

**cstaff1**

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**From:** Marianne Cwalina <mfcwalina@verizon.net>  
**Sent:** Thursday, March 17, 2022 10:43 AM  
**To:** council@crmc.ri.gov; cstaff1@crmc.ri.gov  
**Subject:** Objections to File No. 2021-11-002 Matunuck Beach Condo Development  
**Attachments:** CRMC Objection File No 2021 11 002 March 2022.docx

Good morning:

I did send notice to the Council of my intent to object to this development during the public comment period that ended February 11, 2022. I am attaching comments that I intended to make at the CRMC's meeting to review this application which has yet to be scheduled. However, since my husband will be undergoing major surgery next week, it is unlikely that I will be able to attend later this month, so I am providing you with my comments now. If I can possibly attend the meeting, I will. Please let me know if you need any further information from me.

Thank you for your consideration,

Marianne Cwalina  
Cwalina Realty Trust  
83 North Street  
North Reading, MA 01864

87 Holden Road  
Matunuck, RI 02879

Cell phone 978 882-5299

TO: Coastal Resource Management Council RI

FROM: Marianne Cwalina, Cwalina Realty Trust, 83 North Street, North Reading, MA 01864 and 87 Holden Road, Matunuck, RI 02879

SUBJECT: **File No.: 2021-11-002: Matunuck Beach Road Condominiums**

DATE: March 17, 2022

My name is Marianne Cwalina, and I've been summering in Matunuck for over 60 years as my paternal grandparents and my grandfather's siblings built and owned year-round residences on Holden Road including the one I now own at 87 Holden Road. I'm here to protest the proposed development by Matunuck Beach Partners, LLC, of 12 condominiums that are to be squeezed onto 3 of the 4.77 acres of the pencil-shaped lot with the normal variances for us as abutters waived due to the inclusion of 3 low income residences. Were it not for the building of 3 low income residences, the lot would not be allowed to avoid zoning and development requirements that Holden Road residents must still observe.

You know that Matunuck village is developed beyond carrying capacity and home already to 500 residences and several businesses, half of which can only be reached by Matunuck Beach Road and situated in a very sensitive environmental area that frequently floods between the ocean and Potter Pond. The unrelenting development and lack of respect for natural processes have made the Matunuck coast more susceptible to storm violence and protecting the village from rising waters is impossible in the long run.

The Nor'easters and Sou'easters responsible for erosion occur in fall, winter and early spring and tropical hurricanes occur in late summer and early fall. These storms have been and are expected to be more frequent and have a tremendous impact on Matunuck Beach Road and will ultimately result in destruction and isolation of businesses and residential homes. No one will be able to get out of the eastern end of the village, and police and fire vehicles will not be able to get in.

Faced with global warming, rising sea levels, and the climate-related extremes they intensify, the continued building of residential housing (especially a dense number of condos) including 6 more private waste disposal systems, an impervious driveway and parking lots and spaces, associated utilities, and elimination of the small amount of wildlife habitat in the village make no sense. What South Kingstown and other coastal communities at risk such as Matunuck should be considering is how we will retreat and move people and assets out of harm's way. The number of condominiums proposed must be significantly reduced.

We know that affordable housing in South Kingstown is scarce, but inserting 3 low-income residences into this village when the sea level is rising and coastal flooding and intensifying storms are getting worse will only result in both physical and financial consequences to those who can least afford it. Flooding can wreak havoc on buildings and the residents who live in them. Even low levels of flooding can damage belongings, disrupt electrical equipment, contaminate water sources and septic systems,

generate mold, and block roads. These impacts may increase maintenance costs, threaten public health, and cause profound disruptions to families already struggling to make ends meet.

The combination of physical vulnerability of affordable housing, socioeconomic vulnerability, and more frequent flooding due to sea level rise presents a triple threat within the next 30 years to owners of these affordable residences as well as those residents living here on a fixed income.

Rhode Island's affordable housing regulations state "The affordability of such housing shall be assured for a period of not less than 30 years from the date of initial occupancy". This is unlikely given climate change effects and strengthening storms which are likely to outpace the current predicted FEMA 100 year flood envelope since it's based on past storm events.

This proposed development will increase overall wastewater flow by building 12 2-bedroom condominiums. In addition, the architectural drawings include another room listed as a "study" which could also be used as a bedroom, so there will likely be 12 3-bedroom units served by the 6 Onsite Waste Treatment Systems planned to capture wastewater and its components (nitrogen, phosphorous, etc.) to the environment.

As you know, the focus of the 1999 SAMP revisions was primarily the development of additional density controls and other regulatory requirements that would better manage rainfall and snowmelt pollution moving over and through the ground and cumulative and secondary impacts of development such as habitat loss, erosion and sediment control problems, storm water impacts, and groundwater impacts from onsite disposal systems. The 1999 revisions also addressed other important issues such as wetlands protection, storm hazards and public access.

The core of SAMP continues to be its density controls that limit future development in a watershed and thus the total the number of onsite disposal systems. These systems are the largest contribution of nitrogen to groundwater in the Salt Ponds watershed from residential development. Density restrictions or "downzoning" have been recommended in other areas to limit the potential for future nitrogen loadings and other cumulative and secondary impacts associated with future development.

RIDEM's revised onsite disposal system regulations focus on site specific goals for nitrogen reduction and are not designed to take into account the "tyranny of small decisions". RIDEM's individual permit decisions must be taken into account by the CRMC to determine the cumulative impacts that will result from building more onsite disposal systems in the village.

Storm water runoff from impervious surfaces must be considered. The CRMC should significantly limit the 44 parking spaces currently proposed in order to reduce the new impervious surfaces that will allow the water to run off picking up many types of pollution in the process and then flowing into the wetlands, our backyards, or into Mary's Beach Meadow.

Driveway and parking space drainage contain contaminants from petroleum products (asphalt, gasoline, motor oils, lubricants) and other chemical compounds and nutrients (including nitrogen and

phosphorous in lawn fertilizers) not found in precipitation. Its flow volume and velocity can cause erosion, surface flooding, and ground saturation.

A new study published January 31, 2022, in the Journal “Nature Climate Change” projects that the number of people who are exposed to flooding will almost double over the next 30 years. The lion’s share of US flood risk will not stem from the changing nature of storms and seas, but instead from our decisions about where to build and where to live.

### **References:**

Sweet, W.V., B.D. Hamlington, R.E. Kopp, C.P. Weaver, P.L. Barnard, D. Bekaert, W. Brooks, M. Craghan, G. Dusek, T. Frederikse, G. Garner, A.S. Genz, J.P. Krasting, E. Larour, D. Marcy, J.J. Marra, J. Obeysekera, M. Osler, M. Pendleton, D. Roman, L. Schmied, W. Veatch, K.D. White, and C. Zuzak; **2022: *Global and Regional Sea Level Rise Scenarios for the United States: Updated Mean Projections and Extreme Water Level Probabilities Along U.S. Coastlines. NOAA Technical Report NOS 01.*** National Oceanic and Atmospheric Administration, National Ocean Service, Silver Spring, MD, 111 pp

***Nature Climate Change; Inequitable patterns of US flood risk in the Anthropocene,*** Articles <https://doi.org/10.1038/s41558-021-01265-6>; Oliver E. J. Wing 1,2 ✉, William Lehman 3 , Paul D. Bates 1,2, Christopher C. Sampson 1 , Niall Quinn1 , Andrew M. Smith1 , Jeffrey C. Neal1,2, Jeremy R. Porter4,5,6 and Carolyn Kousky7; published online 1-31-2022

***Rhode Island Shoreline Change Special Area Management Plan (SAMP) Technical Report # 1; The Rhode Island Sea Level Affecting Marshes Model (SLAMM) Project Summary Report;*** Prepared by: James Boyd, Rhode Island Coastal Resources Management Council (CRMC); Janet Freedman - Coastal Geologist CRMC; Caitlin Chaffee, CRMC; Pam Rubinoff and Teresa Crean, University of Rhode Island Graduate School of Oceanography, Coastal Resources Center and RI Sea Grant; Kevin Ruddock, The Nature Conservancy (RI office); Wenley Ferguson, Save The Bay; Jennifer West, Narragansett Bay National Estuarine Research Reserve; Julia Wyman, Roger Williams University School of Law Marine Affairs Institute; Kenneth Raposa, Narragansett Bay Estuarine Research Reserve; Richard Enser, State Wildlife Action Plan consultant to the RIDEM; Suzanne Paton, US Fish & Wildlife Service; Chelsea Siefert, RI Statewide Planning Program; John Torgan, The Nature Conservancy; Grover Fugate, CRMC Executive Director; and Anne Livingston, CRMC Chair; March 2015

***650-RICR-20-00-1 TITLE 650 – COASTAL RESOURCES MANAGEMENT COUNCIL CHAPTER 20 – COASTAL MANAGEMENT PROGRAM SUBCHAPTER 00 – N/A PART 1 – Red Book***

***650-RICR-20-00-3 TITLE 650 – COASTAL RESOURCES MANAGEMENT COUNCIL CHAPTER 20 – COASTAL MANAGEMENT PROGRAM SUBCHAPTER 00 – N/A PART 3 – Salt Pond Region Special Area Management Plan***

***An Elusive Compromise: Rhode Island Coastal Ponds and Their People;*** Virginia Lee; Coastal Resources Center, University of Rhode Island, Marine Technical Report 73, 1980

***Rhode Island's Salt Ponds Using a Special Area Management Plan to Improve Watershed Governance;***  
*Prepared for the National Academy of Public Administration in Support of a Report Entitled:*  
*Environmental Governance in Watersheds: The Importance of Collaboration to Institutional*  
*Performance; Timothy Hennessey and Mark T. Imperial, August 2000*

**cstaff1**

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**From:** Marianne Cwalina <mfcwalina@verizon.net>  
**Sent:** Wednesday, February 16, 2022 8:09 AM  
**To:** cstaff1@crmc.ri.gov  
**Subject:** Fw: Request to Protest Application of Matunuck Beach Road Partners, LLC, Plat/Lot 92-2/56

Just wanted to be sure you received my request to protest. Can you confirm please? Any idea when the meeting will be scheduled?

Thank you.  
Marianne Cwalina

**From:** Marianne Cwalina  
**Sent:** Monday, January 31, 2022 2:10 PM  
**To:** ctstaff1@crmc.ri.gov  
**Cc:** Marianne Cwalina  
**Subject:** Request to Protest Application of Matunuck Beach Road Partners, LLC, Plat/Lot 92-2/56

Regarding File Number 2021-11-002, the application of Matunuck Beach Road Partners, LLC, I wish to attend the hearing to protest the development of the property under consideration.

Marianne Cwalina  
Cwalina RI Realty Trust  
83 North Street  
North Reading, MA 01864

Cell Number: 978-882-5299  
E-mail: mfcwalina@verizon.net

Please confirm my attendance at the hearing to be scheduled.

Thank you.

**cstaff1**

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**From:** erika <mulch1@cox.net>  
**Sent:** Friday, February 11, 2022 12:31 PM  
**To:** cstaff1@crmc.ri.gov  
**Subject:** Matunuck Condo Hearing

As co-owner of property at 73 Holden Road in Matunuck I am writing to protest the proposed project to develop a 12 unit condominium development off Matunuck Beach Road. I am formally requesting an invitation to your upcoming hearing on this project.

Please acknowledge receipt of this email.

Erika Koch

Mailing address: 225 2nd Ave, Warwick, RI 02888-1173

Email: [mulch1@cox.net](mailto:mulch1@cox.net)

Home: 401-781-6637

Cell: 401-368-3045

2021-11-002

Erika C. Koch  
225 Second Avenue  
Warwick, RI 02888  
(401) 781-6637 (home)  
(401) 368-3045 (cell)  
mulch1@cox.net

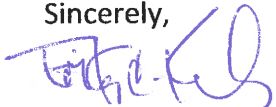
February 9, 2022

RI Coastal Resources Management Council  
Oliver H. Stedman Government Center  
4808 Tower Hill Road, Suite 3  
Wakefield, RI 02879-1900

To Whom It May Concern:

As co-owner of property at 73 Holden Road, Matunuck, I am writing to protest the proposed project to develop a 12 unit condominium development off Matunuck Beach Road. I am hereby requesting an invitation to your upcoming hearing on this project.

Sincerely,



Erika C. Koch







John and Jean Somers  
55 Holden Rd.  
Wakefield, RI 02879-7025

File NUMBER 2021-11-002

RECEIVED  
FEB 10 2022  
COASTAL RESOURCES  
MANAGEMENT COUNCIL

This Letter is being written in response to a PROPERTY DEVELOPEMENT OF CONDOMINIUMS PROPOSED BY MATUNUCK BEACH ROAD PARTNERS LLC ON AP 92-2 LOT 56. WE ARE ABUTTERS (JOHN + JEAN SOMERS AND RESIDE AT 55 HOLDEN ROAD, WAKEFIELD (AP 92-2 LOT 63). WE SHARE A 250 FOOT BOUNDARY WITH THE PROPOSED DEVELOPEMENT. UNITS ONE THROUGH FIVE BEING OUR SOUTH TO OUR RESIDENCE. AT MEETINGS OF THE WAKEFIELD PLANNING BOARD THERE WAS MUCH DISCUSSION OVER THIS DEVELOPEMENT. ONE OF THE ITEMS THAT WE THOUGHT WAS AGREED TO BY THE BUILDERS WAS A SIX FOOT HIGH SOLID BOARD FENCE FOR PRIVACY AND NOISE REDUCTION ALONG THE BOUNDARY BETWEEN AP 92-2/56 AND THE HOLDEN ROAD PROPERTIES. THIS WAS TO GIVE A BUFFER BETWEEN HOLDEN ROAD AND THE DEVELOPEMENT. THIS ALSO WOULD GIVE SOME PRIVACY TO THE BACKYARDS SINCE SOME OF THE PARKING SPACES WOULD BE VERY CLOSE TO THE BOUNDARY LINE. THE FENCE WOULD ALSO KEEP CONDO VISITORS FROM PARKING ON HOLDEN AND AND WALKING ACROSS YARDS TO GET TO THE CONDOS, WHEN THE BUSY SUMMER SEASON ARRIVES.

ON THE PLANTING PLAN WE NOTICED THAT THE AGREED UPON SIX FOOT SOLID BOARD FENCE WAS REPLACED BY A FOUR FOOT HIGH CHAIN LINK FENCE. THIS CHANGE WAS IN SMALL PRINT ON THE PLANTING PLAN AND WAS DONE WITHOUT DISCUSSION AND MAKES FOR A MAJOR CHANGE FOR US. MY WIFE AND I USE OUR BACKYARD AS A REFUGE FROM THE SUMMER NOISE

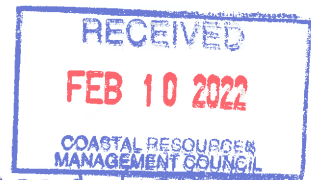
401 782 8046

① SOMERS JOAN 713@gmail.com



John and Jean Somers  
55 Holden Rd.  
Wakefield, RI 02879-7025

FILE NUMBER 2021-11-002



AND CROWDS. A SIX FOOT HIGH SOLID WOOD FENCE BETWEEN MARY CARPENTERS COTTAGES AND THE CONDO'S REMAINS ON THE PLANS WHILE OURS WAS CHANGE THE CHANGE FROM WOODEN TO CHAIN LINK AND SIX TO FOUR FEET DOES NOT SIT WELL WITH MY WIFE AND I AND WE FEEL WE WERE DECEIVED.

THE MATUNUCK BEACH ROAD PARTNERS LLC REPEATEDLY STATED AT MEETINGS THAT THEY WANTED TO BE GOOD NEIGHBORS TO THE AREA. THIS CHANGE OF SOMETHING THAT WAS AGREED UPON DOES NOT SEEM TO BE THE WORK OF GOOD NEIGHBORS

MY WIFE AND I FEEL THAT WE WANT SOME SEMBLANCE OF WHAT WE HAD FOR 25 YEARS IN OUR YARD. WE SHOULD NOT BE THE ONES TO PAY FOR THE WOODEN FENCE SINCE THIS IS SOMETHING THAT WAS DISCUSSED AND AGREED TO AT PLANNING BOARD MEETINGS.

I WAS RATHER VOCAL AT MEETINGS SPEAKING AGAINST THE DEVELOPEMENT BUT AS TIME AND MEETINGS WENT ON; AND WE WERE TOLD OF THE SIX FOOT SOLID WOOD FENCE I DID NOT VOICE ANY FURTHER OBJECTIONS. I NOW FEEL THE CHANGE ON THE PLANNING PLANS LESSENERED OUR FAITH IN THE DEVELOPEMENT AND WOULD GIVE MY WIFE AND I A FINANCIAL BURDEN IF WE HAD TO PAY FOR A PREVIOUSLY AGREED UPON FENCE

401-782 8046

SOMERS JEAN 713 @ GMAIL.COM



John and Jean Somers  
55 Holden Rd.  
Wakefield, RI 02879-7025

FILE NUMBER 2021-11-002

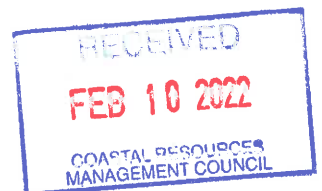
WE HAVE LIVED HERE PART AND FULL TIME FOR FOR 25 YEARS. IN THIS TIME WE HAD EXPERIENCED SEVERAL FLOODING EVENTS. THE MOST SIGNIFICANT BEING A NOR-EASTER THAT HAPPENED 10 TO 15 YEARS AGO IN APRIL ON PATRIOTS DAY. THE OCEAN, RAIN, AND WINDS BROUGHT THE WATER LEVEL UP TO THE VANILLA BEAN STORE AND FLOODED THE MAIN ROAD WITH 12 TO 18 INCHES OF WATER. IT WAS ONLY PASSABLE BY LARGE AND TALL TOWN OR GOVERNMENT TRUCKS. THIS WATER LEVEL FLOATED SOME OF MARY CARPENTERS COTTAGES DOING EXTREME DAMAGE. THE WATER WAS HIGH ENOUGH TO FLOOD AND CLOSE HOLDEN RD UNTIL IT RECEDED ENOUGH TO MAKE IT PASSABLE. THIS WATER FLOODED OUR LOWER YARD WHICH WAS A UPSETTING SURPRISE.

LOOKING AT THE PLANS FOR THE LOCATION OF THE CONDO'S UNITS NUMBER ONE AND TWO <sup>THAT</sup> START LOW ENOUGH ON THE GRADE THAT MIGHT MAKE THEM VULNERABLE TO FLOODING FROM SUCH A STORM THIS LEADS ME TO WONDER WHY THEY AREN'T LOCATED HIGHER UP THAT GRADE AT A GREATER ELEVATION. THAT STORM WAS A NOR-EASTER, NOT A HURRICANE. SO IF A CATEGORY 2 OR HIGHER STORM WERE TO COME OUR WAY I THINK WATER FLOODING DAMAGE WOULD HAPPEN TO THESE TWO UNITS.



John and Jean Somers  
55 Holden Rd.  
Wakefield, RI 02879-7025

401-782 8046



SOMERS JEAN 713 @ 6 MAIL.COM

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Andrea Kelleher  
16 Hampshire Dr  
Concord, NH 03301  
[mogulmamma@yahoo.com](mailto:mogulmamma@yahoo.com)  
(603) 724-5565

Dear Costal Resources Management Council,

Feb. 4, 2022

Re: Matunuck Beach Road Partners, LLC File Number 2021-11-002

I am requesting a hearing to speak in opposition of this proposed condominium development which is seeking an application from CMRC.  
I am an owner of an abutting property to this proposed development.  
73 Holden Rd.

This project should not be approved due to a variety of environmental concerns.

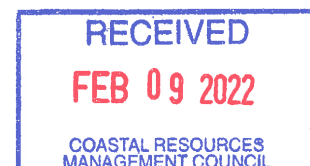
This project is beyond carrying capacity - 12 units with 6 septic systems and 44 parking spaces causing runoff and pollution to a sensitive costal location.

This complex will abut a salt pond area.

It is located in an area of frequent ocean flooding on both sides of the proposed street off of Matunuck Beach Road (Mary Carpenter's and base of Holden Road have frequent, regular flooding.

Based on recent historical and exacerbating issues with flooding and drainage issues, it is not an ecologically sound or appropriate use of this space.

Thank you,  
Andrea Kelleher



## Lisa Turner

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**From:** Christine Chase <christine.chase@me.com>  
**Sent:** Monday, January 17, 2022 8:02 AM  
**To:** Lisa Turner  
**Cc:** chasegirlz@gmail.com  
**Subject:** Re: CRMC Public Notice - 2021-11-002 Matunuck Beach Road Partners LLC - South Kingstown

To Whom this May Concern,

I am noticing my objection and desire to testify on this proposed development!

My contact information is:

Christine Chase  
992 Matunuck Beach Road  
South Kingstown, RI 02879

Email: chasegirlz@gmail.com  
Phone: 401-523-4263

Please provide information in the date of scheduled hearing regarding this matter.

Thank you,  
Christine Chase

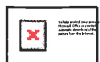
Sent from my iPhone

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On Jan 11, 2022, at 2:38 PM, Lisa Turner <lturner@crmc.ri.gov> wrote:

Please note: Comments must be received by February 11, 2022. Thank you!

*Lisa A. Turner*  
Office Manager  
Coastal Resources Management Council  
Oliver Stedman Government Center  
4808 Tower Hill Road; Room 116  
Wakefield, RI 02879  
401-783-3370



Virus-free. [www.avg.com](http://www.avg.com)

<Public Notice CRMC File 2021-11-002 MBRP LLC - South Kingstown.pdf>