

***Procedures for Review of
Warwick Development Projects
which may be affected by
Coastal and Wetland Resources***

The City of Warwick is fast approaching its full residential development capacity or “build-out”. Many properties which remain undeveloped, or not fully developed, are affected by limiting environmental conditions. Where properties previously needed to be suitable for Individual Sewage Disposal Systems (ISDS’s), sewer expansion projects within the City of Warwick have eliminated this requirement in many areas. Although an ISDS is no longer needed to develop residential properties adjacent to sewer lines, many properties within these recently sewered areas are affected by the presence of Coastal and Wetland Resources.

In order to determine if Coastal or Wetland Resources are present before building permits are issued and/or sewer service is extended to undeveloped lots, a Jurisdictional Determination is required from the Rhode Island Coastal Resources Management Council (CRMC). A Jurisdictional Determination may also be required for substantial (greater than 50%) on-ground expansions of existing dwellings. A Jurisdictional Determination, or if required, a CRMC permit must be obtained from CRMC before the City will issue a Building Permit.

To meet these requirements, the following options are available:

1. **Request for CRMC Jurisdictional Determination:** This simplified and reduced fee application may be used to determine if there are any areas subject to CRMC jurisdiction under either the Coastal Program (RICRMP) or the Freshwater Wetlands in the Vicinity of the Coast Program or both programs. This application will result either in a “Non-Jurisdiction Determination” or a “Within Jurisdiction Determination.” In cases where proposed work is within Jurisdiction, the applicant will be informed of the proper application procedure. If the applicant already understands which type of application may be necessary, it is recommended that the appropriate application type be submitted immediately. These additional application types are described below. (Fee is \$25.00)
2. **Request to Determine the Presence of Freshwater Wetlands and Verify Location of Wetland Edge:** If Freshwater Wetlands are present, the applicant may submit an application to verify the “edge” (or boundaries) of wetlands on or adjacent to the property. Where a Wetland Edge Verification is requested, the Wetlands must be “flagged” on-site and identified on a plan to allow CRMC review and verification. If it is determined that Wetlands are not present, or if proposed residential development activities clearly shown on the submitted plans are beyond the limit of Wetland Jurisdictional Areas and do not adversely affect the Wetland, a Statement of Non-Jurisdiction will be issued by the CRMC. The applicant may then proceed with the Plans reviewed by CRMC to the City of Warwick for a Building Permit. (See Freshwater Wetlands application forms for fees).

3. **Request for Freshwater Wetlands Permit (Preliminary Determination or Application to Alter):** In cases where Freshwater Wetlands will be affected by the proposed residential development activities, the applicant must submit the appropriate application materials to CRMC. In such cases, a “Building Official’s Form” from the City of Warwick’s Building Official’s Office will be required. (NOTE: This form does not constitute a City of Warwick Building Permit). (See Freshwater Wetlands application forms for fees).
4. **Request for CRMC Preliminary Determination:** Where proposed residential development projects may be affected by the presence of Coastal Resources (Coastal Wetlands, Coastal Bluffs, Coastal Beaches, Rocky Shorelines, etc.), the applicant may request a Coastal Preliminary Determination. This Determination may be used to determine if the project is subject to CRMC jurisdiction or may be used to obtain preliminary CRMC comments which may help guide the development project. With regard to Coastal Wetlands, it is important to understand that Coastal Wetlands include salt and brackish marshes and any Freshwater Wetlands which are directly adjacent (contiguous) to such marshes. Where Freshwater Wetlands are not contiguous to salt and brackish marshes, they are not considered “Coastal Wetlands”. Please be aware that a CRMC Preliminary Determination does not constitute a permit work unless the project is found to be “Out of Jurisdiction”. (See Coastal Application forms for fees).
5. **Request for CRMC Assent for Work Within the Coastal Zone:** In cases where Coastal Resources (Coastal Wetlands, Coastal Bluffs, Coastal Beaches, Rocky Shorelines, etc) will be affected by the proposed residential development activities, the applicant must submit the appropriate application materials to CRMC. In such cases, a “Building Official’s Form” from the City of Warwick’s Building Official’s Office will be required. (NOTE: This form does not constitute a City of Warwick Building Permit). (See Coastal application forms for fees.)

The CRMC understands that these procedures may seem confusing to the average homeowner. However, applicants may contact the CRMC at 783-3370 for appropriate guidance and for obtaining the necessary CRMC application forms. Where sufficient assistance cannot be provided over the phone, the applicant may request a preliminary meeting with CRMC staff. In some cases, it may be necessary for the applicant to retain an environmental consultant to identify wetlands on site and for preparing site plans. Many Rhode Island Environmental Consultants are familiar with these procedures and can provide appropriate assistance.