



**SOUTH KINGSTOWN PLANNING DEPARTMENT**  
**PROJECT REVIEW MEMO**  
**SHM Silver Spring**  
**Minor Land Development Project – Preliminary Plan**  
October 16, 2025

Project Type:	Minor Land Development		
Review Stage:	Preliminary Plan		
Address:	362 Pond Street		
Plat:	63-3	Lot:	60
Parcel Size:	~3.2 acres	Zoning District:	CW
Applicant:	SHM Silver Spring, LLC c/o Beck Bennett 14785 Preston Road, Ste 975 Dallas, TX 75254	Owner:	Same

**Property Characteristics**

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As described within the project Narrative:

The subject property is located at 362 Pond Street (A.P. 63-3, Lot 60) and contains approximately 3.2 acres in lot area. SHM Silver Spring (d/b/a/ Safe Harbor Marina) currently operates a marina with associated maintenance, boat storage, and offices located on the property. A two-story commercial space/office building currently exists on site along with a pool house and in-ground pool to the rear of the building. The property also contains an aluminum maintenance and repair building approximately 60x40 (2,400s.f).

The Property is located in the Commercial Waterfront (CW) zoning district wherein Marina Services, Repairs, and Sales (including marinas) are permitted uses.

**Project Description**

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The Applicant is proposing to demolish and rebuild the existing maintenance building and construct a modern 52x90 (4680sf) building that will provide upgraded workspace and maintenance area for the marina and its members. The Application also proposes upgraded stormwater management systems, replacement of an aging OWTS system and other property enhancements. The existing store/offices and pool building will remain unchanged. A conceptual set of architectural plans have been included in the plan set. All lighting upgrades will be minimal and will be dark sky compliant. The area of disturbance is limited to the area of the existing maintenance facility and entry to the northwest quadrant of the property and contemplates an enlargement of the existing building and replacement of OWTS system with additional impervious surface area to be added. The consideration for additional impervious surface area was intended to service both customers and employees as well as emergency vehicles and protects the maintenance facility from existing crushed stone and gravel from entering the building. The northwest quadrant was also chosen, specifically, to limit any impacts on abutting residential properties whereas the proposed location abuts Pond Street and is situated further away from those properties. Existing boat storage in the northwest quadrant will be relocated as there is ample area to the rear of the site.

The Applicant does not anticipate an impact or increase to the school aged population or any substantive impacts on Town services. This is an existing commercial use that will be modernized and include upgrades to its private stormwater management and OWTS systems. No phasing is proposed as part of this application.

Safe Harbor Management facilitated a site visit with representatives from CRMC for a pre-application conference and review on April 20th, 2023. The visit was favorable, and Safe Harbor does not anticipate any issues with formal review. The current site plans reflect the limits of the coastal feature and all applicable setbacks/buffer requirements based on prior submittals and approvals (See Assent No M2021-06-032 attached hereto). All proposed construction activity is located outside of applicable setbacks and buffer areas.

### **Waivers Requested**

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The project conforms to the district dimensional regulations for the (CW) zoning district and does not require variances. Waivers from the Town of South Kingstown Land Development and Subdivision Regulations, specifically waivers from Preliminary Plan – Minor Subdivision checklist items:

- Item 7 – Affidavit by qualified professional stating that there are no coastal features and/or buffer areas adjacent to or within the development parcels; or A preliminary determination, including coastal feature verification, from CRMC.
  - The Applicant requests a waiver of this requirement; The current plan set reflects the limits of the coastal feature and applicable buffers/setbacks as confirmed on prior CRMC submittals and approvals (See Assent No. M2021-06-032). All proposed work conforms with applicable setbacks/buffer requirements. Applicant has not submitted a separate preliminary determination for the current application. SHM Management and CRMC staff conducted a pre-application site visit in 2023 in connection with the scope of work contemplated herein and received favorable feedback. The Applicant will make a formal submission to CRMC following Town approval. (See August 5th, 2025 Letter, Karen Beck, Principe Engineering).
- Item 11 – For developments proposing service by OWTS, (2) copies of an On-Site Wastewater Treatment System Permit issued by RIDEM.
  - Applicant requests a waiver of this requirement to Final Plan submission. The Applicant has made a formal submission, and review is pending by RIDEM (See documentation of submittal attached). Due to RIDEM system and online portal implementation, approvals have been significantly delayed for processing. Applicant expects approval prior to Final Plan.
- Item 14 – (2) copies of RIDEM stormwater or other general construction permits that are required, or an affidavit, signed by a qualified professional, stating that no RIDEM stormwater or construction permits are required.
  - Applicant requests a waiver subject to CRMC approval. The Property is within CRMC jurisdiction, and a formal application will be submitted following Town approval (See also August 5th, 2025 Letter, Principe Engineering and Prior Assent).
- Item 15 – (2) copies of written confirmation that the applicable Fire District has reviewed the proposed plans and approves the proposed street design relative to emergency vehicle access and fire suppression documents.
  - The applicant requests a waiver to the extent required. Emergency access to remain unchanged as existing, fire suppression to be included in new building and subject to architectural specifications and Code requirements. Principe Engineering to submit for Fire District Review prior to TRC hearing.

### **Regulatory Considerations**

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The proposed use is compliant with Section 301 (Schedule of Use Regulations Table) of the Zoning Ordinance which allows for boat repair and maintenance within the Commercial Waterfront zoning district.

The project is also subject to the requirements of the Subdivision and Land Development Regulations including landscaping and stormwater requirements.

In accordance with Article VIII(B) (Waivers and Modifications: Waiver or Modification of Regulations) of the *Subdivision and Land Development Regulations*, the Planning Board has the authority to waive or modify one or more of the requirements for subdivision or land development approval contained in the *Subdivision and Land Development Regulations* if the Planning Board finds that:

- a. The waiver or modification is reasonable and within the general purposes and intents of the *Subdivision and Land Development Regulations*; and
- b. The literal enforcement of the regulation is impracticable and will exact undue hardship because of peculiar conditions pertaining to the land in question, or waiver or modification of the regulation is in the best interest of good planning practice or design as evidenced by consistency with the Comprehensive Community Plan and the Zoning Ordinance.

### **Review to Date**

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Other than an original pre-application reviewed with the Planning Board on June 24, 2025, no other formal review, other than the applicant's later discussions with Staff, has been conducted.

### **Required Findings**

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In consideration of any waivers that may be requested, the Planning Board needs to make affirmative findings that:

- A. The waiver or modification is reasonable and within the general purposes and intents of the *Subdivision and Land Development Regulations*; and
- B. The literal enforcement of the regulation is impracticable and will exact undue hardship because of peculiar conditions pertaining to the land in question, or waiver or modification of the regulation is in the best interest of good planning practice or design as evidenced by consistency with the Comprehensive Community Plan and the Zoning Ordinance.

In accordance with Article IV.F(3) of the Subdivision & Land Development Regulations, prior to granting Development Plan Review approval the Planning Board shall find that:

- a. The granting of approval will not result in conditions inimical to the public health, safety, and welfare;
- b. The granting of such approval will not substantially or permanently injure the appropriate use of the property in the surrounding area or zoning district;
- c. The plans for such project comply with all the requirements of the Zoning Ordinance and the Subdivision & Land Development Regulations;
- d. The plans for such project are consistent with the Comprehensive Plan; and,
- e. Any conditions or restrictions that are necessary to ensure that these guidelines have been met have been incorporated into the written approval.

### **Draft Motion**

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"The South Kingstown Planning Board hereby grants Preliminary Plan approval for the SHM Silver Spring Minor Land Development application proposing to demolish and reconstruct an existing maintenance

building with associated site improvements on Assessor's Plat 63-3, Lot 60, located at 362 Pond Street, SHM Silver Spring, LLC, *applicant/owner*.

This approval is based upon the submitted plan set "*Preliminary Plan Submission for Safe Harbor Marinas, LLC*, Land Development Project, A.P. 63-3 Lot 60, 362 Pond Street in South Kingstown, Rhode Island, including Sheets 1 through 6, dated July 22, 2025, completed by Principe Company, Inc, 27 Sakonnet Ridge Drive, Tiverton, RI 02878.

This approval is based upon the following Findings of Fact and Conditions of Approval:

***Findings of Fact***

1. The granting of approval will not result in conditions inimical to the public health, safety, and welfare.
2. With the required Conditions of Approval, the granting of such approval will not substantially or permanently injure the appropriate use of the property in the surrounding area or zoning district.
3. With the required Conditions of Approval, the plans for the project comply with all the requirements of the Zoning Ordinance and the Subdivision and Land Development Regulations.
4. The plans for the project are consistent with the Comprehensive Community Plan.
5. Any conditions or restrictions that are necessary to ensure that these findings have been met have been incorporated into this approval.

***Conditions of Approval***

1. Development of the site shall be in strict conformance with the approved site plan unless amended by these Conditions of Approval.
2. The applicant shall obtain all required local and State permits prior to commencing construction and/or installation of site improvements.
3. Prior to any request for a Certificate of Occupancy, a RI registered Professional Engineer shall inspect the installation of site improvements and shall submit certification to the Administrative Officer of the Planning Board that the construction conforms to the approved plans.
4. Prior to any request for a Certificate of Occupancy, a RI licensed Landscape Architect shall inspect the installation of the landscape improvements and submit certification to the Administrative Officer of the Planning Board that the installation conforms to the approved plan and the planting standards of the South Kingstown Subdivision and Land Development Regulations.
5. The applicant shall guarantee all landscape materials depicted on the approved plan set for a period of one (1) year from the date of planting.
6. **And any other conditions deemed necessary by the Planning Board in consideration of this application..."**