

CRMC DECISION WORKSHEET

2022-02-065

Town of Narragansett

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
2022-02-065	Narragansett	79 Boston Neck Road		B	X	<input checked="" type="checkbox"/>
		Plat	B			
		Owner Name and Address				
Date Accepted	3/15/23	Town of Narragansett		Work at or Below MHW	<input type="checkbox"/>	
Date Completed	6/6/23	25 Fifth Avenue		Lease Required	<input type="checkbox"/>	
		Narragansett, RI 02882				

PROJECT DESCRIPTION

Construct a roof over existing deck (porch)

KEY PROGRAMMATIC ISSUES

Coastal Feature: Coastal beach and dune system on moderately developed barrier

Water Type: Type 1, Conservation Areas, Rhode Island Sound

Red Book: 1.1.4(A), 1.1.6(F), 1.1.7, 1.1.8, 1.1.9, 1.1.10, 1.2.1(A), 1.2.2(A), 1.2.2(B), 1.2.2(G), 1.2.3, 1.3.1(A), 1.3.1(C), 1.3.5, 1.3.6

SAMP: N/A

Variations and/or Special Exception Details: RICR-Redbook-650-20-00-01 Sections 1.1.9, 1.2.2(B)(1)(C)(3)(AA-BB), 1.2.2(G)

Additional Comments and/or Council Requirements: Consideration of Special Exception

Specific Staff Stipulations (beyond Standard stipulations): N/A

STAFF RECOMMENDATION(S)

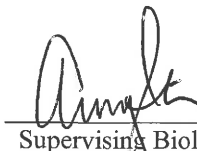
Engineer _____ Recommendation: _____


**Defer for consideration of
Special Exception; Approval
otherwise**

Biologist TAS Recommendation: _____

Other Staff _____ Recommendation: _____


Engineering Supervisor Sign-Off _____ date 6/7/23


Supervising Biologist Sign-off _____ date


Executive Director Sign-Off _____ date 8 JUNE '23

Staff Sign off on Hearing Packet (Eng/Bio) _____ date

Name: Town of Narragansett
CRMC File No.: 2022-02-065
Staff Report



STATE OF RHODE ISLAND
COASTAL RESOURCES MANAGEMENT COUNCIL
STAFF REPORT TO THE COUNCIL

DATE: 6 June 2023
TO: Jeffrey M. Willis, Executive Director
FROM: T. Silvia, Sr. Environmental Scientist

Applicant's Name:	Town of Narragansett
CRMC File Number:	2022-02-065
Project:	To construct a roof over existing deck (porch)
Location:	79 Boston Neck Road; Narragansett: Plat(s): B; Lot(s): 6
Water Type/Name:	1, Rhode Island Sound, Conservation Area
Coastal Feature:	Coastal beach and dune system located on a moderately developed barrier
Plans Reviewed:	"Proposed Deck Roof, Narragansett North Beach Clubhouse, 79 Boston Neck Rd, AP B, Lot 5.." dated Feb 2, 2023 by Town of Narragansett Engineering Dept.

A) INTRODUCTION:

1. The project site is located at the north beach clubhouse facility at Narragansett Town Beach. The existing conditions are a recreational facility with direct access to the Town-owned beach. The coastal feature is the inland edge of foredune zone and/or back of beach directly adjacent to the seaward face of the facility. Prior permits have been issued by the CRMC for work at this facility as well as other nearby portions of the facility.
2. The application was originally submitted 2/17/2022 and was returned Deficient for several reasons, primarily that a maintenance certification request was inappropriate for new work as well as the likelihood of a Special Exception due to the proximity of the proposed work to the coastal feature.
3. After a follow-up with staff in January 2023, the applicant refiled additional information on 3/2/2023, responding to the deficiencies noted. Special Exception criteria were received 4/25/23 and a 30-day public notice period ended 6/2/23 without comment. During this time, staff determined that the Section 1.1.9 and 1.2.2(G) regulations cited in the public notice qualify for Variance relief under Section 1.1.7 rather than the cited Special Exception request (see below).

B) PROPOSED PROJECT/PROGRAMMATIC REQUIREMENTS:

1. The facility consists of a timber-framed structure elevated on wood pilings originally constructed in 1970. The deck area located on the eastern side was expanded under CRMC #2002-05-038 as an accessory structure for hosting community and private function events. The facility is connected to public utilities.
2. A portion of the existing deck is covered by a removable tent and the applicant wishes to replace the tent with a wood framed roof consisting of a prefabricated truss system (36' x 36'). The covered portion will remain open to the east/south (seaward) and be located adjacent to the north/west building walls.
3. Section 1.1.9(B)(4) of 650-RICR-20-00-01 requires commercial and public recreational structures that are not water dependent to meet the minimum 50' setback contained within Section 1.1.9(C).
4. The Coastal Hazard Analysis (CHA), while showing little effects from up to 5' future sea level rise (SLR), indicates Extreme damage impacts under CERI models in future storm event. This is not unexpected, given the erosive, exposed shoreline (VE Flood Zone, Base Flood Elevation (BFE) 15') the facility is located upon, and the applicant is well aware of these hazards.
5. Section 1.2.2(B)(1)(c)(3) (AA-BB) contain requirements for modifications to existing recreational structures located on barrier beaches, which staff will comment on further below:
 - (AA) Work “..shall not occur within or extend into any flood zone designated as V..”
 - (BB) Work “..shall be confined to the existing footprint of disturbance”, defined as “area encompassed by the perimeter of the structural foundation and/or areas determined by the CRMC to be substantially altered due to associated structures, excluding dunes..and areas encompassed within pertinent setback..requirements of this program”
6. Section 1.2.2(G)(d) reiterates the setback requirement, specifically noting ‘in no case shall the dune setbacks be less than fifty (50’) feet” and states that a “special exception shall be required for relief..unless the activity proposed is a beach facility..in which case a variance from the dune setback provisions shall be required..”.
7. Section 1.1.2 #153 defines Structural Lot Coverage (SLC) as ‘that part of a lot..covered by roofed structures of at least two hundred square feet in size...”. For purposes of project review, agency past practice includes as SLC roofed decks (porches), entryway/front landings, screened porches, etc., which are typically connected to the main building.

C) STAFF COMMENTS:

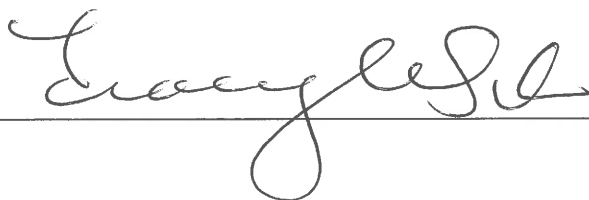
1. Relative to Section 1.1.9(B)(4) and 1.1.9(C), although the project itself is not water-dependent, the existing beach facility use is and it is staff’s opinion that the applicant has met the variance criteria for work within the minimum 50’ construction setback.

2. Similarly, staff is of the opinion that the project also qualifies for a variance under Section 1.2.2(G)(d) regarding the setback requirement, as the project is a component of an existing beach facility.
3. Relative to Section 1.2.2(B)(1)(c)(3) AA & BB, the applicant has submitted a Special Exception request. It is the Council's role to determine if the applicant has met the criteria necessary for relief contained within Section 1.1.8: Special Exceptions:
 - Special exceptions may be granted to prohibited activities to permit alterations and activities that do not conform to a Council goal for the areas affected or which would otherwise be prohibited by the requirements of this document only if and when the applicant has demonstrated that:
 - 1- The proposed activity serves a compelling public purpose which provides benefits to the public as a whole as opposed to individual or private interests. The activity must be one or more of the following:
 - a. An activity associated with public infrastructure such as utility, energy, communications, transportation facilities, however, this exception shall not apply to activities proposed on all classes of barriers, barrier islands or spits except as provided in § 1.2.2(C)(4)(i) of this Part;
 - b. A water-dependent activity or use that generates substantial economic gain to the state; and/or
 - c. An activity that provides access to the shore for broad segments of the public.
 - 2- All reasonable steps shall be taken to minimize environmental impacts and/or use conflict.
 - 3- There is no reasonable alternative means of, or location for, serving the compelling public purpose cited.
4. Relative to #B5 above (AA), although the project is located in a Velocity Flood Zone the local building official oversees floodplain construction regulations and has provided a signoff for this work. This regulation requires Special Exception relief.
5. Relative to #B5 above (BB), while staff does concur that the proposed roof will be over an existing deck (ie, substantially altered area), changing the seasonal tent to a permanent roof increases the SLC (ie, expansion of footprint) of the facility, and this expansion is also proposed within the dune 50' setback area. This regulation also requires Special Exception relief.
6. It is staff's opinion that (CC-EE) of the above cited Section are either met or redundant to (AA) & (BB).
7. No new pilings are proposed, no earthwork will be required and all access will be via the existing building/developed areas. No equipment will be stockpiled on or traverse across existing dune/beach areas. No existing buffer zone/dune vegetation will be impacted by the project.

D) SUMMARY/STAFF RECOMMENDATION:

1. The existing facility has been in use for both private and public functions for quite some time. Charging for beach access is similar to other state and municipal beach facilities during the summer months. The applicant has submitted Special Exception criteria for this work, as instructed by staff. It is staff's opinion that the applicant is most likely to qualify for such relief per Section 1.1.8(A)(1)(c), however this is the Council's authority to determine.
2. Although a more permanent structure representing an increase in SLC on the parcel is proposed, and although the work is located within the minimum setback along a highly dynamic shoreline, current CHA policies remain guidance only at this time and the applicant appears to have designed the project consistent with the remainder of Redbook requirements, except as cited herein.
3. With no direct disturbance expected to the coastal feature(s) at the site, it is staff's opinion that the applicant has minimized environmental impacts to the extent practicable, that there will be no significant environmental impacts from the proposed project and that the applicant has met the required variance criteria. Staff recommends approval should the Council determine the applicant has met the threshold for granting Special Exception relief.
4. Standard stipulations are withheld pending Council's Decision.

Signature: _____



T. Silvia, Staff Biologist