

**STATE OF RHODE ISLAND
COASTAL RESOURCES MANAGEMENT COUNCIL**

Oliver Stedman Government Center Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

PUBLIC NOTICE

The Coastal Resources Management Council (CRMC) has been petitioned to revise its management plans, policies, procedures and/or regulations regarding planning and management of the coastal resources of the State pertaining to Chapter 46-23 of the Rhode Island General Laws.

Therefore, in accordance with and pursuant to the provisions of the “Administrative Procedures Act” (Section 42-35-3 of the Rhode Island General Laws) and the Rules and Regulations of the Coastal Resources Management Council, notice is hereby given that the Coastal Resources Management Council is soliciting comments to said petition that seeks to “reclassify a portion of the Matunuck shoreline from the existing ‘Coastal Headlands, Bluffs and Cliffs’ (Sec. 210.4 of the Program) designation to proposed ‘Manmade Shorelines’ (Sec. 210.6 of the Program) classification.” See Town’s Petition at 1.


The petition has been assigned file number **2011-12-017** and can be viewed at the CRMC’s office during regular office hours (Monday-Friday 8:30 am to 4:00 pm), on the CRMC website at www.crmc.ri.gov or the Secretary of State’s website at www.sos.ri.gov/ProposedRules/.

The Town of South Kingstown filed a petition with the Coastal Resources Management Council on December 12, 2011 requesting the CRMC to change the existing designation of a segment of the Matunuck shoreline, between and inclusive of parcels 92-2:46 through 92-3:9 as shown on the Town’s exhibit, from Coastal Headlands, Bluffs and Cliffs to a designation of Manmade Shoreline. Such a change, if approved by the Council, would allow the installation of new structural shoreline protection for the affected parcels provided the property owners apply for and receive a CRMC Assent.

Parties interested in or concerned with the above matter are requested to provide written comments to the CRMC at the above address on or before **February 17, 2012**.

Further information may be obtained by contacting the Coastal Resources Management Council offices at 783-3370.

Signed this 13th day of January, 2012.



Jeffrey M. Willis, Deputy Director
Coastal Resources Management Council

2011-12-017



Town of South Kingstown, Rhode Island

OFFICE OF TOWN MANAGER

180 High Street
Wakefield, RI 02879
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Fax. 401-789-5280

salfred@southkingstownri.com

STEPHEN A. ALFRED
TOWN MANAGER

December 9, 2011

Grover Fugate
Executive Director
Coastal Resources Management Council
Oliver Stedman Government Center
4808 Tower Hill Rd., Suite 116
Wakefield, RI 02879

Re: Shoreline Reclassification Request, Matunuck Beach Road Area

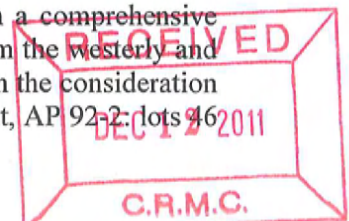
Dear Mr. Fugate:

This correspondence serves as a formal request from the Town of South Kingstown to the Coastal Resources Management Council to reclassify a portion of the Matunuck shoreline from the existing "Coastal Headlands, Bluffs and Cliffs" (Sec. 210.4 of the Program) designation to proposed "Manmade Shorelines" (Sec. 210-6 of the Program) classification.

The request for reclassification specifically involves that segment of shoreline south of and contiguous to Matunuck Beach Road starting with and inclusive of that parcel identified as A.P. 92-2, Lot 46 thence eastward to and inclusive of that parcel identified as A.P. 92-3, Lot 9. The pertinent segment comprises a 1,272 lf stretch along Matunuck Beach Road that incorporates a total of eleven (11) parcels as shown on the enclosed map.

It is the Town's posture that this reclassification will accurately reflect the historic character of portions of the Matunuck shoreline, given the preponderance of manmade structures presently and formerly existing along the subject area. Find enclosed a detail of the sixty-five (65) CRMC-issued assents pertaining to this vicinity since 1987 (base data provided by CRMC staff). A review of the type of assents issued underscores the ongoing erosion threat to this stretch of shoreline, highlights the existing improved nature of these properties, and provides details on approvals granted to install or maintain rip-rap structures, seawalls and other means to mitigate property loss and damages to this area. The vast majority of the assents issued relate to erosion mitigation (sandbags, etc.) and repairs/maintenance to existing seawalls, rip-rap structures, retaining walls and other manmade structures. Also enclosed is a chart providing additional detail on the subject properties, including the age(s) of the various structures present thereupon. Here it is noted that improvements on these eleven parcels have, for a majority of the properties, been in place for more than 50 years.

In addition, a change of classification to 'Manmade Shorelines' will provide the necessary administrative vehicle to potentially allow commercial and residential property owners greater flexibility in the design of protective measures in response to on-going and recently accelerated coastal erosion. Potentially, the reclassification would allow the affected series of property owners to collaborate on a comprehensive design approach that could be integrated into the existing manmade structures that form the westerly and easterly end points of this shoreline segment (*see enclosed map*). An important point in the consideration of this request is that the presence of the reinforced end points of this shoreline segment, AP 92-2, lots 46



Grover Fugate, Executive Director
Coastal Resources Management Council
December 9, 2011
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and 47 and AP 92-3, lot 1 on the west and AP 92-3, lot 9 on the east have focused erosive forces on the parcels between them. The current CRMC regulatory environment does not provide the flexibility necessary for these property owners to mitigate these forces.

It should be noted that the reclassification will not in any way affect or diminish the existing design standards required by CRMC for proposed manmade shoreline protection structures.

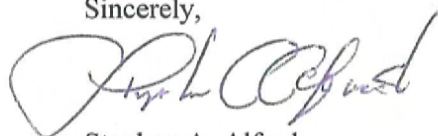
In the CRMC Policy and Permitting staff's inter-office memorandum of April 20, 2011 it was opined that any shoreline reclassification approval by the Coastal Resources Management Council should include creation of a Matunuck Headland Coastal Natural Area (find enclosed a description and map). The Town of South Kingstown does not, on its face, object to this measure as part of our requested shoreline reclassification for the subject shoreline segment described above. However, the Town will need to review the proposed regulatory framework for this proposed new area designation. The Town requests assurances that a Matunuck Headland Coastal Natural Area will not be so restrictive in terms of permitted use(s) and design standards so as to adversely impact and/or unreasonably impede a property owners rights for those parcels contiguous to the proposed 'natural area'.

It is noted that the aforementioned CRMC staff inter-office memorandum suggests that the requested shoreline reclassification change and establishment of the Matunuck Headland Coastal Natural area be accomplished within the confines of the Salt Pond Regional Special Area Management Plan (SAMP) and not within the overall Coastal Resources Management Program (so-called "Red Book"). As such, approval of this application will not establish a precedent for the overall coastal management program. The Town is in agreement with the CRMC staff in this matter and supports the above referenced changes being accomplished within the SAMP.

As discussed with Mr. Goulet of the CRMC staff, this letter and enclosures are intended to initiate the process for reclassification of this discrete shoreline area within the context of the SAMP plan. The Town will respond to questions or provide additional information and supportive materials as necessary at the request of the Coastal Council and staff. This request is also viewed as providing a complement to the Town's pending coastal assent application (File # 2011-09-05) requesting CRMC approval to install subsurface sheet pile shoulder reinforcement (and concrete wall-cap above grade) at the edge of the Matunuck Beach Road right of way. As noted above, the requested reclassification is seen as assisting the affected property owners through increasing the regulatory options available for the installation of protective measures to mitigate the erosive forces currently facing their respective properties.

The Town looks forward to discussing this important matter with the Coastal Resources Management Council and staff.

Sincerely,



Stephen A. Alfred
Town Manager

Enclosures

cc: Town Council
Federal Legislative Delegation
State Legislative Delegation
Property owners in area proposed for reclassification



**Town of South Kingstown, Matunuck Beach Road Shoreline
Reclassification Request**

Owner	Address	Plat/lot	Area	Assessed Value	Year Structures Built
Matunuck Beach Trailer Association, Inc	811 Matunuck Beach Road	AP 92-2, lot 46	2.2 acres	\$1,222,000	N/A
Mary Carpenter	Matunuck Beach Road	AP 92-2, lot 47	1.57 acres	\$43,600	N/A
Mary Carpenter	Matunuck Beach Road	AP 92-3, lot 1	.27 acres	\$19,900	N/A
Hang Ten LLC	895 A and B Matunuck Beach Road	AP 92-3, lot 2	.6 acres	\$668,200	1940
Tipperary Tavern LLC	907 A and B Matunuck Beach Road	AP 92-3, lot 3	.23 acres	\$467,300	1940/1970
Clonmel Realty LLC	911 A and B Matunuck Beach Road	AP 92-3, lot 4	.24 acres	\$366,500	1940
Joan Valinote	915 Matunuck Beach Road	92-3, lot 5	.17 acres	\$420,700	1950
Jeffrey Pilling	919 Matunuck Beach Road	92-3, lot 6	.17 acres	\$600,500	1925
Beachview Partnership LLC	921 A and B Matunuck Beach Road	92-3, lot 7	.25 acres	\$761,300	1900/1940
Mark Melnick	929 Matunuck Beach Road	92-3, lot 8	.26 acres	\$595,000	2002
Mary Carpenter	933 Matunuck Beach Road	92-3, lot 9	.27 acres	\$661,100	1960

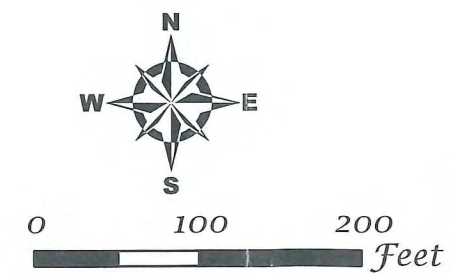


Existing Shoreline
Revetments

Block Island Sound

Town of South Kingstown
Proposed SAMP Plan
Shoreline Parcel Reclassification

Aerial Photo Flown April 2008



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Geographic
 Information
 System
 PL11-78 cpb 11/11

1	A	B	C	D	E	F	G	H
2	Application ID	Application Date	Plat	Lot	Permit Date	Project Note	Address	Owner
3	1984-06-045	06/21/84			09/09/97	Emergency Work/Trailer Park	Matunuck Beach Trailer Park	Matunuck Beach Trailer
4	2010-02-050	- -	92-2	4	- -	repair existing seawall	811 Matunuck Beach Road	Matunuck Beach Trailer Assn
5	1988-10-058	10/25/88	92-2	46	11/23/88	Seawall Repairs	811 Matunuck Beach Road	Matunuck Beach Trailer
6	1994-12-074	12/27/94	92-2	46	01/12/95	Seawall Repairs	811 Matunuck Beach Road	Matunuck Beach Trailer
7	1997-03-012	03/06/97	92-2	46	04/02/97	As Built Riprap Maintenance	811 Matunuck Beach Road	Matunuck Beach Trailer
8	1998-01-037	01/21/98	92-2	46	01/26/98	Repair Seawall,reset Stones,install bedding stone	811 Matunuck Beach Road	Matunuck Beach Trailer
9	1999-12-019	12/08/99	92-2	46	12/08/99	Sand Bags	811 Matunuck Beach Road	Matunuck Beach Trailer
10	2000-02-079	02/22/00	92-2	46	02/22/00	Replace Undergrnd Utility Line	811 Matunuck Beach Road	Matunuck Beach Trailer
11	2004-05-058	05/12/04	92-2	46	05/21/04	Sandbags, seawall Storm Damage	811 Matunuck Beach Road	Matunuck Beach Trailer
12	2006-07-014	07/06/06	92-2	46	- -	Erect 110' snow fence b/t TSK Town Beach and Mat Beach Trlr Assn	811 Matunuck Beach Road	Matunuck Beach Trailer Assn
13	2006-03-096	08/18/06	92-2	41,43,46	09/28/06	extend/fill-in riprap in type 1 waters	811 Matunuck Beach Road	Matunuck Beach Trailer
14	1987-06-003	06/03/87	92-2	47	06/05/87	Seawall Repair	854 Matunuck Beach Road	Carpenter, Harold
15	1990-04-073	04/30/90	92-2	47	05/31/90	Road	854 Matunuck Beach Road	Carpenter, Harold
16	1990-08-037	08/21/90	92-2	47	08/28/90		854 Matunuck Beach Road	Carpenter, Harold
17	1984-12-032	05/23/83	92-2	47	03/25/93	Seawall Repair	854 Matunuck Beach Road	Carpenter, Mary
18	1993-04-067	04/28/93	92-2	47	05/13/93	Seawall Repair	854 Matunuck Beach Road	Carpenter, Harold
19	1994-06-193	06/24/94	92-2	47	06/24/94		854 Matunuck Beach Road	Carpenter, Harold
20	2004-04-038	04/06/04	92-2	47	04/06/04	Restack Concrete Seawall	855 Matunuck Beach Road	Carpenters Beach Meadow Inc.
21	2007-03-047	03/26/07	92-2	47	03/26/07	Remove existing dwelling	833 Matunuck Beach Road	Carpenter, Mary
22	2008-11-072	12/03/08	92-2	47	12/03/08	R & D former bath house & pavillion from existing site.	855 Matunuck Beach Road	Carpenters Beach Meadow Inc.
23	2009-04-021	04/23/09	92-2	47	04/23/09	clean debris,add sand,grade and plant native plants	855 Matunuck Beach Road	Carpenters Beach Meadow, Inc.
24	2007-04-091	04/18/07	92-2	47	- -	Remove fallen decking and debris from building.	855 Matunuck Beach Road	Carpenter, Mary
25	1996-03-061	03/19/96	92-3	1	03/19/96	replace retaining wall	883 Matunuck Beach Road	Carpenter, Mary
26	1998-04-108	04/30/98	92-3	1	04/30/98	replace existing fence & restack seawall	883 Matunuck Beach Road	Carpenter, Mary
27	1998-12-037	12/14/98	92-3	1	12/11/98	Sand Bags	883 Matunuck Beach Road	Carpenter, Mary
28	2002-04-005	03/18/02	92-3	1	03/18/02	Replace ISDS	883 Matunuck Beach Road	Carpenter, Mary
29	2006-04-011	04/06/06	92-3	1	06/29/06	replace ISDS with holding tank	883 Matunuck Beach Road	Carpenter, Mary
30	1992-11-017	11/12/92	92-3	2	11/13/92		Matunuck Beach Road	Finnegan, Kevin
31	1995-03-024	03/02/95	92-3	2	03/10/95		895a Matunuck Beach Road	Finnegan, Kevin
32	1996-07-006	07/01/96	92-3	2	07/01/96		895a Matunuck Beach Road	Ocean Mist/Kevin Finnegan
33	1998-06-002	05/29/98	92-3	2	05/29/98	replace roof on Ocean Mist Restaurant	895a Matunuck Beach Road	Ocean Mist/Kevin Finnegan
34	1998-12-025	12/07/98	92-3	2	12/07/98	Sand Bags and repair-maintain pilings under deck and building	895a Matunuck Beach Road	Ocean Mist/Kevin Finnegan
35	2008-02-022	02/11/08	92-3	2	06/18/08	install holding tank due to erosion	895 Matunuck Beach Road	Hang Ten, LLC
36	2008-11-082	11/26/08	92-3	2	02/03/09	addition, deck, elevation	895 Matunuck Beach Road	Hang Ten, LLC
37	2009-06-083	06/30/09	92-3	2	07/27/09	kitchen expansion	895 Matunuck Beach Road	Hang Ten, LLC
38	2005-08-038	08/05/05	92-3	2	- -	Reshingle single family dwelling and replace garage door.	895 B Matunuck Beach Road	Hang Ten, LLC
39	2009-04-073	- -	92-3	2	- -	c/m a permanent shed roof over existing deck.	895 A Matunuck Beach Road	Hang Ten, LLC
40	1999-11-048	11/15/99	92-3	3	11/15/99	Remove Barrier Wall/Put Fence	883 Matunuck Beach Road	Carpenter, Mary
41	2001-09-013	09/06/01	92-3	3	09/10/01	Repair ISDS/Replace Pump-Pipe	Matunuck Beach Road	Joyce, Vincent
42	2007-12-049	01/03/08	92-3	3	03/27/08	repairs/renovations	907A & B Matunuck Beach Road	KJ Realty Management LLC
43	2008-05-074	05/22/08	92-3	3	06/17/08	Reshingle roof, replace windows, siding, interior sheetrock	907B Matunuck Beach Road	Clonmel Realty, LLC
44	2005-03-090	03/22/05	92-3	3	- -	Construct and maintain a 20 x 30 open deck over existing foundation	907A Matunuck Beach Road	KJ Realty Management LLC
45	2008-12-074	12/31/08	92-3	4	- -	Add additional layer of roof shingles. No other construction allowed.	911A Matunuck Beach Road	Clonmel Realty, LLC
46	2009-03-092	03/30/09	92-3	4	- -	replace windows,remove interior walls & insulate	911 Matunuck Beach Road	Clonmel Realty, LLC
47	2009-11-024	11/10/09	92-3	4	- -	c/m an open deck	911 Matunuck Beach Road	Clonmel Realty, LLC
48	2010-03-046	03/29/10	92-3	4	- -	Install pilings under dwelling via wet jet	911 Matunuck Beach Road	Clonmel Realty, LLC
49	1998-03-083	03/23/98	92-3	5	03/23/98	Sand Bags	917 Matunuck Beach Road	Valinote etal Trustees, Joan
50	2009-11-010	11/03/09	92-3	5	- -	strip and reroof dwelling.	915 Matunuck Beach Road	Valinote etal Trustees, Joan
51	1998-03-084	03/23/98	92-3	6	03/23/98	Sand Bags	919 Matunuck Beach Road	Cabral, Joseph

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	A	B	C	D	E	F	G	H
52	2005-10-113	- -	92-3	6	- -	replace cesspool with new isds	919 Matunuck Beach Road	Stakutis, Wanda
53	1998-03-078	03/20/98	92-3	7	03/20/98	Sand Bags	921 Matunuck Beach Road	Monahan, Edward
54	1998-04-067	04/20/98	92-3	7	03/28/00	Beach Sand/Nourishment	921 Matunuck Beach Road	Monahan, Edward
55	2001-05-043	05/08/01	92-3	7	05/11/01	Deck	921 Matunuck Beach Road	Monahan, Edward
56	1989-04-076	04/23/89	92-3	7	09/20/04	Repair Roof,windows,foundation	921A & B Matunuck Beach Road	Monahan, Edward P.
57	1998-03-079	03/20/98	92-3	8	03/20/98	Sand Bags	929 Matunuck Beach Road	Gallichant, Helen
58	1998-04-090	04/27/98	92-3	8	03/28/00		929 Matunuck Beach Road	Gallichant/Lamontagne/Lyons
59	2000-12-056	12/22/00	92-3	8	01/05/01	Reconst.Dwelling/Isds	929 Matunuck Beach Road	Gallichant & Joseph Catelli, Helen
60	2001-11-026	11/07/01	92-3	8	11/14/01	Replace Dwelling/Isds/Deck	929 Matunuck Beach Road	Gallichant/Lamontagne/Lyons
61	2005-10-085	10/20/05	92-3	8	10/20/05	Emergency Sandbagging due to storm	929 Matunuck Beach Road	Cabral, Frank
62	1984-12-031	12/09/84	92-3	9	04/09/93		933 Matunuck Beach Road	Carpenter, Mary
63	1998-03-011	03/03/98	92-3	9	03/27/98	Sand Bags	933 Matunuck Beach Road	Carpenter, Mary
64	2000-06-038	06/12/00	92-3	9	07/18/00	Addition	933 Matunuck Beach Road	Carpenter, Mary
65	1998-04-066	04/21/98	92-3	3,4	04/20/98	Sand Bags	907 & 911 Matunuck Beach Road	Joyce, Vincent
66	2006-03-072	03/29/06	92-3	3,4	05/25/06	replace ISDS with composting toilets/holding tanks	907A & B; 911A & B Matunuck Beach Road	KJ Realty Mngmt, LLC/Jopub, LLC
67	2007-05-142	05/31/07	92-3	3,4	05/31/07	place filled sand bags onto eroded area	907 Matunuck Beach Road	Jopub LLC & KT Realty Management LLC

