded underground storage tanks in the velocity flood plain. The Town should prohibit above ground storage tanks of hazardous materials or wastes in the flood plain.

*Action Agent: Town Council, Department of Community Development, Planning Board*

*Time Frame: Ongoing*

WQ8 – The Town should add more hours to the pump out boat operation while keeping the pump out station operational as well. The Town’s pump out boat operates 2 days a week and this schedule is sufficient and should be maintained. The pump out station is operational from April through October.

*Action Agent: Harbor Master*

*Time Frame: Ongoing*

WQ8 – The Town will develop a disposal program to address the issue of inorganic materials including waste oil, plastics, trash, paint and varnish. In addition, a disposal site that is convenient to recreational and commercial boaters will also be explored.

*Action Agent: Harbor Master and DPW*

*Time Frame: 2 years.*

WQ9 – The Town will encourage marinas to develop operations and maintenance programs. Marinas that take advantage of CRMC’s O & M certification process can reduce their regulatory requirements with CRMC.

*Action Agent: Harbor Master*

*Time Frame: ongoing*

WQ10 – Wherever significant shallow water habitats are identified the Town will restrict boating activities to decrease turbidity and destruction of such habitats.

*Action Agent: Town Council, Harbor Commission and Harbor Master*

*Time Frame: ongoing*

WQ11 – The Town shall continue with implementation of the storm water management program, of the Phase 2 Storm Water Management Plan, to reduce the discharge of pollutants to all resource areas, including the impaired water bodies to the maximum extent possible.

*Action Agent: Town Council, Planning Department, Department of Public Works*

*Time Frame: Ongoing – Full implementation within 5 years*

## COMMERCIAL FISHERMEN

### 1. FINDINGS

There are currently 330 active licensed fishermen according to the Licensing Section of the RIDEM. This number includes commercial and recreational fishermen who have indicated Bristol as their residence. The majority are shell fishermen and many dock their boats in Bristol Harbor or utilize the State Street and Independence Park boat launches. Several commercial fishing boats are also moored in the Kickemuit River.

While there is no longer a moratorium on new commercial fishing licenses, there is a limited availability. The number of available licenses varies each year based on the different species, as determined by the biologists at the RIDEM.

The center of commercial fishing in Bristol is Rockwell Dock, State Street Pier, and Independence Park.

There are several threats to the commercial fishing industry. One threat is deteriorating water quality in Bristol Harbor, Narragansett Bay and Mount Hope Bay. Poor water quality adversely affects the shellfishing industry causing shellfish beds to be closed either permanently or seasonally.

Other concerns voiced by commercial fishermen in Bristol are future allocation of resources such as boat launching facilities, parking spaces for cars and trailers, and potential threats to their access to the water.

### 2. ISSUES

Commercial fishing has been a traditional industry in Bristol and continues to be a viable industry in Bristol today. There are threats to the viability of the industry as waterfront development increases and threats to water quality increase. It is important that commercial fishermen in

Bristol have sufficient resources such as good water quality, dock space, boat launches, and parking in order that this industry survive.

### 3. POLICIES

- It shall be the policy of the Town to protect and preserve the commercial fishing resources of Bristol.
- It shall be the policy of the Town to allocate a reasonable percentage of Town dock space to commercial fishermen.
- The Town shall support the maintenance and improvement of water quality especially in areas where shellfish beds are presently open on a year-round or seasonal basis.

### 4. IMPLEMENTATION

CF1 – The Town must ensure that there is no net loss of parking space available to commercial fishermen. If there is a need for more space in the future, the Town should undertake a study to determine the exact need and take efforts to provide that need.

*Action Agent: Town Council, Harbor Commission, Planning Board, Department of Community Development*

*Time Frame: Within two years*

CF2 – The Town should ensure that an equitable portion of Town dock space go to active commercial shell fishermen at a reasonable rate.

*Action Agent: Town Council, Harbor Master, Harbor Commission*

*Time Frame: Ongoing*

CF3 – When reviewing the dock fees, if possible, consideration should be given for only moderate fee increases for commercial fishermen.

*Action Agent: Town Council, Harbor Commission*

*Time Frame: As needed*

CF4 – As a convenience to commercial fishermen, available dock space in the winter season may be used by commercial fishermen at the discretion

of the Town Administrator and Harbor Master. This usage will be allowed as privilege that can be revoked if abused.

*Action Agent: Town Administrator, Harbor Master*

*Time Frame: As the opportunities arise*

## STORM PREPAREDNESS

### I. FINDINGS

Hurricane and other major storms have caused extensive damage to Bristol over the years: high winds, flood waters and storm surges endanger both lives and property. Being a peninsula, Bristol is especially vulnerable to storms that come up the coast such as hurricanes, tropical storms, and nor'easters. August and September are the most active months for storm activity which is also when the boating season is in full swing.

With the amount of moorings in the harbor increasing, Bristol's harbor patrol have seen damage from even minor storm events. Should one boat slip its mooring, it has the potential to damage surrounding vessels. Also, if a mooring is not properly maintained, it may not hold. This too can result in serious damage.

Most of Bristol's shoreline is in a flood zone or a velocity flood zone which means that flooding will occur. Given the mixed uses along the waterfront, including residences, emergency preparedness is critical.

The Town has adopted a storm preparedness element of its harbor management plan, which addresses emergency preparedness for hurricanes and other storms. The Harbormaster is primarily responsible for assisting boaters, securing the waterfront, and maintaining contact with the Coast Guard and other Town officers. In addition to this current harbor planning process, the Town has completed a Town-wide Natural Hazard Mitigation Planning Process. This comprehensive mitigation plan assessed the risks and mitigation strategies for each type of threat and effect associated with a natural disaster. The Town has received State EMA and Federal EMA approvals for the Natural Hazard Mitigation Plan.

## 2. ISSUES

There is a need to be as prepared as possible in the event that a hurricane or other storm hits Bristol.

Hazard mitigation is important to reduce or eliminate the threats from natural disasters that in turn will minimize or eliminate the potential risks to life and property.

## 3. POLICIES

- The Town will maintain an ongoing, coordinated effort between citizens and the State Emergency Management Agency to be ready and prepared for storm events.
- The Town will maintain communication and planning efforts between private and public agencies and groups that direct, control and support operations in an emergency situation.
- The Town will continue to develop and update strategies that prepare for and respond to natural disasters.
- The Town will complete the Hazard Mitigation Planning process that is currently ongoing in coordination with the State Emergency Management Agency.

## 4. IMPLEMENTATION

SP1 – The Town will review the storm preparedness element each year before the hurricane season to make sure that everyone is aware of their role during such a storm.

*Action Agent: Town Administrator, Harbor Master, DPW Director, Fire Chief, Police Chief, Emergency Management Coordinate*

*Time Frame: Yearly*

SP2 – The Town has adopted the Natural Hazard Mitigation Plan. The Natural Hazard Mitigation Plan addresses the mitigation of hazards to avoid loss of lives and property during storm events.

*Action Agent: Town Administrator, Town Council*

*Time Frame: Completed*

SP3 – The Town has adopted the storm preparedness element of this harbor management plan to specifically address storm preparedness issues that affect the harbor and marine interests.

*Action Agent: Harbor Master, Harbor Commission*

*Time Frame: Completed*

## **APPENDIX A**

Comments from public workshop of October 15, 2001

Minutes from Town Council Public Workshop December 4, 2001

Meeting Notes from Harbor Commission Meetings for 2010 Update:

September 13, 2010

October 4, 2010

December 6, 2010

January 10, 2011

## Notes from the Harbor Planning Committee

Public Workshop October 15, 2001

7:00 p.m. Town Hall

Present from the Committee were: Chairman Matt Hayes, Vice Chairman and Town Councilman Ray Cordeiro; David Sartrys; and Bob Hammel

### Items raised during the workshop:

- Concern about requirement that selling moorings to next on waiting list would result in inflated prices. Suggest that mooring has to sell for fair market value or find another standard to set price for moorings.
- Section on fines needs to be clearer. For example, fine “up to \$100” could be arbitrarily applied.
- Late fees and penalties proposed were “too harsh”.
- Concern about raising fees for mooring when “no services” provided.
- Concern about selling boat if can’t sell on the mooring because the mooring has to go to the next person on the waiting list. Suggestion to include a provision that boats can be sold on their moorings.
- The ordinance and the plan is only as good as the people charged with implementation and enforcement.
- Need definition of winters stakes
- Town should not accept any grant money for State Street dock. Town should maintain that dock for Bristol residents.
- Check CRMC assent for Rockwell Dock which included a requirement that there be an equal (50/50) proportion of commercial to recreational slips.
- Concern about raising fees for docks.
- Suggestion to implement ideas on administration, capital improvements, expanded pump out, etc. and then ask for fee increase
- Town should have a policy that fees for commercial fisherman increase only a certain % with each fee increase. Intent is for preservation of the commercial fishing in Bristol.
- Concern that mooring fees not raised to the same percentage as dock fees; concern that power boats on dock not the same as sail boats on moorings.
- Tie rate increase into need for increase due to more services.
- Concern that State Street dock needs immediate repairs
- Transient docks at the end of Rockwell Dock are better then the proposal for transient docks at the end of State Street.
- Keep State Street for access by fishermen. It is the only deep water access landing area for commercial fishermen.
- In the design for any improvements on State Street, such as the boardwalk, integrate this into the use by the fishermen. Balance recreational/aesthetics with commercial use.
- Need a daytime presence on the harbor.
- Establish a job description for daytime presence and set hours for same, include Saturday and Sunday. Don’t need fire arms for this person.
- Tie harbor patrol into police department.
- Consider a senior citizen discount on the fees
- Currently a moratorium on commercial licenses from the State

Public Workshop October 15, 2001

7:00 p.m. Town Hall

- Town should not accept any State money for State Street Dock since this money usually comes with a requirement that all residents of the State may use. Likewise, the Town should not accept any Federal money if it comes with strings regarding who can use. State and Federal grants usually require paying
- Davis/Bacon wages which drives the cost up. Sometimes it is better to save \$ from Town's capital account and do without a grant.
- Not likely that the Town will be able to dedicate a fund exclusively for the harbor. Harbor Master and Harbor Commission needs to coordinate on budget requests during budget time before the Town Council.
- Prudence Ferry needs a dumpster, suggestion to include this in the plan
- Recommended that there be transient moorings in the harbor.
- Intent of Rockwell Dock to be available for lower rents. Keep reasonable price—don't price it out of reach for Bristolians. Check coastal assents for distribution of commercial and residential users at the dock.
- Currently Rockwell has 82 slips with ½ to be allocated to commercial. There are currently 19 commercial slips being used at the dock.
- Parking at State Street and Church Street are resident sticker. There is a parking problem identified here.
- Marina slip owners who are Bristol residents can use parking on Thames Street.
- Design for State Street dock and parking improvement needs to be sensitive to the commercial fishermen. Concern for keeping this a working/functional dock.
- If possible, remove the pilings that are located on the south side of State Street dock. (These are privately owned)
- Downtown Boardwalk linkage needs to be "tied into the working waterfront". Plan is for the boardwalk to link Independence Park to Rockwell Park. Currently have some completed segments of this link.
- Change wording at Rockwell Dock to "no fishing from dock"; currently sign says no fishing on dock.
- There should not be any public parking behind the fire station (there are currently 2 public spaces here). There would be better access for fishermen without the parking there. Apparently it is used predominantly by Prudence Island residents.
- Staffing procedure for the Harbor Master to be drafted by the harbor commission and presented to the Town Council with a job description. Also, need to check the Town Charter too.
- Need to keep waiting lists publicly posted.
- Review ordinance language regarding "Shall" and "will". Make language so that there is no confusion as to what is required procedure.
- Currently dock space is provided to people during the winter. This is currently free and used by all commercial fishermen, resident and nonresident. These users don't seem to take care of the slips while they are there and are destroying the property. Consider charging a fee for these boats to use the slips in the winter. Consider designating a specific spot for them or may be better that they not be there are all. Concern is that the come from out of town and are competition for Bristol fishermen.
- Consider renting docks for 6 months or a season rather than on a yearly basis.
  - Subletting slips is a "tradition" at Rockwell Dock but not legally provided for.

## ***Notes from the Harbor Commission Meetings for 2010 Update***

Public Workshop September 13, 2010

7:00 p.m. Court House

- Kevin Cute of CRMC visit – revision of Harbor Management Plan – he advised Make sure every ordinance is in new Harbor Management Plan & he suggested that we each take a part of the plan and then review it together. It must be completed by Feb 2011. Question raised whether we could have more time to review – Answer – No. We will meet again with Kevin and will together review the ordinances (I e. after we have each reviewed our sections).

Notes from the Harbor Commission

Public Workshop October 4, 2010

7:00 p.m. Court House

- Harbor Management Plan update – either by volunteering or by Dom’s assignment the following sections of the Plan are assigned for the Commissioners, Advisory Board and alternates to completely review within two weeks:  
Pages 1 – 10 and Appendices A & B – Jim Dollins & Scott Medeiros  
Pages 11 – 20 and Appendices G & H – Tom Breslin & Kevin Ledwell  
Pages 21 – 30 and Appendices C & D – Dom Franco, Tony Murgo & Bob Hamel  
*Pages 31 – 40 and Appendices E & F – Dave Miller & Steve Roth*  
Pages 41 – 50 and Appendices I & J - Jack Evans & John Troiano

Notes from the Harbor Commission

Public Workshop December 6, 2010

7:00 p.m. Court House

- Harbor Management Plan update – copies of the revised Harbor Management Plan as recommended by the various committees were made available and approved for submittal to the Town Council. Kevin Cute attended and advised that he had reviewed the proposed changes for compliance with CRMC regulations and found them in order. Steve Roth did an excellent job of coordinating. The Harbor Commission voted unanimously to approve the amended Harbor Management Plan and send it to the Town Council for their approval.

Excerpt of Minutes from Harbor Commission

Meeting January 10, 2011

7:00 p.m. Court House

- Harbor Management Plan Update – minor changes were to be made to the plan and furnished to Council for them to approve. Steve Roth and Matt Calouro area coordinating. Also, it was approved unanimously to revise HM3 to indicate that the qualifications and requirements of the Harbormaster in HM3 of the plan should indicate that they will be completed in six months.



## **APPENDIX B**

### Harbor Physical Description

## Coastal Resources Management Program Water Type Designations

The Coastal Resources Management Council (CRMC) is a state regulatory agency established in 1971 for the purpose of managing the coastal resources of the state. The Coastal Resources Management Program has classified Rhode Island's coastal waters into six categories and delineates permitted uses for each category. Permitted on-land activity is limited by adjoining water use category.

The degree to which the shore has already been disturbed and the adjacent land uses are primary determinants of which water designation will be given. Each water classification allows particular types of land uses in the water or along the adjacent shore.

TYPE 1 waters are classified as conservation areas. TYPE 2 are low-intensity use areas. TYPE 3 is for high-intensity boating use. TYPE 4 is classified for multi-purpose uses. TYPE 5 is classified as commercial and recreational harbor use, and TYPE 6 is for industrial waterfronts and commercial navigation channels. Within Bristol waters, 5 CRMC water type classifications exist.

**TYPE 1 WATERS**, which are classified as conservation waters should be left in a natural, undisturbed state. Even construction of individual docks is prohibited in Type 1 waters. In Bristol, TYPE 1 WATERS can be found along the coastline of Mount Hope south towards the Mount Hope bridge, at Silver Creek, in Mill Gut, Mill Pond, and the waters immediately adjacent to Walkers Island. Water classifications running along the coastline generally extend 500 feet seaward from the mean high tide mark.

**TYPE 2**, or low-intensity, **WATERS** include the bulk of the immediate coastal areas from the Warren line, around Poppasquash Point, to along the eastern shore of Poppasquash between the SR and SRR zones. Additional TYPE 2 WATERS run from Tanyard Brook south to the Mount Hope bridge and north from the Haffenreffer Museum to the Warren line.

**TYPE 3 WATERS**, which are classified for high-intensity boating, include the open waters in the northern portion of Bristol Harbor excluding the northern shoreline.

**TYPE 4 WATERS**, classified as multipurpose waters, include the bulk of waters seaward of other CRMC-designated waters. Generally this water type is off of the shoreline outlining the Town of Bristol

from the Warren/Bristol town line on the Warren River around Poppasquash and the larger town peninsula, up Mount Hope Bay to Narrows Road. Additionally, **TYPE 4** waters are found along the shore of the head of Bristol Harbor.

**TYPE 5 WATERS**, commercial and recreational harbors, includes the coastline from the division line between multipurpose (**TYPE 4**) waters on the northeast side of Bristol Harbor southerly to the **TYPE 1** Conservation waters at Walkers Cove.

There are no **TYPE 6** waters in Bristol.

Priority Uses for water types as identified in the CRMC Redbook Section 200.1-200.5

Type 1 – The Council’s goal is to preserve and protect Type 1 waters from activities and uses that have the potential to degrade scenic, wildlife, and plant habitat values, or which may adversely impact water quality of natural shoreline types.

Type 2 – The Council’s goal is to maintain and where possible restore the high scenic value, water quality, and natural habitat values of these areas, while providing for low-intensity uses that will not detract from these values.

Type 3 – The Council’s goal is to preserve, protect, and where possible, enhance Type 3 areas for high-intensity boating and the services that support this activity. Other activities and alterations will be permitted to the extent that they do not significantly interfere with recreational boating activities or values. The highest priority uses of Type 3 waters and adjoining land areas within the Council jurisdiction and (a) marinas, mooring areas, public launching ramps, and other facilities that support recreational boating and enhance public access to tidal waters, and (b) boatyards and other businesses that serve recreational boaters.

Type 4 – The Council’s goal is to maintain a balance among the diverse activities that must coexist in Type 4 waters. The changing characteristics of traditional activities and the development of new water-dependent uses shall, where possible, be accommodated in keeping with the principle that the Council shall work to preserve and restore ecological systems.

Type 5 – The Council’s goals are to maintain a balance among diverse port-related activities, including recreational boating, commercial fishing, restaurants, and

other water-enhanced businesses; to promote the efficient use of space; and to protect the scenic characteristics that make these areas valuable to tourism. The highest priority uses of Type 5 waters and adjoining land areas with Council jurisdiction are (a) berthing, mooring, and servicing of recreational craft, commercial fishing vessels, and ferries; (b) water-dependent and water-enhanced commerce, including businesses catering to tourists; (c) maintenance of navigational channels and berths, and removal of obstructions to navigation; and (d) activities that maintain or enhance water quality and scenic qualities, including the preservation of historic features. The Council shall suitably modify or prohibit activities that significantly detract from or interfere with these priority uses.

### **Harbor Boundaries**

For the purposes of the Harbor Management Plan, the Harbor District is that area subject to the jurisdiction of the Plan. The Harbor District includes all of Bristol shoreline to the inshore bounds of the federal channel starting at the northwesterly bound of the Warren/Bristol line, southerly around Poppasquash Point, southeasterly to the Mount Hope Bridge, and northerly to the northeasterly point of the Warren/Bristol line.

### **Water Depths**

The water depths in Bristol Harbor and the remainder of Bristol waters are delineated in NOAA charts #13221 and #13224. The water depths in Bristol Harbor average 15 feet; in the Kickemuit River, the depths average 8 feet; along the Bristol Narrows south to the Mount Hope Bridge, the depths vary considerably as on delves seaward, however, the range is from 14 to 25 feet. NOAA charts are available at the Harbormasters Office.

### **Water Quality Standards**

The RI Department of Environmental Management has developed water quality standards for the State of Rhode Island under the Federal Clean Water Act. These water quality standards define the goals of a water body and are intended to protect the public health and welfare. The goal of the Clean Water Act, is that, whenever attainable, water quality standards should provide water quality for protection of fish, shellfish and wildlife (fishable waters), for recreation in and on the water (swimmable waters) protect use of and potential use for public

drinking water supplies (drinkable waters), and in addition, consider the use of waters for aquaculture, industrial and other uses including navigation.

There are three classifications for tidal waters: **SA, SB, and SC**. **SA** waters are suitable for bathing and contact recreation, shellfish harvesting for human consumption and fish and wildlife habitat. **SB** waters are suitable for shellfish harvesting for human consumption after depuration, bathing and other primary contact recreational activities and for fish and wildlife habitat. **SC** waters are suitable for boating and other secondary contact recreational activities, fish and wildlife habitat, industrial cooling and aesthetic value.

Water quality standards for Bristol are:

- SA waters: Narragansett Bay from Warren River southerly to Poppasquash Point (excluding an area around the Bristol Highlands) around the Point northerly encompassing the western half of Bristol Harbor; Kickemuit River
- SB waters: Bristol Highlands, eastern half of Bristol Harbor
- SC waters: Bristol Harbor - small portion of the eastern edge around the sewer plant outfall

*(See FIGURE G for water quality standards in Bristol).*

**It is important to note that DEM water quality standards do not necessarily reflect present water quality conditions; rather, these standards reflect the water quality goals the State is trying to achieve in any particular water body.** For example, although the standard for water quality in the Kickemuit River is SA, the condition is no longer SA. With the recent permanent closure of the Kickemuit to shellfishing (May 1990), the Department of Environmental Management determined, through sampling and through the likelihood of contaminants being present, that the water quality in the Kickemuit River has experienced degradation.

### Flood Plain

Bristol is largely surrounded by tidal waters of both V-zone (velocity flood zone) and A-zone. Over one-quarter of the town is located in one of these two flood zones. Over 365 buildings exist in the flood plain. (See *FIGURE H* for 100 year flood plain delineation)

### Federally Maintained Channels and Dredged Areas

There are no federally maintained and navigable channels in Bristol Harbor. There are, however, two federally maintained channels on the east and west of Bristol, one going towards Fall River and the other towards Providence. The State of Rhode Island dredges the boat ramp at Mount Hope Fishing Area (the tepees) periodically, as the area silts in.

### Fairways

A north/south fairway presently exists in Bristol Harbor. The fairway is located on the westerly side of the harbor, is 75-100 feet in width, and extends to the Bristol Marine boatyard dock at the head of the Harbor. There are no east/west fairways in the Harbor.

## COASTAL RESOURCES

### Coastal Wildlife and/or Conservation Areas

Bristol has several public and private designated and undesignated conservation areas along its coastline. Over 8 acres of land at **Usher's Cove** on Poppasquash was given to the Audubon Society for conservation purposes. **Silver Creek** is an undeveloped area of abundant wildlife and marine life. The Town has plans for a public conservation area/park at the foot of Silver Creek where the Town owns about 3 acres of land. **Colt State Park**, in particular **Mill Gut**, is a large tract of publicly held land that partly serves as a wildlife and conservation area. The land on **Mount Hope** is another large tract of undeveloped land which is privately held by several different owners and supports a variety of wildlife habitat. There is also a large parcel of privately-owned land at the **North Farm** development, west of the

bike path, which is restricted by deed from development.

### **Shellfish Resources**

Bristol Harbor contains an abundant quahog resource, however, only a portion of the Harbor is utilized for harvesting, due to water pollution closures. The Harbor is mostly used when the waters of the Upper Narragansett Bay are closed because of untreated sewage overflows from upstream sewage plants.

Bristol Harbor is one of four sites in Rhode Island for the State's shellfish transplant program. The transplant bed is located on the westerly side of Bristol Harbor with its southwesterly boundary at the Rockwell dock on Poppasquash, its northwesterly boundary the Johnson dock on Poppasquash. Shellfishermen are only allowed to draw from the transplant bed in the Winter - between December and March.

Shellfish are abundant along the Upper Narragansett Bay waters extending from the mouth of the Warren River, along the Bristol Highlands, and around Poppasquash Point. A popular recreational spot is located within Colt State Park at the Mill Gut Shellfish Management Area.

The Kickemuit River also has a significant shellfish resource, however, this area has recently been closed on a permanent basis by The RI Department of Environmental Management. (May, 1990) There are efforts underway to reopen the Kickemuit to shellfishing, spearheaded by the Kickemuit River Council.

In the future, Mount Hope Bay may be another possible resource for shellfish harvesting with its plentiful supply of shellfish.

Presently, however, due to sewage overflow problems from Fall River and other pollutants from adjacent land uses, this shellfish resource is closed to harvesting.

### **Biological Habitats**

The Bristol shoreline has a number of natural salt marsh systems which provide a necessary habitat for various species of waterfowl, birds, marine life, and plants. Salt marshes are emergent plant communities where salt water regularly enters. These areas are important because of the great productivity of their grasses and their significance in detritus

food chains. Mill Gut on Poppasquash Neck is a tidal pond and salt marsh system. Silver Creek is also surrounded by salt marsh. Other marshes exist throughout the Town including those along the Kickemuit River, at Church's Cove, and Usher's Cove.

### **Intensive Scientific Research Areas**

There are areas in Bristol Harbor and the Mount Hope Bay which are utilized as research areas. In Bristol Harbor, off of Poppasquash, sea clams have been introduced to see if they can be grown in the inner Bay. Roger Williams University, through their CEED program, have a designated research area in the Mount Hope Bay adjacent to the campus.

### **Recreational and Commercial Fishing Areas**

There are currently no anadromous fish runs in Bristol, although, there was one in the Kickemuit River which a local non-profit "Waypoyset Preserve" is trying to reintroduce.

The northern boundary of the Bristol Harbor Shellfish Transplant Bed is indicated in Appendix G at the Bristol Harbor Mooring Field 1 Map.

There are currently no spawning areas in Bristol.

### **Biological Habitats**

There are areas of submerged aquatic vegetation in the Kickemuit River at the end of Narrows Road.

### **FEMA Flood Zones**

FEMA flood maps are available at the Bristol Town Hall and Harbormasters Office.

### **Shoal and Dredged Areas**

There are two significant areas in the waters surrounding Bristol. All are indicated on the NOAA chart 13221 available at the Harbormasters Office.

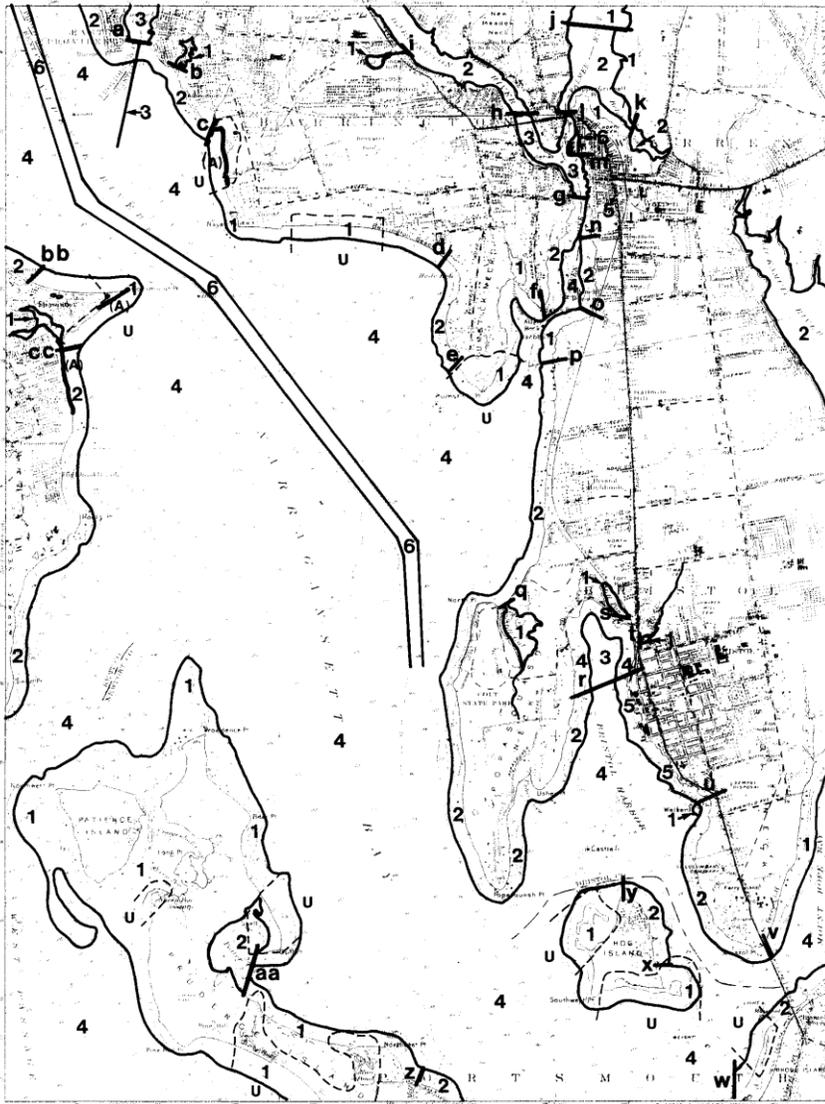
- Castle Rock area
- South entrance to the Kickemuit River
- There are no shoal areas in Bristol Harbor.

### **Navigational Hazards (Already identified on the NOAA Chart 13221)**

There is one significant hazard to navigation adjacent to the eastern fairway in Bristol Harbor just inside from the #2 Nun off of Independence Park.

(insert Bristol Quadrangle text)

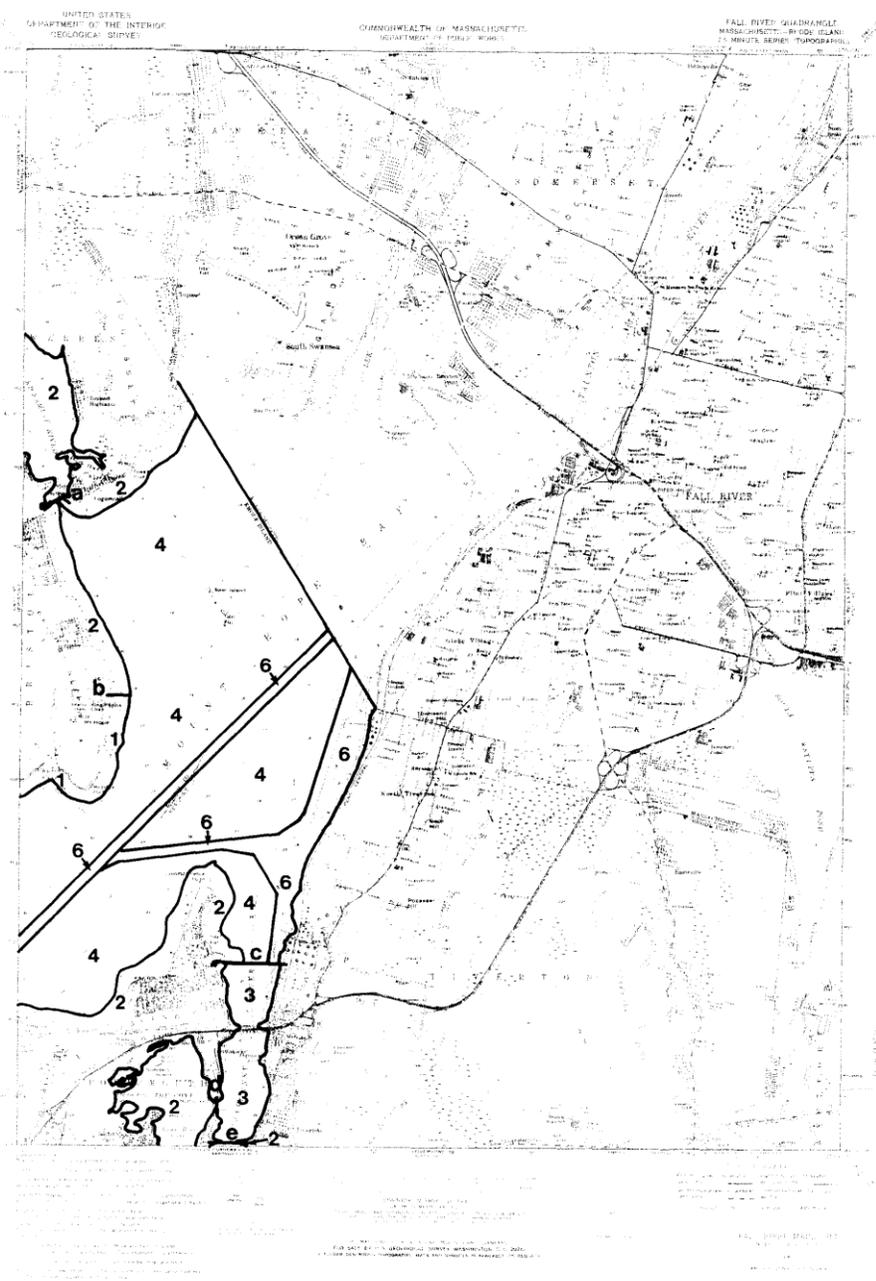
# Water Type Maps



Map of Bristol Harbor, Rhode Island, showing water types and depth contours. The map includes labels for 'PRINCE ISLANDS', 'HOBBS ISLAND', and 'RISKSOMORW'. It also features a grid of letters (a-z) and numbers (1-6) for reference. The map is overlaid on a topographic map showing land features and buildings.

**Fall River Quadrangle**

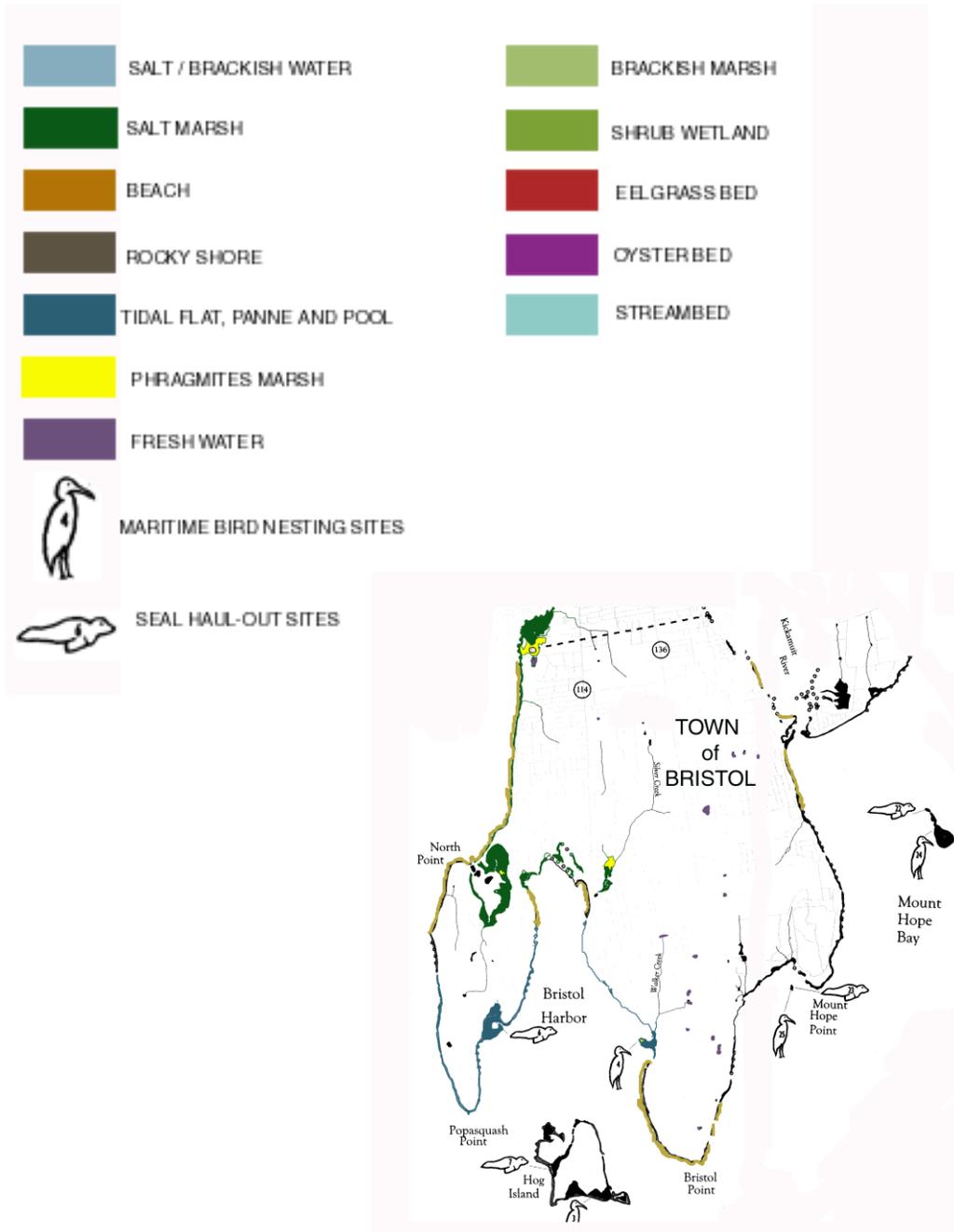
- a A straight line from the tip of the peninsula at end of Narrows Road in Bristol to the tip of the peninsula near the end of Brownell Street in Warren.
- b A straight line extension along the south side of the large pier south of the Haffenreffer Museum.
- c A straight line from the southern border of the industrially zoned area in Tiverton to the tip of the peninsula on the north side of Brewer's Marina in Portsmouth.
- d A straight line along the west side of the bridge connecting Point Road and Hummock Avenue at the entrance to Blue Bill Cove.
- e A straight line connecting the north sides of the abutments of the former Old Stone Bridge.



## EEL GRASS MAP

### Map Legend of Narragansett Bay Coastal Habitats

*Reference: Atlas of Narragansett Bay Coastal Habitats October 2001 (Page 2)*



## **APPENDIX C**

### Harbor Ordinances

## ARTICLE I. IN GENERAL

### Sec. 8-1. Purpose of chapter.

The purpose of this chapter is to:

- (1) Manage the waters of the town and balance the diverse uses of the waters and waterfront;
  - (2) Maintain and improve shoreline public access and water quality;
  - (3) Continue to support opportunities for commercial fishing and recreational boating; and
  - (4) Remain consistent with the goals and policies of the town harbor management plan, the town comprehensive plan, the state coastal resources management program, the state department of environmental management, and the U.S. Army Corps of Engineers.
- (Code 1972, § 5.1-1; Ord. No. 2001-38, 12-12-01)

### Sec. 8-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Anchoring* means to secure a vessel temporarily to the bottom of a waterbody by dropping an anchor or other ground tackle from a vessel.

*Boat launching ramp* means any manmade or natural facility used for the launching and retrieval of boats. (article 300.4, state coastal resources management program)

*Channel* means any water areas reserved for unobstructed movement of vessels.

*Commercial fisherman* means an active, full-time fisherman with a current commercial license and a working commercial vessel.

*Commercial mooring* means any mooring that the owner does not keep their own personal boat on.

*Fairway* means any locally designated and/or maintained water areas reserved from unobstructed movement of vessels.

*Harbor commission* means the body established to carry out the provisions of this chapter and the responsibility associated with the management of the harbor management plan. See section 908 of the town Charter.

*Harbormaster* means that person appointed by the town council.

*Marina* means any dock, pier, wharf, float, floating businesses, or combination of such facilities, that service five or more recreational boats as a commercial enterprise or in association with a club. (article 300.4, state coastal resources management program)

*Mean high water (MHW)* means the average height of the high waters over a 19-year period.

*Moor* means to permanently secure a vessel to the bottom of a waterbody by the use of mooring tackle.

*Mooring* means that location within a waterbody duly permitted by the town and registered to the applicant.

*Mooring tackle* means all hardware used to secure a vessel at a mooring.

*Nonresident* means any individual, business or corporation which does not meet the definition of the word "resident."

*Nonwater dependent use* means those activities which are not dependent upon the waterfront for continued use (e.g. restaurants and residential development).

*Nonwater related use* means those activities which are in no way dependent upon or even related to the waterfront for its continued use.

*Private mooring* means a mooring for the mooring owner's personal boat. The mooring owner must own 50 percent or greater of the boat which would be placed on the mooring. The owner must provide documentation to the harbormaster to ensure true ownership and residency. (Examples of documentation include drivers license and boat registration).

*Qualified inspector* means any person or business approved as an inspector of mooring tackle by the harbor commission.

*Recreational boating facility* means marinas, launching ramps, residential boating facilities, recreational wharves, piers and slips, floats or floating docks, and recreational mooring areas. (article 300.4, state coastal resources management program)

*Resident* means any permanent, full-time inhabitant of the town. Proof of residency is required at the request of the harbormaster. A post office box is not a legal address for this purpose.

*Right-of-way* means an unobstructed path or corridor from a public thoroughfare or facility leading to or along the waters of the town and shoreline areas below the mean high-water mark.

*Shellfish transplant area* means as defined by the state DEM, fish and wildlife.

*Vessel* means every description of watercraft, used or capable of being used as a means of transportation on water. (Specifically excluded by this definition are floating homes.)

*Water dependent use* means those waterfront activities, solely dependent upon the waterfront for their continued use (e.g. commercial fishing, marinas and boat building). (Code 1972, § 5.1-2; Ord. No. 2001-38, 12-12-01)

**Cross references:** Definitions generally, § 1-2.

### Sec. 8-3. Penalties for violation of chapter.

The town council herein establishes penalties for boating violations, consistent with state law, based upon the recommendation of the harbor commission.

Every owner, master, or person in charge of any vessel who shall neglect or refuse to obey the direction of the harbormaster or an assistant harbormaster, or violates any rule or regulation promulgated under G.L. 1956 §§ 46-4-1 et seq. or 46-22-1 et seq., not specifically set forth in Rhode Island Department of Environmental Management's penalty schedule shall be subject to a fine under this chapter of \$100.00.

#### Penalty Schedule for Boating Violations

TABLE INSET:

Offense	Fine/Penalty
Vessel registration: RIGL 46-22-3	
Unregistered	Violation. Up to \$100.00
Numbers not displayed	Violation. Up to \$100.00
Possession of a vessel with the hull ID number altered, removed, or destroyed	Up to \$500.00

Vessel operation:		
	Excessive speed or wake: RIGL 46-22-9.5	
	Up to ten miles	\$ 25.00
	11 miles to 15 miles	50.00
	16 miles to 20 miles	75.00
	21 miles to 25 miles	100.00
	Over 25 miles, per mile	5.00
	Improper operation in swimming area or restricted area RIGL 46-22-9 imprisonment	Up to \$1,000.00 and/or one year
	Operation in a reckless manner RIGL 46-22-9	Up to \$1,000.00 and/or one-year imprisonment
	Refusal to stop when ordered RIGL 46-22-9	Up to \$1,000.00 and/or one year imprisonment
	Inadequate boat personnel	Up to \$200.00
	Underaged boat personnel	Up to \$200.00
	Failure to use personal floatation devices	Up to \$200.00
	Operation outside time limits	Up to \$200.00
	Any other personal watercraft offense of RIGL 46-27-2 not specified herein	Up to \$500.00
	Interference with other vessel	Up to \$100.00
	Caused an accident	Up to \$100.00
	Failure to submit accident report	Up to \$100.00
	Interference in SCUBA diving area	Up to \$100.00

Vessel equipment:		
	Improper light installation	Up to \$100.00
	Improper use of lights	Up to \$100.00
	Improper sound producing appliance	Up to \$100.00
	Improper personal flotation devices	Up to \$100.00
	Improper personal flotation devices for children under ten	Up to \$100.00
	Improper fire extinguisher	Up to \$100.00
	Improper muffling device	Up to \$100.00
Miscellaneous:		
	Unmarked SCUBA area	Up to \$100.00
	Unauthorized racing/regatta	Up to \$100.00
	Unauthorized docking/mooring	Up to \$100.00
	Failure to render assistance	Up to \$100.00
	Obstruction of right-of-way	Up to \$100.00

(Code 1972, § 5.1-5(c); Ord. No. 2001-38, 12-12-01; Ord. No. 2009-1, 2-25-09)

Sec. 8-4. Enforcement.

(a) *Harbormaster and harbor patrol.* A harbormaster and harbor patrol shall enforce this chapter as follows:

- (1) The town council shall appoint a harbormaster and assistant harbormasters as authorized by and with the duties set forth in G.L. 1956, § 46-4-1 et seq.
- (2) A harbor patrol, made up of the harbormaster and assistant appointed on an annual basis by the town council, shall patrol the waters under its jurisdiction. The harbor patrol shall come under the direction and control of the harbormaster.
- (3) All harbor patrol boat crew members must qualify in boat handling and water safety in a manner and degree satisfactory to the harbormaster.
- (4) The harbormaster and assistant harbormasters of the town are authorized to make arrests and to take other steps to enforce the provisions of this chapter and, in the exercise

thereof, shall have the authority to stop and board any vessel within the water subject to the jurisdiction of the town pursuant to G.L. 1956, § 46-22-17.

(5) Any patrol boat used for the service of the town shall keep a log in a manner satisfactory to the harbor master. Such log shall indicate the date, time and service, weather conditions, wind conditions, area patrolled at one-half hour intervals, gas consumption and a description of occurrences, incidences and other confrontations.

(6) All regulations relating to the town's boating regulation program shall be maintained by the offices of the town administrator and town clerk, and all violations shall be processed by the harbor patrol in accordance with provisions of law applicable thereto.

(7) The harbor master shall appoint a lieutenant who shall take charge in the absence of the harbor master and shall perform such other duties as delegated by the harbor master.

(8) When on active duty, members of the harbor patrol authorized by the harbor master, shall have the right to bear firearms while in full uniform, in accordance with the ordinances of the town or laws of the state or the United States.

(b) *Enforcement of operation and equipping of vessels.* The state law provisions concerning operation and equipping of vessels shall be adopted as follows:

(1) The town council adopts all of the provisions of G.L. 1956, § 46-22-1 et seq., relating to the operation and equipment of vessels and motorboats within the water subject to the jurisdiction of the town.

(2) The town council adopts all of the provisions of G.L. 1956, § 46-27-1 et seq., relating to the operation of personal watercrafts.

(Code 1972, § 5.1-5; Ord. No. 2001-38, 12-12-01; Ord. No. 2009-1, 2-25-09)

#### Sec. 8-5. Areas under jurisdiction.

The coastal waters and harbor areas of the town included under the jurisdiction of this chapter include those waters within Bristol harbor and the Bristol Shoreline to the inshore bounds of the federal channel starting at the northwesterly bound of the Warren-Bristol line, southerly around Poppasquash Point, southeasterly to the Mount Hope Bridge, excluding the waters adjacent to Hog Island which are in the Town of Portsmouth, and northerly to the northeasterly point of the Bristol/Warren line.

(Code 1972, § 5.1-3; Ord. No. 2001-38, 12-12-01)

#### Sec. 8-6. Deposit of revenue into general fund.

All revenue generated by town boat launching fees, mooring permit fees, qualified mooring inspectors, other fees of this chapter, and fines levied under the authority of this chapter shall be deposited into the general revenue fund of the town for general purposes of the town, including the management and implementation of the town harbor management plan and this chapter.

(Code 1972, § 5.1-8; Ord. No. 2001-38, 12-12-01)

#### Sec. 8-7. Liability.

Persons using the coastal waters and harbor areas of the town shall assume all risk of personal injury and damage or loss to their property. The town assumes no risk on account of accident, fire, theft, vandalism or acts of God.

(Code 1972, § 5.1-9; Ord. No. 2001-38, 12-12-01)

#### Sec. 8-8. Informal procedure for payment of boating violation fines.

- (a) *Payment without personal appearance.* Any member of the Bristol harbor Patrol and any other duly authorized enforcement officer who charges any person with an offense as set forth in this chapter, in addition to issuing a summons for the offense, shall provide the offending operator with a form which will allow the offender to dispose of the charge without the necessity of personally appearing before the municipal court, provided that any operator who has been guilty of a third or subsequent boating violation within 12 months of the first offense must appear before the municipal court on the date specified on the summons, and may not dispose of the third or subsequent offense administratively. This section shall apply to both resident and nonresident operators.
- (b) *Method of payment.* If the offending operator elects to dispose of the charge without personally appearing before the municipal court, he or she shall execute the form indicated and return it to the municipal court not later than 20 days from the date of the summons either by mailing or delivering the form and summons to the municipal court clerk or the clerk's designee with a check or money order in the amount indicated by the fine schedule on the form.
- (c) *Schedule of violations.* Those violations set forth in § 8-3 of this chapter may be handled administratively through the method described in this section, provided however that this list is not exclusive and jurisdiction may be conferred on the municipal court with regard to other violations consistent with the Rhode Island General Laws, and these ordinances.
- (d) *Failure to answer.* In the event an operator fails to answer within 20 days, then he or she shall have waived his or her right to dispose of the offense without personal appearance, and the person charged with such violation must appear before the municipal court on the date specified on the summons.
- (e) *Adjudication.* Adjudication of boating violations contained in this chapter shall be in the same manner as for cases involving motor vehicle violations as set forth in section 2-215 of these ordinances.
- (Ord. No. 2001-38, 12-12-01)

Sec. 8-9. Qualifications and requirements of assistant harbormasters.

- (a) All applicants for appointment to assistant harbormaster shall be interviewed and evaluated by a screening board of superior officers who shall rate all applicants and shall list them in the numerical order of standing and then be presented to the town council for appointment based on this evaluation.
- (b) A member must be a resident of the town and must never have been convicted of a crime involving moral turpitude.
- (c) A member, at the member's expense, must successfully pass a physical examination. Such examination shall follow the standards established by the National Association of Police and Fire Surgeons.
- (d) A member must be a high school graduate or its equivalent and shall be tested for educational background. Every applicant shall be given intelligence and psychological tests to determine his attitudes for this service.

(Ord. No. 2001-38, 12-12-01)

Secs. 8-10--8-40. Reserved.

## ARTICLE II. HARBOR REGULATIONS

### **Sec. 8-41. Vessel speed zones.**

The town hereby designates the following vessel speed zones, to be established and marked immediately by town council petition to the state department of environment management, division of enforcement:

(1) *Navigation fairways.* Vessel speed shall not exceed five miles per hour, nor create wake in any navigation fairway, as established and described in this article and in the harbor management plan.

(2) *Mooring fields.* Vessel speed shall not exceed five miles per hour, nor create wake in any mooring field, as established and described in the harbor management plan.

(3) *Dock areas.* Vessel speed shall not exceed five miles per hour, nor create wake in any dock areas, as established and described in the harbor management plan.

(Code 1972, § 5.1-4(a); Ord. No. 2001-38, 12-12-01)

### **Sec. 8-42. Vessel operations.**

Vessels used alone or engaged in activities including, but not limited to, water skiing, jet skiing, paragliding, and other like uses are not allowed within 200 feet of any swimming area, mooring area, shoreside facility, rights-of-way ingress and egress point, launching ramp or navigation fairway. Vessels used in these manners are allowed within 200 feet of shoreside facilities when the sole purpose is to begin or end such activity.

(Code 1972, § 5.1-4(b); Ord. No. 2001-38, 12-12-01)

### **Sec. 8-43. Navigation fairways.**

Navigation fairways are hereby designated within the following parameters, to be forwarded to the coastal resources management council for U.S. Coast Guard establishment:

(1) Bristol Harbor--East;

(2) Bristol Harbor--West; and

(3) Kickemuit River.

(Code 1972, § 5.1-4(c); Ord. No. 2001-38, 12-12-01)

### **Sec. 8-44. Obstruction of channels, fairways and berthing spaces.**

No vessel shall be moored or anchored so as to interfere with the free and unobstructed use of channels, fairways or berthing spaces within the areas under town jurisdiction as detailed in section 8-5.

(Code 1972, § 5.1-4(d); Ord. No. 2001-38, 12-12-01)

### **Sec. 8-45. Swimming and waterskiing.**

Swimming is prohibited in all navigation fairways, town dock areas and launching areas. In mooring fields and transient anchorage areas swimming is prohibited, with the exception of vessel owners or crews or persons contracted to do maintenance on the boat or its mooring tackle within a reasonable distance of said boat. Waterskiing shall be prohibited in all designated channels, fairways and mooring areas.

(Code 1972, § 5.1-4(e); Ord. No. 2001-38, 12-12-01; Ord. No. 2005-03, 2-2-05)

### **Sec. 8-46. Fishing and placement of fishing gear.**

(a) The placement of fish nets are prohibited in all navigation fairways and mooring fields.

(b) Fishing is prohibited on Rockwell Dock and on the finger piers of Church Street Dock.

(Code 1972, § 5.1-4(f); Ord. No. 2001-38, 12-12-01)

**Sec. 8-47. Boat sewage waste no discharge zone.**

The disposal of untreated boat sewage wastes by any means into the coastal waters of the town is prohibited.

No person shall operate a marine sanitation device at any time so as to create or permit to pass or to be discharged any sewage into the waters of the town. Penalty for violation of this section shall be a fine of \$500.00 for the first offense. The second offense will result in a fine of \$1,000.00 and forfeiture of all mooring permits and/or dock slips in the name of the offender.

(Code 1972, § 5.1-4(g); Ord. No. 2001-38, 12-12-01)

**Sec. 8-48. Marine debris.**

The discharge of any waste, garbage, plastic, cardboard, chemicals, refuse, petroleum product or byproduct, paint varnish, dead animals, fish, bait or any other debris into the coastal waters of the town is prohibited.

(Code 1972, § 5.1-4(h); Ord. No. 2001-38, 12-12-01)

**Sec. 8-49. Towing and moving of vessels.**

If any vessel berthed, moored, or anchored in the coastal waters of the town is found to be in violation of any provision of this article, the harbormaster is directed to move, relocate or tow such vessel. In addition to any fines such violation may incur, a fee of \$50.00 shall be collected from the vessel owner for such harbormaster action. This fee shall be set by the town council, upon recommendation from the harbor commission.

(Code 1972, § 5.1-4(i); Ord. No. 2001-38, 12-12-01; Ord. No. 2009-1, 2-25-09)

**Sec. 8-50. Rafting.**

Vessels may raft on a single mooring when such activity does not interfere with the proper functioning of adjacent single moorings or vessel anchorages. Vessels at raft shall have a person aged 16 years or older on boat at all times.

(Code 1972, § 5.1-4(j); Ord. No. 2001-38, 12-12-01)

**Sec. 8-51. Abandoned vessels, structures and moorings.**

(a) Upon determination of the harbormaster, the harbormaster may take custody and control of abandoned vessels, structures and moorings located in the coastal waters and harbor areas of the town and remove, store or otherwise dispose of such vessel, structure or mooring at the expense and sole risk of the owner of the abandoned vessel or structure. Reasonable notice of such removal, storage, or disposal shall be publicly advertised.

(b) The harbormaster shall assume all of the duties and powers of the commissioner of wrecks and shipwrecked goods as detailed in the G.L. 1956, § 46-10-1 et seq.

(Code 1972, § 5.1-4(k); Ord. No. 2001-38, 12-12-01)

**Sec. 8-52. Special events.**

The harbormaster, shall be notified in writing of certain special events, such as swimming races, regattas, marine parades, or other marine and maritime activities that may from time to time be held on or in the coastal waters and harbor areas under the jurisdiction of the town.

(Code 1972, § 5.1-4(l); Ord. No. 2001-38, 12-12-01)

**Sec. 8-53. Boat standards.**

Every vessel entering the coastal waters and harbor areas of the town shall be equipped as required by G.L. 1956, § 46-22-1 et seq. and all similar federal laws, rules and regulations. Consistent with G.L. 1956, § 46-22-1 et seq., the harbormaster shall have the authority to enforce all provisions of G.L. 1956, § 46-22-1 et seq.  
(Code 1972, § 5.1-4(m); Ord. No. 2001-38, 12-12-01)

**Sec. 8-54. Rights-of-way to the water.**

(a) No person shall block, barricade or in any way impede the public use of or access to designated public rights-of-way to the water as defined by the coastal resources management council or the town.

(b) No person shall park or store a vessel, vehicle or structure on a designated public right-of-way to the water as defined by the coastal resources management council or the town.

(c) Any person in violation of this section shall be subject to a fine in accordance with section 8-3 of this chapter.

(Code 1972, § 5.1-4(n); Ord. No. 2001-38, 12-12-01)

**Sec. 8-55. Transient anchoring and anchorages.**

A vessel may anchor on its own anchor in the coastal waters and harbor areas of the town except in federal navigation channels, navigation fairways, shellfish transplant beds, mooring fields, swimming areas, rights-of-way ingress and egress areas, and launching ramp areas. No vessel anchored under such conditions shall be left unattended. Owners and/or operators of such vessels may go ashore, but must be available to tend the vessel in the event of heavy weather. It shall be the vessel owner's and/or operator's responsibility to remain clear of all moored vessels, and other structures.

(Code 1972, § 5.1-4(o); Ord. No. 2001-38, 12-12-01; Ord. No. 2009-1, 2-25-09)

**Sec. 8-56. Failure to stop.**

It shall be a violation of this article for any person to refuse to move or stop on oral command or order of the harbormaster or assistant harbormasters operating from a patrol boat identified as such and exercising the duties lawfully assigned to him.

(Code 1972, § 5.1-4(p); Ord. No. 2001-38, 12-12-01)

**Sec. 8-57. Mooring inspections.**

(a) All new moorings in the coastal waters and harbor areas of the town must have the chain, tackle and anchor inspected by the harbormaster or his designee prior to setting the mooring.

(b) Every permit holder shall be required to maintain his mooring in safe condition. Any chain, shackle, swivel or other tackle which has become warped or worn by one-third its normal diameter shall be replaced. Failure to maintain a safe mooring shall be cause for revocation of the mooring permit and shall be deemed a violation of this article. The harbormaster or his designee may inspect any moorings at any time to determine compliance with this section.

(c) All moorings shall be inspected every other year. Odd permit numbers, shall be inspected, on odd years and even permit numbers on even years, and the results of such inspection shall be reported to the harbormaster by June 1. A qualified inspector shall perform mooring inspections. Either by raising the mooring to the surface,

underwater inspection by a diver, or other method approved by the harbor commission shall make the inspection valid. Mooring inspections shall be performed by a qualified inspector. The inspection shall be made by either raising the mooring to the surface, underwater inspection by a diver, or other method approved by the harbor commission. Such inspection shall determine compliance with the mooring and mooring tackle standards of the mooring regulations of this article.

(d) Any mooring or component of a mooring reported not in compliance with the mooring regulations shall be replaced, or repaired and re-inspected within 15 days of such notice. After a mooring and/or its mooring tackle has been deemed to violate any requirements of the mooring regulations of this article, a second mooring inspection must be completed to determine if the violation has been corrected and meets the standards detailed in the mooring regulations of this article. The results of such second mooring inspection must be reported to the harbormaster. Failure to correct the violation shall cause the mooring to be deemed not safe and shall be cause for the revocation of the mooring permit, a violation of this article, and subject to the removal of the mooring from the coastal waters and harbor areas of the town, in accordance with any provision of this article at the risk and expense of the mooring owner.

(e) Any mooring found off position, washed ashore or sunk (mooring ball) shall be inspected by a qualified inspector before it is deemed serviceable or reset. All costs of any mooring inspection required under the provisions of this article shall be the responsibility of the mooring owner.

(f) No boat may be placed on a mooring that does not comply with section 8-57(c). Failure to comply with mooring inspection requirements will result in forfeiture of the mooring permit.

(Code 1972, § 5.1-4(q); Ord. No. 2001-38, 12-12-01; Ord. No. 2002-32, 1-8-03; Ord. No. 2007-43, 4-16-08; Ord. No. 2009-1, 2-25-09)

### **Sec. 8-58. Qualified mooring inspectors.**

(a) The harbor commission shall develop and set standards for the requirements and qualifications of mooring inspectors. The harbor commission may designate as many inspectors as it feels are necessary. Minimum requirements for mooring inspectors that the harbor commission shall consider are that an inspector must hold an active certificate as a certified SCUBA diver, and that all mooring inspectors are familiar with the minimum mooring and mooring tackle specifications of this article.

(b) The harbor commission shall make available an application form which potential mooring inspectors must complete to be considered a designated mooring inspector. The application shall be filed with the harbor commission with the appropriate fee. The harbor commission shall determine if such applications meet the requirements to be a qualified mooring inspector for the town and shall so designate the applicant as a qualified mooring inspector able to carry the certain provisions of this article for which such activity is allowable. Qualified mooring inspectors must reapply by August 31 of each year.

(c) The harbor commission shall keep a list of all qualified mooring inspectors and shall make this list available to all mooring permit holders.

(Code 1972, § 5.1-4(r); Ord. No. 2001-38, 12-12-01; Ord. No. 2009-1, 2-25-09)

### **Sec. 8-59. Winter stakes.**

All winter stakes longer than four feet must be removed from the water by June 1 of each year. Winter stakes longer than four feet may not be placed back in the water until after October 31 of each year. All winter tackle must be clearly identified by the mooring permit number.

**Sec. 8-60. Mooring permits.**

(a) *Mooring permit required.* No mooring shall be located, or maintained, in the coastal waters and harbor areas of the town until a permit has been issued for the use of such moorings by the harbormaster.

(b) *Placement of moorings.* The harbormaster directs the placement of the moorings within the mooring field boundaries and the harbormaster determines that mooring tackle conforms to the specifications and standards set forth in all applicable regulations and any conditions of the permit.

(c) *Transfer of mooring permits.*

(1) No mooring permit shall be sold, assigned or otherwise transferred by a permit holder. Assignments of all mooring permits shall be made only by the harbormaster's office.

(d) *Transfer of moorings.*

(1) At such time as an existing mooring becomes available for sale, the owner shall notify the harbormaster and provide proof of inspection performed within 30 days prior to the date of transfer. The harbormaster shall assign the space to the person next on the waiting list whose boat fits the mooring. The mooring owner may then sell the mooring gear in its location to this person; or, remove the mooring within ten days at the mooring owner's expense.

(2) Notwithstanding the above provision, a private mooring may transfer to an immediate family member (brother, sister, mother, father, spouse, children or grandchildren) upon written notice to the harbormaster which shall include the name and address change. Such transfers shall be strictly limited to a one-time basis to those individuals holding a valid permit on the date that the CRMC approves the Town of Bristol harbor management plan and Harbor Ordinances. No immediate family member to whom a private mooring is transferred shall then be allowed to transfer that private mooring under any circumstance. Thereafter, all private moorings that are forfeited by or not renewed by a holder of a valid mooring permit shall be made available to individuals on the waiting list.

(3) No existing private mooring shall be allowed to transfer to a commercial mooring without prior authorization from the harbormaster.

(4) If more than five commercial moorings (held by the same entity) become available for sale, they shall not transfer without the review and approval of the harbor commission. The standard for review shall be the ability of the proposed new owner to comply with the requirements of section 300.4.E.1 (a) and (b) of the state coastal resources management program as they relate to the provision of sanitary facilities and parking and any additional requirements of the harbor commission.

(e) *New moorings.* Available spaces for new moorings shall be assigned by the harbormaster to the person next on the waiting list whose boat fits the space.

(f) *Increase in boat size.* Mooring permit holders who plan to put a larger boat on their mooring must file an application form with the harbormaster to receive his authorization. Failure to comply with this regulation can result in forfeiture of the mooring permit.

(g) *Request for a mooring permit.*

(1) To be eligible for a new mooring permit, an applicant must own a boat for which a private mooring permit is being sought, or a commercial mooring operator or apply for a one-year grace period to purchase a boat. Mooring tackle must be installed and all fees paid during the grace period.

(2) All requests for mooring permits shall be submitted to the harbormaster on the application forms provided by the harbormaster.

- (3) An application shall be accompanied by the appropriate fee and shall be received in the office of the harbormaster.
- (4) A complete and accurate mooring permit application must be submitted before the harbormaster can act to approve or deny such application.
- (5) The harbormaster shall determine if a mooring permit can be issued only after all provisions of the harbor management plan, this article and all applicable regulations are met; provided that mooring space is available.
- (6) Mooring tackle must be installed and confirmation received to the harbormaster within 15 days from the date of approval or said mooring permit shall be forfeited.
- (7) A mooring permit holder shall be eligible for a one season grace period by notifying the harbormasters office in writing by July 1 of the year in which the grace period is requested.
- (h) *Permit renewals--Mooring.*
  - (1) Permits shall be renewed annually.
  - (2) Applications for renewals of a valid mooring permit shall be submitted to the harbormaster on the application forms provided by the harbormaster.
  - (3) The harbormaster shall mail the forms for the renewal of permits by the first week of January of each year to those persons who held valid mooring permits the previous year, to the address listed on their last mooring permit.
  - (4) A renewal application, accompanied by the appropriate fee and a current copy of the permitted boat's registration or documentation, excluding commercial moorings, must be received by March 15. After March 1 a late fee of \$50.00 will be applied for applications received through March 15. After March 15 the mooring permit is forfeited. A forfeiture letter will be sent to the mooring permit holder via certified mail with an appeal form to the Harbor Commission according to section 8-67(a). The mooring shall then be removed by the harbormaster at the owner's expense.
  - (5) It shall be the responsibility of the mooring permit holder to notify the harbormaster of any change of address.
  - (6) If a mooring permit holder has not received a renewal permit, it is their responsibility to contact the harbormaster's office.
  - (7) Upon receipt of the complete renewal application and fee, the harbormaster's office shall forward to the permit holder a mooring and boat sticker which shall be affixed to the mooring buoy and stern of the boat assigned to the mooring permit so that it is visible at all times.
- (i) *Relocation of existing permitted mooring.*
  - (1) All requests for relocation of existing permitted moorings must be submitted to the harbormaster. Information for such a request must meet the requirements listed for a mooring permit application, as well as show proof of a valid mooring permit issued for the previous or current year. The reasons for a mooring relocation must be clearly stated in the request.
  - (2) Action on the relocation request will be taken by the harbormaster based upon availability of space, the requirements of this chapter, and the type and size characteristics of the vessel.
  - (3) Any request received by the harbormaster that is not complete shall be returned to the applicant and no action will be taken on the request.
- (j) *Failure to renew an existing valid mooring permit.* Failure to renew an existing valid mooring permit in accordance with the provisions of these regulations shall result in the permitted owner's abandonment of all his privileges in the previously permitted mooring space. Upon the written request of the harbormaster the permit holder shall immediately remove the mooring tackle from the mooring space. If the permit holder does not remove the mooring tackle within 30 days of the written request, the harbormaster may remove the now abandoned mooring tackle at the permit holder's expense.

(k) *Forfeiture of mooring space.* Any permit holder shall be deemed to have forfeited his mooring space by reason of any one of the following:

- (1) Failure to comply with any of the requirements of this chapter;
- (2) Removal of mooring and mooring tackle and notification to the harbormaster that the mooring has been forfeited;
- (3) Failure to respond to the harbormaster's notice that (i) the mooring does not comply with the mooring tackle standard's set forth in this chapter and all applicable regulations, or (ii) that the mooring has been displaced or moved from its permitted location without approval.
- (4) Failure to display the mooring sticker on the mooring buoy and boat.
- (5) Failure to resurface, repair or replace mooring tackle within 60 days after being advised to do so by the harbormaster.

(l) *Removal of mooring from forfeited mooring space.* The harbormaster shall send a letter, by registered mail, to the mooring owner advising of the reason for forfeiture as stated above. The mooring owner shall be given ten business days to comply. If mooring has not been removed in the time frame afore mentioned the harbormaster's office shall cause the mooring to be removed at the owner's expense. If a boat is tied to the mooring, the boat will also be removed and stored at the owner's expense.

(m) *Available spaces.* As of June 1 of each year, the harbormaster shall determine the number of mooring permits available for mooring placement. The number of permits available shall equal the number of spaces authorized by this article, minus the sum of all acceptable mooring permit renewal applications. The available mooring permits shall be made available first to those persons whose names appear on the waiting list whose boat fits the mooring.

(n) *Waiting list.* The harbormaster shall maintain a waiting list of all new applications for private and commercial mooring permits. When no mooring space is available for new or relocated moorings, applications shall be placed on the waiting list upon receipt of a completed application and fee made in accordance with this section in the order in which they are received by the harbormaster. The harbormaster shall mail the forms for the annual waiting list renewal by the first week in January. The annual waiting list fee must be received by March 15. If the annual fee is not received by the March 15 deadline the person will be removed from the waiting list. The harbormaster shall submit an updated waiting list to the harbor commission and town council twice a year on or near January 15 and July 15 and make the waiting list available for public review at all times. The waiting list shall be posted at the harbormaster's office and town hall at all times. The waiting list shall show the names of the persons desiring the mooring space, the date of application, and the area in which such space is desired for which the mooring space has been requested.

(o) *Occupancy of mooring.*

(1) No vessel shall occupy a mooring other than the one for which it has been permitted. The harbormaster shall have the authority to move or cause to be moved any vessel violating the provisions of this section, at the expense and risk of the vessel owner.

(2) Temporary guest use--For temporary guest use of a mooring by a vessel other than the one permitted, for a period not exceeding seven days, the mooring owner, or his agent, must notify the harbormaster upon the vessel's arrival at the mooring. Upon written request by the mooring owner, the harbormaster may, for good cause, allow temporary guest use of a mooring for a period greater than seven days.

(3) Any mooring which is not used for one year shall be considered abandoned and must be removed by its owner from the mooring area. This period may be extended if extenuating circumstances are presented to the harbormaster on a timely basis. If the

owner fails to remove the mooring upon order of the harbor master, the owner will be billed for the cost of the mooring removal and storage if applicable.

(4) It shall be a violation for any vessel to attach, use or occupy any mooring that fails to comply with any section of this chapter.

(5) New and existing commercial mooring permits shall have a set maximum boat length requirement determined by the harbor master. The maximum length, once determined by the harbor master, shall be permanently set as the length for that commercial mooring. Commercial moorings will be billed at the maximum boat size fee.

(p) *Preference to Bristol residents.* In the assignment of initial mooring space and the reallocation of existing mooring space, Bristol residents shall be given priority over nonresidents. However, a nonresident shall not lose priority to a resident more than three times before such nonresident is given first priority to an appropriate mooring space.

(q) The rate charged for all mooring permits shall be in accordance with the fee schedule in section 11-1 of the Town Code. Bristol residents shall be entitled to two mooring permits at the residential rate. Non Bristol residents will be allowed one mooring permit in Bristol harbor or one in the Kickemuit River mooring fields. Non Bristol residents may have one additional mooring in any other mooring field. This section shall be implemented in consistency with the CRMC policy regarding a no greater than 3:1 resident to non-resident mooring allocation ratio.

(r) *Temporary moorings.* The harbor master is hereby authorized to permit moorings on a temporary basis when used in conjunction with residential waterfront property. Temporary mooring permits may not be renewed but holders of temporary permits may reapply as a new permit holder in accordance with this chapter. Temporary mooring permits shall expire at the end of one year or upon the permitting of a dock slip or permanent mooring by the permit holder, which ever comes first. All other provisions of this chapter shall apply to temporary moorings.

(s) The harbor master shall have the authority to remove or relocate any mooring in violation of an applicable provision of either chapter 8 or the harbor management plan.

(t) *Moorings in violation.* The harbor master shall notify a mooring permit holder of a violation by certified mail. Any mooring permit holder whose mooring has been deemed in violation must contact the harbor master's office within fifteen days of the violation notice. No one shall remove, take, discard or dispose of any violation sticker, violation decal or violation pennant from any mooring without the permission of the Bristol Harbor Master.

(Ord. No. 2001-38, 12-12-01; Ord. No. 2002-32, 1-8-03; Ord. No. 2004-03, 2-18-04; Ord. No. 2005-03, 2-2-05; Ord. No. 2007-43, 4-16-08; Ord. No. 2009-1, 2-25-09)

### **Sec. 8-61. Mooring permit application requirements.**

(a) All applications for mooring permits shall contain such information as requested by the harbor master, and in the least, the following information:

(1) Name, address, telephone number (home and office), and e-mail address (if applicable) of owner;

(2) Vessel name, active registration number, hull identification number (HIN), length (feet), type, and color and documentation number of the boat to be on the mooring;

(3) Proof of ownership of the vessel;

(4) Emergency contact name and telephone;

(5) Mooring classification, actual anchor weight, mooring type;

(6) Appropriate registration fee;

(7) Type of marine sanitation device, if any, and need for pumpout boat pennant (please note that all boats with type 3 MSDs are required to utilize the town's mooring pumpout boat service and must have a pennant);

- (8) Area(s) where applicant would like to locate mooring, prioritized;
- (9) Proof of waterfront property ownership, if applicable, must include utility bill, plat map and drivers license; and
- (10) Proof of residency (driver's license).
- (b) The harbormaster may, from time to time, amend the mooring permit application. (Ord. No. 2001-38, 12-12-01; Ord. No. 2007-43, 4-16-08)

**Sec. 8-62. Mooring placement and siting.**

(a) *Moorings associated with residential waterfront properties.* Moorings used in conjunction with residential waterfront property are allowed to be placed in the coastal waters and harbors areas of the town in those waters immediately adjacent to the upland residential waterfront property with the exception of shellfish transplant areas. The mooring permit holder must comply with all mooring permit application requirements and receive a mooring permit from the town as described herein, and the mooring must meet all mooring tackle standards and inspections as set forth in this chapter and any applicable regulations before such placement will be permitted. Up to two moorings may be placed in the general vicinity of each residential waterfront property in accordance with this subsection. All mooring placements, including temporary moorings, shall be in accordance with the harbor management plan.

(b) *Mooring field siting standards.* All designated mooring fields sited within the coastal waters and harbor areas of the town shall be setback a minimum distance:

(1) From riparian moorings and shoreline rights-of-way that which is sufficient to allow ingress and egress and to prevent interference with the exercise of private and public rights.

(2) Fifty feet from all residential or commercial docks, piers, floats and public launching ramps.

(c) Public mooring areas shall be setback from Federal Navigation projects at least three times the U.S. Army Corps of Engineers authorized project depth from federal navigational projects.

(d) Moorings shall be prohibited in federal navigation projects.

(e) All new and significantly expanded mooring fields shall be sited to ensure that tides and currents aid in flushing the mooring area.

(f) All new and significantly expanded mooring areas shall be sited to avoid adverse effects on water quality.

(g) Mooring areas shall be sited so as to not substantially interfere with designated shellfish management areas, traditional fishing grounds, public recreational areas and conservation areas.

(h) Mooring area shall be sited so as to not significantly effect finfish and or shellfish resources, wetlands, submerged aquatic vegetation and aquatic habitat.

(i) Mooring areas shall be adequately serviced by pump out facilities that are accessible, operational, and maintained.

(j) Pumpout service shall be provided on a published scheduled basis for all moorings and town dock slips.

(k) Live aboard activity (such as that which occurs with destination type mooring fields and sheltered harbors) is prohibited in all SA waters. The harbormaster shall make annual assessments in order to confirm that the use of moorings does not include live aboard activity.

(l) All harbor activities shall be managed in accordance with the regulations, statements, and ordinances contained in the town's harbor management plan.

(m) *Mooring field designations.* Certain waters of the town shall be designated as mooring fields. Those waters authorized for the placement of permitted moorings shall be located in accordance with all policies of the town's harbor management plan, the

policies and requirements of the coastal resources management council's guidelines for the development of municipal harbor management plans, and the CRMC's management procedures for siting mooring fields. Any revisions to the size, and/or location of these mooring field designations shall require the approval of the harbor commission, the town council, and the coastal resources management council before the revisions may take effect.

(n) *Maximum number of moorings.* Based on the findings of the harbor management plan and study conducted in October 2001, there shall be a maximum number of moorings in the Bristol harbor mooring field and in the Kickemuit River mooring field. In the Bristol harbor mooring field, the maximum number of moorings shall be set at 525. In the Kickemuit River mooring fields (north and south), the maximum number of moorings shall be set at 180.

(o) *Maximum number of commercial moorings.* Commercial moorings are allowed only in mooring fields 2 and 3 as defined in the harbor management plan. The maximum number of commercial moorings allowed in the above mentioned mooring fields shall be 30 percent of the total mooring spaces authorized. No one entity or affiliate shall own more than 15 of the total allowable commercial moorings. Any entity owning more than five commercial moorings must have direct waterfront access and be able to provide sanitary facilities and adequate parking as prescribed by the Coastal Resource Management Program (R.I. CRMP) Section 300.4.E.1 (h) & (k). Notwithstanding the forgoing limits, holders of commercial mooring permits who exceed 15 prior to November 1, 2007 shall be allowed to retain those permits, however, ownership is not transferable at any time to any other entity or affiliate. In the case of the purchase of an entity that holds commercial mooring permits the purchaser shall be given first priority to apply for permits to retain the commercial moorings.

(Ord. No. 2001-38, 12-12-01; Ord. No. 2002-32, 1-8-03; Ord. No. 2004-03, 2-18-04; Ord. No. 2005-03, 2-2-05; Ord. No. 2006-03, 3-29-06; Ord. No. 2007-43, 4-16-08)

### **Sec. 8-63. Mooring tackle specifications.**

(a) Moorings and mooring tackle shall meet the minimum standards set forth in all applicable regulations available at the harbormaster's office and the following:

(1) The minimum length of the pennant should be 2 1/2 times the distance from the bow chock to the water plus the distance from the bow chock to the mooring cleat or post. The maximum length shall not exceed three-fourths the length of the boat.

(2) All pennant lines running through a chock or any other object where chafing may occur should have adequate chafe-guards.

(3) The total scope of the chain should be 2 1/2 times the depth of the water at high tide. The bottom and top chain should each consist of approximately 50 percent of the scope.

(4) All shackles, swivels, and other hardware used in the mooring hookup should be proportional in size to the chain used.

(5) All shackles should be properly seized.

(6) Only mushroom anchors, or equivalent, will be acceptable on permanent moorings unless otherwise authorized by the harbormaster.

(7) The minimum distance between any two moored vessels shall be determined by the harbormaster.

(8) The harbormaster may approve informal variances to mooring tackle specifications, other than those minimum standards described herein, for specific cases if such specifications are inappropriate for the area in which a mooring will be located. The harbormaster must file such variance with the harbor commission.

(b) The harbormaster may approve informal variances to mooring tackle specifications, other than those minimum standards described herein, for specific cases if such

specifications are inappropriate for the area in which a mooring will be located. The harbormaster must file such variance with the harbor commission.  
(Ord. No. 2001-38, 12-12-01; Ord. No. 2007-43, 4-16-08)

**Sec. 8-64. Permitting of slips at town docks.**

(a) *Permit required for use of slips at town docks.* No vessel shall use a slip at a town dock until a permit has been issued for the use of such slip by the harbormaster. To be eligible for a dock permit, an applicant must, be a resident of the Town of Bristol, and own a boat for which the dock permit is being sought.

(1) All requests for dock permits shall be submitted to the harbormaster on the application forms provided by the harbormaster.

(2) An application shall be accompanied by the appropriate fee and shall be received in the office of the harbormaster.

(3) A complete and accurate dock permit application must be submitted before the harbormaster can act to approve or deny such application.

(4) The harbormaster shall determine if a dock permit can be issued only after all provisions of the harbor management plan, this chapter and all applicable regulations are met; provided that dock space is available.

(5) Applications for annual commercial dock permits, other than permit renewals, shall be submitted to the harbormaster, in person, by January 1 of that year.

(6) Applications for new dock permits shall be submitted to the harbormaster by March 15 of that year.

(b) *Permit renewals--Docks.*

(1) Recreational dock permits shall be valid seasonally from April 15 to November 15 of each year. Recreational dock permits must be renewed on or before March 15.

(2) Applications for renewals of a valid recreational dock permit shall be submitted to the harbormaster on the application forms provided by the harbormaster.

(3) The harbormaster shall mail a notice for the renewal of recreational dock permits by the first week in January of each year to those persons who held valid recreational dock permits the previous year, to the address listed on their last recreational dock permit.

(4) A renewal application for a private recreational dock permit, accompanied by the appropriate fee, current boat registration or documentation and proof of residency, must be received by March 1, in person, at the harbormaster's office. After March 1 a late fee of \$50.00 will be applied until the March 15 deadline. After March 15 the dock permit is forfeited. A forfeiture letter will be sent to the dock permit holder via certified mail with an appeal form to the harbor commission according to section 8-67(a). If a recreational dock permit holder pays 50 percent of the dock permit fee by February 1, the balance may be paid by March 15 without having to pay the late fee.

(5) It shall be the responsibility of the permit holder to notify the harbormaster of any change of address or vessel size related to any dock permit.

(6) Commercial dock permits shall be valid annually from June 1 through May 31. Commercial dock permits must be renewed in full on or before June 1.

(7) Applications for renewals of a valid commercial dock permit shall be submitted to the harbormaster on the application forms provided by the harbormaster,

(8) The harbormaster shall mail a notice for the renewal of commercial dock permits in the first week of April each year to those persons who held valid commercial dock permits on March 31 of the same year, to the address listed on the last commercial dock permit.

(9) A renewal application for a commercial dock permit accompanied by the appropriate fee, proof of Bristol residency, commercial license and proof of commercial sales from said license of a minimum of 20 days during the previous season must be filed, in person, at the harbormaster's office by June 1. If the renewal application and payment

are not received by June 1, the commercial dock permit is forfeited. On or about June 2 notice of forfeiture accompanied by an appeals form will be sent to the commercial dock permit holder via certified mail according to section 8-67(a).

(10) Any commercial dock permit holder who wishes to convert a slip to recreational dock permit, must apply for a recreational dock permit in accordance with this section.

(c) *Transfer of dock permits is prohibited.* No dock permit shall be sold, assigned or otherwise transferred by a permit holder.

(d) *Failure to renew an existing dock slip permit.* Failure to renew an existing dock slip permit by April 15 shall result in the permit holder's abandonment of all his privileges in the previously permitted dock slip. Upon being notified by certified letter from the harbormaster, the permit holder shall remove the vessel from the dock slip. If the permit holder does not remove the vessel within ten days of the written request, the harbormaster may remove vessel at the permit holder's expense.

(e) *Forfeiture of dock slip.* A town dock permit shall be deemed forfeited by reason of anyone of the following:

(1) Failure to comply with any of the requirements of this chapter or the dock slip rules and regulations as established by the harbor commission and approved by the town council.

(2) Removal of vessel by vessel owner and notification to the harbormaster that the vessel has been removed and the dock slip forfeited.

(3) Failure to notify the harbormaster of a change in the vessel's size.

(f) *Available spaces.* As of May 1 of each year, the harbormaster shall determine the number of dock permits available. At Rockwell Dock, allocation of dock slips shall be equally divided (50 percent/50 percent) between commercial and recreational boaters, provided however, that any unused commercial slips may be allocated to resident recreational boaters for that year. Commercial boats shall not be allowed in recreational slips.

(g) *Waiting list.*

(1) The harbormaster shall maintain a waiting list of all applications for private and commercial dock permits. When an appropriate dock slip is not available, the applicant shall be placed on the waiting list upon receipt of a completed application and fee made in accordance with this chapter in the order in which they are received by the harbormaster. The harbormaster shall mail the forms for the annual waiting list renewal by the first week in January. The annual waiting list fee must be received by March 15. If the annual fee is not received by the March 15 deadline the person will be removed from the waiting list. The harbormaster shall submit an updated waiting list to the harbor commission and town council twice a year on or near January 15 and July 15 and make the waiting list available for public review at all times. The waiting list shall be posted at the harbormaster's office and town hall.

(2) A one-year grace period may be requested by an individual who has been notified by the harbormaster's office that there is a dock slip available. The harbormaster's office shall offer the available slip to the next appropriate applicant on the waiting list for the year grace period only. To request a one-year grace period, a dock permit holder must notify the harbormaster's office in writing by April 1.

(h) *Occupancy of a dock slip.* No vessel shall occupy a dock slip other than the one for which it has been permitted. The harbormaster shall have the authority to remove, move or cause to be moved any vessel, for justifiable cause, at the expense and risk of the vessel owner. Dock permit holders must notify the harbormaster if the dock slip will be vacant for a period greater than 14 consecutive days. Nothing is allowed to be stored on town docks unless it is stored in a manner approved by the harbormaster.

(Ord. No. 2001-38, 12-12-01; Ord. No. 2002-32, 1-8-03; Ord. No. 2007-43, 4-16-08; Ord. No. 2009-1, 2-25-09)

**Sec. 8-65. Records and numbering.**

(a) The harbormaster shall keep a detailed record of all moorings and dock slips and their location based on a current harbor management plan. The records shall include the owner's name, home and business address, telephone number(s), permit number and mooring number, the date the mooring was placed, last mooring inspection date, and all vessel data.

(b) Each mooring located in the town of Bristol, once permitted, shall be assigned a mooring number by the harbormaster. The number will be displayed in contrasting color in two places on each mooring buoy or pick-up float in block letters at least three inches in height. Winter stakes shall be numbered with the same number as the mooring. Any mooring or winter stake not displaying a registration number will be considered a not-permitted mooring and will be removed in accordance with any provision of this article.

(c) Mooring permit stickers, supplied by the harbormaster's office, after the permit has been renewed, are required on both the mooring float and on the vessel's upper right corner of the transom.

(d) Dock stickers supplied by the harbormaster's office, after the permit has been renewed, are required on the vessel's upper right corner of the transom.

(Ord. No. 2001-38, 12-12-01; Ord. No. 2007-43, 4-16-08)

**Sec. 8-66. Additional requirements for commercial mooring permits.**

(a) Commercial mooring permit holders must submit to the harbormaster a breakdown by mooring with the following information:

- (1) Vessel name, registration number, length, breadth, draft, type and color;
- (2) Name and phone number of boat owner;
- (3) Type of MSD, if any;
- (4) Mooring classification, actual mooring weight.

(b) Upon initial submission of the above information to the harbormaster, each commercial mooring permit holder must submit an annual report with the information required above and shall prepare and submit a plan that details the use and layout of those commercial moorings permitted within a town mooring field by April 1 of each year. For moorings that are rented after April 1, the commercial mooring permit holder must notify the harbormaster within one week of assigning the rental and supply the information requested above.

(Code 1972, § 5.1-4(t); Ord. No. 2001-38, 12-12-01; Ord. No. 2007-43, 4-16-08)

**Sec. 8-67. Appeals to the harbor commission.**

(a) Any decision made by the harbormaster pursuant to chapter 8 of this Code, may be appealed to the harbor commission. An appeals form may be obtained at the harbormaster's office and must be completed and filed with the town clerk's office within ten working days of the decision by the harbormaster's office.

(b) All appeals taken pursuant to this section shall be heard by a panel consisting of not less than a quorum of the harbor commission and shall be heard on a de novo basis. Further, a tape or stenographic recording shall be made of the appeal.

(c) All decisions shall be in writing and shall contain appropriate findings of fact.

(Ord. No. 2005-58, 1-5-06; Ord. No. 2007-43, 4-16-08)

**Sec. 8-68. Appeals to the zoning board.**

(a) All decisions made by the harbor commission pursuant to section 8-67 of this Code may be appealed to the zoning board of review.

- (b) All appeals taken pursuant to this section shall be made in accordance with section 28-410 of this Code, and shall be based on the record before the harbor commission.
- (c) A decision of the harbor commission shall only be overturned by the zoning board of review upon a finding of:
- (1) Prejudicial procedural error;
  - (2) Clear error; or
  - (3) Lack of support by sufficient evidence in the record.
- (Ord. No. 2005-58, 1-5-06)

**Sec. 8-69. Permitting of outhauls.**

(a) *Applicability.* An outhaul is defined as a nonsingle-point anchoring device, for the purpose of securing a boat in tidal water and retrieving it from shore.

- (1) Applications for outhaul permits shall be submitted to the harbormaster.
- (2) Except as provided below, an outhaul(s) is/are to be permitted to the contiguous waterfront property owner.
- (3) Up to two outhauls may be allowed per waterfront property
- (4) Outhauls are not permitted on properties which contain a recreational boating facility.
- (5) Outhaul permits are issued only consistent with the RICRMP, including the provisions of 300.18.
- (6) Outhaul permits acknowledge that the CRMP retains the authority to revoke any permits issued by the harbormaster's office if it finds that such permit conflicts with the RICRMP.

(7) From November 15 to April 15, when the device on an annual basis is not securing a boat, the outhaul cabling system must be removed.

(8) Outhauls may be "grandfathered" in their current location upon annual Harbormaster documentation that such outhauls have been in contiguous use at such location since 2004. and, the contiguous property owner(s) agree in writing to such, however, such "grandfathering" is extinguished whenever a recreational boating facility is approved at the location.

(b) *Permitting process.*

(1) A property owner or someone who has received written permission from a property owner may obtain an outhaul application from the harbormaster. The application must be completed and returned to the harbormaster's office with an application fee of \$25.00. If the outhaul is being permitted to the owner of the property, proof of ownership must be accompanied with the application and fee. A copy of the property's tax bill will be the only proof accepted. For anyone else seeking a permit, a notarized letter from the property owner will be required.

(2) The annual fee for outhauls shall be consistent with the current recreational or commercial mooring fees.

(c) *Renewal process.*

(1) Outhaul permits shall be valid seasonally from April 15 to November 15 of each year. Outhaul permits must be renewed on or before March 15.

(2) Applications for renewals of a valid outhaul permit shall be submitted to the harbormaster on the application forms provided by the harbormaster.

(3) The harbormaster shall mail a notice for the renewal of outhaul permits by the first week in January of each year to those persons who held valid outhaul permits on November 15 of the same year, to the address listed on their last outhaul permit.

(4) A renewal application for an outhaul permit, accompanied by the appropriate fee and proof of residency, must be received by March 1, in person, at the harbormaster's office. After March 1, a late fee of \$50.00 will be applied until March 15. If the renewal application and payment are not received by March 15 at the harbormaster's office, the

outhaul permit is forfeited. On or about March 16 notice of forfeiture, accompanied by an appeals form, will be sent to the recreational permit holder via certified mail according to section 8-67(a).

(5) It shall be the responsibility of the permit holder to notify the harbormaster of any change of address or vessel size.

(d) *Outhaul specifications.*

(1) All outhauls must be located within ten feet of the centerline of the property.

(2) Maximum boat size allowed shall be 14 feet if unpowered and ten feet if powered.

(3) Minimum tackle size shall be two inches galvanized iron pipe on the outboard end. The pipe shall extend at least four feet above the mean high tide level. The inboard end of the outhaul system shall be placed above the mean high tide line with allowances to public access at low tide. The minimum line size will be three-eighths inch with an appropriately sized pulley. All boats must be fastened at the bow and stern. The harbormasters office shall provide a 12-inch reflectorized disc to be placed on the outboard end of the outhaul facing seaward. A sticker showing the outhaul's number and expiration date of the permit will identify the outhaul.

(4) Outhauls shall be inspected on even numbered years by a qualified mooring inspector. Reporting on the inspections shall be identical to that of mooring inspections.

(Ord. No. 2009-1, 2-25-09)

Secs. 8-70--8-90. Reserved.

## ARTICLE III. HARBOR COMMISSION ADVISORY COMMITTEE\*

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\***Cross references:** Boards, commissions and committees, § 2-91 et seq.

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### **Sec. 8-91. Established.**

There is hereby established a harbor commission advisory committee, which shall report to and provide advice and assistance to the town harbor commission regarding policies and regulations to be established with regard to the coastal and harbor waters under the jurisdiction of the town.

(Ord. No. 1996-09, § 5.1-23, 6-26-96)

### **Sec. 8-92. Membership.**

The harbor commission advisory committee shall consist of not less than three members nor more than six members appointed by the town council to serve for three-year staggered terms. Of the first members appointed, one shall be designated to serve a one-year term, one shall be designated to serve a two-year term and a third shall be designated to serve a three-year term. If more than three members are appointed, the fourth member shall be designated to serve a two-year term and the fifth member shall be designated to serve a three-year term. Further, the members of the advisory committee shall provide for geographic representation among the different areas of the waters under the jurisdiction of the town. Therefore, at least one member of the advisory committee shall be a user of the Kickemuit River, at least one member of the advisory committee shall be a user of the downtown waterfront, and at least one member of the advisory committee shall be a user of the Poppasquash shore. If there are more than three members on the advisory committee, the additional two members may be users of any geographic area, provided that at all times at least one member of the advisory committee shall represent each one of the aforementioned geographic areas.

(Ord. No. 1996-09, § 5.1-24, 6-26-96; Ord. No. 1998-27, 10-7-98)

### **Sec. 8-93. Powers.**

The members of the harbor commission advisory committee shall serve without compensation and without voting powers on the harbor commission. The harbor commission advisory committee shall address such issues as may be referred to them by the harbor commission, and may also address issues brought up by members of the harbor commission advisory committee. The minutes of the harbor commission advisory committee, together with all reports, recommendations and advice, shall be submitted to the town harbor commission.

(Ord. No. 1996-09, § 5.1-25, 6-26-96)

**APPENDIX D**  
CRMC Assent for Rockwell Dock





STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COASTAL RESOURCES MANAGEMENT COUNCIL

Oliver H. Stedman Government Center  
Tower Hill Road  
Wakefield, R.I. 02879

ASSENT

File Number: 90-2-26

Assent Number: B90-2-26

Meeting Date: November 12, 1991

Whereas,

TOWN OF BRISTOL  
10 COURT STREET  
BRISTOL, RI 02809

of

has applied to the Coastal Resources Management Council for assent to: Construct and maintain: 1) An expansion of the Rockwell Park Dock Facility from a 35 boat facility to an 86 boat marina. The bulk of the boats using the existing facility are used for commercial shellfishing activities. The proposed plan would incorporate 28 commercial boat slips and 58 recreational slips, in order to maintain the commercial activities already present and allow for recreational access to the harbor and the bay. The plan calls for a system of floats and ramps to extend off the main pier, and floats with ladders extending off the cross pier. 2) A wood piling wave mitigation system (wave wall), to be sited at the outer face of the fixed cross pier. This will consist of 12" normal diameter pilings driven side-by-side the entire length of the 160' fixed cross pier. The wave wall will be structurally isolated from the dock by a gap of two feet. 3) Facilities to be provided with the expansion include: a) designated parking for the docks to consist of 57 spaces, located in three locations; b) restrooms in an existing community center. And hereby represents that THEY are the owners of the riparian rights attached to the property involved and submitted plans of the work to be done.

Now, said Council, having fully considered said application in accordance with all the regulations as set forth in the Administrative Procedures Act does hereby authorize said applicant, subject to the provisions of Title 46, Chapter 23 of the General Laws of Rhode Island, 1956, as amended, and all laws which are or may be in force applicable thereto: Construct and maintain: 1) An expansion of the Rockwell Park Dock Facility from a 35 boat facility to an 86 boat marina. The bulk of the boats using the existing facility are used for commercial shellfishing activities. The proposed plan would incorporate 28 commercial boat slips and 58 recreational slips, in order to maintain the commercial activities already present and allow for recreational access to the harbor and the bay. The plan calls for a system of floats and ramps to extend off the main pier, and floats with ladders extending off the cross pier. 2) A wood piling wave mitigation system (wave wall), to be sited at the outer face of the fixed cross pier. This will consist of 12" normal diameter pilings driven side-by-side the entire length of the 160' fixed cross pier. The wave wall will be structurally isolated from the dock by a gap of two feet. 3) Facilities to be provided with the expansion include: a) designated parking

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for the docks to consist of 57 spaces, located in three locations; b) restrooms in an existing community center. Project located at Rockwell Park, Thames Street near Church Street, Bristol, RI, Plat 10, Lot 22. In accordance with said plans submitted to this Council and approved by this Council. All work being permitted must be completed on or before October 20 1995, after which date this assent is null and void, (unless written application requesting an extension is received by CRMC sixty (60) days prior to expiration date).

Applicant agrees that as a condition to the granting of this assent, members of the Coastal Resources Management Council or its staff shall have access to applicants property to make on-site inspections to insure compliance with the assent.

Nothing in this assent shall be construed to impair the legal rights of this granting authority or of any person. By this assent the granting authority by no manner, shape, or form assumes any liability or responsibility implied, or in fact, for the stability or permanence of said project; nor by this assent is there any liability implied or in fact assumed or imposed on the granting authority. Further, the granting authority by its representatives or duly authorized agents shall have the right to inspect said project at all times including, but not limited to, the construction, completion, and all times thereafter.

This Assent is granted with the specific proviso that the construction authorized therein will be maintained in good condition by the owner thereof, his heirs, successors, or assigns for a period of fifty (50) years from the date thereof, after which time this permission shall terminate necessitating either complete removal or a new application.

Permits issued by the CRMC are issued for a finite period of time, confer no property rights, and are valid only with the conditions and stipulations under which they are granted. Permits imply no guarantee of renewal, and may be subject to denial, revocation, or modification

A copy of this Assent shall be kept on site during construction.

Application for future alteration of the shoreline or other construction or alteration within the CRMC jurisdiction shall be submitted to the CRMC for review prior to commencing such activity.

All applicable policies, prohibitions, and standards of the RICRMP shall be upheld.

All local, state or federal ordinances and regulations must be complied with.

This assent is granted subject to the following stipulations:

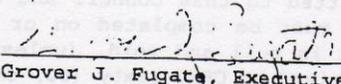
(Stipulations set forth below):

(A), (B), (C), (D)

Non-compliance with this assent shall result in legal action.

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In Witness Whereof, said Coastal Resources Management Council have hereto set their hands and seal this twentieth day of October in the year nineteen hundred ninety-two.

  
Grover J. Fugate, Executive Director  
Coastal Resources Management Council

ASSENT SUBJECT TO STIPULATIONS CIRCLED:

A. Please be advised that as a further conditions of this Assent, it is hereby stipulated that you and/or your agents shall comply at all times with Federal and State Water Quality Standards and other State standards and regulations regarding water quality, and shall exercise such supervision over and control of these facilities to prevent the dumping or discarding or refuse, sanitary wastes and other pollutants in the tidal waters, either from vessels docked at said facilities or from land adjacent thereto.

B. In accordance with a decision of the Coastal Resources Management Council on October 9, 1973, this Assent is granted with the proviso that it is subject to the imposition of a usage fee to be established by the Coastal Resources Management Council.

C. No work shall be done under this Assent until the required Federal Permit has been obtained.

D. Additional Stipulations, Standards, Prohibitions, and Policies. (See attached sheets).

CAUTION:

The limits of authorized work shall be only for that which was approved by the CRMC. Any activities or alterations in which deviate from the approved plans will require a separate application and review. If the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then this permit may be found to be null and void. Plans for any future alteration of the shoreline or construction or alteration within the 200' zone of CRMC jurisdiction or in coastal waters must be submitted for review to the CRMC prior to commencing such activity.

ATTENTION: ALL STRUCTURES IN THE TIDAL, COASTAL, OR NAVIGABLE WATERS OF THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS ARE SUBJECT TO:

1. The Superior Property Rights of the State of Rhode Island and Providence Plantations in the Submerged and Submersible Lands of the Coastal, Tidal, and Navigable Waters;

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2. The Superior Navigation Servitude of the United States;
3. The Police Powers of the State of Rhode Island and the United States to regulate Structures in the Tidal, Coastal, or Navigable Waters.

THE SUBMERGED AND SUBMERSIBLE LANDS OF THE TIDAL, COASTAL, AND NAVIGABLE WATERS OF THE STATE ARE OWNED BY THE STATE AND HELD IN TRUST FOR THE PUBLIC. CONVEYANCE OF THESE LANDS IS ILLEGAL; TITLES PURPORTING TO TRANSFER SUCH LANDS ARE VOID.

#### ADDITIONAL STIPULATIONS

##### General Stipulations:

- A. The approved plans shall be those entitled, "Rockwell Park Dock Facility, Thames Street, Bristol, RI...", sheets I through 5 of 5, all stamped and signed by S.E. Grinnell, P.E., with the following dates: 1) Sheet 1, "Site Plan", revised 11/27/90; 2) Sheet 2, "Utilities Plan", revised 11/27/90; 3) Sheet 3, "Utilities Details...", revised 11/27/90; 4) Sheet 4, "Misc. Details", revised 11/27/90; 5) Sheet 5, "Details, Sections", revised 11/27/90. Also, marina dockage perimeter plans dated revised 6/13/91, sheets 2/23 and 2.1/23, both stamped and signed by S.E. Grinnell, P.E. Approved plans also bear the approval stamp of this office. Except/unless as stipulated/modified herein, all details and specifications thereon shall be strictly adhered to. Any and all changes require written approval from this office.
- B. As indicated, the design loads for the facility are: Floats - 20 psf, Ramps - 40 psf, Off Loading Pier - 75 psf, Breakwater - designed for a 5' wave, with period of 4 seconds, from a 75 mph sustained wind, no surge (25 year storm), Projected Longevity of Treatment of Breakwater - Approx. 25 years.
- C. The construction of this project shall be monitored by a registered professional engineer. Brief monitoring reports of the construction (especially of the breakwater) shall be submitted to CRMC staff.
- D. The capacity of the marina facility shall be, as proposed, a total of 74 slips, to include 37 slips for commercial shellfishing boat use. As proposed, up to 6 of the 37 recreational vessels may have marine toilets with MSD's (marine sanitation devices).
- E. As proposed, a boat sewage pump-out station shall be provided. As indicated, the discharge of the facility shall be to the municipal sewer system, by way of a small pump station.
- F. The approved marina dockage perimeter plans shall be those indicated as sheets 2/23 and 2.1/23, dated revised 6/13/91, stamped and signed by S.E. Grinnell, P.E.
- G. There shall be no docks located within the 25' wide areas shown on the plan which are 25' north of the south perimeter line, and 25' south of the north perimeter line.

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H. As proposed, the on land sanitary (restroom) facilities for the marina shall be those contained in the adjacent Bristol Community Center Building. These facilities shall be kept open during the typical use times of the facility.

I. As proposed, the 50 parking spaces shown on sheet 2 of the approved plans shall be the designated parking areas for the facility. These spaces shall be available at all times for the users of the facility.

J. Within six (6) months of the issuance of CRMC assent, an emergency preparation plan shall be submitted to the CRMC file for review. This plan shall provide details for preparing the facility for storm emergencies (hurricanes, tropical storms, warnings). This plan shall include plans for the securing and/or removal from water of vessels and floats. The plan needs to provide safe upland locations to protect floats (and vessels, only if they are kept on site). After CRMC review, the town shall implement the plan.

K. The town shall require that all vessels with marine toilets (MSD's) make use of the boat sewage pump-out station. The town shall also make efforts to encourage the use of the pump-out station by vessels throughout the harbor.

L. As proposed, the pipe from the boat sewage pump out station shall be schedule-80, and shall be double-sleeved in exposed locations (where not protected by structural components of the pier).

M. As is proposed, all electrical utilities shall be 'ground fault indicated', weather tight receptacles.

N. As is proposed, all flotation devices shall be encapsulated such that the flotation material does not cause a litter and debris problem.

O. As proposed, all pilings shall be driven to a minimum 10' embedment. This includes float piles, pier piles, and breakwater piles. A log shall be kept of the embedment of the pilings. A copy of this shall be submitted to CRMC file.

P. As proposed, all pile driving shall be done using a driving energy of greater than 10,000 ft.lbs.

Q. All construction debris shall be disposed of at a sanitary landfill.

R. All requirements and conditions of the R.I. Dept. of Environmental Management/Water Resources Water Quality Certificate shall be strictly adhered to.

S. All requirements and conditions of the R.I. Dept. of Environmental Management/Water Resources 'Order of Approval' for the boat sewage pump out shall be strictly adhered to.

T. All proposed electrical utilities shall be reviewed and approved by the proper local inspection authority.

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- U. Building permit by the town and/or state may be required.
- V. U.S. Army Corps of engineers approval is required prior to construction.

Pier/Float Stipulations:

A. No sewage, refuse, or waste of any kind may be discharged from this facility or from any vessel utilizing it.

B. The owner is required to maintain this facility in good working condition. This facility may not be abandoned. The owner shall remove from tidal waters and coastal features any structure or portions of structures which are destroyed by any natural or man-induced manner.

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## **APPENDIX E**

### Inventory of Dock Structures

**DOCKS WHARVES AND BULKHEADS IN BRISTOL  
OCTOBER 2001As Revised June 25, 2004**

<i>Name</i>	<i>Location</i>	<i>Type of Structure</i>
1. Windmill Point Condos	N41-40.779 W071-16.978	Dock
2. Bristol Marine	N41-40.604 W071-17.265	Dock and Wharf
3. Bristol Yacht Club	N41-40.554 W071-17.264	Dock
4. Leslie Gray	N41-40.511 W071-17.269	Dock
5. Bruno/Enright	N41-40.339 W071-17.256	Dock
6. Sumner MacDonald	N41-40.339 W071-17.260	Dock
7. Joe Brito, Jr.	N41-40.273 W071-17.252	Dock
8. South side of Brito Jr.	N41-40.181 W071-17.265	Dock
9. Brito Sr. (former Millett property)	N41-39.853 W071-17.373	Dock
10. Mayer	N41-39.295 W071-17.846	Dock
11. McCloud	N41-39.172 W071-17.839	Dock
12. McCloud	N41-39.070 W071-17.840	Dock
13. Davis	N41-38.070 W071-17.898	Dock
14. Colt State Park	N41-40.967 W071-18.080	Dock
15. Bristol Highlands Association	N41-41.764 W071-17.585	Dock
16. North Farm	TBD	Dock
17. End of Pawtucket Avenue	N41-42.816 W071-15.355	Dock
18. Kickemuit Association	N41-42.784 W071-15.355	Dock

19. DuPont	N41-42.684 W071-15.240	Dock
<i>Name</i>	<i>Location</i>	<i>Type of Structure</i>
20. Kickemuit Anchorage Assoc. End of Smith Street	N41-42.291 W071-14.919	Dock
21. End of Kickemuit	N41-42.176 W071-14.847	Dock
22. Harrison Avenue	N41-42.159 W071-14.841	Dock
23. Harrison Avenue	N41-42.099 W071-14.812	Dock
24. Off Harrison Avenue	To be Determined (TBD)	Dock
25. Mount Hope Farm	TBD	Dock
26. Roger Williams University	N41-38.977 W071-15.355	Dock
27. Pardee	N41-38.609 W071-958	Dock
28. Steels and Fulton	N41-38.723 W071-16.093	Dock
29. Nickerson	N41-38.865 W071-16.172	Dock
30. Livingston	N41-38.944 W071-16.206	Dock
31. Columban Fathers	N41-39.055 W071-16.230	Dock
32. Blithwold	N41-39.146 W071-16.261	Dock
33. Payson (pilings)	N41-39.343 W071-16.239	Dock
34. Mack et al (shared by 4 properties)	N41-39.572 W071-16.158	Dock
35. Lobster Pot	TBD	Dock
36. Smith and Averan, Esq.	N41-39.572 W071-16.318	Dock
37. Herrshoff Marine Museum	N41-39.728 W071-16.472	Wharf, Dock and Bulkhead
38. Herreshoff	N41-39.769 W071-16.464	Dock

39. Herreshoff	N41-39.784 W071-16.471	Wharf
40. Rodrigues	N41-39.854 W071-16.517	Dock
41. The Tides Condos	N41-39.925 W071-16.621	Dock
42. Websters Dock	TBD	TBD

<u>CRMC/Case#</u>	<u>pro/bye owner</u>	<u>address</u>	<u>pro/bye</u>	<u>plate</u>	<u>lots</u>	<u>Dock/Plate</u>
1967-01-003	16	Pilkington, Ralph	Pile & Timber Pier	133	.13,15	
1971-06-003	16	Mayer, William	Poppasquash Road	170	45	
1973-04-006	16	Davis, Julie P.	10 Church Cove Roe construct pier extension	160	8	
1974-08-003	16	Perrino, Joann	Falma Drive	123		
1974-10-006	16	Saobento, Antonio	16 Wilcox Avenue	133	39	
1975-01-014	16	Yanney, George	141 Ferry Road	166	9	374
1975-07-012	16	Perrino/Dupont, Jeanr	54 Everett Street	123	4.5	604
1983-09-051	16	Burnsen House	249 Hope Street	11	13	1091
1985-05-010	16	Beauregard, Arthur	189 Hope Street	16	42,43,44	1089
1986-05-016	16	Rodrigues, Joyce	209 Hope Street	11	17	722
1988-08-088	16	Cedar Hill Realty	58 Everett Avenue	123	6	
1988-09-009	16	Tides Condominium I	217 Hope Street	11	16	
1989-03-086	16	Tortis, Ralph	Slocum Road	121	160,161	
1990-01-006	16	Goldman, David	Poppasquash Road	188	87	
1991-04-047	16	Townley, Hugh	6 Walley Street	16	29	1478
1991-11-030	55	Pardini, Joseph	5 Slocum Street	121	160	006
1992-05-027	55	Brito, Joseph M.	160 Poppasquash R	182 131	7	077
1992-12-024	16	Granoff, Evan	163 Poppasquash R	131	23	419
1993-01-023	16	Leach, Dorothy	10 Slocum Street	121	180	1382
1993-08-078	55	Davis, Bertha	479 Poppasquash R	170	60	270
1993-11-003	55	Ricklin, Saul	145 Ferry Road	165	3	441
1994-09-048	16	Pardee, Francis	Ferry Hill	179	055	055
1994-09-102	16	Howe Dock Associatic	Monkey Wrench Lan	173	3	289
1994-09-104	80	Mayer, William	445 Poppasquash R	173	45	310
1994-09-106	16	Lynngston, Stanley	55 Ferry Road	166	3	1612
1994-09-109	16	MacLeod, N Douglas	461 Poppasquash R	173	47	363
1994-09-122	80	Nicholson, Paul	15 Low Lane & 13 Mainlan	166	15	457
1994-09-124	55	Low, William	Low Lane	167	1	1838
1994-11-035	80	Davis, Bertha	479 Poppasquash R	170	60	270
1995-01-027	80	Pardini, Joseph	5 Slocum Street	121	160	006
1995-07-133	80	Ricklin, Saul	145 Ferry Road	165	3	441
1995-07-272	80	Brito, Joseph M.	161 Poppasquash R	182 131	7	077
1996-07-063	80	Gray, Leslie	125 Poppasquash R	131	2	1482
1996-09-030	80	Columbans Foreign M	65 Ferry Road	166	2	1514
1996-09-082	80	Heritage Trust/Preen	101 Ferry Road	166	6,7,8	1518
1997-08-030	16	Carter, Russell	80 King Philip Avenu	147	5	
1998-01-048	16	McStay, James	17 Sandy Lane	127	134	
1998-09-079	16	Davis, Judith	385 Poppasquash R	177	84	1740
2000-01-048	16	MacDonald, Sumner	12 West Harbor	182	21	
2000-02-008	16	Webster, George	23 Harrison Street	146	23	
2000-08-031	16	Conley, Patrick	1 Bislet Point Road	167	7	1713
2000-10-086	16	Volpe, William	466 Poppasquash R	173	58	1729

2000-11-045	16	Gauthier, Paul	468 Poppasquash R	Dock/Ramp/Float/Wave Fence	173	56		
2001-05-023	16	Ramos, Antonio	30 Reliance Drive		175	122	1742	
2001-05-116	16	Lambrese, Bernard	36 Reliance Drive	Dock/Ramp/Float	175	121		
2001-08-104	16	Ford & Nancy Strath	363 Poppasquash R,		177	11	1601	
2001-08-110	16	Poppa Realty Trust	182 Poppasquash R	New Dock To Replace Prev D	179	140	1749	
2001-10-087	16	McDermott, Richard	& 19 Riverview Avenue	Dock/Ramp/Floating Dock	121	154	1759	
2001-11-075	16	Poppa Realty/Realty	182 Poppasquash R	Residential Boating Facility	179	140	1759	
2002-01-005	16	Johnson, Eric	190 Poppasquash R	Dock/Ramp/Floating Dock	176	76	1755	
2002-02-001	16	Benevides, Benjamin	King Phillip Road	Dock/Ramp/Float/Pilings	27	27,28		
2002-04-132	16	Hopeworth Community	Viking Drive	Association Dock Replacement	145	116		
2002-06-093	16	Carreir/W Medeiros/	56 King Phillip Aven	Dock/Ramp/Floating Dock	151	4,5,7	1831	
2002-06-064	16	Pacheco, John & Nat	29 Reliance Drive	Dock Ekv/Ramp/Floating Dock	175	120	1781	
2002-09-023	16	Gablinske & Linda	Ma 26 Viking Drive	Dock/Pies/Ramp/Floating Doc	145	6	1787	
2002-09-077	16	Rondeau, Robert & M	2 Mulberry Road	Dock/Ramp/Floating Dock	74	8,12	1788	
2002-09-089	60	Low Trust	Monkey Wrench Lam	Temp Permit 1994-09-124, Do	167	1	1838	
2003-02-056	16	Arnuda, Allison & Greg	52 Viking Drive	Dock/ramp/floating Dock	156	111		
2003-08-103	16	Knight, Alan	76 Sherman Avenue	Dock	122	53		
2004-01-036	16	Cabral, Arthur	11 Sandy Lane	Pier/ramp/floating Dock	127B	131		
2004-03-021	16	Slenkewicz, Frank & I	1 Peck Rock Road	Ramp, pier/float/mod to extend	65	1	1860	
2004-03-080	16	Sczostak, Michael J.	at 1 Hope Street	Fixed Pier/ramp/floating Dock	21	31	1881	
2005-01-042	16	Fonseca, Michael	137 Ferry Road	c/m a res dock	185	11		
2005-01-098	16	Van Wickle Lane Hor	Van Wickle Lane	cm residential dock (shared)	166	23	1914	
2005-02-059	16	Irons, Steven	104 King Phillip Ave	Construct 90' fixed pier, ramp,	147	70	1927	
2005-06-037	16	GOVIRON, LLC	457 Poppasquash R	c/m a res dock; mod to extend	173	43	1936	
2005-07-051	16	Quinn Family Realty	L 420 Poppasquash R	c/m a residential dock	175	119	1944	
2005-07-055	16	Quinn, Katherine B	430 Poppasquash R	c/m a residential dock	175	12	1945	
2005-12-018	16	Nicholson Personal	R 13 Low Lane	c/m residential boating facility	166	5	1986	
2005-12-060	16	Flowers & Dominick	R 31 Harrison Street	c/m a residential boating facilit	146	20,21,22,25	1961	
2006-01-019	16	Lanehan, Pamela	459 Poppasquash R	c/m a residential boating facilit	173	46	1982	
2006-01-047	16	McStay, James	17 Sandy Lane	c/m a res pier 4' x 21', 1'8" a 7'	127	134		
2006-02-035	16	Noonan, Frank	192 Poppasquash R	c/m a residential boating facilit	176	98	1967	
2006-03-024	16	Matin, Michael	Poppasquash Road	c/m a res boating facility	174	132	1985	
2006-04-078	16	Hafner, Gunter	333 Poppasquash R	c/m a residential boating facilit	178	10,87		
2006-05-084	16	Rodrigues, Joyce	209 Hope Street	c/m a 15,83'X 28,48' float platf	11	17	1988	
2007-03-066	60	Fleming, William G	& 55 Shore Road	c/m a res boating facility	69	24	1988	
2007-03-042	16	Osanafl, Timothy	and 23 Surf Drive	c/m a residential boating facilit	55	62	2051	
2007-11-052	16	Schwartz, Mary	485 Pappasquash R	legalize existing dock	173	0050	1286	
2008-01-088	16	Varrichione, Louis	9 Stocum Street	c/m a res dock 116' beyond m	121	159	2076	
2008-02-051	16	Krupa, Maureen	60 Everett Avenue	c/m a residential boating facilit	123B	7	1922	
2008-03-066	16	Pattie, Scott & Melissa	9 Sandy Lane	c/m a residential boating facilit	127	130	2064	
2008-03-131	16	Whelan, Joseph	11 Shore Road	c/m a res. dock overall length	74	16	2064	
2008-06-097	16	DosAnjos, Alfred & M	41 Shore Road	c/m a 178' long residential pier	74	6	2065	
	16	Carreir/W Medeiros/	King Phillip Avenue	residential dock for use of sev	151	4,5,7	1831	

2008-07-044	16	Low, William	Monkey Wrench Lane c/m a res dock	167	1	2084
2008-12-037	16	DalNucci, Thomas & N	22 King Philip Avenue c/m 158' res. pier	151	20	2085
2009-10-109	16	Poholek, Constant	86 King Philip Avenue c/m a res dock	147	2,3	2106
2009-10-110	16	Gray, Franklin & Elaine	60 Smith Street c/m residential boating facility	133	60	2118
2009-10-111	16	Lenaric, Michael & A	155 Ferry Road c/m a residential dock	21	33	2137
2010-09-035	16	Delmage, Michael	3 Harrison Street c/m residential pier	146	27	2129

## **APPENDIX F**

### List of Proposed Capital Improvements and Illustrative Budget

CAPITAL IMPROVEMENTS

PROJECT	TIME FRAME	ESTIMATED COST	FUNDING SOURCES
<i>State Street Dock –</i> ♦ seawall repair; ♦ improvements to parking area; ♦ harbor walk; and, ♦ pedestrian amenities	2010-2012	\$250,000	Capital budget
State Street Boat Ramp - Transient Slips and dredging	2012-2012	\$200,000	Capital Budget
Independence Park – ♦ boat ramp ♦ improvements to parking area; ♦ harbor walk; and, ♦ pedestrian amenities ♦ dinghy Rack	2012 - 2014	\$150,000	Capital budget, grants
Dock for transient and launch west of Rockwell Dock	2010-2011	\$82,500	Capital budget, "BIG" grant
Church Street Dock Extension – ♦ Docks ♦ Transient Slips ♦ Dinghy Dock	2012-2018	\$600,000	Capital budget and dock revenues. Grants for transient/dinghy docks only
<u>Rights-of-way &amp; neighborhood boat ramps:</u> ♦ Clearing; ♦ Dinghy docks (Constitution Street) ♦ Signage; ♦ Parking	2010-2012	\$200,000	Town operating budget, volunteers and grants
<b>TOTAL</b>		<b>\$1,482,500</b>	

"BIG" – Boating Infrastructure Grant



**APPENDIX G**  
**MOORING FIELD PERIMETER MAPPING**

*Note: All mooring areas in this Harbor Management Plan are administered by the Town of Bristol through the Office of the Harbormaster*



# MOORING FIELD 1

## Town Beach North



**Total Moorings: Approx 48**  
**Water Depth:** Average depth approximately 12 ft.  
**Priority Use:** Recreational Boating  
**Swimming Areas:** Bristol Town Beach  
**Mooring Field Status:** No waiting list in place at this time.  
**Vessels over 25 feet:** Approximately 29 boats  
**Mooring Boundaries:** GPS Garmin V  
A. 41.41.19.65N - 071.17.34.91W  
B. 41.41.18.61N - 071.17.47.93W  
C. 41.41.35.23N - 071.17.34.89W  
D. 41.41.35.75N - 071.17.48.24W  
E. 41.41.53.98N - 071.17.33.87W  
F. 41.41.54.27N - 071.17.47.12W  
G. 41.42.31.30N - 071.17.29.83W  
H. 41.42.30.97N - 071.17.36.50W



## MOORING FIELD 2 BRISTOL HARBOR



**Total Moorings: Apprx 491-Maximum 525**  
**Water Depth:** Average depth approximately 16 ft.  
**Priority Use:** Recreational and Commercial Boating  
**Swimming Areas:** none  
**Moorings Field Status:** Waiting list in place at this time  
**Vessels over 25 feet:** Approximately 294 boats  
**Moorings Boundaries:** GPS Coordinates

- A. N 41.40.151 – W 71.17.125
- B. N 41.40.093 – W 71.17.022
- C. N 41.40.146 – W 71.16.836
- D. N 41.40.391 – W 71.16.900
- E. N 41.40.495 – W 71.16.789
- F. N 41.40.616 – W 71.16.784
- G. N 41.40.890 – W 71.17.148
- H. N 41.40.772 – W 71.16.980
- I. N 41.40.766 – W 71.17.320
- J. N 41.40.677 – W 71.17.311
- K. N 41.40.528 – W 71.17.289
- L. N 41.40.268 – W 71.17.250
- M. N 41.40.172 – W 71.17.096



## MOORING FIELD 3

### USCG South / Walker's Cove



**Total Moorings: Approx - 82**

**Water Depth:** Average depth approximately 23 ft.  
**Priority Use:** Recreational and Commercial Boating

**Swimming Areas:** none

**Mooring Field Status:** Currently no waiting

**Vessels over 25 feet:** Approximately 43 boats

**Mooring Boundaries:** Google Earth GPS

- A. 41.39.56.78N - 071.17.41.71W
- B. 41.39.57.87N - 071.16.37.01W
- C. 41.39.52.76N - 071.16.30.96W
- D. 41.39.45.76N - 071.16.26.44W
- E. 41.39.44.92N - 071.16.28.29W
- F. 41.39.43.66N - 071.16.27.26W
- G. 41.39.45.27N - 071.16.23.32W
- H. 41.39.38.70N - 071.16.19.45W
- I. 41.39.39.78N - 071.16.16.87W
- J. 41.39.38.99N - 071.16.13.59W
- K. 41.39.35.78N - 071.16.10.44W
- L. 41.39.31.71N - 071.16.06.93W
- M. 41.39.33.51N - 071.16.13.55W
- N. 41.39.33.31N - 071.16.17.81W
- O. 41.39.26.77N - 071.16.14.18W
- P. 41.39.26.39N - 071.16.09.46W
- Q. 41.39.22.18N - 071.16.08.35W
- R. 41.39.18.12N - 071.16.12.96W
- S. 41.39.14.35N - 071.16.16.42W
- T. 41.39.09.40N - 071.16.23.88W
- U. 41.39.26.15N - 071.16.34.43W



## MOORING FIELD 4 HOPEWORTH MOORING FIELD



**Total Moorings:** 29

**Water Depth:** Average depth approx 11 ft.

**Priority Use:** Recreational Boating

**Swimming Areas:** The “Tee Pees” and Hopeworth Association

**Mooring Field Status:** No waiting list in place at this time.

**Vessels over 25 feet:** Approximately 11 boats

**Mooring Boundaries:** GPS positions

A. N 41.41.789 – W 71.14.759

B. N 41.41.797 – W 71.14.708

C. N 41.41.487 – W 71.14.532

D. N 41.41.480 – W 71.14.598



## MOORING FIELD 5 King Philip Avenue



**Total Moorings:** 38  
**Water Depth:** Average depth approx 11 ft.  
**Priority Use:** Recreational Boating  
**Swimming Areas:** none identified  
**Mooring Field Status:** No waiting list  
**Vessels over 25 feet:** Approximately 19 boats  
**Mooring Boundaries:** GPS Garmin V  
A. 41.41.49.19N 071.14.44.79W  
B. 41.41.49.69N 071.14.41.85W  
C. 41.41.33.68N 071.14.28.93W  
D. 41.41.22.48N 071.14.25.26W  
E. 41.41.33.44N 071.14.29.21W  
F. 41.41.39.91N 071.14.37.86W  
G. 41.41.44.16N 071.14.44.86W



## MOORING FIELD 6



**Smith Street / Kickemuit South**

**Total Moorings:** 58  
**Water Depth:** Average depth approx 6 ft.  
**Priority Use:** Recreational Boating  
**Swimming Areas:** private  
**Moorings Field Status:** Waiting list in place  
**Vessels over 25 feet:** Approx 29 boats  
**No Commercial Moorings Permitted**  
**Moorings Boundaries:** GPS Garmin V

A. 41.42.19.73N 071.15.01.89W  
B. 41.42.21.43N 071.14.51.23W  
C. 41.42.05.23N 071.14.41.40W  
D. 41.42.03.78N 071.14.48.50W  
E. 41.42.13.22N 071.14.53.92W

Top



## MOORING FIELD 7 Sherman Avenue North to the Warren Town Line



**Total Moorings:** 94  
**Water Depth:** Average depth approx 8 ft.  
**Priority Use:** Recreational Boating  
**Swimming Areas:** none identified  
**Mooring Field Status:** Waiting list in place at this time.  
**Vessels over 25 feet:** Approximately 55 boats  
**No Commercial Moorings Permitted**  
**Mooring Boundaries:** GPS - Google Earth

A.	41.42.52.25N	071.15.28.80W
B.	41.42.54.54N	071.15.20.42W
C.	41.42.46.12N	071.15.12.05W
D.	41.42.34.75N	071.15.03.26W
E.	41.42.32.27N	071.15.11.62W
F.	41.42.42.91N	071.15.19.94W

## **APPENDIX H**

### Shoreline Access Points

## SHORELINE ACCESS POINTS

In April 2000, the Harbor Commission visually inspected the access points and provided a report as to their status. A copy of their report follows

1. **North Street** – A narrow extension of North Street off Slocum Street, this right of way (ROW) is a dirt road leading about 30 yards to the shoreline of the Kickemuit River. There is a nice view of the river and boats and the spot could be used for launching small boats. However, there is no onsite parking available and only limited parking on very narrow streets. This site is a CRMC designated access point.
2. **Butterworth Avenue** – Small right of way located at the end of Butterworth Avenue. This ROW leads into a thick stand of reeds which you can't see around or get through to the Kickemuit River without crossing private property. No good parking on site. Best if left for neighborhood use only. CRMC designated coastal access.
3. **Azalea Drive** – Located at the extension of Azalea Drive off Hawthorne Street, this is a paved right-of-way located in a residential area between two houses, leading to a steep dirt ramp to the Kickemuit River. It is possible to launch boats here, but it would be tricky and there is no trailer parking. CRMC designated coastal access.
4. **Fatima Drive** – This is a narrow right of way at the east end of Fatima Drive, off Everett Street. It leads between two fences to a seawall above a fringing salt marsh on the Kickemuit River. No parking is permitted in the right-of-way; but, there is limited parking allowed on the street. CRMC designated coastal access.
5. **San Miguel Drive** – A paved extension of San Miguel Drive ends at a gentle dirt ramp and a fringing marsh on the Kickemuit River. Boats could possibly be launched here. There is no onsite parking, but limited parking is available on the street.
6. **Sherman Avenue**- This site is a paved extension of Sherman Avenue with a newly constructed concrete boat ram to the dirt beach on Kickemuit River. Boats can be launched here. There is no onsite parking, but limited parking is available on the street.
7. **Smith Street** - Located at the extension of Smith Street, off Kickemuit Avenue, this right-of-way is a paved extension leading to a rundown concrete boat ramp, to a gravel path and on through a fringing marsh on the Bristol Narrows section of the Kickemuit River. No onsite

parking is permitted but there is limited parking on the narrow street. This site is probably best for neighborhood use only. This is a CRMC coastal access site.

8. **Kickemuit Avenue** - This is a paved right-of-way at the extension of Kickemuit Avenue, leading to a narrow dirt path through the reeds and down the rocks to a dirt shoreline of the Kickemuit River. No parking is permitted.
9. **Narrows Peninsula** - A sandy and gravelly spit of land forming one side of the Bristol Narrows. This site is used mostly as a boat launch and fishing area. There is parking available on-site for vehicles and trailers. Site provides a great view of Touisset, Fall River, and the Mount Hope Bay. This is a CRMC designated site.
10. **Narrows Road**- At the end of Narrows Road a tricky path down some rocks leads to a cobble beach on Mount Hope Bay. Narrows Road is a CRMC-designated access point. A road on the left leads out to the Narrows Fishing Area.
11. **Platt Street (Narrows Coastal Access)** - This site is off King Phillip Avenue near the junction with Platt Street. There is a set of concrete stairs and a walkway leading down to a grassy area with benches and nice view of Mount Hope Bay, Bristol Narrows, and Fall River. A set of stairs leads from a cobble beach below. Well marked with a large sign, parking is available on the street.
12. **Sunrise Drive** - This site is a paved extension of Sunrise Drive leading to a rocky step-down and to a cobble beach with a nice view of Mount Hope Bay, the Bristol Narrows, and Fall River. There is onsite and street side parking. CRMC access.
13. **King Philip Drive** - Located off King Philip Drive, between Leahy Drive and Annawamscutt Drive, this is a wide, grassy right-of-way leading about 40 yards down to a cobble beach with a view of Mount Hope Bay and Fall River.
14. **Annawamscutt Drive** - Located at the east end of Annawamscutt Drive, off Metacom Avenue, this site is a wide, paved right-of-way with sufficient parking. While it is tricky getting down the bank, those who make the descent will find a cobble beach with a scenic view of Mount Hope Bay and Fall River. It is also possible to walk the shoreline to the south and connect with the Mount Hope Fishing Access Area. Limited parking is available. CRMC coastal access.

15. **Mount Hope Fishing Area** - Located off Annawamscutt Drive, this access has a single-width, concrete slab boat ramp with a breakwater fronting Mount Hope Bay. Adjacent to the boat ramp is a cobble beach and a fringing marsh. One can walk along the shoreline in either direction for fishing or for a view of Mount Hope Bay and Fall River. There is parking for about 10 vehicles with trailers or about 20 vehicles without trailers, with possible additional parking along the entrance road.
16. **Clipper Way** - An extension of Clipper Way, this site is not clearly delineated and appears to be private property. This is a CRMC site. The Right-of-way is heavily wooded and is not easily traversed.
17. **Low Lane** - At the end of Low Lane, off Ferry Road, is a 150 foot long, dirt path leading down to a cobble beach and a small breakwater on the upper East Passage of Narragansett Bay. This site offers a nice view of the Newport Bridge, Hog Island, and passing boats. It is possible to walk a short distance down the beach in either direction. Parking is available for one or two cars in the R-O-W, there is limited additional parking on the street. Low Lane is a CRMC-designated public right-of-way.
18. **Walley Street** - Located at the westerly extension of Walley Street, off Hope Street, this is an expansive lawn sloping down to a cobble shoreline of Bristol Harbor. The grassy area is good for sunbathing, picnicking, or viewing the harbor and boats. There is limited parking on site. CRMC access.
19. **Burton Street** - Located off Hope Street. There is a seawall with sidewalk, but no access to the shoreline. This access point is recognized as a public right-of-way by CRMC.
20. **Union Street** - Located at the westerly end of Union Street off Hope Street, this is a 40-foot wide right-of-way with a grassy area and benches. It leads down to a seawall and a ram walkway to a sandy and gravel beach. This site is ideal for wading and swimming or for viewing the harbor and boats. There is onsite parking and CRMC designated.
21. **Constitution Street** - Located at the end of Constitution Street, off Thames Street in downtown Bristol. This right-of-way provides access to a small beach via a ramp through the seawall at the end of the road. It is located between the Coast Guard Station on the south end and a carpet factory and the Elks Lodge on the north. CRMC Coastal Access.

22. **Church Street Pier** - Nestled between the rug factory and the community center, this site offers a view of the urban waterfront of Bristol Harbor. No swimming or fishing is allowed from the town pier which is next to the Prudence Island Ferry Dock. There is a picnicking area west of the community center. Parking near the pier is limited to boat owners.
23. **Rockwell Park** - Located just north of Prudence Island ferry dock on Bristol Harbor, this park has been redeveloped as a waterfront park with benches, brick walkways, a small playground, and a wooden "T" dock extending into the water. A nice place to site or walk out on to the dock for view of the harbor and boats.
24. **State Street Pier and boat launch** - The Bristol Town boat launch ramp is located at the end of State Street off of Thames Street. This single width ramp provides access to Bristol Harbor via a narrow channel between two piers. There is parking available to Town residents with stickers on the pier adjacent to the ramp; however, this is in bad condition with the walls of the pier crumbling. The parking could be made more efficient with re-paving and striping. CRMC Coastal access.
25. **Franklin Street** - Located at the westerly end of Franklin Street, this right-of-way has been integrated into Independence Park. This right-of-way is CRMC designated.
26. **Independence Park** - This is an open, grassy State-owned park on Bristol Harbor, between the extensions of Franklin Street and Oliver Streets. There is a wide concrete road parallel to the shoreline, with room for parking. The shoreline has a rock wall used for fishing, and a gravel beach area that served a wide boat launching area. There is parking for vehicles with trailers adjacent to the beach.
27. **Oliver Street** - The extension of Oliver Street off Thames Street forms the entrance to the shoreline road and boat launching area of Independence Park as well as the southern extent of the East Bay bike path. This area is recognized as a public R-O-W by CRMC.
28. **Mill Pond Inlet** - Located off the south side of Poppasquash Road, at the inlet to Mill pond on Bristol Harbor, this site is a small pull-off parking area, there is a nice view of the upper end of the harbor, Mill Pond and the East Bay Bike Path.

29. **Fales Road** - An extension of the west end of Fales Road, off Hope Street, this right-of-way is a concrete ramp leading down to a cobble beach on Narragansett Bay. Not suitable as a trailered boat launch, it offers a nice view of the Bay and is popular for shellfishing. CRMC access.
30. **Gibson Road** - This is a recognized CRMC public access. The right-of-way is offset to the south and occupied at its western end by a rip-rap drainage swale.
31. **Aaron Avenue** - Known as "Narragansett Heights" this public right-of-way has long been used and maintained by neighboring residents. Located at the end of Aaron Avenue, this access area is a large lawn with a great view of Narragansett Bay.
32. **Peck Avenue** - Located at the end of Peck Avenue, west of the bike path, this is a partially grassed and overgrown Right-of-way located between 2 residences. The right-of-way appears to be private property and is not clearly delineated or marked. It is a CRMC designated right-of-way.
33. **Beach Road** - Located at the westerly end of Beach Road, off Hope Street, this site is a narrow, paved right-of-way leading to a guardrail and 2 benches overlooking northern Narragansett Bay. Parking is limited on the narrow streets. CRMC designated.
34. **Surf Drive** - Located at the northerly end of Surf Drive, this right of way was granted to the Town as part of a subdivision dedication. It is a 10' wide foot path to the shore of Narragansett Bay. Accessible also from the bikepath.
35. **Poppasquash Road** - Located at the head of Bristol Harbor, this site extends generally southeast from a stonewall, bordering Poppasquash Road, over a stretch of marsh grass, to a cobble beach bordering the head of Bristol Harbor.
36. **Portside** - This access was dedicated to the Town as part of a subdivision. It is 16.5' wide extending from Portside Road to the Harbor.
37. **Mount Hope Farm** - This property is owned by a non-profit trust. The property fronts on Mount Hope Bay and is open to the public. Parking is available on the site; and, access to the shore is by foot only. On

certain days, the Trust opens the property to vehicles for handicap accessibility.

Bristol Harbor Commission  
Shoreline Public Access/Right of Way  
Action/Tracking Form

**R.O.W. Designation # or Status:** S-7

**Date:** April 2000

**R.O.W. Name / Street Designation:** North Street

---



Conditions of R-O-W: Fair  
Needs new sign (No Parking)  
Existing Hazards: None Identified

Bristol Harbor Commission  
Shoreline Public Access/Right of Way  
Action/Tracking Form

**R.O.W. Designation # or Status:** S-10

**Date:** April 2000

**R.O.W. Name / Street Designation:** FATIMA DRIVE

---



Conditions of R-O-W: Fair  
Needs a New Sign  
Existing Hazards: None Identified

Bristol Harbor Commission  
Shoreline Public Access/Right of Way  
Action/Tracking Form

**R.O.W. Designation # or Status:** S-11

**Date:** April 2000

**R.O.W. Name / Street Designation:** San Miguel Drive

---



Conditions of R-O-W: Good  
Needs a sign

Existing Hazards: None Identified

Bristol Harbor Commission  
Shoreline Public Access/Right of Way  
Action/Tracking Form

**R.O.W. Designation # or Status:** S-12

**Date:** April 2000

**R.O.W. Name / Street Designation:** Sherman Ave

---



Conditions of R-O-W: Good

Needs a sign and the ramp is in poor condition

Existing Hazards: None Identified

Bristol Harbor Commission  
Shoreline Public Access/Right of Way  
Action/Tracking Form

**R.O.W. Designation # or Status:** S-14

**Date:** April 2000

**R.O.W. Name / Street Designation:** Kickemuit Ave

---



Conditions of R-O-W: Poor

This ROW needs to be cleaned up. There is poor drainage at this site and a sign is needed.

Existing Hazards: None Identified

Bristol Harbor Commission

Shoreline Public Access/Right of Way  
Action/Tracking Form

**R.O.W. Designation # or Status:** S-15

**Date:** April 2000

**R.O.W. Name / Street Designation:** Narrows Road

---



Conditions of R-O-W: Good  
Needs a sign

Existing Hazards: None Identified

Bristol Harbor Commission  
Shoreline Public Access/Right of Way  
Action/Tracking Form

**R.O.W. Designation # or Status: Needs ROW designation**

**Date:** April 2000

**R.O.W. Name / Street Designation:** Surf Drive Needs ROW Designation  
Number

---



Conditions of R-O-W: Poor

Overgrown – difficult to access - boulders blocking access

Needs a sign and ROW #

Existing Hazards: Dangerous to Walk

Bristol Harbor Commission  
Shoreline Public Access/Right of Way  
Action/Tracking Form

**R.O.W. Designation # or Status:** S-17

**Date:** April 2000

**R.O.W. Name / Street Designation:** Annawamscutt Drive

---



Conditions of R-O-W: Good

R-O-W needs to be cleaned up and a sign is needed.

Existing Hazards: None Identified

Bristol Harbor Commission  
Shoreline Public Access/Right of Way  
Action/Tracking Form

**R.O.W. Designation # or Status: RI DEM Hope Fishing Area**

**Date:** April 2000

**R.O.W. Name / Street Designation:** off of Annawamscutt Drive



Conditions of R-O-W: Poor

Needs a new sign  
Trash and garbage issues  
Erosion  
Contact CRMC regarding repairs

Existing Hazards: None Identified

Bristol Harbor Commission  
Shoreline Public Access/Right of Way  
Action/Tracking Form

**R.O.W. Designation # or Status:** S-18

**Date:** April 2000

**R.O.W. Name / Street Designation:** Low Lane

---



Conditions of R-O-W: Poor

Needs a new sign

No Parking

Existing Hazards: Severe Erosion/Dangerous to Walk

Bristol Harbor Commission  
Shoreline Public Access/Right of Way  
Action/Tracking Form

**R.O.W. Designation # or Status:** S-3

**Date:** April 2000

**R.O.W. Name / Street Designation:** Fales Road

---



Conditions of R-O-W: Good

Access is fine but impossible to use boat ramp.  
Needs a new sign

Existing Hazards: Ramp is dangerous for launching boats

Bristol Harbor Commission  
Shoreline Public Access/Right of Way  
Action/Tracking Form

**R.O.W. Designation # or Status:** S-2

**Date:** April 2000

**R.O.W. Name / Street Designation:** Gibson Rd.

---



Conditions of R-O-W: Fair

Poor Access

R-O-W not marked

Needs a sign

Existing Hazards: Drainage Ditch

Bristol Harbor Commission

Shoreline Public Access/Right of Way  
Action/Tracking Form

**R.O.W. Designation # or Status:** S-29

**Date:** April 2000

**R.O.W. Name / Street Designation:** Aaron Ave

---



Conditions of R-O-W: Good

Actual ROW appears to be on private property  
Needs to be designated  
Needs a sign

Existing Hazards: None Identified

Bristol Harbor Commission  
Shoreline Public Access/Right of Way  
Action/Tracking Form

**R.O.W. Designation # or Status:** S-24

**Date:** April 2000

**R.O.W. Name / Street Designation:** Peck Ave

---



Conditions of R-O-W: Good

Appears to be on private property  
Poor Access  
Needs a sign

Existing Hazards: None Identified

Bristol Harbor Commission  
Shoreline Public Access/Right of Way  
Action/Tracking Form

**R.O.W. Designation # or Status:** S-1

**Date:** April 2000

**R.O.W. Name / Street Designation:** Beach Road

---



Conditions of R-O-W: Good

Good Condition

Sign needed

Limited Parking

Existing Hazards: None Identified

Bristol Harbor Commission  
Shoreline Public Access/Right of Way  
Action/Tracking Form

**R.O.W. Designation # or Status: Needs Clarification**

**Date:** April 2000

**R.O.W. Name / Street Designation:** Ferry Road

---



Conditions of R-O-W:

Needs a sign  
Not listed on CRMC ROW list  
No Parking

Existing Hazards: None Identified

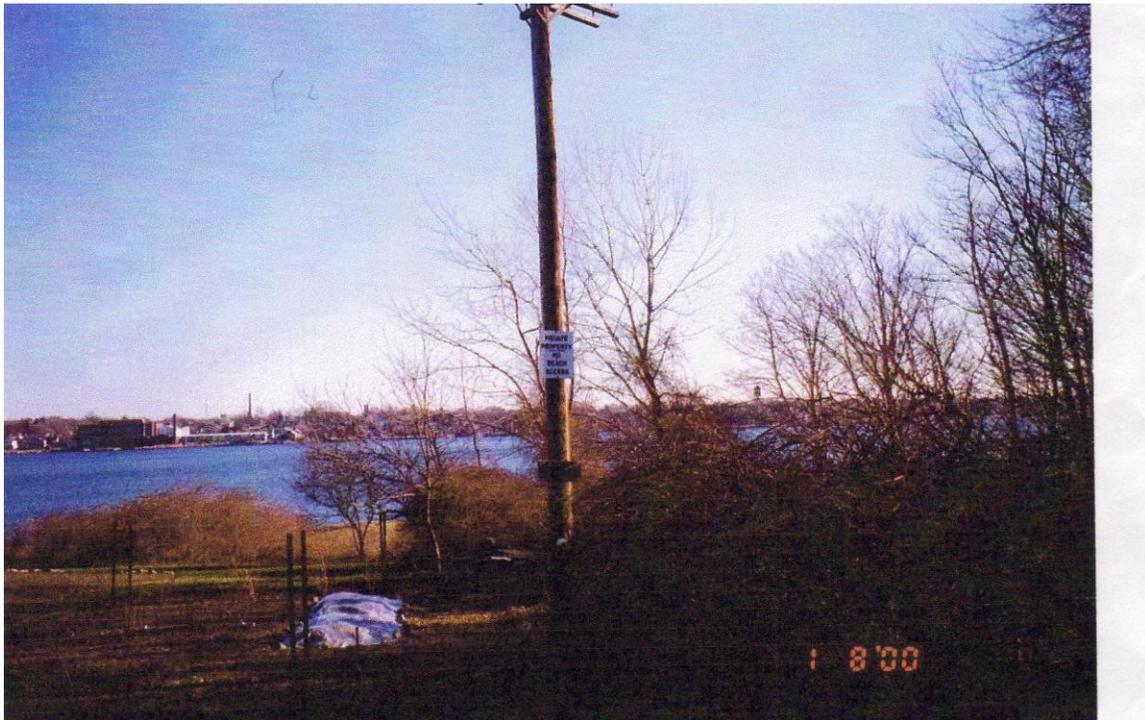
Bristol Harbor Commission  
Shoreline Public Access/Right of Way  
Action/Tracking Form

**R.O.W. Designation # or Status: Need ROW Designation**

**Date:** April 2000

**R.O.W. Name / Street Designation:** Portside Street

---



Conditions of R-O-W: Poor

Needs to be cleared  
No Parking Sign  
No R-O-W #

Existing Hazards: None Identified

Bristol Harbor Commission  
Shoreline Public Access/Right of Way  
Action/Tracking Form

**R.O.W. Designation # or Status:** S-9

**Date:** April 2000

**R.O.W. Name / Street Designation:** Franca Drive

---



Conditions of R-O-W: Good  
No Sign

Existing Hazards: None Identified

## **APPENDIX I**

### Rules and Regulations for Harbor Commission Meetings

**TOWN OF BRISTOL  
HARBOR COMMISSION,  
DRAFT RULES AND PROCEDURES FOR COMMISSION MEETINGS**

Meetings of the Harbor Management Commission are open to the public, subject to the Rhode island Open Meetings Act (R.I. General "Laws 42-46- 1). Any individual who wishes to address the Commission on any subject within the scope of the Commission's authority may do so, providing it is accomplished in an orderly manner and in accordance with the procedures outlined below.

Regular sessions of the Harbor Commission are held the first Monday of each month in the \_\_\_\_\_, commencing at 7:00 PM and adjourning at 9:00 PM, unless otherwise announced. If subjects within the scope of the Commission warrant additional public meetings, sessions will also be held on the \_\_\_\_\_ of each month at the same location and time. In the event of a holiday on the regular session date, the location and time will be announced at least one week in advance of the meeting.

**SECTION 1 - AGENDA COMPOSITION**

- A. All matters for Commission consideration shall be included an Agenda, and such business to appear on said Agenda shall be delivered to the Town Clerk by 12:00 Noon on the Monday preceding the regular meeting of the Harbor Commission, with the exception of weeks with a Wednesday holiday, resulting in a deadline of 12:00 Noon on the Friday preceding the regular meeting.
- B. Any reports or communications from any Department Head, Town Administrator, Board or Committee Chairman, or otherwise, shall be in writing and a copy supplied to each Commission member.
- C. Any matter requiring a Public Hearing shall be referred to the Town Administrator in a written report prior to being placed on the Public Hearing Docket.
- D. Agenda Format is as follows:
  - 1. Call to Order/Roll Call
  - 2. Minutes of the Previous meeting
  - 3. Executive Session Announcement (if necessary)
  - 4. Public Hearing Items
  - 5. Reports of Committees and Town Officials
  - 6. Unfinished Business
  - 7. Communications
  - 8. New Business
  - 9. Open Forum
    - a. Scheduled Requests to Address
    - b. Non-Agenda Requests to Address
  - 10. Adjourn

## **SECTION II. ADDRESSING THE HARBOR MANAGEMENT COMMISSION**

- A. Individuals wishing to be heard during Open Forum may raise their hands until acknowledged by the Chair. Once acknowledged, the individual shall stand and state name and address.
  - 1. The length of time each individual may speak must be limited in the interest of order and the conduct of the business at hand. The Chairman may limit the remarks of an individual to a period of not more than five minutes on any one subject.
  - 2. The Chairman may limit the remarks by the public on any one matter to a period of not more than thirty minutes.
  
- B. The Open Forum portion of the Agenda shall be limited to thirty minutes for Scheduled Requests to Address and thirty minutes for Non-Agenda Requests to Address.
  - 1. Scheduled Requests to Address are those which the Commission will discuss individually in the order listed on the Agenda. After the Commission has discussed any item on the Agenda, and a vote is required, Robert's Rules of Order will prevail.
  - 2. Non-Agenda Request to Address are those items which are not on the Agenda. After the Commission has discussed any item on the Agenda, and a vote is required, Robert's Rules of Order will prevail.

## **SECTION III. RULES FOR HARBOR COMMISSION MEMBERS**

- A. Any Commission member desiring to speak shall address the Chairman and after the right to speak has been recognized, the member shall not be interrupted while speaking except by a call to order or for the correction of a mistake or to yield to another member. The recognized member shall confine remarks to the question under debate and shall avoid personalities. There shall be no conversation among the members while a question is being stated by the Chairman.
  
- B. Commission members are prohibited from acts of discrimination on the basis of race, sex, religion, age, color, creed, national origin, handicap, or sexual orientation, within the scope of the Commission's authority.
  
- C. If a Commission member has a conflict of interest on a question before the Commission and asks to be excused from voting on that matter, said member, in accordance with the RI Ethics Commission Code of Ethics, shall state the nature of the potential conflict for the record. The Chairman may, upon request of the member excuse the member from votes, deliberations, or any other action on the matter on which a potential conflict exists. If the member feels there is a potential conflict of interest before discussion begins, the member should state the nature of the conflict, then leave the table and not participate in the deliberations or vote.
  
- D. After a roll call vote has been ordered, said roll call will not be interrupted, delayed, or stopped by the Chairman or any member for any reason whatsoever, including points of order, personal privilege or for a member to explain a vote. All roll calls will be taken alphabetically, except for the chairman who shall vote last.

**SECTION IV. RULES FOR HARBOR COMMISSION COMMITTEES**

- A. The Chairman will appoint Commission members to the following Permanent Committees:
1. Harbormaster Committee
  2. Mooring Implementation Committee
  3. Budget Committee
  4. Facilities Committee
  5. Town Council Liaison (Town Administrator, Town Council)
  6. Community Development (Planning, Conservation Commission, CRMC, DEM)
  7. Rules and Procedures Committee
- B. Other committees may be added by the Chairman on an adhoc basis.
- C. A member of each committee shall be appointed by the Chairman to keep a record of the terms of the members and notify the Chairman or committee meeting locations and schedules.



## **APPENDIX J**

### Aerial Photos



Bristol Harbor looking south. August 2001.



Bristol Harbor looking North. August 2001.



Bristol Harbor looking northwest. August 2001.



Bristol Harbor looking northeast. Bristol Marina and Bristol Yacht Club in the foreground. August 2001.



Bristol Harbor looking northwest. August 2001.



Bristol Harbor looking northwest. August 2001.



Bristol Harbor looking east. Bristol Yacht Club in the foreground. August 2001.



Bristol Harbor looking east. Windmill Point Condos in the foreground. August 2001.



Bristol Harbor looking east. Windmill Point Condos in the foreground.  
August 2001



Bristol Harbor Looking North. August 2001.



Northern section of Bristol Harbor looking east. August 2001.

## **APPENDIX K**

### Conveyance from Robin Rug

**HARBOR AND MARINE RIGHTS BARGAIN AND SALE DEED**

ROBIN INDUSTRIES, INC., as Grantor, hereby grants and conveys to the TOWN OF BRISTOL, as Grantee, without covenants:

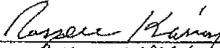
Any and all right, title and interest of Grantor in and to any marine, harbor and water way rights grantor may have in Bristol Harbor, Narragansett Bay, State of Rhode Island and Providence Plantations (the "Waterway Area"), westerly of Grantor's property identified as Assessor's Plat 10, Lots 42, 60, 61, 62 and 73, in the office of the Assessor in the Town of Bristol (the "Landward Area"). Both the Waterway Area and the Landward Area are more fully shown on the plan attached hereto and made a part hereof as Exhibit A.

The foregoing conveyance by Grantor to the Town of Bristol is made subject to the following:

1. Grantor hereby retains, on behalf of itself, its successors and assigns, in perpetuity, any and all rights it may have to all coastal features of Grantor's real property and develop thereon improvements, fixtures, structures and embankments, including, without limitation sea walls, riprap secured foundations and boardwalks, wharfs, walkways, gazebos, pergolas and other amenities relating to Grantor's and/or the public's rights along said coastal features; provided that Grantee shall have pedestrian access from the public property along the shore north and south of the Waterway Area, across and over said boardwalks, wharfs and walkways to the public marina (as defined herein).
2. Grantor hereby retains on its behalf and on behalf of its successors and assigns, in perpetuity, and the Town of Bristol, by accepting and recording this Deed, hereby grants to Grantor, on its behalf and on behalf of its successors and assigns, subject to the Public Trust and subject to any requirements of the Coastal Resources Management Council or any successor governmental agency with jurisdiction over the Waterway Area, the right to lease, license, acquire or own or in any other manner utilize any recreational slips, docks, wharfs, piers or moorings developed, built, owned and operated by the Town of Bristol or on behalf of the Town of Bristol or its successors and assigns in the Waterway Area as may be developed by the Town of Bristol or its successors and assigns as a public marina (the "public marina"); provided, however, that grantor's rights herein shall not exceed the greater of 20% of any such slips, docks, wharfs, piers and/or moorings, proportionately distributed, or a maximum total in the aggregate of 15 of such slips, docks, wharfs, piers and/or moorings.

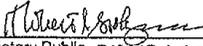
IN WITNESS WHEREOF, the undersigned has executed this Deed as of this  
22 day of July, 2010.

ROBIN INDUSTRIES, INC.

  
Name: RUSSELL KABIN  
Title: PRESIDENT

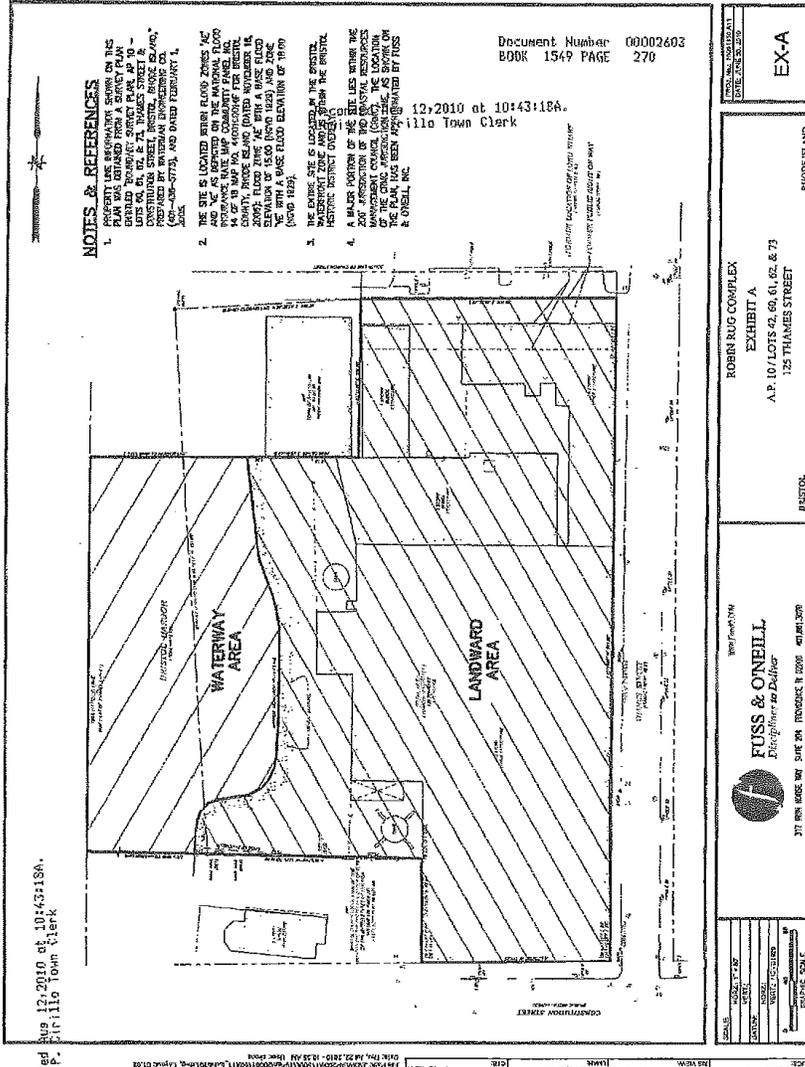
STATE OF RHODE ISLAND  
COUNTY OF PROVIDENCE

In Providence, in this 22<sup>nd</sup> day of July, 2010, before me personally appeared RUSSELL KABIN, to me known and known by me to be the PRESIDENT of Robin Industries, Inc. and the party executing the foregoing instrument on behalf of Robin Industries, Inc., and he acknowledged said instrument, by him executed to be his free act and deed and the free act and deed of Robin Industries, Inc.

  
Notary Public ROBERT I. STOLZMAN  
My Commission Expires: 8/21/13

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**NOTES & REFERENCES**

1. PROPERTY LINE REPRESENTATION SHOWN ON THIS PLAN IS BASED ON A SURVEY CONDUCTED BY FUS & ONEILL, INC. ON AUGUST 12, 2010. THE SURVEY WAS CONDUCTED BY WALTER W. BROWN, LICENSED SURVEYOR, (000-038-0773), AND DATED FEBRUARY 1, 2010.
2. THE SITE IS LOCATED WITHIN FLOOD ZONES AC 1, AC 2, AC 3, AC 4, AC 5, AC 6, AC 7, AC 8, AC 9, AC 10, AC 11, AC 12, AC 13, AC 14, AC 15, AC 16, AC 17, AC 18, AC 19, AC 20, AC 21, AC 22, AC 23, AC 24, AC 25, AC 26, AC 27, AC 28, AC 29, AC 30, AC 31, AC 32, AC 33, AC 34, AC 35, AC 36, AC 37, AC 38, AC 39, AC 40, AC 41, AC 42, AC 43, AC 44, AC 45, AC 46, AC 47, AC 48, AC 49, AC 50, AC 51, AC 52, AC 53, AC 54, AC 55, AC 56, AC 57, AC 58, AC 59, AC 60, AC 61, AC 62, AC 63, AC 64, AC 65, AC 66, AC 67, AC 68, AC 69, AC 70, AC 71, AC 72, AC 73, AC 74, AC 75, AC 76, AC 77, AC 78, AC 79, AC 80, AC 81, AC 82, AC 83, AC 84, AC 85, AC 86, AC 87, AC 88, AC 89, AC 90, AC 91, AC 92, AC 93, AC 94, AC 95, AC 96, AC 97, AC 98, AC 99, AC 100. THE FLOOD ZONES ARE BASED ON THE FLOOD ELEVATION OF 15.00 (FLOOD 15.00) AND ZONE AC WITH A USE FLOOD ELEVATION OF 19.00 (FLOOD 19.00).
3. THE SITE IS LOCATED WITHIN THE BRISTOL HISTORIC DISTRICT OVERLAY.
4. A MAJOR PORTION OF THIS SITE LIES WITHIN THE 200' APPROPRIATION OF THE BRISTOL RESOURCES MANAGEMENT PLAN. THE LOCATION OF THE PLAN HAS BEEN APPROVED BY FUS & ONEILL, INC.

Document Number 00002603  
BOOK 1549 PAGE 270

Aug 12, 2010 at 10:43:18A.  
Cirello Town Clerk

Recorded  
Louis P.  
Aug 12, 2010 at 10:43:18A.  
Cirello Town Clerk

<p>ROBIN RUG COMPLEX EXHIBIT A A.P. 10 / LOTS 42, 60, 61, 62, &amp; 73 125 THAMES STREET BRISTOL</p>	<p>EX-A</p>
<p>FUSS &amp; ONEILL Engineers &amp; Surveyors 377 BRISTOL WAY SUITE 204 BRISTOL RI 02809-4813</p>	
<p>SCALE: AS SHOWN DATE: 08/12/10 DRAWN BY: [Name] CHECKED BY: [Name] APPROVED BY: [Name]</p>	

# TOWN OF BRISTOL, RHODE ISLAND

## TOWN COUNCIL

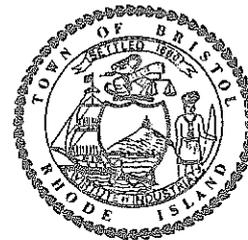
Kenneth A. Marshall, *Chairman*

David E. Barboza, *Vice Chairman*

Antonio A. Teixeira

Halsey C. Herreshoff

Mary A. Parella



*Council Clerk*

Louis P. Cirillo, CMC

## M E M O R A N D U M

To: Diane M. Williamson, Director of Community Development

From: Louis P. Cirillo, CMC, Council Clerk 

Re: Bristol Harbor Management Plan, as Amended

XC: Council Docket February 16, 2011

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Please be advised that after the conclusion of the advertised public hearing, continued to January 26, 2011, at which time a quorum of the Town Council was present and voting, the Bristol Harbor Management Plan was adopted unanimously, incorporating those items as outlined in your memoranda dated January 20, 2011 (Harbor Commission recommendation) and January 21, 2011 (Save Bristol Harbor recommendation) and also the "Mooring Field Perimeter" mapping as provided by the Harbor Master's office.