

Dowdell Engineering Associates, LLC

Phone: (401) 364-1027

Email: m.l.dowdell@gmail.com

P.O. Box 1684, Suite 200

3949 Old Post Road

Charlestown, RI 02813

April 11, 2024

Tracy Silvia
Rhode Island Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road; Suite 3
Wakefield, RI 02879

Re: Applicant: Amy Tourangeau, Ted Monahan
Location: #1 Lafayette Ave, South Kingstown
New Dock Assent Application 2023-11-073
**Response to February 2024 objection comments and Variance Request to Section 1.3.1 (D)
(11) (z) Table 8 (Minimum Depth to MLW)**

Dear Tracy:

The purpose of this letter is to provide a response to public comment for the subject dock assent and to request relief from Section 1.3.1 (D) (11) (z), Table 8 (Minimum Depth to MLW). Previously we requested relief from the length standard, but in order to incorporate the comments, we have decided to shorten the dock, but now need to request a variance to the depth standard.

A revised Dock Plan is attached to this submission.

Objection Comments

On April 4, 2024, the Applicant and I attended the monthly meeting of the South Kingstown Waterfront Advisory Commission (the commission) in order to discuss the original methodology for the dock design, specifically how we applied for the length variance to achieve the depth, and try to determine a way for the applicant to construct a dock while incorporating the commission's concerns.

From the conversations on April 4th and comments from the commission, additional comments from Narrow River Preservation Association and individual residents, it appears that the largest concern for the proposed dock will be the impact on boat traffic in the vicinity of the proposed dock. In addition, during the April 4th meeting, the commission also expressed concern about the dock impeding on the 25' setback from the property line extension for Grant Avenue, in addition to Lafayette Avenue. These two rights-of-way provide public access to the river in some capacity (Grant Avenue may not be improved currently; however, the commission expressed concern that it may be used in the future).

As a result of these comments and the lack of well-defined channel for the area, the Applicant has decided to shorten the length of the dock to 50' from MLW and shift the dock slightly south of the previous alignment to provide 25' of setback distance to the PLE for Grant Ave.

These changes should address the comments relating to the length variance, which was the largest source of objections. While the Applicant understands the concern for boat traffic, the contours of the bottom of the river in the vicinity of the dock show that the depth indeed gets deeper further away from the existing wall. This would indicate that any probable channel would be further from the shore, not approximately 70 feet away from the existing wall (where the previous alignment terminated). Depth soundings were taken as far out into the river as 200 feet away from the wall (where the -2 MLW contour is shown on the plan, the deepest area on the plan).

A comment from NRPA noted that boats are at "planing" speed in the vicinity of the previous alignment. If that is the case, the boats doing so in that area would not be operating at a safe speed so close to shore. The angle at which they would have to turn while planing from that area to the bridge would likely not be considered a safe operating speed, especially where they note that kayaks and other boats may be entering from Lafayette Ave.

The boat traffic issue is a subjective one, as stated during the SKWAC meeting, and the Applicant does not desire to negatively impact the traffic in the area; however, the Applicant does believe that the length of 50' from MLW should suffice to decrease potential impact to boat traffic traveling along Narrow River and those boaters utilizing the rights-of-way on Lafayette Ave and Grant Ave. A different alignment would negatively impact one or many of those three boat-traffic-related constraints. Therefore, we have revised the alignment to address these concerns while meeting CRMC regulations as closely as we can.

Variance Request

The terminus of the float as now proposed (with a length from MLW of 50') is at a depth of approximately 15.6 inches (1.3') below MLW; therefore, we are requesting relief of 1.4 inches (0.2', or 13.3% below the standard).

Compliance with the six criteria for a variance under Section 1.1.7 is as follows:

Section 1.1.7.1: The proposed alteration conforms with applicable goals and policies of the CRMP in that we have incorporated changes directly related to the February 2024 objections and is relatively consistent with other uses in the vicinity of the property.

Section 1.1.7.2: The proposed dock installation will not result in any significant adverse environmental or use conflicts because we have shortened the length and orientation of the dock to address public comments about boat traffic and there was no SAV encountered on site.

Section 1.1.7.3: Due to conditions at the Site, specifically the length required to reach 18" depth at MLW, we are requesting a variance to reasonably meet the criteria.

Section 1.1.7.4: The modification requested for the minimum depth of 18" is the minimum variance necessary to get the float as deep as possible given the site constraints. Float stops have been proposed in order to prevent the float from dropping too far.

Section 1.1.7.5: The requested variance is not due to any prior action of the applicants or the applicants' predecessors in title.

Section 1.1.7.6: Due to the conditions at the Site, the inability to install the dock as proposed will cause the applicant undue hardship. The intention of the variance is to mainly to maintain the maximum 50' length and address comments related to boating traffic in the vicinity of the dock.

Please consider this letter a request for a variance as a supplement to the above referenced application for an Assent.

If you have any questions, please call me at 401-364-1027 or email me at m.l.dowdell@gmail.com. Thank you.

Sincerely,



Mark L. Dowdell, P.E.