TOWN OF SOUTH KINGSTOWN
ZONING BOARD OF REVIEW APPLICATION

1. APPLICANT INFORMATION:
   Applicant Name: Tanya & Mike Donahue
   Applicant Address: 36 Tidal St, Wakefield, RI 02879
   Applicant Phone: 401-639-8738
   Applicant Email: Tanya@rik.com

2. OWNER INFORMATION:
   Owner Name: James & Janice Cannon
   Owner Phone: 508-357-8903
   Owner Address: 9 Clark Road, Medfield, MA 02052

3. PROJECT INFORMATION:
   Physical Address: 0 Gale Drive
   Assessor's Plat: 87-2
   Assessor's Lot: 7
   Zoning District: R-20
   Required Zoning Setbacks: Front Yard 35' Rear Yard 35' Side Yard Right N/A Side Yard Left 15' Corner Side Yard 25'

4. APPLICATION FOR:
   Special Use Permit __ Dimensional Variance __ Use Variance __ Dimensional Modification by Zoning Officer __

5. LOT SPECIFICATIONS:
   Lot Frontage: 130 ft.
   Lot Depth: 153.56 +/- ft.
   Lot Area: 23,828 ft.

6. USE OF PREMISES:
   Present Use: Land
   # of families: ______
   Proposed Use: SF
   # of families: 1

7. EXISTING STRUCTURES:
   Number of Existing Buildings or Structures Present: 0
   Size of Existing Structures: N/A sf; _____ sf; _____ sf; _____ sf
   Distance from Property Lines of Existing Structures:
   Front Yard: ______ ft; ______ ft; ______ ft; ______ ft.
   Rear Yard: ______ ft; ______ ft; ______ ft; ______ ft.
   Side Yard Right: ______ ft; ______ ft; ______ ft; ______ ft.
   Side Yard Left: ______ ft; ______ ft; ______ ft; ______ ft.
   Corner Side Yard: ______ ft; ______ ft; ______ ft; ______ ft.

8. WATER AND SOLID WASTE
   Water: Town Water X
   Well ______
   Other ______
   Waste: Town Sewer ______
   Septic ______ X
   Other ______
9. SIZE OF PROPOSED BUILDINGS/ADDITIONS:
Height Above Grade: 34'6" ft. Number of Stories: 3

10. IF DIMENSIONAL RELIEF IS SOUGHT INDICATE THE DISTANCE REQUESTED:

11. PROVISION OF THE ZONING ORDINANCE FROM WHICH RELIEF IS SOUGHT:
Section and Use (if known): Unknown

12. DESCRIBE THE EXTENT OF PROPOSED ALTERATIONS, STATE REASONS WHY YOU ARE REQUESTING RELIEF:
Proposed Single Family dwelling and OWTS.

We are requesting a variance from the front line setbacks required by the CRMC to increase the distance from the Coastal feature to the New Construction.

ZONING BOARD OF REVIEW RULES OF PROCEDURE ITEM K: “Reports from expert witnesses should be submitted with the application or ten (10) days prior to the hearing to give the Zoning Board sufficient review time. If a report is submitted at the time of the hearing, the Chairman may rule on whether the Zoning Board will continue to another meeting to give the Zoning Board time to review the reports.”

Preparation of this Application and all necessary documentation is the sole responsibility of the Applicant. Town Staff's help in preparations of any facet of this application, including abutter's list is for assistance only. The staff cannot give the applicant advice on the merits of the application nor can they render legal opinions.

The undersigned declares that the information given herein is a true statement to the best of his/her knowledge and belief.

Applicant Signature(s)  
Applicant(s) Printed Name  
Date: 4/12/23

Office Use Only
Received By: Payment Amt.: Check #: Legal Notice Mailed: Cert. Receipts Received:
The Owner/Authorized Agent Authorization Form must be completed in full and returned to the Office of the Building and Zoning Official for the Town of South Kingstown along with the Zoning Board of Review Application. Failure to submit this form will delay your application being processed.

James Cannon hereby certify that I am the owner/authorized agent of the property designated as Plat 81-2, Lot 7, as shown on the Town of South Kingstown Tax Assessor Maps. I further certify that I am the owner/authorized agent of the developmental rights for this property.

I hereby authorize and am in agreement with the application signed by Nikke Bignall, as applicant, for the requested relief or use of the subject property. Said application is to be submitted to the Office of the Building and Zoning Official of the Town of South Kingstown for review and decision by the Zoning Board of Review. By signing this application, the Applicant(s) and Land Owner(s) give permission to the Town of South Kingstown staff and members of the Zoning Board to enter the property individually or as a group for purposes of a site inspection.

Witness its name this 7th day of April, 2023.

By: James Cannon
Signature of Owner/Authorized Agent

STATE OF RHODE ISLAND
Massachusetts

County of Norfolk

In Newport on the 7th day of April, 2023, before me personally appeared James Cannon (name) to me known and known by me to the party executing the foregoing instrument and acknowledged said instrument, by him/her executed to be his/her free act and deed, as individual (individual, corporation, trustee, partnership, non-profit, etc.)

Notary Public: Margaret E. Wicke
My Commission Expires: 12/12/2027

Notary Seal

Town of South Kingstown Zoning Board of Review
<table>
<thead>
<tr>
<th>No.</th>
<th>Location</th>
<th>City, State/Country</th>
<th>Phone</th>
<th>Fax</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>123 Main St.</td>
<td>New York, NY</td>
<td>123-456-7890</td>
<td>098-765-4321</td>
</tr>
<tr>
<td>2</td>
<td>456 Elm St.</td>
<td>Chicago, IL</td>
<td>234-567-8901</td>
<td>789-654-3210</td>
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<td>3</td>
<td>789 Broadway</td>
<td>Los Angeles, CA</td>
<td>345-678-9012</td>
<td>123-456-7890</td>
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<tr>
<td>4</td>
<td>101 Market St.</td>
<td>San Francisco, CA</td>
<td>456-789-0123</td>
<td>908-765-4321</td>
</tr>
</tbody>
</table>

**Contact Information**

- Name: John Doe
- Email: johndoe@email.com
- Phone: 555-123-4567
- Fax: 555-876-5432

**Address:**

- 123 Main St.
- New York, NY 10001
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 13 January 2023 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: James & Janice Cannon
LOCATION/POLE: Gale Drive
CITY/TOWN: South Kingstown
CRMC FILE NO. D2022-11-088
PLAT: 87-2
LOT: 7

CONTACT PERSON(S) & ADDRESS:
James & Janice Cannon
9 Clark Road
Medfield, MA 02052
Also send to:
Michael/Tanya Donahue CJ Doyle
139 Jefferson Blvd Box 1161
Warwick, RI 02888 HV02832

PRELIMINARY REVIEW INFORMATION

PROPOSAL: Coastal feature verification, feasibility of residential development serviced by public water and OWTS.

PLAN(S) REVIEWED: “Site Plan for CRMC Preliminary Determination, Lot 7, AP 87-2, Gale Drive, South Kingstown.” dated November 21, 2022 by Carolyn J. Doyle, RPE

INVESTIGATOR: T. Silvia
DATE/TIME: 12/13/22 PM

MEASUREMENTS & OBSERVATIONS: Confirmation of coastal feature, observed existing condition

PREVIOUS CRMC ACTIONS FOR SITE: 1983-1-6 PD for residential development

Preliminary Buffer and Setback Requirements:
SETBACK (ref. Section 1.1.7 Red Book): 100'
BUFFER (ref. Section 1.1.9 Red Book): 75'
NAME: Cannon
CRMC FILE NUMBER: D 2022-11-088

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 with plus 23' (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 excavation related work shall occur within the required setback (exceptions include structural erosion protection, outfalls and water dependent uses). Work within the required setback may require a Category "E" 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 to, or allowed to revert to, "an undisturbed natural condition." All structures (including 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.

Coastal Hazards: 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 on the subject property. Also, in accordance with Section 1.1.6(D), the applicant is required to complete a "Coastal Hazards Workbook" to further understand the impact of climate change on a proposed project (http://www.csrcr.org/coastalhazardsmap). While the ZCEMF 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, PJ Pond/Potter Pond Channel
For the purpose of this review the coastal feature(s) shall be the coastal wetland complex/coastal bank, and the inland edge of coastal(s) feature shall be the inland edge of wetland and/or top of bank as applicable.

Applicability of Red Book and SAM Plans (as amended):
Red Book Sections: 1.1.7, 1.1.9, 1.1.10, 1.1.11, 1.2.1(B), 1.2.2(C), 1.2.2(D), 1.2.3, 1.3.1(B), 1.3.1(C), 1.3.1(D), 1.3.1(F), 1.3.5
SAMPS: RI's Salt Pond Region, Lands Developed Beyond Carrying Capacity

STAFF CONCERNS/COMMENTS/INFORMATION REQUIREMENTS:

1) Previous F&D noted the existing nature of the site, which was upland grassland in 1983, the historic farmstead buildings having been removed. The salt marsh complex was specified for its protection and a buffer zone recommended. No development on the lot has occurred since that time and the site has revegetated to a forest/shrub habitat with mixed/grassland understory. The southern marsh abutting the site is the extreme northwestern point of the large wetland complex to the south/east. The site is also bound by Succotash Road, Tidal Street, and Gade Drive with residential development nearby.

2) Staff concurs with the coastal feature, excepting the western-most section between flag #s A12-A14. In this vicinity, the coastal feature is coastal wetland backed by coastal bank (note CRMC uses a 3:1 slope as cutoff) and the flags should be relocated inland approximately 10'. Future Assent application shall reflect such change, however, this shouldn't impact much of the comments herein relative to future development.

3) The Redbook requires a 75' vegetated buffer zone and 100' construction setback from the coastal feature for new development of a 20-40,000sf lot along Type 2 waters. While the parcel can accommodate both requirements, staff recognizes that local zoning, RIDEM OWT's requirements ad site
access will also affect the remaining upland available for development. As such, staff concurs that variances to CRMC standards will be necessary. However, variance relief requires meeting the burdens of proof contained within Section 1.1.7, which includes minimization and local relief.

4) The current project seeks a variable width (minimum 61', variance of 14') buffer zone and reduced setback (20', variance 5'). It is staff's opinion that local zoning/OWTS variance relief should be obtained prior to seeking CRMC variance relief. If such occurs, it is likely the proposed dwelling footprint can be reconfigured and/or relocated further landward, to provide more offset to the coastal feature as well as additional buffer zone while reducing the required CRMC variances.

5) It is also staff's opinion that should variances be requested, a larger buffer zone with reduced setback (minimum 10' from buffer zone) is preferable due to the proximity of the wetland complex to the proposed development. Note, the 50' perimeter wetland depicted in the submitted narrative is inapplicable to this project, as the entirety is regulated as coastal wetland under the RedBook. Future application should also include a comparison of total required square footage of buffer zone versus proposed, in order to assess any variance request.

6) A denitrification OWTS is proposed, consistent with the Salt Pond SAMP's requirements.

7) Stormwater management BMPs for roof and driveway runoff are required, refer to the CRMC's Single Family Guidance document available at www.crmc.ri.gov.

8) A Coastal Hazard Analysis (CHA) worksheet is required for new development and the applicant is advised to review the likely storm damage/flooding scenarios for increased sea level rise (SLR) prior to determining the dwelling's first floor elevation. Note, FEMA requirements do not reflect SLR.

9) A local building official signoff and RIDEM OWTS approval are required at the time of CRMC submittal for Assent application.

10) It is staff's opinion that the site can support residential development, however, additional buffer zone and minimization of disturbance envelope including reduction in footprint, reconfiguration of project components, compensatory buffer zone, increased buffer to mitigate reduced setback, etc. are required to receive favorable staff recommendations and administrative review.

SIGNATURE: [Signature]
STAFF BIOLOGIST