



rec. of 1/31/11 KS  
CA  
NLL DC:  
SK  
KK  
NC

# Town of South Kingstown, R.I.

## TOWN CLERK'S OFFICE

CLERK OF THE TOWN COUNCIL AND PROBATE COURT

Town Hall, 180 High Street  
Wakefield, Rhode Island 02879

Dale S. Holberton  
Town Clerk & Probate Clerk  
401-789-9331

January 27, 2011

The Honorable Jack Reed, US Senator  
US Federal Courthouse  
1 Exchange Terrace, Room 408  
Providence, RI 02903-1173

Dear Senator Reed:

Due to their growing concerns with the severe coastal erosion along the Matunuck shore, the Town Council of the Town of South Kingstown adopted the enclosed resolution at their meeting held on January 24, 2011. This coastal erosion continues to have a negative impact on the health and safety of this coastal area and the Town of South Kingstown.

We have requested that Michael Tikoian, Chairman, Coastal Resources Management Council and his staff meet with the Town Council, Town officials, residents and business owners to address this problem and develop and implement long and short term cost effective solutions. When we have a confirmed date, we will notify you and invite you and your staff to participate.

I thank you in advance for your attention to this matter.

Very truly yours,

Dale S. Holberton, CMC  
Town Clerk

DSH:smf

Enclosure

cc: Town Manager

**TOWN OF SOUTH KINGSTOWN  
TOWN COUNCIL RESOLUTION  
COASTAL EROSION IN MATUNUCK**

WHEREAS, The South Kingstown Village of Matunuck is an important natural, historic and cultural setting within South Kingstown. Matunuck is a fine example of a coastal, seasonal tourism setting with a varied mix of summer and year round homes and a small business core. The business core provides services and goods to both local residents and visitors. Businesses on the shorefront of Matunuck Beach Road include: The Vanilla Bean, Ocean Mist Restaurant and Bar and Tara's Joyce Family Pub. These businesses represent significant sources of economic development and employment in the area. The Town Beach, surfing and fishing along this shorefront also provides significant recreational resources for Town residents and visitors alike. All of these activities are negatively impacted by the erosion the area has been experiencing.

WHEREAS, Over the past several years storm events have had a particularly negative impact on the vicinity from the Town Beach easterly to Matunuck Point. This area includes long term small commercial shoreline core businesses as well as various residential and seasonal recreational uses. As a result of these erosive forces two structures have been lost, a residence and the "Seaview", a historic bathhouse and community hall associated with the seasonal cottages at Carpenter's Beach Meadow.

WHEREAS, The situation has reached a critical stage where the future viability of these businesses and residences are threatened. This potential loss may also threaten the structural integrity of Matunuck Beach Road and the infrastructure contained therein, including the 12" water main servicing the South Shore Water System. The possible loss of Matunuck Beach Road would create a public safety crisis, isolating numerous properties and impacting the viability of the South Shore Water System. This threat of irreparable damage to this shoreline is of an immediate and constant concern to the entire community.

WHEREAS, Since 1998 the Town has made a concerted effort to work with property owners, the community at large, the Coastal Resources Management Council, federal agencies and our congressional delegation to address these threats: this dialogue and collaborations has led to various efforts by the Town and individual property owners to address specific aspects of the erosion in this vicinity. However, such efforts have not experienced long term success and the critical circumstances persist.

WHEREAS, The piecemeal approaches to addressing these issues have been generally sanctioned by the CRMC program and have consisted largely of installation of soft reinforcement to the headland in reaction to specific storm damage (i.e. sandbags, beach replenishment, etc.)

WHEREAS, The failures of sanctioned short term, "soft" measures and the persistence of erosion events have led property owners to take additional steps to protect their properties, measures that are not permitted under the CRMC regulatory structure but are necessary to address the threats present.

WHEREAS, In reaction thereto the CRMC has issued eleven (11) Notice of Violations/Cease and Desist Orders in calendar year 2010 to various property owners along this shorefront. Such notices have included Administrative Fines, per diem fines and the threat of further court action upon the owners of these properties. This approach has created additional anxiety for the affected properties and friction with the Coastal Council.

WHEREAS, The Coastal Resources Management Council is an agency whose scope expands beyond mere regulatory functions. Its primary responsibility is for the preservation, protection, development and where possible the restoration of the coastal areas of the State via the issuance of permits for work within the coastal zone of the state.

WHEREAS, The CRMC has not exhibited the flexibility and cooperation that the circumstances regarding Matunuck warrant. Such a posture would allow for the consideration and use of reasonable and economically feasible solutions to mitigate the severe coastal erosion that affects all of the businesses and residents. The CRMC must restructure their present strategies to recognize the critical and immediate situation that exists in this area.

WHEREAS, If short term measures to mitigate erosive forces are not permitted while a longer term solution is determined and implemented, a true public safety crisis will result, the effects of which would extend well beyond this stretch of shoreline. The loss of Matunuck Beach Road resulting from a lack of cooperation and regulatory inflexibility would be a tragedy for the Village, Town and State of Rhode Island.

NOW, BE IT RESOLVED THAT THE TOWN COUNCIL OF THE TOWN OF SOUTH KINGSTOWN does hereby request that due to the critical nature of the situation in the Matunuck area that the CRMC take a flexible approach in the application of its rules and regulations, review program policies applicable to this vicinity to determine if such are consistent with the actual conditions present, and work with the owners of the ocean front properties in their efforts to combat the severe coastal erosion that has negatively impacted their property rather than issuing to them violations and penalties, and

BE IT FURTHER RESOLVED that severe coastal erosion continues to have an impact on the health and safety of this coastal area and the Town of South Kingstown and that CRMC needs to meet with the Town Council, Town Officials, residents and business owners to address this problem and develop and implement long and short term cost effective solutions, Forthwith.

Upon passage; that the South Kingstown Town Council requests assistance from the Governor, the Local Legislative Delegation, the Congressional Delegation and CRMC and that a copy of this resolution be forwarded to them for their consideration.