

CRMC DECISION WORKSHEET

2025-06-057

Daniel Cromie & Susan Egan Cromie

Hearing Date:	
Approved as Recommended	
Approved w/additional Stipulations	
Approved but Modified	
Denied	Vote

APPLICATION INFORMATION						
File Number	Town	Project Location		Category	Special Exception	Variance
2025-06-057	South Kingstown	82C Point Avenue		A*	☐	X
		Plat	82-4			
		Owner Name and Address				
Date Accepted	7/1/2025	Daniel Cromie & Susan Egan Cromie		Work at or Below MHW		X
Date Completed	10/8/2025	109 Hazard Avenue Providence, RI 02906		Lease Required		☐

PROJECT DESCRIPTION

Construct and maintain a new residential boating facility consisting of a 4' x 125' fixed timber pier, 3' x 14' access ramp and 8' x 18.75' (150sf) terminal float. The facility is proposed to extend 131' seaward of the cited MLW mark, requiring an 81' length variance to Redbook 650-RICR-20-00-01 Section 1.3.1(D)(11)(l)(2); The facility is also proposed within 2' of the northern property line extension (PLE), requiring a PLE setback variance of 23' to Section 1.3.1(D)(11)(k).

KEY PROGRAMMATIC ISSUES

Coastal Feature: Cobble/gravel beach, fringe coastal wetland and stone seawall fronting coastal bank

Water Type: Type 2, Low Intensity Use, Point Judith Pond, Snug Harbor

Red Book: 1.1.6, 1.1.7, 1.1.10, 1.2.1(C), 1.2.2(A), 1.2.2(C), 1.2.2(D), 1.3.1(D), 1.3.1(R), 1.3.5

SAMP: Salt Pond Region, as amended, Lands Developed Beyond Carrying Capacity

Variances and/or Special Exception Details:

- 81' Length variance to Redbook 650-RICR-20-00-01 Section 1.3.1(D)(11)(l)(2)
- 23' Property line extension (PLE) setback variance to Redbook Section 1.3.1(D)(11)(k)

Additional Comments and/or Council Requirements: N/A

Specific Staff Stipulations (beyond Standard stipulations): N/A

STAFF RECOMMENDATION(S)

Engineer _____

Recommendation: _____

Biologist **TAS** _____

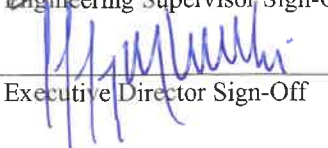
Recommendation: **No Objection** _____

Other Staff _____

Recommendation: _____

 10/16/25
Engineering Supervisor Sign-Off _____ date

 10/9/25
Supervising Biologist Sign-off _____ date

 10/9/25
Executive Director Sign-Off _____ date

Staff Sign off on Hearing Packet (Eng/Bio) _____ date



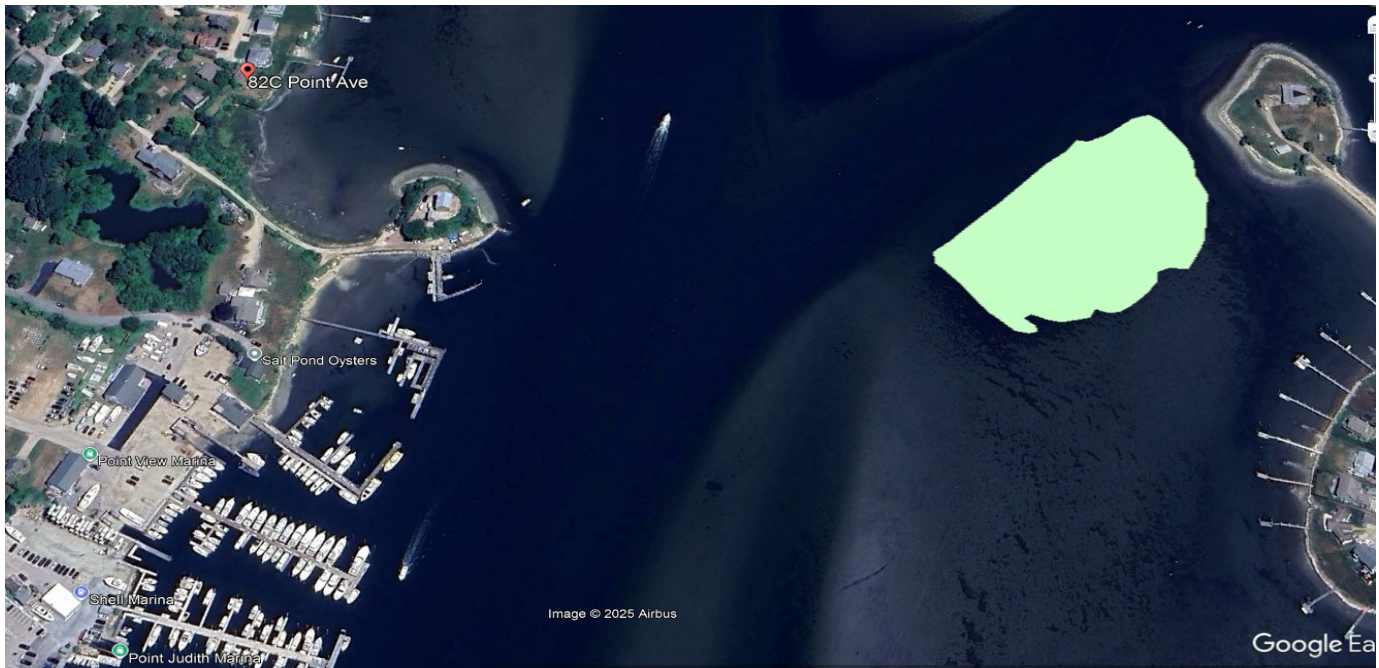
STATE OF RHODE ISLAND
COASTAL RESOURCES MANAGEMENT COUNCIL
 STAFF REPORT TO THE COUNCIL

DATE: 9 October 2025
 TO: Jeffrey M. Willis, Executive Director
 FROM: T. Silvia, Env. Scientist II

Applicant's Name:	Daniel Cromie & Susan Egan Cromie
CRMC File Number:	2025-06-057
Project:	New residential boating facility (fixed pier, ramp, float)
Location:	82C Point Avenue; South Kingstown: Plat(s): 82-4; Lot(s): 32
Water Type/Name:	2, Point Judith Pond (Snug Harbor), Low Intensity Use
Coastal Feature:	Fringe coastal wetland/beach backed by coastal bank fronted by stone seawall
Plans Reviewed:	Eight sheets entitled "Proposed Residential Dock, 82C Point Ave, South Kingstown.." dated Jan 6, 2025 with Sheet 4B dated August 14, 2025 by Russell J. Morgan, RPE and "Boundary/Topographic Survey, Point Avenue, AP 82-4, Lot 32, South Kingstown.." dated 11/25/24 by Matthew Insana, PLS.
Recommendation:	NO OBJECTION

A) INTRODUCTION:

- 1) This project site is located on the western shore of Point Judith Pond, separated from the Snug Harbor/ Jerusalem commercial areas to the south by a peninsula (Figure 1). The parcel is surrounded by residential development with coastal wetland abutting to the south and fringe wetland to the east. The coastal feature is the coastal wetland backed by coastal bank and/or coastal beach/wetland backed by stone seawall. Parcels to the north have pre-existing docks.
- 2) The application is for a fixed pier, ramp and float dock design, consistent with the Redbook's Section 1.3.1(D)(11) residential boating facility construction standards except two: an 81' length variance and a 23' property line extension (PLE) setback variance.
- 3) The project was sent to 30day public notice on September 9, 2025 and the SK Harbor Commission voted no objection to the proposal. No other comments were received to-date. Full Council review of the PLE variance is required as a letter of objection (LONO) was not received from the affected abutter; Additionally, the total dock length beyond MLW (131') also requires Council review.

Figure 1: Site location, 82C Point Avenue, South Kingstown AP 82-4, Lot 32**B) APPLICABLE 650-RICR-20-00-01 REDBOOK STANDARDS:**

Section 1.1.6	Applications for Category A/B Council Assents	A* review / Council hearing >75' MLW
Section 1.1.7	Variances	1.3.1(D)(11)(k) 23' variance & 1.3.1(D)(11)(l)(2) 81' variance, criteria submitted see below
Section 1.1.10	Climate Change & Sea Level Rise (SLR)	Narrative addresses future SLR
Section 1.2.1(C)	Water Types-Type 2 Low Intensity Use	Docks are allowed in Point Judith Pond
Section 1.2.2(A)	Shoreline Feature-Coastal Beaches	The dock will span a narrow cobble beach
Section 1.2.2(C)	Shoreline Feature-Coastal Wetlands	Dock is allowed under 1.2.2(C)(1(d)(1)
Section 1.2.2(D)	Shoreline Feature-Coastal Headlands/Bluffs/Cliffs	No alteration to the bluff is proposed to the south and a seawall fronts the eastern bluff
Section 1.2.3	Areas of Historic/Archaeological Significance	RIHPHC has provided a signoff
Section 1.3.1(D)	Recreational Boating Facilities	1.3.1(D)(6)(f)(1) requires Council review 1.3.1(D)(6)(f)(3) requires Council review 1.3.1(D)(11)(k)(3) variance requested 1.3.1(D)(11)(l)(2) variance requested 1.3.1(D)(11)(v) lateral access provided 1.3.1(D)(11)(z) Table 8 design criteria
Section 1.3.1(R)	Submerged Aquatic Vegetation (SAV)	Survey shows no SAV present
Section 1.3.5	Policies for Protection..of the Scenic Value	Proposed dock is =< size of nearby piers

C) STAFF COMMENTS:

- 1) The proposed structure is a 4' x 125' fixed timber pier extending from the top of the existing seawall to a 3' x 14' access ramp and 8' x 18.75' (150sf) terminal float. The facility will span the fringe coastal wetland, elevated sufficiently above the marsh substrate, as well as provide for continued lateral access below (>5' at the cited MHW mark). The narrative indicates that all construction standards of Section 1.3.1(D) including Table 8 Minimum Design Criteria have been met with two exceptions, length seaward of MLW and distance setback from northern PLE. The applicant has addressed future sea level rise (SLR), proposing to gradually raise the height over time as applicable (this would likely require CRMC maintenance permits). Unfortunately, SLR is likely to drown the existing fringe marsh as the existing seawall prevents future inland marsh migration at this site.
- 2) The project requires full Council review for dock lengths greater than 75' MLW in this waterbody (131' proposed), as well as for PLE setback variances as a LONO was not received from the abutter and the facility is sited only 2' from the northern PLE at the terminus.
- 3) Only temporary impact to the coastal beach and wetland for piling installation is proposed. The dock is proposed to be installed just north of the existing access ramp in the seawall. Proposed barge construction will not be allowed to sit on any area of coastal beach or wetland.
- 4) ACOE review remains pending due to backlog, however staff presumes due to length and wetland presence that the facility will be eligible for a PCN authorization under the current 2022 RIGP.

D) VARIANCE REQUEST (Section 1.1.7 Criteria):

- 1) The applicant originally submitted a variance request for the length of the dock, hoping to obtain a LONO from the northern abutter while the project was under review by staff. The consulting engineer, R. Morgan has advised staff that although discussions were held with the abutter, the owner was unwilling to provide a LONO, apparently choosing to abstain on the matter. Accordingly, an updated variance request and required PLS-stamped plan were submitted.
- 2) The requested variances are: 81' length variance to Section 1.3.1 (D)(11)(l)(2), which requires a dock to be no longer than 50' measured from MLW, as well as 23' setback variance to Section 1.3.1(D)(11)(k), which requires a dock to be 25' from each PLE.
- 3) The applicant's variance request by the design PE indicates the length is "required to meet the minimum depth of water at the float of 24 inches below MLW to allow adequate water depth for the vessel to be berthed at the terminal float. The homeowner has indicated that this "draft" depth is desirable for the types of vessels to be moored at this facility. The design has also incorporated a dock stop detail to prevent float from exceeding this standard."
- 4) The request also states that the "fixed dock and terminal float were aligned at the proposed location to maximize water depth at the terminal float and minimize overall dock length. The sediment grading is such that the cove to the south has built up sediment increasing sediment elevation to the south. Additionally, historic use of the fixed dock adjacent and to the north has limited sediment accumulation in this area. This general location is also based on the homeowner's experience operating a boat within the cove."

Criteria #1: “The proposed alteration conforms with applicable goals and policies of the Coastal Resources Management Program”; The submitted response: *“In my opinion the proposed structure confirms with the goals and policies of the Coastal Resources Management Program. The proposed dock allows access to coastal waters for a waterfront property owner using best practices to minimize impacts to the environment. Additionally, the terminal end of the dock is generally the same eastern extent as the existing docks installed at residences north of the proposed facility.”* **Staff concurs with the overall statement.**

Criteria #2: “The proposed alteration will not result in significant adverse environmental impacts or use conflicts, including but not limited to, taking into account cumulative impacts”; The submitted response: *“The proposed dock will not significantly impact the coastal environment. The excess dock length consists of fixed deck support by timber piles. The impact due to the additional piles is small as a pile diameter is approximately 1 foot at the mud line and the increase length of dock will create more shading on the substrate however the deck elevation will be greater than 5 feet above the substrate so impacts should be minimal. Additionally the length of the dock is similar to other nearby facilities located on the western shoreline of the pond.”* **Staff concurs with this statement**, as there appears to be at least 25’ distance between the proposed terminal float and norther abutter’s existing “T”, based on staff measurements. Additionally, due to the limited water depths and increased coastal wetland area, there is likely to be limited impact to existing uses within the southern part of the cove. The addition of this facility will be in character with nearby piers of this area.

Criteria #3: “Due to conditions at the site in question, the applicable standard(s) cannot be met”; The submitted response: *“The pond sediment topography will not allow the 18 inches of water depth within 50 feet of MLW to be met and to limit overall length and access to deeper water depths the northern location of the dock is the best location to site and use a residential boating facility.”* **Staff concurs with this statement** based on the submitted information. The applicant was originally advised to relocate the facility further south as well as shorten the length in an attempt to reduce the requested variances. However, based on the submitted sounding information in response to staff’s request, it does appear the dock is appropriately sited in its proposed location. The site cannot provide the minimum 18” within 50’ MLW.

Criteria #4: “The modification requested by the applicant is the minimum variance to the applicable standard(s) necessary to allow a reasonable alteration or use of the site”; The submitted response: *“In my opinion the variance request is the least impactful and minimum variances required to install a recreational boating facility that both meets the owner’s goals and minimizes environmental impact.”* **Staff concurs with this statement** and combined with #3 above, notes that the proposed length is consistent with CRMC past practice of up to 3’ water depth, while remaining similar length to nearby facilities.

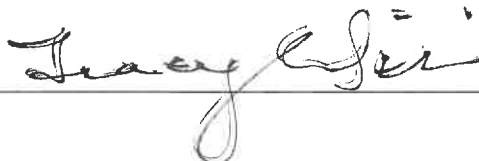
Criteria #5: “The requested variance to the applicable standard(s) is not due to any prior action of the applicant or the applicant’s predecessors in title. With respect to subdivisions, the Council will consider the factors as set forth in § 1.1.7(B) of this Part below in determining the prior action of the applicant”; The submitted response: *“The variance request is not the result of previous actions by the current or past property owners.”* **Staff concurs with this statement.**

Criteria #6: “Due to the conditions of the site in question, the standard(s) will cause the applicant an undue hardship. In order to receive relief from an undue hardship an applicant must demonstrate inter alia the nature of the hardship and that the hardship is shown to be unique or particular to the site. Mere economic diminution, economic advantage, or inconvenience does not constitute a showing of undue hardship that will support the granting of a variance”; The submitted response: *“The variance request is required due to the physical conditions at the site and are not due to an owners preference. The hardship, if these variances are not granted, will be the inability to use their owned property for recreational boating and water access.”* **Staff notes that while access to the water would remain without a variance**, similar to nearby piers, most recreational boating designs would still request a variance for typical use of this site. Should the Council decide to shorten the proposed length, some boating access could still occur, however, it would likely be reduced in scope from those nearby.

E) CONCLUSION:

- 1) The applicant has submitted a proposal for a standard pier, ramp, and float design similar in length to nearby facilities located within a cove in Point Judith Pond. The proposal meets the required lateral access, wetland elevation and standard construction design requirements. There is no SAV at the site and there appears to be sufficient space between the proposal and nearby or future piers. The design includes float stops, which staff would stipulate be set at 18" MLW, per past practice.
- 2) However, due to the more shallow waters in the southern portion of this cove, the applicant has requested a variance to site the facility closer to the northern PLE, requiring a 23' setback variance from this PLE and also to extend out 131' seaward of MLW, requiring an 81' length variance. These variances will result in a dock with approximately 2' of water depth along the entire float, typical of many designs CRMC permits. The pier is located between four northern docks and a peninsula, leaving sufficient room for navigation within the cove.
- 3) The Harbor Commission has no objection to the proposal and the affected abutter did not object. Although a LONO was not obtained, the applicant did provide the PLS-stamped plan with the request.
- 4) There are no staff objections to the issuance of an Assent for this project, should the Council approve such; Standard stipulations are withheld pending Council's Decision.

Signature: _____



Staff Biologist