PERMIT

Rhode Island, Department of Public Works
Division of Harbors and Rivers
State Office Building
Providence, Rhode Island

Gentlemen:

Referring to written request dated July 10, 1953.

I have to inform you that, upon the recommendation of the Chief of Engineers, and under the provisions of Section 10 of the Act of Congress approved March 3, 1899, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," you are hereby authorized by the Secretary of the Army to construct two (2) stone jetties, dredge two (2) channels to depths of 4 feet and 2 feet, respectively, at mean low water, place an 18-inch stone mat under an existing bridge, construct a concrete and stone culverts, and place stone revetments (the dredged material to be deposited above mean high water) in Block Island Sound and Nekapaug Broadway.

at Nekapaug, Town of Westerly, Rhode Island, at the entrance to Nekapaug Pond.

in accordance with the plans shown on the drawing attached hereto entitled:


subject to the following conditions:
(a) That the work shall be subject to the supervision and approval of the District Engineer, Corps of Engineers, in charge of the locality, who may temporarily suspend the work at any time, if in his judgment the interests of navigation so require.

(b) That any material dredged in the prosecution of the work herein authorized shall be removed evenly and no large refuse piles, ridges across the bed of the waterway, or deep holes that may have a tendency to cause injury to navigable channels or to the banks of the waterway shall be left. If any pile, wire, or cable hereby authorized is laid in a trench, the formation of permanent ridges across the bed of the waterway shall be avoided and the back filling shall be so done as not to increase the cost of future dredging for navigation. Any material to be deposited or dumped under this authorization, either in the waterway or on shore above high-water mark, shall be deposited or dumped at the locality shown on the drawing hereeto attached, and, if so prescribed thereon, within or behind a good and substantial bulkhead or bulkheads, such as will prevent escape of the material in the waterway. If the material is to be deposited in the harbor of New York, or in its adjacent or tributary waters, or in Long Island Sound, a permit thereof must be previously obtained from the Supervisor of New York Harbor, Whitehall Building, New York City.

(c) That there shall be no unreasonable interference with navigation by the work herein authorized.

(d) That if inspections or any other operations by the United States are necessary in the interest of navigation, all expenses connected therewith shall be borne by the permittee.

(e) That no attempt shall be made by the permittee or the owner to forbid the full and free use by the public of all navigable waters at or adjacent to the work or structure.

(f) That if future operations by the United States require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army, it shall cause unreasonable obstruction to the free navigation of said water, the owner will be required upon due notice from the Secretary of the Army, to remove or alter the structural work or obstructions caused thereby without expense to the United States, so as to render navigation reasonably free, easy, and unobstructed; and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners shall, without expense to the United States, and to such extent and in such time and manner as the Secretary of the Army may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable capacity of the watercourse. No claim shall be made against the United States on account of any such removal or alteration.

(g) That the United States shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the Government for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

(h) That if the display of lights and signals on any work hereby authorized is not otherwise provided for by law, such lights and signals as may be prescribed by the U. S. Coast Guard, shall be installed and maintained by and at the expense of the owner.

(i) That the permittee shall notify the said Coast Guard prior to the time the work will be commenced, and as far in advance of the first time of commencement as the said District Engineer may specify, and shall also notify such District Engineer promptly, in writing, of the commencement of work, suspension of work, if, for a period of not more than one week, resumption of work, and its completion.

(j) That if the structure or work herein authorized is not completed on or before December 10, 1956, this permit, if not previously revoked or specifically extended, shall cease and be null and void.

By authority of the Secretary of the Army:

Plan attached (in 2 sheets)

[Signature]

L. H. Newell
Division Engineer
Material dredged from the two channels is to be disposed of in Disposal Area north of Atlantic Ave.

Soundings are in feet and refer to mean low water.

PROPOSED LIMITS

Section A-A

SCALE: HOR. 1' = 60' VERT. 1' = 10'

For other details see Sheet 4-2
Sheet 2 of 2

PROPOSED JETTIES, STONE REVICESMENTS, DREDGING, CULVERT AND FILM IN WEEKAPUG BREECHWAY AT WESTERLY, R.I.
APPLICATION BY STATE OF R.I.
DIVISION OF HARBORS & RIVERS, D.P.W.
JULY 7, 1953

For Location and other details see Sheet No. 1.
TO WHOM IT MAY CONCERN:

This office has under consideration the application of the DIVISION OF HARBORS AND RIVERS, RHODE ISLAND DEPARTMENT OF PUBLIC WORKS, for a permit to build and maintain two stone jetties and to dredge one channel 4 feet deep at mean low water and another channel 2 feet deep at mean low water, placing the dredged material on shore; the said material to be confined where necessary by means of stone revetments or walls

in the so-called Weekapaug Breachway between Block Island Sound and Winnapaug Pond

at Weekapaug, in the Town of Westerly, Rhode Island.

An 18-inch stone mat, with top elevation of -4.0 feet at mean low water, is to be laid on the bottom of the channel to be dredged through the existing highway bridge over the breachway at Atlantic Avenue, to prevent scour under the bridge.

A concrete and stone culvert is to be built northerly of Atlantic Avenue and over the southerly end of the 2-foot deep channel to be dredged through present dry land. Upon completion of the dredging of the channel, clearances under the said culvert will be as follows:

Horizontal: 24 feet
Vertical: 2.27 feet at mean high water and 5.07 feet at mean low water

The location and general details of the proposed work are shown on the enclosed map. Other plans, showing more complete details, may be seen at this office or the Town Clerk's office at Westerly, Rhode Island.

You are advised that if you have good reason to enter protests against the proposed work based on its effect upon general navigation, it is your privilege to do so.

Protests to receive consideration should be received at this office on or before JULY 27, 1953.

FOR THE DIVISION ENGINEER:

Very truly yours,

Inclosure:
Map

HENRY A. WHITCOMBE
Chief, Operations Division
Copies of Notice sent to the following on July 17, 1953.

President, Town Council, Westerly, Rhode Island

Postmaster, Weekapaug, Rhode Island (with request to post)
Postmaster, Westerly, Rhode Island  do.
Kenneth R. & Christine Barlow, 37 Main St., Westerly, Rhode Island
Frank R. Cranwell et ux. Dunn's Corner,  do.
Dunn's Park, Inc., Weekapaug, Rhode Island
Ariella Matarose, Shore Road, Westerly, Rhode Island
Anna Maria Matarose,  do.
Agnes Morten, R.D. No. 1, Norwich, Conn.
Antonio Magione, 169 High St., Westerly, Rhode Island
Pasquale Marsone, 1/7 Pierce St.,  do.
Theresa E. Quartromani, 9 Pond St., Westerly, Rhode Island
Louis P. Rossi Est., East Ave.,  do.
Angelina & Penita Trovato, 10 Narragansett Ave., Westerly, Rhode Island
Frank Turoc, East Ave., Westerly, Rhode Island
Giusseppe Turoc, 209 High St.,  do.

Weekapaug Beach Fire District, Westerly, Rhode Island
Commander, U.S. Coast & Geodetic Survey, Northeastern District Headquarters, Custom House, Boston, Mass.

ASST. CHIEF OF ENGINEERS FOR CIVIL WORKS, DEPT. OF THE ARMY, WASHINGTON D.C.

New England Division

July 17, 1953
July 10, 1953

Division Engineer
New England Division
Corps of Engineers
857 Commonwealth Avenue
Boston 15, Mass.

Attention: Henry A. Whitcomb, Chief of Operations

Dear Sir:

We respectfully request a Federal permit authorizing the State of Rhode Island to reconstruct the Weeskapauk Breachway connecting the Atlantic Ocean and Winnipeug Pond and protect adjacent shore areas in the town of Westerly, R. I. in accordance with our Plan No. 3172G. We are enclosing herewith this plan on tracing cloth and five prints. Also enclosed, we are sending a set of construction plans showing the work in detail (Plan Nos. 3172E & F).

The reconstruction of Weeskapauk Breachway is being undertaken as a result of a Report on Weeskapauk Breachway by the Chief of the Division of Harbors & Rivers, requested by Resolution No. 152 of the R. I. Legislature at its January Session, 1952.

Very truly yours,

Henry Isé, Chief
Division of Harbors & Rivers
At the office of the Town Clerk of Westerly, R. I.

Easement Agreement - The Dunes Park Incorporated and
State of Rhode Island and Providence Plantations

Received For File

Easement Plat No. 898 to accompany agreement

Recorded (Date and Time) December 10, 1953 1:36 P.M.

Recording Officer M. Ann Lamb

Title Clerk

Filed by John J. Regan
At the office of the Town Clerk of Westerly, R. I.

A Description and Statement, together with the accompanying Plat No. 396 of land located along Atlantic Ave. in the Town of Westerly, R. I., said land having been taken on behalf of the State of Rhode Island for harbor improvement purposes and the above being filed by

THE RHODE ISLAND DEPARTMENT OF PUBLIC WORKS
DIVISION OF HARBORS AND RIVERS

pursuant to Sections 10 and 11 of Chapter 3105 of the Public Laws of Rhode Island, 1953, Acquisition by Condemnation Authorized by the State Properties Committee on the 2nd day of December, 1953.

Filed (Date and Time) December 10, 1953 - 1:35 P.M.
Filing Officer M. Ann Lamb
Title Clerk

Delivered to Town Clerk for filing by

John J. Regan
REPORT OF PERMIT INVESTIGATION OR INSPECTION

1. Inspection made (Date) 22 MAY 1975

2. Present owner
Address
R. I DEPT OF PUBLIC WORKS

Permit issued to
R. I DEPT OF PUB. WORKS Date 14 DEC 1953
Address
DIV. OF HARBORS AND RIVERS
STATE OFFICE BLDG
PROVIDENCE, R.I.

Waterway Block Island Sound Place WESTERLY, R.I.

Authorized work: Piers ( ) Ramps ( ) Fill (X) Dredge ( ) Bulkhead ( ) Outfall ( )
Cables ( ) Pipeline ( ) JETTIES (X) RETAINMENT (X) CURVET (X)

Work started Work completed

Est. % of completion 100 % Est. date of completion

3. Remarks: (owners' statement, departure from plans, condition of work, description of photos, etc.)

[Handwritten text]

Checked out permit plan area. Work is complete and substantially in accordance with the permit plan.

(Signature) [Handwritten]

(Title) [Handwritten]