

*Dowdell Engineering Associates, LLC*

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P.O. Box 1684, Suite 200

3949 Old Post Road

Charlestown, RI 02813

January 2, 2025

Jay Parker, AICP, CFM  
Deputy Director of Planning  
Town of South Kingstown  
180 High Street  
South Kingstown, RI 02879

Re: Applicant: Robert Hefner  
Hefner Subdivision  
Minor Subdivision Narrative Report  
AP 87-1 Lot 1 and AP 86-2 Lot 20

The purpose of this letter is to provide a statement regarding coastal areas (sections 17 and 18b) on the following matters, as requested.

**17 - Professional Coastal Area Report / 18b Coastal Feature Verification**

A coastal wetland is located on the Proposed Lot 3 (Existing Hefner Lot) and has been delineated in the Plan Set. A coastal wetland report by Natural Resource Services has been attached to this statement. A coastal wetland verification (Preliminary Determination) has also been completed with CRMC, PD #D2024-10-085, also attached.

The coastal wetland was delineated consistent with South Kingstown Subdivision and Land Development Regulations Section C.1.b. (Land Unsuitable for Development - Coastal wetlands, except any directly associated contiguous areas). CRMC concurred with the flagged coastal wetland and the delineation shown on the plans.

CRMC also notes (in note 4 the PD) that CRMC has no permitting authority with the proposed work shown on the plan set.

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

Sincerely,



Mark L. Dowdell, P.E.



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

**RHODE ISLAND COASTAL RESOURCES MANAGEMENT COUNCIL  
REPORT OF FINDINGS -- PRELIMINARY DETERMINATION**

**STATEMENT OF LIMITATIONS**

The contents of this staff determination report shall be valid only for the period on and preceding the date of this report. This report is neither an approval nor denial of the subject proposal. It is an evaluation of CRMC regulations in effect as of **December 11, 2024**, as they pertain to the below stated proposal, including preliminary staff recommendations.

Modifications to the below stated proposal may, upon the discretion of the CRMC, render this determination null and void.

**APPLICANT INFORMATION**

**NAME:** Robert F. Hefner 2020 Trust      **CRMC FILE NO.** D2024-10-085  
**LOCATION/POLE:** 231 Sycamore Lane  
**CITY/TOWN:** South Kingstown      **PLAT:** 87-1      **LOT:** 1

**CONTACT PERSON(S) & ADDRESS:**

Robert F. Hefner 2020 Trust  
8080 Tiger Lily Drive  
Naples, FL 34113

**Also send to:**  
Dowdell Engineering  
PO Box 1684  
Charlestown, RI 02813

**PRELIMINARY REVIEW INFORMATION**

**PROPOSAL:** 3-lot subdivision, request for wetland verification

**PLAN(S) REVIEWED:** "Proposed Conditions Plan, Preliminary Plan-Minor Subdivision, AP 86-2, Lot 20 & AP 87-1, Lot 1, South Kingstown...Hefner Subdivision.." dated Oct. 3, 2024 as last revised 12/3/24 by Mark L. Dowdell, RPE and Richard L. Couchon, PLS

**INVESTIGATOR:** T. Silvia      **DATE/TIME:** 11/14/24 PM

**MEASUREMENTS & OBSERVATIONS:** Confirmed wetland edge

**PREVIOUS CRMC ACTIONS FOR SITE:** 04-3-78 dock, 9-3-19 pool/accessory structures, 19-7-54 boathouse addition, 19-7-54 shed

**Preliminary Buffer and Setback Requirements:**

**SETBACK** (Ref. Section 1.1.7 Red Book): 225'

**BUFFER** (ref. Section 1.1.9 Red Book): 200'

NAME: **Robert F. Hefner 2020 Trust**  
CRMC FILE NUMBER: **D 2024-10-085**

Note: **Setbacks** apply to “construction related activities” including filling, removing, and grading (ref: Section 1.3.1(B) Red Book). The coastal program requires a minimum setback of either 50’, or the buffer zone width plus 25’ (whichever is greater). Work within this minimum setback will require a variance per Section 1.1.5 of the Red Book. All variances must be requested in writing. No construction or construction related work shall occur within the required setback (exemptions include structural shoreline protection, outfalls and water dependant uses). Work within the required setback may require a Category “B” review (public notice and decision by the full coastal council) and would likely result in adverse CRMC staff recommendations to the Coastal Council during the review process.

**Buffer zones** are areas that must be retained in, or allowed to revert to, “an undisturbed natural condition.” All structures (excluding accessory structures) should be setback a minimum of 25’ from the buffer zone to allow for access, fire protection and maintenance without infringement into the buffer.

If applicable, the plan must show “area of land within 50 feet” in accordance with Rule 5.04 of The Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast (the Rules), and label this area as a “buffer zone” in accordance with Rule 5.14. In addition, no activities (such as: drainage, grading, filling, etc.) may affect the freshwater wetland or the buffer zone. Where such alterations occur, or are proposed, an application shall be submitted in accordance with CRMC’s Freshwater Wetland Rules.

**Coastal Hazard:** In accordance with Section 1.1.10, the applicant is encouraged to utilize CRMC’s “STORMTOOLS” mapping feature to better understand the impact of current and future Sea Level Rise and Storms on the subject property. Also, in accordance with Section 1.1.6(D), the applicant is required to complete a “Coastal Hazards Worksheet” to further understand the impact of climate change on a proposal (<http://www.crmc.ri.gov/coastalhazardapp.html>). While the RICRMP does not yet require structures to be designed for SLR scenarios, the applicant should consider SLR, Climate Change, and design life expectations in design planning.

*Coastal feature verification shall be valid for one-year from the date of this Determination or until an erosion event (e.g., due to storm event, landslide, man-induced alteration, etc.) occurs that alters the coastal feature.*

### **SUMMARY OF FINDINGS**

**CRMC JURISDICTION:** Yes **TYPE WATER:** 2; Low Intensity Use, Potter Pond/Segar Cove  
For the purpose of this review the coastal feature(s) shall be the cobble beach and fringe coastal wetland backed by low coastal bluff and the inland edge of coastal(s) feature shall be the top of bluff and/or inland edge of wetland as applicable.

#### **Applicability of Red Book and SAM Plans (as amended):**

Red Book Sections: 1.1.4(D), 1.1.7, 1.1.10, 1.1.11, 1.2.1(B), 1.2.2(A), 1.2.2(C), 1.2.2(D), 1.2.3, 1.3.1(A), 1.3.1(B), 1.3.1(C), 1.3.1(F), 1.3.4, 1.3.5

SAMP: RI’s Salt Pond Region, Lands of Critical Concern

### **STAFF CONCERNS/COMMENTS/INFORMATION REQUIREMENTS:**

1) Staff accepted the application for a PD report for residential subdivision (one new home) with coastal feature verification. However, upon further review, the submitted plans were not clear whether the flagging represented the coastal wetland or coastal feature. Additionally, the proposed new dwelling appeared to be well out of CRMC’s 225’ jurisdictional setback (based on 200’ buffer zone/lot size) for a subdivision and not a watershed activity (6 lots or more), thus requiring no CRMC review.

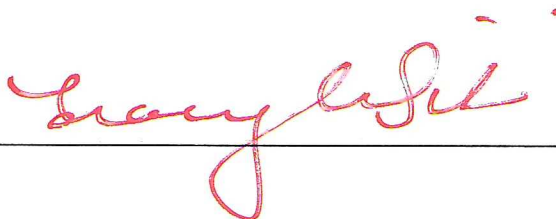
2) Staff contacted the consulting PE requesting clarification of the project and application purpose. The applicant requires a wetland verification for purposes of calculating suitable land for development for the three-lot subdivision (which includes a land swap between dwelling #s 171 & 231). As such, based on the report by Natural Resources Services dated October 16, 2023, only the inland edge of coastal (including contiguous) wetland was delineated, not the coastal feature.

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CRMC FILE NUMBER: **D 2024-10-085**

3) The coastal feature is the cobble beach and fringe coastal wetland backed in parts by low coastal bank (reference prior CRMC permits, including #2004-03-078). Some of the delineation represents one and the same, in other areas, the bank is located inland of the wetland. A site visit on 11/14/24 confirmed the wetland delineation accurate (note, revised plans were per staff request and did not change the delineation).

4) As CRMC has no permitting authority for a 3-lot subdivision with all proposed work located out of jurisdictional areas, staff did not request an updated coastal feature delineation for this review. The applicant should note that the full coastal feature will be required for future work on proposed Lot 3 (current Lot 1) and that all previous Assent requirements for this lot remain in full force and effect regardless of minor subdivision.

SIGNATURE: \_\_\_\_\_

A handwritten signature in red ink, appearing to read "Tracy Smith", is written over a horizontal line.

STAFF BIOLOGIST



## **Natural Resource Services, Inc.**

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October 16, 2023

Robert Hefner  
231 Sycamore Lane  
South Kingstown, RI 02879

RE: Coastal Wetland Delineation  
231 Sycamore Lane, A.P. 87-1, Lot 1 & A.P. 86-2, Lot 20  
South Kingstown, Rhode Island

Dear Mr. Hefner:

Natural Resource Services, Inc. (NRS) has completed the wetland delineation within the above referenced properties. As the proposed project concerns the area of wetlands with the subject lots, this delineation represents only a delineation of wetlands on site and does not represent the CRMC regulated coastal feature delineation. NRS has reviewed the CRMC permit database pertaining to the subject property. Permit number 2017-04-027 identifies the coastal feature as the fringe coastal wetland and cobble beach backed by low coastal bank, and the inland edge of the coastal feature being the top of the low bank. The wetland delineation associated with the fringe coastal wetland was performed by staff biologist Hannah Chace on October 12, 2023.

As part of our work, a hand-held GPS unit was used to locate the established coastal wetland flagging. While this location work should not be construed as a professional survey, the data obtained is valuable for preliminary planning purposes. An aerial photograph is attached to this letter. The GPS data has been added as an overlay on the photo to provide a visual representation of the established delineation.

The two identified properties are located along the southern side of the private roadway Sycamore Lane. According to the tax assessor's database, lot 1 is 8.6 acres while lot 20 is 6.99 acres. 231 Sycamore maintains shoreline frontage on Potter Pond. This section of shoreline is classified as Type 2 Waters, or low intensity use waters, under the CRMP.

The flag series labeled CF1 – CF20 depicts the extent of the coastal wetland flagging located within the property. No other wetlands, including freshwater wetlands, were identified within either property. There appears to be approximately 0.19 acres of coastal wetland associated with the site, to be confirmed by a surveyor. This appears to be the only land unsuitable for development as defined in the South Kingstown Subdivision and Land Development Regulations.

Please do not hesitate to contact me if you have questions regarding the fieldwork performed or this letter of findings. I am forwarding a copy of this letter and the GIS graphic to Dowdell Engineering for their use.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Scott P. Rabideau", with a long horizontal flourish extending to the right.

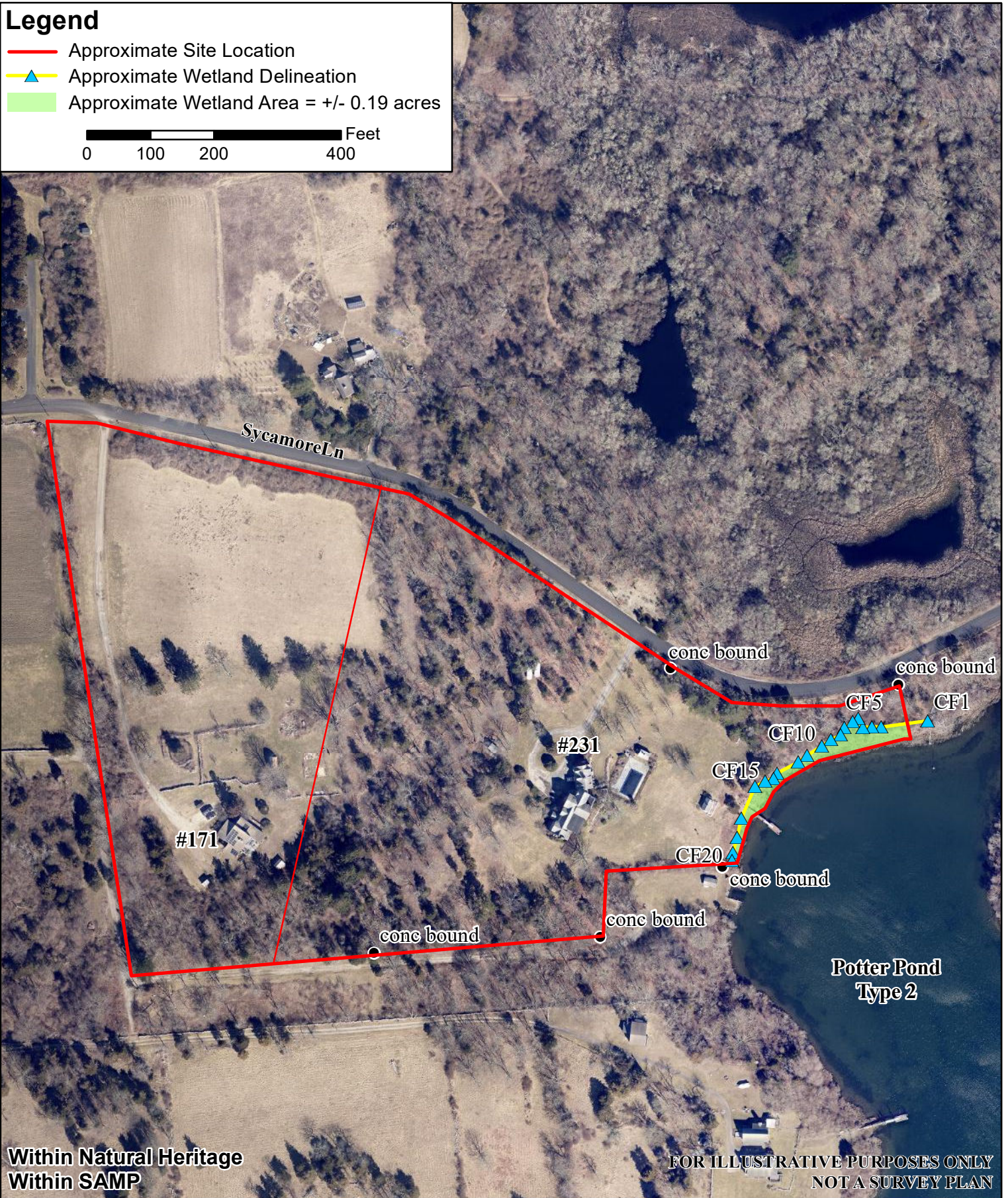
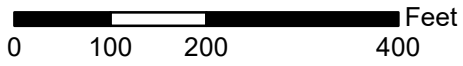
Scott P. Rabideau, PWS  
Principal

Enclosure

Cc: Mark Dowdell, PE  
Dowdell Engineering

# Legend

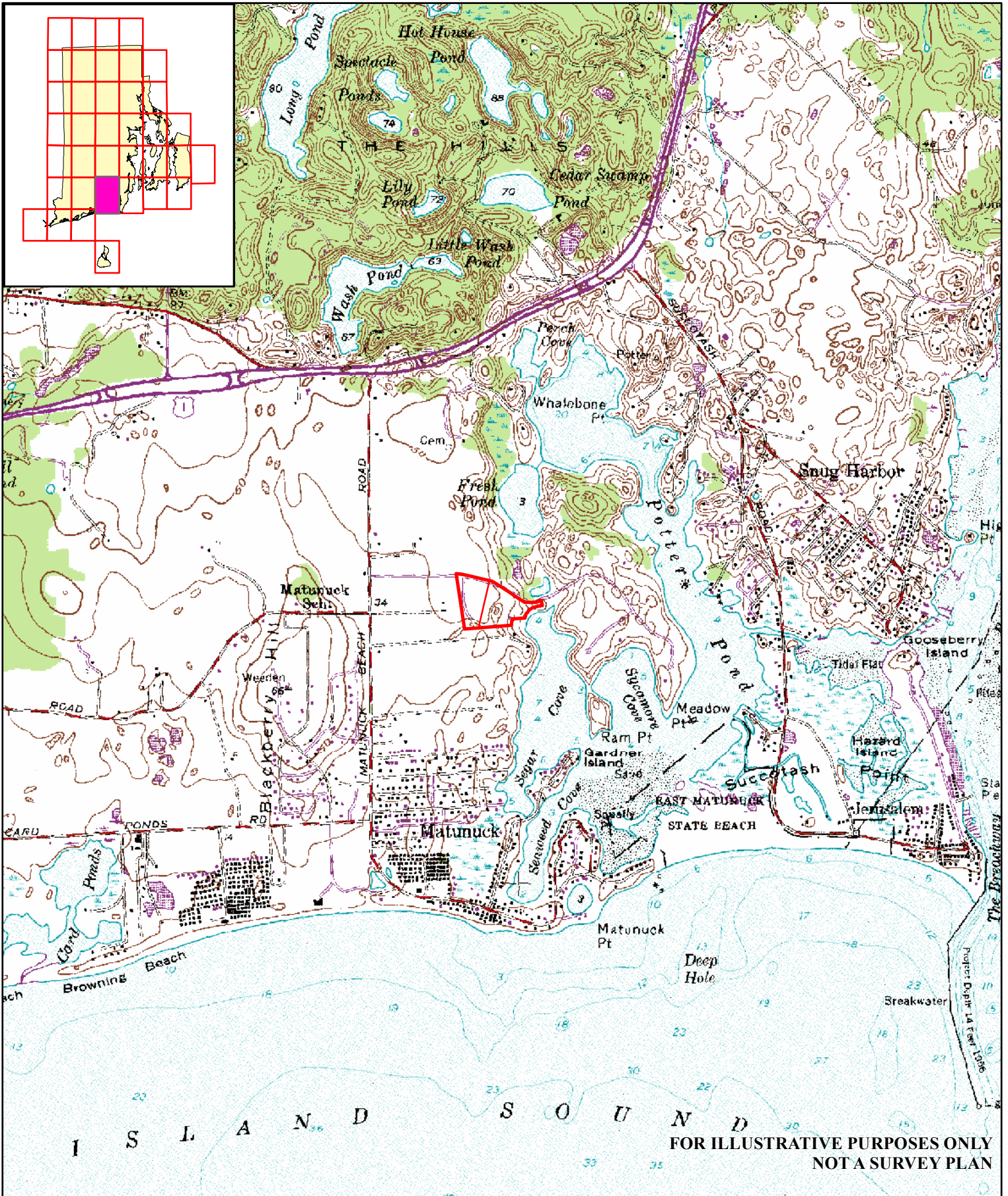
- Approximate Site Location
- ▲ Approximate Wetland Delineation
- Approximate Wetland Area = +/- 0.19 acres




**Site Sketch Depicting  
Approximate Coastal Wetland Delineation  
171 & 231 Sycamore Ln  
A.P. 86-2, Lot 20 87-1, Lot 1  
South Kingstown, RI**


*Performed by:  
Hannah Chace - 10/12/2023  
Located using handhed Trimble GeoXH*

**RIGIS** Spring 2023 aerial  
RI DEM Mapping  
**Natural Resource Services, Inc.**  
PO Box 311  
180 Tinkham Lane  
Harrisville, RI 02830  
p: (401) 568-7390  
(c) RIGIS



**USGS Topographic Map**  
**171 & 231 Sycamore Ln**  
**A.P. 86-2, Lot 20 87-1, Lot 1**  
 South Kingstown, RI  
 Kingston Quad Map

 **Approximate Site Location**  
 USGS Topographic Series  
 Contour Interval 10 Feet  
 National Geodetic Vertical Datum of 1929

 **Feet**  
 0 1,000 2,000 4,000

**RIGIS**  
 Natural Resource Services, Inc.  
 PO Box 311  
 180 Tinkham Lane  
 Harrisville, RI 02830  
 p: (401) 568-7390  
 (c) RIGIS



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