

# CRMC DECISION WORKSHEET

2021-03-003

Town of Barrington

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
2021-03-003	Barrington	513 County Road		<b>B</b>	<b>X</b>	<b>X</b>
		Plat	16			
		<b>Owner Name and Address</b>				
Date Accepted	3/2/21	Town of Barrington		Work at or Below MHW		<b>X</b>
Date Completed	9/14/21	283 County Road Barrington, RI 02806		Lease Required		<input type="checkbox"/>

## PROJECT DESCRIPTION

Construct a public recreational structure consisting of a 7' x 60' gangway leading to a 10-19' x 101' low profile float extending 68' seaward of the cited MLW mark; A boat ramp and armored riprap; Coastal bank, coastal buffer and coastal wetland restoration; A viewing platform; New and enhanced walking trails, access paths, parking, trailering and driveway access; Accessory structures such as kayak ramps, fencing, landscaping, etc.; Increased public (including ADA-compliant structures/accessway) access.

## KEY PROGRAMMATIC ISSUES

**Coastal Feature:** Coastal wetland, coastal scarp, manmade shoreline

**Water Type:** Type 1, Conservation Areas, Walker Farm

650-RICR-20-00-01 Sections 1.1.7, 1.1.8, 1.1.9, 1.1.10, 1.1.11, 1.2.1(A), 1.2.2(C), 1.2.2(D),

**CRMP:** 1.2.2E, 1.2.3, 1.3.1(A), 1.3.1(B), 1.3.1(C), 1.3.1(D), 1.3.1(F), 1.3.1(G), 1.3.1(J), 1.3.1(L), 1.3.5, 1.3.6, 1.8

**SAMP:** N/A

### Variations and/or Special Exception Details:

Project requires an **18' length Variance** to Section 1.3.1(D)(8)(l)(2)

Project requires a **Special Exception** to Sections 1.2.1(B)(2)(c), 1.2.2(C)(1)(c), 1.2.2(C)(2)(a), 1.3.1(B)(2)(a), 1.3.1(B)(2)(b), 1.3.1(D)(7)(b), 1.3.1(G)(3)(a), 1.3.1(J)(3)(a) & 1.3.1(L)(3)(a).

### Additional Comments and/or Council Requirements:

The project requires Council hearing due to the requested Special Exceptions

### Specific Staff Stipulations (beyond Standard stipulations):

N/A

## STAFF RECOMMENDATION(S)

Engineer       RAS       Recommendation:       Approval      

Biologist       TAS       Recommendation:       Approval      

Other Staff                      Recommendation:                                     

*Paul H. Janni* 9/24/21  
Engineering Supervisor Sign-Off date

*Amy L...* 9/16/21  
Supervising Biologist Sign-off date

*[Signature]* 28 Sept 21  
Executive Director Sign-Off date

*[Signature]*  
Staff Sign off on Hearing Packet (Eng/Bio) date



STATE OF RHODE ISLAND  
COASTAL RESOURCES MANAGEMENT COUNCIL  
INTER-OFFICE MEMORANDUM

DATE: 2 September 2021  
TO: Jeffrey M. Willis, Executive Director  
FROM: T. Silvia, R. Singer, Permit Staff  
SUBJECT: CRMC File No. 2021-03-003

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Applicant's Name: Town of Barrington

Project: To construct and maintain a public recreational structure consisting of a new dock and paddle-craft boat ramp, parking & public access improvements and habitat restoration.

Location: 513 County Road, Barrington, plat 16, lot 20

Water Type/Name: Type 11 Conservation Areas, Hundred Acre Cove

Coastal Feature: Coastal wetland, coastal bank, manmade shoreline

Recommendation: Approval, standard stipulations withheld pending Council decision

Reviewed Plans: *"Walker Farm Recreation and Resilience Improvements, 513 County Road, Barrington..."* dated February 23, 2001 as last revised July 1, 2021 by Shawn M. Martin, RPE and *"Partial Boundary & Topographic Survey, Portion of AP 16, Lot 20, 'Walker Farm'-Wampanoag Trail, Barrington.."* dated 3/19/2020 as last revised 11/17/2020 by Richard S. Lipsitz, PLS.

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**STAFF REPORT**

**A--SITE LOCATION/HISTORY:**

1) The project site is the southeastern portion of Lot 20, known as "Walker Farm", owned by the Town of Barrington and heavily used for recreation. Activities include yard waste composting, boat ramp, fishing pier and hiking trails. The coastal feature consists of fringe coastal wetland backed by remnant concrete toe (portions) and/or erosive scarp, manmade shoreline (remnant boat house foundation) and areas of contiguous freshwater wetland. Access to the site is via a gravel road and turn-around leading to gravel/grassed parking areas and mowed lawn along the coastal feature. Hiking trails run north from the parking area and boat launching (motor- and non-motorized) and fishing activities are conducted from the existing ramp and pier.

The parcel is located at the southern entrance to Hundred Acre Cove, a Type 1 water body and has been the subject of prior CRMC-permitted coastal wetland restoration projects.

#### B—APPLICATION HISTORY:

1) CRMC permit staff have been involved with periodic discussions with Town personnel for many years regarding potential enhancements to the site. More recently, at the Town's request, CRMC staff participated in pre-application meetings to discuss the project in more detail and an application was accepted in March, 2021. A 30-day Public Notice period commenced May 25, 2021 leading to the receipt of numerous letters of support for the project. Following staff's request, supplemental information was received in June 2021 and revised plans forwarded July 19, 2021. A Notice of Special Exception (Type 1 waters) for the Council hearing was posted August 5, 2021.

#### C—PROJECT DETAILS:

1) The proposed project is to construct a second public recreational structure on the parcel, north of the existing timber pier, consisting of a 7' x 60' gangway leading to a 10' (north)-19' (south) x 101' low profile float extending 68' seaward of the cited MLW mark. The float is to be removed seasonally and used primarily for non-motorized boating access. A paddle craft launch with riprap armoring adjacent to the new pier and a viewing platform adjacent to the existing pier are proposed, as well as roadway and parking access improvements. Public (including ADA-accessible) walkways are proposed as well as accessory structures such as fencing and other landscaping. Additionally, habitat restoration and stormwater management improvements are proposed.

2) More specifically, the restoration work includes removing the remnant concrete along the shoreline and re-grading the bank to reduce wave-action erosion. Invasive plants will be removed and a new tidal runnel and elevation of the existing depression will aid in draining the impounded water currently impacting the wetland during storm and moon tidal events. Native wetland and upland vegetation will be planted to enhance marsh migration and create new buffer zone between the shoreline and access road. Additional buffer zone will also be installed further north as well as fencing to delineate pedestrian access ways and mowed lawn areas.

3) The existing gravel access road will be elevated with additional stone to address current flooding concerns and aid in resiliency to future sea level rise impacts. Parking improvements will include separate areas for trailers and vehicles and pedestrian access, which is currently a safety issue at the site. The project has been designed to comply with the RI Stormwater Design and Installation Standards Manual (RISDISM) to the greatest extent practical. There is a proposed net increase of 12,436 square feet of impervious surface, and stormwater runoff will be treated by qualifying pervious areas. However a small area of the existing roadway drains towards wetlands where no structural best management practice can be practically installed.

4) There is no change to existing runoff patterns in that area, and no increased flow of stormwater to wetlands is proposed.

The view platform will be constructed over the existing concrete foundation and have interpretive signage for the public. Non-motorized paddle craft will have storage racks near the new paddle craft launching area. The heavily utilized existing boat ramp and pier and limited trailer parking/turn-around areas cannot sustain the increasing use of the site without continued conflict. Separating motor/non-motor vessel traffic and providing enhanced parking and launching access while including habitat restoration is a unique opportunity to enhance both public use and safety as well as environmental conditions at this site.

#### D—RICRMP RED BOOK REQUIREMENTS:

- 1) The proposed work requires an 18' length variance to Red Book 650-RICR-20-00-01 Section 1.3.1(D)(8)(1)(2) to achieve 3-4' of water along the float and is consistent with recreational boating depths permitted elsewhere.
- 2) Due to the location of the parcel along a Type 1 shoreline, several Special Exceptions (ref. Section 1.1.8) are required, which are listed below. The applicant has applied for relief to these prohibitions.
- 3) The proposed work within the 50' construction setback is limited to buffer and wetland restoration, water-dependent enhancements and existing roadway/parking areas, therefore no variance is required to Red Book 650-RICR-20-00-01 Section 1.1.9.
- 4) The applicant has submitted a Coastal Hazard Analysis (CHA) in accordance with Section 1.1.10. The project has a chosen design life of 20 years, corresponding to a 2' rise in sea level (SLR). As shown in the CHA, the site access road is impacted at 2' SLR and much of the site is severely impacted by 3' SLR. The Storm Tools Design Elevation (SDE) of 4.4' cited in the CHA is incorrect, the recommended SDE is 16'-20' depending where on the parcel it is reviewed. Although no habitable structures are proposed for the site the existing and proposed gravel access road (infrastructure) will still be impacted by future sea level rise and storm flooding events. This is supported by the Coastal Environmental Risk Index (CERI) which shows current (0'SLR) severe impacts and projected extreme (2') impacts within the chosen design life. However, the Sea Level Affecting Marshes Model (SLAMM) Maps indicate the site to be a likely area for future marsh migration and the proposed habitat restoration portion of the projects will aid in facilitating such migration. Additionally, the storage of floodwaters in this open space recreation area during storm events will also aid in climate resiliency for the site.
- 5) Replacement of mowed lawn and invasive vegetation with native species while creating new areas of buffer zone on the parcel meets the policies of Section 1.1.11 while also enhancing the scenic quality of the area as required by Section 1.3.5.
- 6) Several sections of the Red Book contain policies related to work along Type 1 shoreline/waters. Section 1.2.1(B) contains the policies and standards for protecting Type 1 Conservation Areas. The project requires a Special Exception to Section 1.2.1(B)(2)(c) which states that all work on these shorelines is prohibited except for habitat restoration projects. The policy also states that structural shoreline protection facilities are not permitted for habitat restoration. Similarly, Section 1.2.2 provides guidance for coastal wetland features and Section 1.3.1 refers to specific project activities. Both of these Sections contain prohibitions for work along Type 1 shorelines and/or in Type 1 waters. Specifically, Sections 1.2.2(C)(1)(c), 1.2.2(C)(2)(a), 1.3.1(B)(2)(a), 1.3.1(B)(2)(b), 1.3.1(G)(3)(a), 1.3.1(J)(3)(a) and 1.3.1(L)(3)(a) all state that alterations and activities along coastal wetlands and/or Type 1 coastal banks are prohibited. Lastly, Section 1.3.1(D)(7)(b) also requires a Special Exception for building a recreational boating facility in Type 1 waters. It is staff's opinion that the Special Exception burden of proof of a compelling public purpose is met with the proposed public use of the newly created/enhanced amenities. While a small area of structural shoreline protection is to be installed to stabilize the proposed paddle-craft launching area, remnant shoreline armoring sections are being removed along the project shoreline. Additionally, the proposed habitat restoration of the site, including both coastal wetland and buffer zone creation and enhancement is also providing increased public benefit appearing to meet the requirements for Special Exception relief.

7) The applicant has addressed Section 1.3.1(A) and the project appears consistent with the construction and design standards contained with Section 1.3.1(B)(D)&(G), including proposing a minor amount of fill within tidal waters (12cy) to armor the new launch area. There is no submerged aquatic vegetation (SAV) at the project site and no permanent loss of coastal wetland proposed.

8) Section 1.3.6 indicates that protection and enhancement of public access to the shore is a high priority of the Council. This project builds on an existing public recreation area to create additional safer access opportunities for water and non-water dependent uses such as traditional boating, non-motorized paddlecraft, fishing, hiking and walking trails, wildlife and scenic vista viewing and ADA-compliance. Additionally, the project enhances the migration of imperiled salt marsh habitat and increases native buffer zone habitat, while restoring the previously managed shoreline for increased resilience to sea level rise impacts. Future linkage to nearby Osamequin nature preserve is also a possibility. These activities will protect, promote and enhance public access to the shore along a Type 1 conservation area.

#### E—PUBLIC COMMENT/OTHER APPROVALS:

1) As noted above, the CRMC received numerous vocalized and written support comments for this project, both prior to acceptance of the application and throughout. It is apparent much of the community is in high support of this proposed project.

2) The RIDEM Water Quality Certification was issued for this project on August 3, 2021 and RIHPHC signoff received 3/16/2021.

3) US ACOE received notice of the proposal during CRMC's public notice period, however, staff has no update at the time of this report writing. It appears that applicable permits remain pending at this time and will need to be obtained prior to any work on the project. Should the Council approve the application, such standard stipulation will be included in the Assent.

#### F—SUMMARY/RECOMMENDATION:

It is the staff's opinion that although there are numerous sections of the coastal program that require Special Exception relief for this proposal due to its location along a Type 1 conservation area shoreline, the project is formulated to enhance public access, improve climate resiliency, increase water-dependent activities and restore valuable coastal habitat. As such, staff is of the opinion that the proposed project meets the burdens of proof required for Special Exception relief and recommends approval of the project with standard stipulations held pending Council's Decision.

Signed: \_\_\_\_\_ T. Silvia, Staff Biologist

Signed:  \_\_\_\_\_ R. Singer, Staff Engineer