



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

(401) 783-3370  
 Fax (401) 783-2069

## APPLICATION FOR BUFFER ZONE MANAGEMENT

Project Location <u>132 Fishing Cove Rd. North Kingstown</u> <small style="display: flex; justify-content: space-between; font-size: 0.8em;"> <span>No. Street City/Town</span> </small>	File No. (CRMC USE ONLY) <u>2022-12-072</u>
Owner's Name <b>Cedarhurst Condo Asso.</b>	Plat: <u>141</u> Lot(s): <b>2 &amp; 155</b>
Mailing Address <u>132 Fishing Cove Road</u> City/Town <u>North Kingstown</u> State <u>RI</u> Zip Code <u>02852</u>	Owner's Contact: Tel. Number: <u>401-295-5652</u> Email Address: <u>fishingcove@aol.com</u>
Contractor RI Reg. # _____ Address _____	Tel. No.: _____ Email address: _____
Designer <u>Applied Bio-Systems, Inc.</u> Address <u>PO Box 985; West Kingston, RI 02892</u>	Tel. No. <b>401-783-6740</b>
Name of Waterway <u>Fishing Cove/Wickford Harbor</u>	Fee: \$ <u>750.00</u>
<b>Describe accurately the work proposed. (Use additional sheets of paper if necessary and attach this form.)</b> <u>Invasive Management Plan for existing buffer area surrounding Phase I and Phase II condominiums. See attached plans, drone photographs, and proposed invasive treatments for additional information</u>	

Have you or any previous owner filed an application for and/or received an assent for any activity on this property?

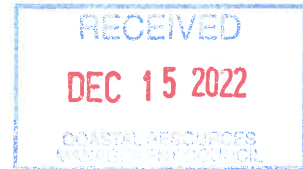
File Number(s): A90-1-68 (dated 11/2/1993 for Buffer Management); 78-3-09 (Phase II)

IS THIS APPLICATION BEING SUBMITTED IN RESPONSE TO A COASTAL VIOLATION?

YES  NO

NOV OR C&D NUMBER: \_\_\_\_\_

FEES:	For areas less than 1/2 acre	\$500.00
	For areas between 1/2 and 1 acre	\$600.00
	For areas between 1+ acres and 5 acres	\$750.00
	For areas greater than 5 acres	\$1000.00



DAVID BRASHAW (See Attached Page)  
 Owner Name (PRINT) Owner's Signature (SIGN)

NOTE: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible, adhered to the policies and standards of the program. Where variances or special exceptions are requested by the applicant, the applicant will be prepared to meet and present testimony on the criteria and burdens of proof for each of these relief provisions. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. The filing of false information can result in the Coastal Resources Management Council revoking state assent. Applicant requires that as a condition to the granting of this assent, members of the CRMC or its staff shall have access to the applicants property to make on-site inspections to insure compliance with the assent. This application is made under oath and subject to the penalties of perjury.



# Applied Bio-Systems, Inc.

P.O. Box 985  
 West Kingston, RI 02892  
 Phone: (401) 783-6740  
 Fax: (401) 284-2004  
 Email: WETLANDS@ABSINC.NECOXMAIL.COM

## LETTER OF TRANSMITTAL

Date: 12/15/2022

Attn:  
 Coastal Resources Management Council  
 4808 Tower Hill Rd # 116,  
 Wakefield, RI 02879

Re:  
 Application for:  
 Cedarhurst Condo Association  
 132 Fishing Cove Road,  
 North Kingstown, RI 02852

WE ARE SENDING  ATTACHED  UNDER SEPARATE COVER VIA

COPIES	DATE	NO.	DESCRIPTION
1	11/03/2022	3137	\$750 Application Fee
3			Application for Buffer Zone Management
3			Locus Map
3			Buffer Zone Management Plan
3			Wilcox Landscaping Proposal
3			Seascape Proposal
3			Applied Bio-Systems Proposal
3			Project Description
3			Drone aerial photos (8 photos)
3			Previous CRMC Assent

THESE ARE BEING SENT:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> For approval            | <input type="checkbox"/> Approved as submitted    | <input type="checkbox"/> Resubmit _____ copies for approval   |
| <input checked="" type="checkbox"/> For your use | <input type="checkbox"/> Approved as noted        | <input type="checkbox"/> Submit _____ copies for distribution |
| <input type="checkbox"/> As requested            | <input type="checkbox"/> Returned for corrections | <input type="checkbox"/> Return _____ corrected prints        |
| <input type="checkbox"/> For review and comment  |   |   |

REMARKS:

Please contact us if you have any additional questions. Thanks.

COPY TO	SIGNATURE <i>Tom Smith</i>	<div style="border: 2px solid blue; padding: 5px; display: inline-block;"> <b>RECEIVED</b>                  DATE                  12/15/2022                  DEC 15 2022                  COASTAL RESOURCES                  MANAGEMENT COUNCIL             </div>
File		
	TITLE Senior Environmental Scientist	



## Town of North Kingstown, Rhode Island

100 Fairway Drive  
North Kingstown, RI 02852  
Phone: (401) 268-1531  
Fax: (401) 583-4140

December 20, 2022

To Whom It May Concern:

This is to certify that property at 132 Fishing Cove Road known as North Kingstown Assessor's Plat 141 Lot 2 is owned by Cedarhurst at Wickford Harbor.

The property was acquired on June 7, 1974 and recorded in Book C3 Page 0 and as of the above date has not transferred from the present ownership.

Deb Garneau  
Assessor



December 21, 2022

Brittany Spurlock  
Coastal Resources Management Council  
Oliver Stedman Government Center  
4808 Tower Hill Road, Suite 116  
Wakefield, RI 02879

Dear Brittany:

In response to your request for additional information, Cedarhurst on Wickford Harbor is a planned community of 132 homes and townhomes. The property has shoreline along Fishing Cove in North Kingstown, specifically Plat 141, lots 2 and 155. The association office is located at 132 Fishing Cove Rd, North Kingstown.

The Board of Directors, elected by the owner's association (CHA), hired Applied Biosystems of South Kingstown to assess our allowed buffer zone. The goal was to put together a plan and permit request for an invasive management project. Linda Steere headed up this effort, also preparing and submitting the CRMC permit request on CHA's behalf.

When CRMC granted the assent for buffer zone management in November 1993, CHA was required to appoint a single contact person to coordinate all buffer zone management efforts with CRMC. In the assent, David Bashaw is listed as the contact person. David is still the CHA Property Manager and remains the designated contact.

Please do not hesitate to contact me or David Bashaw if you have any questions or concerns about this matter.

Regards,

Carol Purdum  
President, Cedarhurst on Wickford Harbor Association  
Email: [ccollinspurdum@gmail.com](mailto:ccollinspurdum@gmail.com)  
Phone: 774-454-0319

CC: David Bashaw, Linda Steere, CHA Board of Directors





# PEACHTREE WINDOWS AND DOORS

Featured At



**PETER V. STELLJES**  
President

200 Old Baptist Road  
North Kingstown, RI 02852  
884-0990  
895-8831  
Hammett Court  
North Kingstown, RI 02835  
423-0002

6H  
P98

# NORTH KINGSTOWN 99

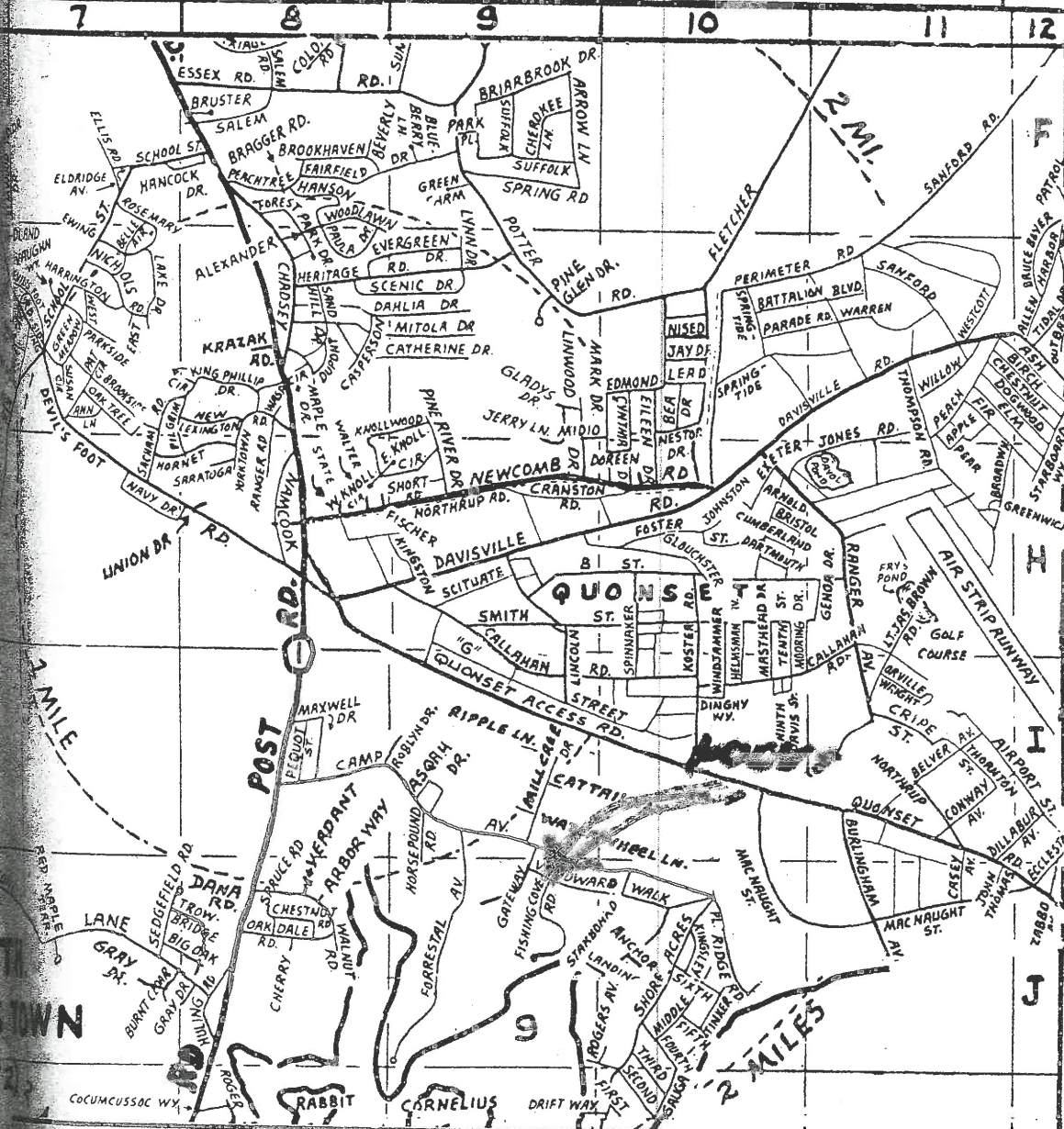
5G

LIFE AND GENERAL INSURANCE

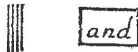


5853 POST RD. - SUITE 216  
EAST GREENWICH, R.I.

884-1200



FLORISTS FOR ALL OCCASIONS



*Park Avenue  
and  
Greenhouses*

• 934 Main Street East Greenwich, R.I.  
• 757 Park Avenue Cranston, R.I. 02910

785-1900 • 884-4800

*Freeborn Electric Co.*  
SINCE 1954

COMMERCIAL - RESIDENTIAL - INDUSTRIAL

640 TEN ROD RD.  
NO. KINGSTOWN




295-8888

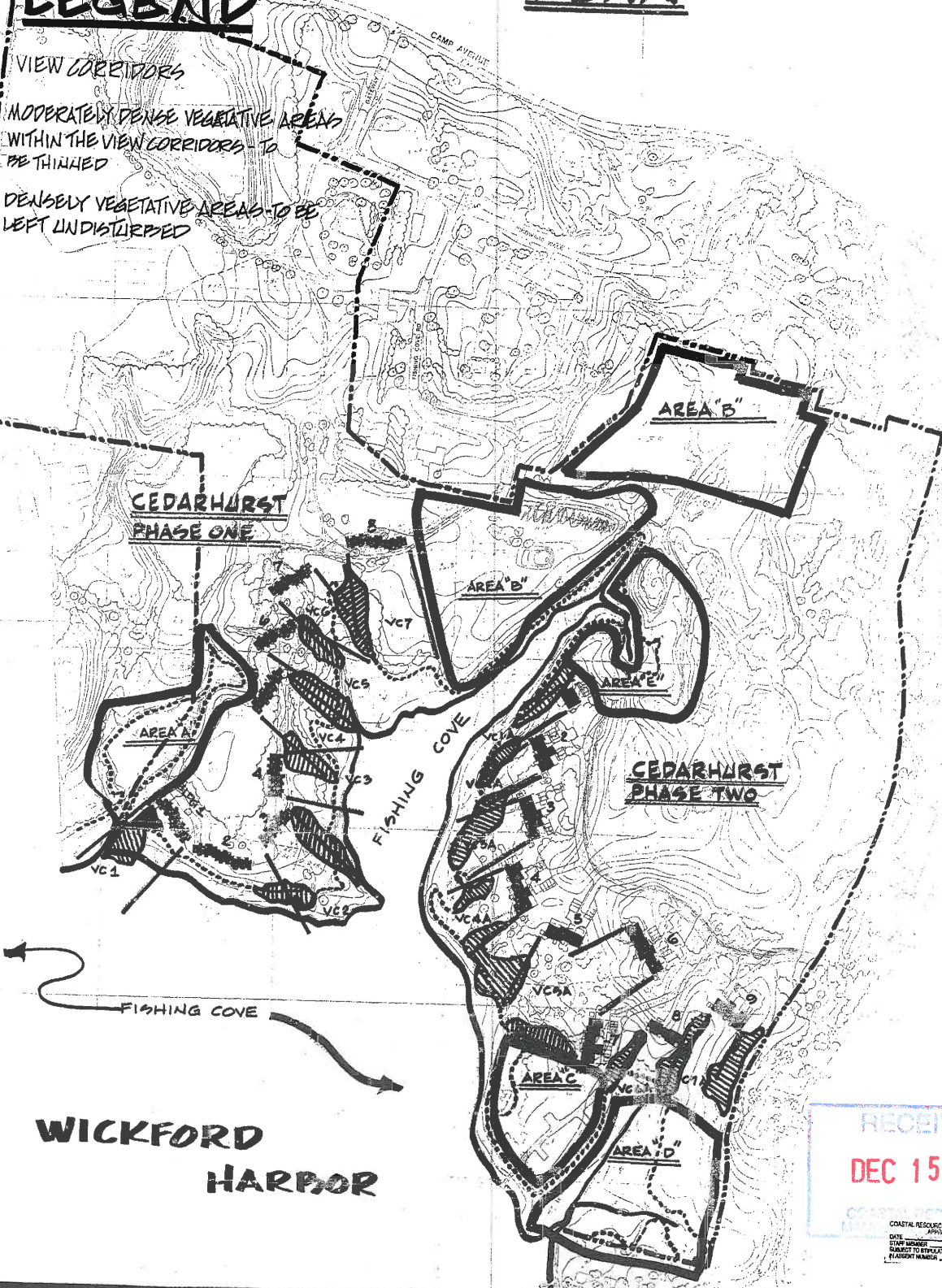
884-6768

RECEIVED  
DEC 15 2022  
COASTAL RESOURCES  
MANAGEMENT DISTRICT

# BUFFER MANAGEMENT PLAN

## LEGEND

-  VIEW CORRIDORS
-  MODERATELY DENSE VEGETATIVE AREAS WITHIN THE VIEW CORRIDORS - TO BE THINNED
-  DENSELY VEGETATIVE AREAS - TO BE LEFT UNDISTURBED



**WICKFORD HARBOR**

RECEIVED  
 DEC 15 2022  
 COASTAL RESOURCES  
COASTAL RESOURCES MANAGEMENT COUNCIL  
 APPROVED PLAN  
 DATE \_\_\_\_\_  
 DRAW NUMBER \_\_\_\_\_  
 SUBJECT TO REGULATIONS CONTAINED  
 IN PLANNING MANUAL \_\_\_\_\_

**CEDARHURST AT WICKFORD HARBOR  
 NORTH KINGSTOWN, R.I.**

0' 100' 200' 300' 400' 500'  
 APRIL 1995 BY JDM



**K. WILCOX LANDSCAPING, INC.**  
620 HOPKINS HILL ROAD  
WEST GREENWICH, RI 02817  
401 392-3136 p  
401397-8475 f

**INVASIVE MANAGEMANT CONTRACT – 2023-25**  
**CEDARHURST-3- YEAR CONTRACT**

Date: 12/1/22

CEDARHURST  
ATTN.DAVE BASHAW  
132 FISHING COVE RD.  
NORTH KINGSTOWN,R.I. 02852  
295-5652-FAX.295-4344  
fishingcove@acl.com

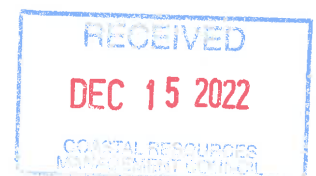
SCOST: HOURLY RATE PER MAN PER EQUIPMENT

1.SUPPLY LABORERS AND EQUIPMENT TO PERFORM --INVASIVE MANAGEMENT-IN THE BUFFER ZONE  
AT CEDAR HURST ON WICKFORD HARBOR.

CREW WILL BE WORKING UNDER THE DIRECTION OF MR. DAVID BASHAW, PROPERTY MANAGER  
AND MRS. LINDA STEERE- INVASIVE MANAGER

  
\_\_\_\_\_  
CONTRACTOR'S SIGNATRE

  
\_\_\_\_\_  
CUSTOMER SIGNATURE  
DAVID S. BASHAW  
PROPERTY MGR





# SeaScape

Proudly Serving RI, MA & CT Since 1989

December 2, 2022

Cedarhurst Condominiums  
132 Fishing cove  
North Kingstown, Rhode Island 02852

Work with Cedarhursts invasive plant management coordinator to identify and tag invasive plants in the wetland buffer zone. Physical remove the invasive plant and treat freshly cut stump with a herbicide containing Glyphosate using a sponge applicator in order not to affect surrounding plants.

This will be a three year contract starting in 2023. Work will be billed as time and materials.



Customer Signature

DAVE BASHAW

PROPERTY MANAGER



Vendor Signature

Ri Arborist #503

RI Applicator #2831



**SeaScape**  
Lawn Care

**TreeSolutions**  
By SeaScape

**YardGuard**  
By SeaScape

**Christmas  
Decor**  
By SeaScape

**nite time**  
DECOR

PO Box 1455 • 1610 Flat River Road • Coventry, RI 02816 • p: 401-821-7300 • 800.294.LAWN (5296) • [www.seascapeinc.com](http://www.seascapeinc.com)

Branch locations in Coventry, RI & Fall River, MA



## APPLIED BIO-SYSTEMS , Inc.

P.O. BOX 985; WEST KINGSTON, RI 02892

Tel: 401-783-6740

Fax: 401-284-2004

wetlands@absinc.necoxmail.com

August 9, 2022

Revised December 6, 2022

David Bashaw, Property Manager  
Cedarhurst on Wickford Harbor  
132 Fishing Cove Road  
North Kingstown, RI 02852

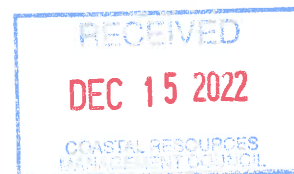
Re: CRMC Management Plan for Invasive Species within the Buffer Zone  
Cedarhurst, North Kingstown, Rhode Island

Dear Mr. Bashaw:

The following is a proposal for environmental services regarding the Management Plan for Invasive Species Control within the Buffer Zone at Cedarhurst. This proposal includes the preparation of the plan and submission of the Category A Buffer Management Plan Application to the Coastal Resources Management Council (CRMC).

**Task 1. Prepare Invasive Species Management Plan.** Prepare written Invasive Species Management Plan with photos for the existing Buffer Zone as discussed at the presentation to the condo owner's meeting and the separate inspection of invasive plants on July 5, 2022, with Carol Collins Purdum and Louis Ricci. This plan will build on the original buffer zone approved under CRMC Assent # 90-1-68 and the recent Evaluation of the Buffer and View Corridors carried out by ABS. This Task would include up to 2 meetings (one with the Board and could include one with the Board and condo owners). One additional site inspection is included to prepare site plans and take any additional representative photographs.

**Task 2. Category A Invasive Management Application to CRMC.** This task involves the preparation and submission of an Invasive Management Application to CRMC. The application will include the preparation of the application form, photo documentation of the site, a restoration planting plan and the written Invasive Management Plan prepared in Task 1. The original buffer site plan will be used with modifications and additions added to the plan by ABS. In addition, a series of aerial (drone) photographs will be provided to accompany the site plan. ABS will obtain the tax assessor's letter from the town documenting property ownership (unless you already have one). This task includes coordination with the client and CRMC as required. The client is responsible for the Application Fee of \$500.00 payable to the "CRMC" when the application is ready for submission.



**Project not to exceed 25 hours @ \$65.00 per hour = \$1625.00**

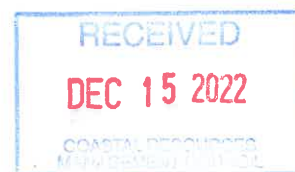
**Task 3. Invasive Management Monitoring.** Three years of Invasive Management monitoring for both Phase I and Phase II at Cedarhurst. This includes a site inspection and report as stipulated by CRMC. This report will be a summary of each year's work with recommendations. It would be submitted by December 1<sup>st</sup> for each year. (16 hours per year @ \$95.00 = \$1520.00/year)

Total hours = 48 hours @ \$95.000 = \$4560.00

Thank you for the opportunity to prepare a proposal for this project. Please note the following:

- The client as named above is responsible for payment of services, if any changes to the ownership (or the authorization) of the project occur during time of services, the client or his assigns will be held responsible for the total balance due. Final payment is due and payable upon completion of services. **By signing this contract you agree to pay Applied Bio-Systems, Inc. within 30 days of receipt of invoices. Applied Bio-Systems, Inc. reserves the right to withhold any reports or data if payment is not received within 30 days of invoice.**
- **ABS only charges for hours used and this may be less than the full estimate not to exceed price.**
- Any fees required for applications are not included in this proposal and it is the responsibility of the client as named above.
- Where unexpected developments increase the scope of work from that defined above, Applied Bio-Systems, Inc. will contact you before continuing any work, to discuss any changes. The actual cost of the project will not change without consulting and obtaining written or verbal approval from the client.
- **If advance notice or permission to access the property is needed before the work can occur, please notify us of that fact prior to the initiation of the project so access arrangements can be made. This proposal assumes that you have the authority to permit access to the property and are authorizing Applied Bio-Systems, Inc. to work on the above-referenced property.**
- This proposal does not include hours for meetings or hearings other than those noted in the proposal, nor does it include any additional work that may be required if a regulatory agency issues a technical or biological deficiency. If access into wetland areas is restricted, additional time maybe needed.
- If this proposal is not executed within 60 days, it will no longer be valid.
- Keep in mind that all CRMC applications require copies of any and all other necessary municipal, state and federal approvals consistent with Section 4.2 of CRMC Management Procedures, as required.
- **Please sign and date below and return this proposal to our office to proceed with the above-described project.**

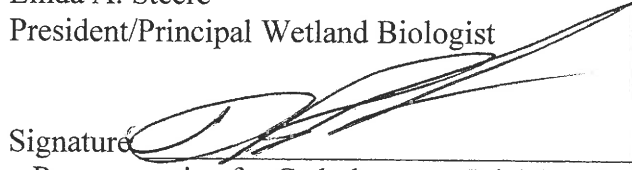
Please contact my office if you have any questions regarding this proposal or require additional tasks. ABS looks forward to continuing to work with you on this project.



Sincerely,

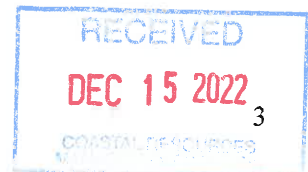


Linda A. Steere  
President/Principal Wetland Biologist



Signature \_\_\_\_\_ Date 12/6/22  
Representative for Cedarhurst on Wickford Harbor

*DAVID S BASHIAN - PRESIDENT MCA*







## APPLIED BIO-SYSTEMS , Inc.

P.O. BOX 985; WEST KINGSTON, RI 02892

Tel: 401-783-6740

Fax: 401-284-2004

wetlands@absinc.necoxmail.com

### Cedarhurst Buffer Zone Invasive Shrub Control Restoration Project Fishing Cove Road, North Kingstown, Rhode Island

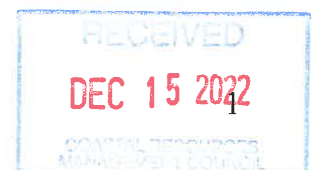
Similar Buffer Zone Invasive Shrub Control Restoration projects have been undertaken in numerous Rhode Island coastal areas. To date, ABS has been involved in successful projects that are on-going or concluded in Charlestown, Jamestown, and Narragansett. Numerous other projects to control invasives have occurred throughout Narragansett Bay including many marsh restoration projects with CRMC and Save the Bay partnering to restore area such as Jacob's Point (Warren), Common Fence Point (Portsmouth), Round Marsh (Jamestown) and others. Applied Bio-Systems alone has prepared CRMC applications and provided long-term monitoring for over two dozen projects.

The Cedarhurst Buffer Zone Invasive Shrub Control Restoration consists of removing select invasive shrubs within the Buffer Zone that follows the shoreline of Fishing Cove in North Kingstown. There are three 12-inch diameter storm water outflows in Phase I. They are inland of the Buffer/Wetland edges and flow onto the mowed grass. The source of stormwater in Phase II is primarily what sheet flows across the lawns. The stormwater does not appear to be influencing the growth of invasive plants.

The growth of the invasive shrubs within the Buffer Zone includes: two species of shrub honeysuckle (*Lonicera* sp.), multiflora rose (*Rosa multiflora*), two limited areas of common reed (*Phragmites australis*), and occasional Oriental bittersweet (*Celastrus orbiculatus*). There are approximately 84 invasive shrubs to be removed and replaced by natives. These invasives are located along the inland edge of the buffer, not interspersed within the interior. The interior is vegetated primarily by arrowwood, greenbriar (*Smilax* sp.), sweet pepper bush (*Clethra alnifolia*) as well as numerous mature trees.

*Allowed??*

Cedarhurst proposes to carry out this Invasive Control Plan in-house that would include a three-step process. In the short-term, the first year will be to cut and remove individual shrubs/vines and apply an herbicide treatment. The second year, monitoring and assessment of the success of treatments and removal of individual roots for the replanting of native shrubs as listed on Page 5. Thereafter, the targeted areas will be monitored for any regrowth of any invasive shrubs/vines over a minimum five-year period or as stipulated by the CRMC.



In the long-term, monitoring of the project area will continue, both for spot treatment of invasive shrubs, as well as the successful revegetation by the planted native shrubs

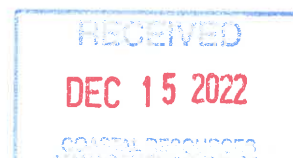
**Work Schedule:**

- Year 1 (2023): Goal to treat and remove 90+% of the Invasive plants  
Obtain CRMC Assent for Cedarhurst Buffer Zone Invasive Shrub Restoration Project  
Cedarhurst contracted landscape company will obtain RIDEM Herbicide Permit (April-May)  
Each invasive shrub for removal will be tagged by ABS  
Conduct Herbicide Treatment of *Phragmites* between June 1 and September 15 -- before shrubs set seed/fruit—using swipe treatment on cut stems
- Year 2 (2024): Goal is removal of 100% of the invasive plants.  
Cedarhurst will obtain 2024 herbicide permit from RIDEM  
Begin Monitoring and Assessment of Year 1 treatment during growing season by ABS  
Spot treat remaining shrubs/vines as necessary between June 1 and September 15  
Root wrench dead shrub stems and roots and begin replanting of native shrubs.  
Annual Monitoring Reports submitted to CRMC (December- Year 2), as required
- Year 3 (2025): Goal is to maintain 100% invasive removal  
Cut and remove dead stems and roots from Year 2, as necessary  
Monitor and Assessment of Year 3 by ABS, evaluating new native shrub growth and areas needing planting of new shrubs.  
Spot treat any invasive regrowth between June 1 and September 15, as needed  
Continue planting native replacement shrubs in buffer.
- Year 4 (2026) and forward: Goal is to maintain 100% invasive removal  
Continue Monitoring and Assessment by ABS (Annual Submission to CRMC – December) for Year 4 or as required  
Spot treat any invasive shrub/vine regrowth between June 1 and September 15, as needed  
Monitor success of native plantings

**Minimization of Adverse Impacts:**

The potential impact of herbicide damage from treatment of non-targeted species will be managed by enlisting the services of an experienced professional contractor who has access to appropriate equipment, formulation standards, and who will respect weather conditions during treatment periods. Herbicides will be selected for their known environmental safety.

Herbicide treatment in the initial treatment year can be applied by the cut and “swipe” method to individual stems without concern for harm to other native plants that may be embedded



within the invasive areas. In later years, spot treatment of the invasives may be required to avoid damage to the newly planted native shrubs.

**Outcomes:**

A short-term outcome (6 months to 1 year) will be the removal of the invasive shrubs/vines and the ability for the installation of native shrubs to begin the following growing season.

Concurrently, there will be a positive impact on the buffer zone and the improvement of wildlife habitat by providing more nourishing native berries.

Long-term outcome (2 years +) will be elimination of the invasive shrubs and return of native shrub communities along the buffer. The result will be an improvement of habitat wildlife.

Lastly, Cedarhurst will provide an 100 % native shrub buffer between the mown lawn and the coastal wetlands.

**Evaluating Project Success:**

The Buffer Zone Invasive Shrub Control Restoration will be monitored for a minimum five (5) year period by ABS/Cedarhurst starting after the completion of Year 1 of the herbicide treatment phase. The evaluation will be documented by photographs from set Photo Points and vegetative growth will be evaluated using the point intercept method or other methods, as required. Expected is elimination of invasive shrubs/vines; better quality berries for wildlife; and a 100% native shrub buffer.

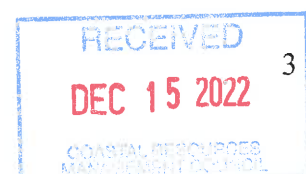
**Pre-Construction Monitoring:**

ABS will perform a second vegetative survey during the growing season by ABS in Year 1 to tag each shrub/vine prior to herbicide treatment. A baseline survey was performed by ABS to provide the figures for this application. Then comparisons to the replanted shrub treatment areas and elimination will be possible during the post-construction phases (Years 2-5). Photo points will be established and baseline photos taken.

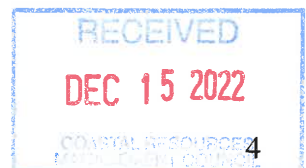
**Post-Construction Monitoring:**

Marsh Restoration Monitoring will be performed by ABS/Cedarhurst for at least two growing seasons after the completion of the initial portion of this project and any additional years as stipulated by CRMC. Protocol will have already been established for this monitoring program. Once a year, during the growing season, photographs will be taken from designated points along the buffer to document the success of the proposed restoration.

Photo points will have already been set up and a vegetative baseline established. The vegetative monitoring may follow the *Vegetation Monitoring Protocol* set up by the U.S. Department of Agriculture and recommended by the Natural Resources Conservation Service.



All Monitoring Reports will be available to the clients and CRMC and submitted as part of the reporting requirements of the CRMC Assent (as stipulated) each year.



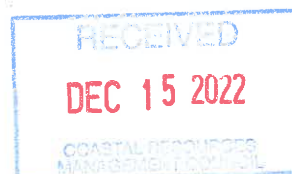


**Buffer Replacements for Invasive Shrubs – Native Shrub Plantings**

<b><u>Species</u></b>	<b><u>Planting Detail</u></b>
Northern arrowwood ( <i>Viburnum dentatum</i> )	1 gallon pots, 5-6 feet On-center
Inkberry ( <i>Ilex glabra</i> )	1 gallon pots, 5-6 feet On-center
Lowbush blueberry ( <i>Vaccinium angustifolium</i> )	1 gallon pots, 5-6 feet On-center
Red-osier dogwood ( <i>Cornus stolonifera</i> )	1 gallon pots, 5-6 feet On-center

A native shrub will be substituted for each invasive shrub targeted and removed. Replanting will only occur after 1-2 growing seasons to ensure that the invasive shrub has been eliminated and the plant can be removed with a Root Wrench. That will minimize ground disturbance but allow ample space to plant the replacement shrub.

Where there are numerous invasive shrubs removed, the replanting will be 5-6 feet On-center.



CHA Phase I



RECEIVED  
DEC 15 2022  
COASTAL RESOURCES  
MANAGEMENT OFFICE





RECEIVED  
DEC 15 2022  
SOUTH BRUNSWICK



CHA Phase I



RECEIVED  
DEC 15 2022  
COASTAL RESOURCES  
MANAGEMENT COUNCIL





8 →



RECEIVED  
DEC 15 2022  
COASTAL RESOURCES  
MANAGEMENT DISTRICT





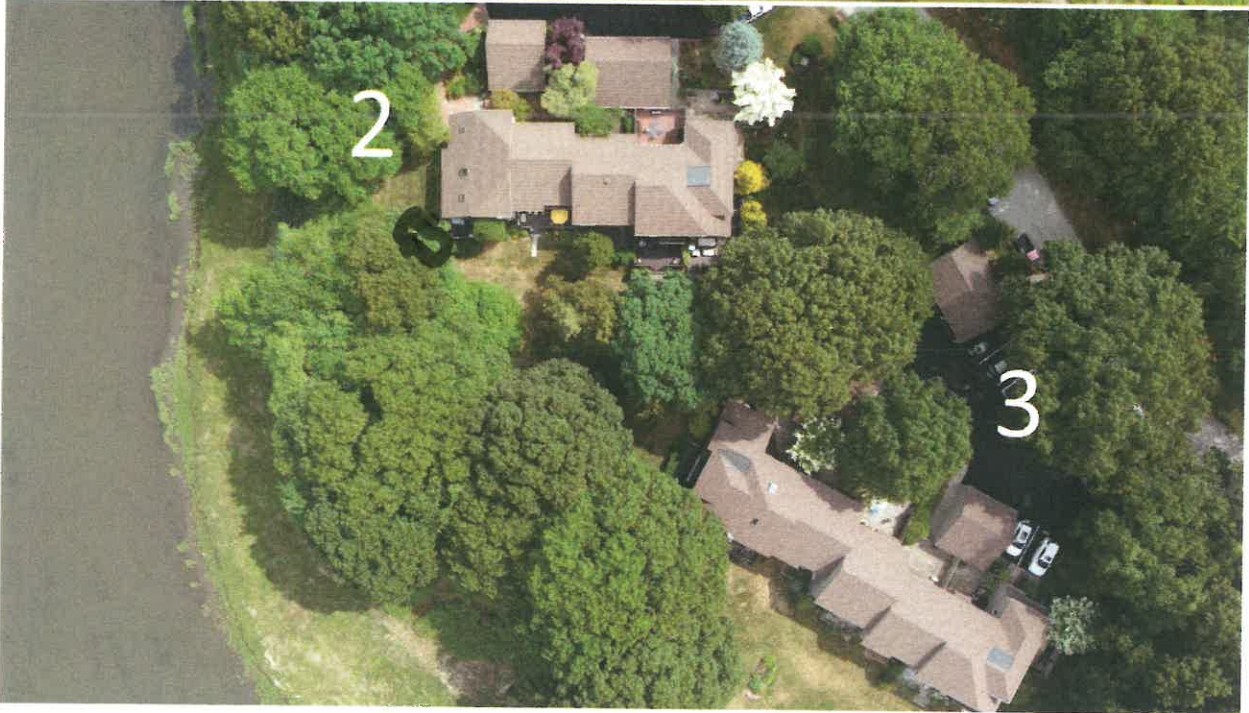
RECEIVED  
DEC 15 2022  
COASTAL RESOURCES  
MANAGEMENT COMMISSION





RECEIVED  
DEC 15 2022  
COASTAL RESOURCE  
MANAGEMENT DISTRICT





RECEIVED  
DEC 15 2022  
COASTAL RESOURCES  
MANAGEMENT COUNCIL



CHA Phase II



RECEIVED  
DEC 15 2022  
COASTAL RESOURCES  
MANAGEMENT DIVISION



## STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

## COASTAL RESOURCES MANAGEMENT COUNCIL

Oliver H. Stedman Government Center  
 4808 Tower Hill Road  
 Wakefield, R.I. 02879-1900  
 (401) 277-2476

November 2, 1993

Cedarhurst on Wickford Harbor  
 c/o Dennis Maloney  
 142 Fishing Cove Road  
 North Kingstown, RI 02852

RE: CRMC Administrative Assent A90-1-68, to perform buffer zone management along project shoreline, located at Fishing Cove Road, North Kingstown, Plat 141, Lots 2 & 155.

Dear Mr. Maloney:

A site inspection and review of plans submitted to this office for the above cited project indicates it will have no adverse effect on the plan and program adopted by the Coastal Resources Management Council.

The Coastal Resources Management Council will interpose no objection to the work proposed, as long as all work is done in accordance with plans submitted into this office and provided the following stipulations are adhered to.

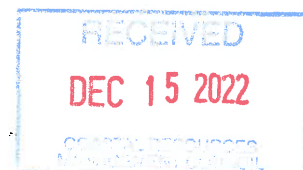
## General Stipulations

A. The applicant shall record this assent in its entirety in the land evidence records of the Town of NORTH KINGSTOWN within thirty (30) days of the date of assent issuance. Certification by the Town Clerk's office that this stipulation has been complied with shall be furnished to Coastal Resources Management Council by the applicant within fifteen (15) days thereafter. Failure to comply with provision will render this assent null and void.

B. For the purpose of this permit, the coastal feature shall be coastal wetland and beach and the inland edge of the coastal feature shall be inland edge of coastal wetland.

C. EXCEPT AS STIPULATED HEREIN, the approved buffer zone management plan shall be "A Buffer Zone Management Plan for Cedarhurst on Wickford Harbor" by J. Dennis Maloney, Planning Consultant and Linda Steere, Applied Biosystems in 8 sheets dated April 1993. This plan includes a site plan stamped approved by the CRMC dated October 28, 1993.

9152





Cedarhurst on Wickford Harbor  
CRMC Administrative Assent A90-1-68  
November 2, 1993  
Page 2

D. The following stipulations and conditions shall apply to all View Corridors so noted in the approved Buffer Zone Management Plan (otherwise management shall be as proposed):

**General Requirements for all view corridors:** In order to preserve the natural appearance of the shoreline, care shall be taken not to cut all woody vegetation to an identical height. Maintained heights shall be variable, some "clumps" of taller vegetation shall remain undisturbed. (For instance, some species such as blueberry and bayberry will mature at a relatively low height. The Condominium Association should make an effort to recognize the various species present and manage them accordingly.) The removal of lower tree limbs shall not be performed to the extent where the natural appearance of the tree is lost or appears "landscaped". Scattered tree saplings and red cedars shall be left undisturbed to mature. Dead trees shall not be removed. All cuttings must be removed from the buffer zone for upland disposal or "mulched" in a suitable upland location. (Pruning and thinning of woody vegetation shall be performed in the fall only, from September 1 - October 30-except for the 1993 season.)

Phase I (also, see general requirements, above and special conditions, below):

VC1 - The only shrubs which shall be pruned shall be those directly along the upland edge of lawn. Shrubs seaward of this edge are wetland plants and shall not be altered (The wetland shrub present is Sea Myrtle, Baccharis halimifolia).

VC2 - Pruning height shall be 4-5 feet. Scattered tree saplings shall be left to mature.

VC3 - Pruning height shall be 4-5 feet. Scattered tree saplings shall be left to mature. See general note above.

VC4 - Dead trees shall not be removed. Leafless trees do not appreciably block views. Dead trees are important for wildlife including woodpeckers, nuthatches, chickadees, titmice, creepers, etc. Phragmites may be cut once per year only, cuttings must be removed from the buffer and wetland. Cutting of Phragmites shall only be performed along the upland edge of the marsh.

VC5 - Pruning height shall be 4-5 feet. Scattered tree saplings shall be left to mature.

VC6 - Dead trees shall not be removed. Pruning height shall be 4-5 feet (not 3). Scattered tree saplings shall be left to mature.

VC7 - Pruning height shall be 4-5 feet (not 2). Scattered tree saplings shall be left to mature.

Area A and B - Dead trees shall not be removed.



Cedarhurst on Wickford Harbor  
CRMC Administrative Assent A90-1-68  
November 2, 1993  
Page 3

Phase 2 (also, see general requirements, above and special conditions, below):

VC1A - The buffer zone in this area shall be expanded to approximately 25' except in the immediate vicinity of building 1. All shadbush and red cedar shall be left undisturbed. Pruning height shall be 4-5 feet (not 2). Scattered tree saplings shall be left to mature.

VC2A - All shadbush and red cedar shall be left undisturbed. Pruning height shall be 4-5 feet (not 2). Scattered tree saplings shall be left to mature and some trees shall be left unpruned.

VC3A - All red cedar shall be left undisturbed. Pruning height shall be 4-5 feet (not 3). Scattered tree saplings shall be left to mature and some trees shall be left unpruned. No dead trees shall be removed.

VC4A - All red cedar shall be left undisturbed. Pruning heights shall be 4-5 feet (not 3). Scattered tree saplings shall be left to mature and some trees shall be left unpruned.

VC5A - Pruning height shall be 3-4 feet (not 3).

VC6A - Pruning height shall be 4-5 feet (not 4).

VC7A - Pruning height shall be 4-5 feet (not 4). Scattered tree saplings shall be left to mature and some trees shall be left unpruned.

Area C - as proposed. Dinghy storage shall not occur on beach grass or on salt marsh vegetation.

Area D - as proposed

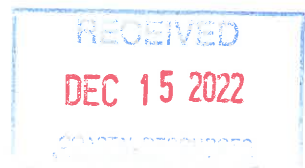
Area E - shall be left in an undisturbed natural condition.

E. ADDITIONAL REQUIREMENTS/SPECIAL CONDITIONS:

1. Individual owners of Condominium Units shall be prohibited from performing any alteration within the buffer zone (pruning, thinning, cutting, etc.). All such work shall be performed by maintenance personnel specifically familiar with the CRMC approved buffer zone management plan. The Association shall appoint a single contact person to coordinate all buffer zone management efforts with CRMC (currently David Bashaw).

2. At least 30 - 40% of the vegetated area within each view corridor shall be left completely undisturbed (except for the removal of poison ivy and green briar). These areas to be left undisturbed have been initially identified as "cross-hatched" areas on the approved site plan.

F. No alterations (vegetative or otherwise) or activities are allowed on the coastal feature(s) or in the waterway adjacent to the site.



Cedarhurst on Wickford Harbor  
CRMC Administrative Assent A90-1-68  
November 2, 1993  
Page 4

- G. No earthwork is authorized by this permit.
- H. No changes in stormwater drainage are authorized by this permit.

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

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 his property to make on-site inspections to insure compliance with the assent.

Licensee shall be fully and completely liable to State, and shall waive any claims against State for contribution or otherwise, and shall indemnify, defend, and save harmless State and its agencies, employees, officers, directors, and agents with respect to any and all liability, damages (including damages to land, aquatic life, and other natural resources), expenses, causes of action, suits, claims, costs (including testing, auditing, surveying, and investigating costs), fees (including attorneys' fees and costs), penalties (civil and criminal), and response, cleanup, or remediation costs assessed against or imposed upon Licensee, State, or the Property, as a result of Licensee's control of the Property, or Licensee's use, disposal, transportation, generation and/or sale of Hazardous Substances or that of Licensee's employees, agents, assigns, sublicensees, contractors, subcontractors, permittees, or invitees.

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

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

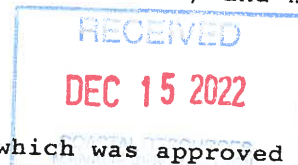
Please be advised that all work must be completed within three years of the date of this letter (unless written application requesting an extension is received by CRMC sixty (60) days prior to expiration date).

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.

CAUTION:

The limits of authorized work shall be only for that which was approved by the CRMC. Any activities or alterations which deviate from the approved plans will require a separate application and review. If the information provided to





BK 0846 PG 343

Cedarhurst on Wickford Harbor  
CRMC Administrative Assent A90-1-68  
November 2, 1993  
Page 5

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;
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. ASSENTS THAT INVOLVE THE FILLING OR USE OF THE STATES SUBMERGED LANDS ARE GRANTED WITH THE PROVISIO THAT IT IS SUBJECT TO THE IMPOSITION OF A USAGE FEE TO BE ESTABLISHED BY THE COASTAL RESOURCES MANAGEMENT COUNCIL.

The Coastal Resources Management Council wishes to thank you for being given the opportunity to assess and review these plans. If you need additional information, please feel free to contact this office.

Sincerely yours,  
*Grover J. Fugate*  
Grover J. Fugate, Executive Director  
Coastal Resources Management Council

GJF/jmm

TOWN OF NORTH BOSTON  
93 NOV 24 AM 11:38

RECEIVED  
DEC 15 2022  
COASTAL RESOURCES  
MANAGEMENT COUNCIL