

#### THE BAY CENTER

100 Save The Bay Drive Providence, R.I. 02905 phone: 401-272-3540

#### SOUTH COUNTY OFFICE

8 Broad Street Westerly, R.I. 02891 phone: 401-315-2709 23 America's Cup Ave, First Floor Newport, R.J. 02840

phone: 401-324-6020

March 14, 2024

Jeffrey Willis, Executive Director Rhode Island Coastal Resources Management Council Stedman Government Center - Suite 3 4808 Tower Hill Road Wakefield, RI 02879

Re: CRMC File Number 2022-12-075 - Nicholas Veltri

Dear Director Willis,

Save The Bay objects to the applicant's proposed residential development on Wilson Drive: It does not meet regulatory requirements. Given the small lot size subject to frequent, significant flooding and requiring extensive relief from requirements of the Rhode Island Coastal Resources Management Program (CRMP) and Narrow River Special Area Management Plan (SAMP), we support the staff recommendation of denial. Permitting this application would undermine the regulations promulgated to protect our coastal resources in the CRMP and the SAMP. CRMC staff are the experts on interpreting and applying coastal regulations and their findings and recommendations should be upheld by the Council.

The Narragansett Land Evidence records show that this parcel was purchased by the applicant for \$95,000 with an assessed value of \$185,000 in 2022, a particularly low value given the property's waterfront location along the Narrow River. The staff report notes that the parcel was subject to Preliminary Determination reports in 2017 and 2020 that were written prior to purchase by the applicant. In both reports, CRMC staff cited significant issues related to presence of wetlands and flood hazards, and the extent of the buffer zone and setback requirements on the parcel. The staff reports made it clear that development of this property was not recommended and an application would likely be denied. Based on this information it is obvious that the applicant had an understanding of the restrictions on the property and likelihood that obtaining a permit to construct even a small house with parking would be difficult, if not impossible.

Save The Bay submits that the application should be reviewed as a special exception. Section 4.1.3 of the Narrow River SAMP regulating lands developed beyond carrying capacity states that "[f] or new development, buffers shall be an absolute minimum of 25 feet in width. Variances to the buffer standard shall be consistent with CRMC density requirements, where possible, during CRMC review of town zoning changes to the comprehensive plan." (emphasis provided). Therefore, variances from that buffer width are only allowed during CRMC review of town zoning changes to the comprehensive plan. In promulgating regulations affording heightened protection to the Narrow River, CRMC chose "absolute" to describe the minimum buffer. Diminishing or reducing the buffer is an activity that is prohibited and prohibited activities must meet the standards for a special exception irrespective of whether it is listed as "P" in the activity matrix. The regulations must be applied as written. The applicant cannot meet the requirements for a special exception as it does not serve a "compelling public purpose" or comply with other requirements set forth in Section

1.1.8 of the CRMP. If the Council does not find that an "absolute minimum buffer width of 25 feet" is a prohibition against buffers less than 25 feet, it will repudiate the clear language of the Narrow River SAMP and subvert the necessary protections it affords to the Narrow River.

The application should also be denied because it fails to meet the variance standards as detailed by the March 5. 2024 Staff Report on pages 7 through 9. Setback and buffer regulations exist within the CRMP, Narrow River SAMP, and Rhode Island Wetland Regulations because they serve critical functions to reduce impact to the wetland, specifically the Narrow River. Buffers provide significant values in their own right for wildlife habitat, nutrient removal, stormwater management, and erosion control. Per the staff report, coastal buffer zones provide "protection of water quality by capturing sediment and pollutants as well as absorbing nutrients from stormwater and groundwater." They also provide flood protection and coastal habitat. It is our understanding that the proposed stormwater system (rain garden) will fail during large coastal storm events as experienced this year due to tidal flooding of the property. In essence, no meaningful stormwater controls are proposed. The variance relief requested in this application virtually eliminates required setback distances, severely reducing and potentially eliminating critical buffer zone functions along the Narrow River. It is also likely that the property is providing some level of stormwater, sediment trapping, and flood protection for the surrounding area, and this project would exacerbate existing issues.

CRMC STORMTOOLS and Coastal Environmental Risk Index products indicate that the property is subject to severe inundation and storm damage, which will only increase with sea level rise projections. CRMC's Sea Level Affecting Marsh Migration Model predicts that the low-lying upland will convert to salt marsh under future sea level rise scenarios. Photos from CRMC staff and objectors demonstrate that the parcel is already subject to significant coastal flooding issues which will likely prohibit access to any residential structure during king tides and more frequent storm events and cause increased water quality degradation. Save The Bay fully supports the recommendation of denial submitted by staff.

The cumulative impacts of the proposed development are clearly articulated by CRMC staff. Approving this application would create a dangerous precedent for future applications, encouraging the purchase of other small lots containing wetlands and subject to flooding. We fully support the 2024 staff discussion and findings that the application does not meet variance requirements. We ask you to defer to the experts on staff who are the most knowledgeable in applying the CRMP and Narrow River SAMP and deny this application.

Sincerek

Michael Jarbeau Narragansett Baykeeper mjarbeau@savebay.org

#### **Lisa Turner**

From: bcrampo@aol.com

Sent: Wednesday, June 5, 2024 1:01 PM

To: lturner@crmc.ri.gov

**Subject:** 0 Wilson Dr, 6/11/24 Meeting

I will be attending the meeting for 0 Wilson Dr, Narragansett to speak against the development of of that parcel of land. Please feel free to contact me regarding this matter.

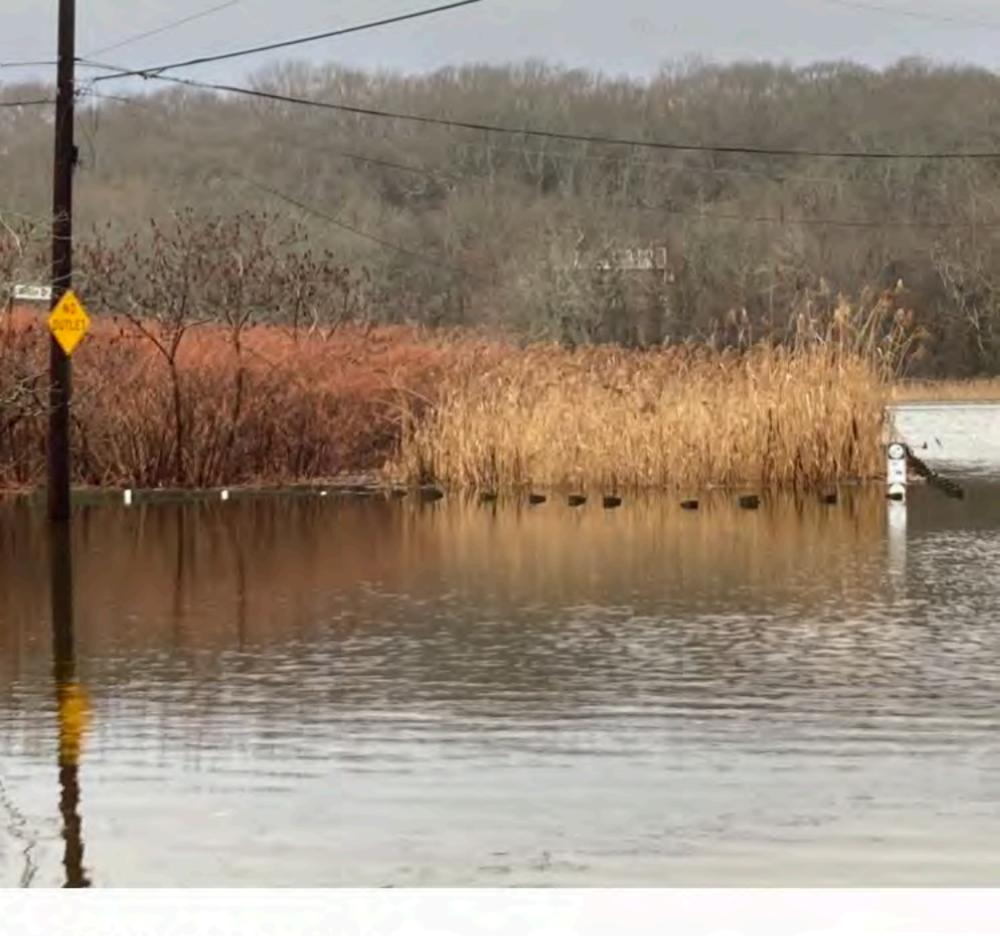
Barbara C Rampo 10 Marsh Lane Narragansett, RI Bcrampo@aol.com 401 741 5877

Sent from the all new AOL app for iOS

#### Cstaff1

N-A

Cotani	•		_
From: Sent: To: Cc: Subject Attach		Patricia Federico <pattif311@gmail.com> Tuesday, January 16, 2024 12:18 PM cstaff1@crmc.ri.gov Tracy Silvia 0 Wilson Drive Narragansett 01_24 e.jpg; 01_24 f.jpg; 01_24 g.jpg; 01_24 h.jpg; 01_24 d.jpg; 01_24 b.jpg; 01_24 a.jpg; 01_24 c.jpg; 12_24 e.jpg; 12_23 c.jpg; 12_23 a.jpg; 12_23 b.jpg; 12_23 d.jpg</pattif311@gmail.com>	g;
Wilson The development attached river as Please of the exist Thank y Patricia	Drive in Narragansett, RI. velopment of this wetland ed photos, with dates, to do it rises during these changes.	development of this 0 Wilson Drive for the protection of this coastal waterway and t.  re for:	
	2022-12-075	File I	
	Narragansett	Tov	
	Nicholas	First Nar	me
	Veltri	Last Nar	ne
	Wilson Drive		
	Wilson Drive		



Wednesday • Jan 10, 2024 • 8:40 AM

**Adjust** 



**MG\_1931** 

## Apple iPhone SE (2nd generation) HEIF



Wide Camera — 28 mm f 1.8 12 MP · 4032 × 3024 · 974 KB

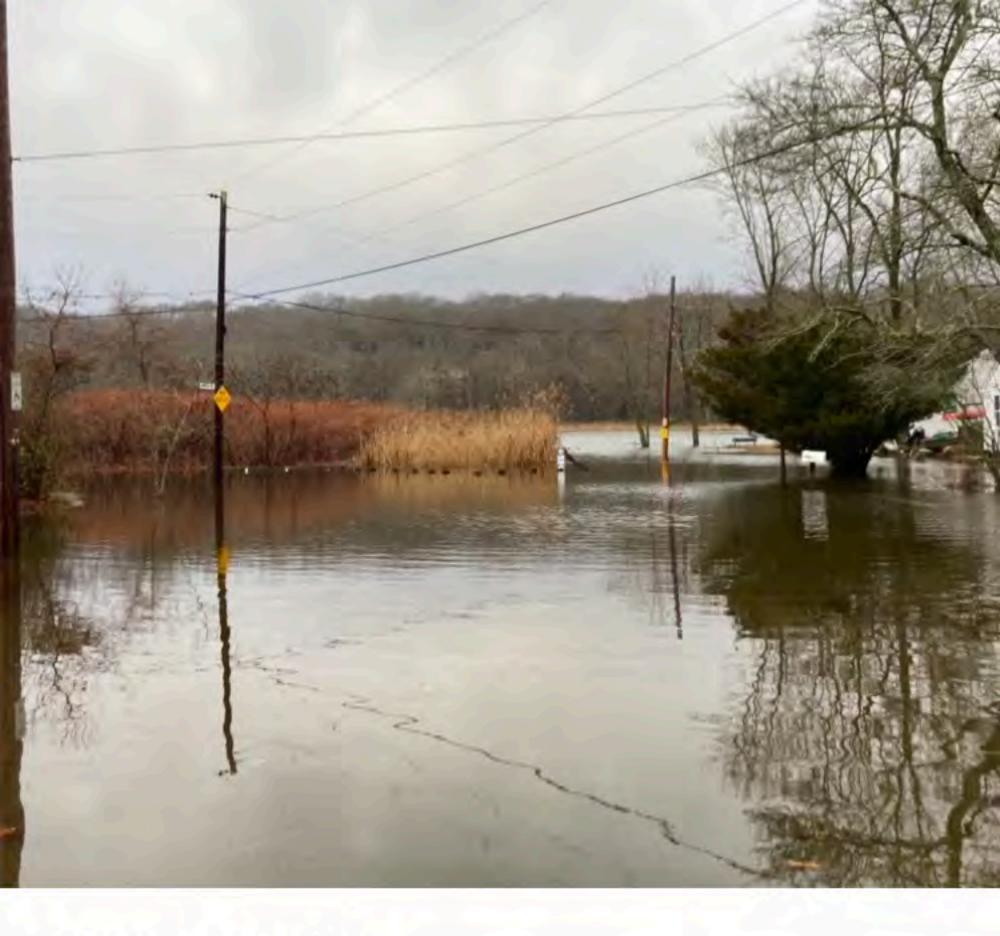
ISO20 80mm Oev f1 8 1/156c











Wednesday • Jan 10, 2024 • 8:40 AM

**Adjust** 



(X) IMG\_1930

### Apple iPhone SE (2nd generation) HEIF



Wide Camera — 28 mm f 1.8 12 MP · 4032 × 3024 · 1.9 MB

32mm Oev









1/4010



Wednesday • Jan 10, 2024 • 8:39 AM

**Adjust** 



(X) IMG\_1928

### Apple iPhone SE (2nd generation) HEIF

Wide Camera — 28 mm f 1.8 12 MP · 3024 × 4032 · 2.4 MB

32mm Oev 1/210c 15020













Look Up Plant >

Wednesday • Jan 10, 2024 • Adjust 8:36 AM

☼ IMG\_1922

Apple iPhone SE (2nd generation)



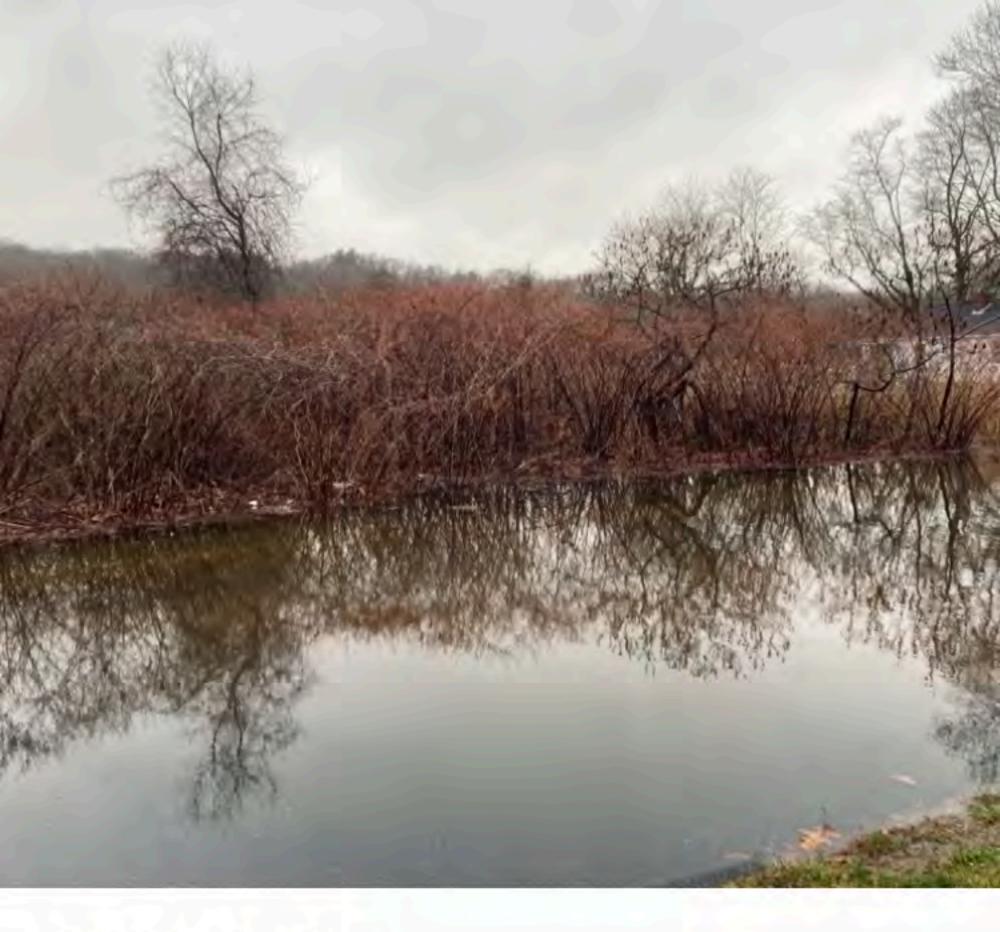
Wide Camera — 28 mm f 1.8











Wednesday • Jan 10, 2024 • 8:35 AM

**Adjust** 



(X) IMG\_1920

### Apple iPhone SE (2nd generation) HEIF

Wide Camera — 28 mm f 1.8 12 MP · 4032 × 3024 · 3.4 MB

15020

28mm Oev

1/177c











Wednesday • Jan 10, 2024 • 8:35 AM

**Adjust** 



(X) IMG\_1919

Apple iPhone SE (2nd generation) HEIF



Wide Camera — 28 mm f 1.8 12 MP · 4032 × 3024 · 3.9 MB

ISOSO

28mm Oev

1/1056













Look Up Plant >

Wednesday • Jan 10, 2024 • Adjust 8:34 AM

(S) IMG\_1917

Apple iPhone SE (2nd generation)



Wide Camera — 28 mm f 1.8













Look Up Plant >

Wednesday • Jan 10, 2024 • Adjust 8:33 AM

(X) IMG\_1915

Apple iPhone SE (2nd generation)



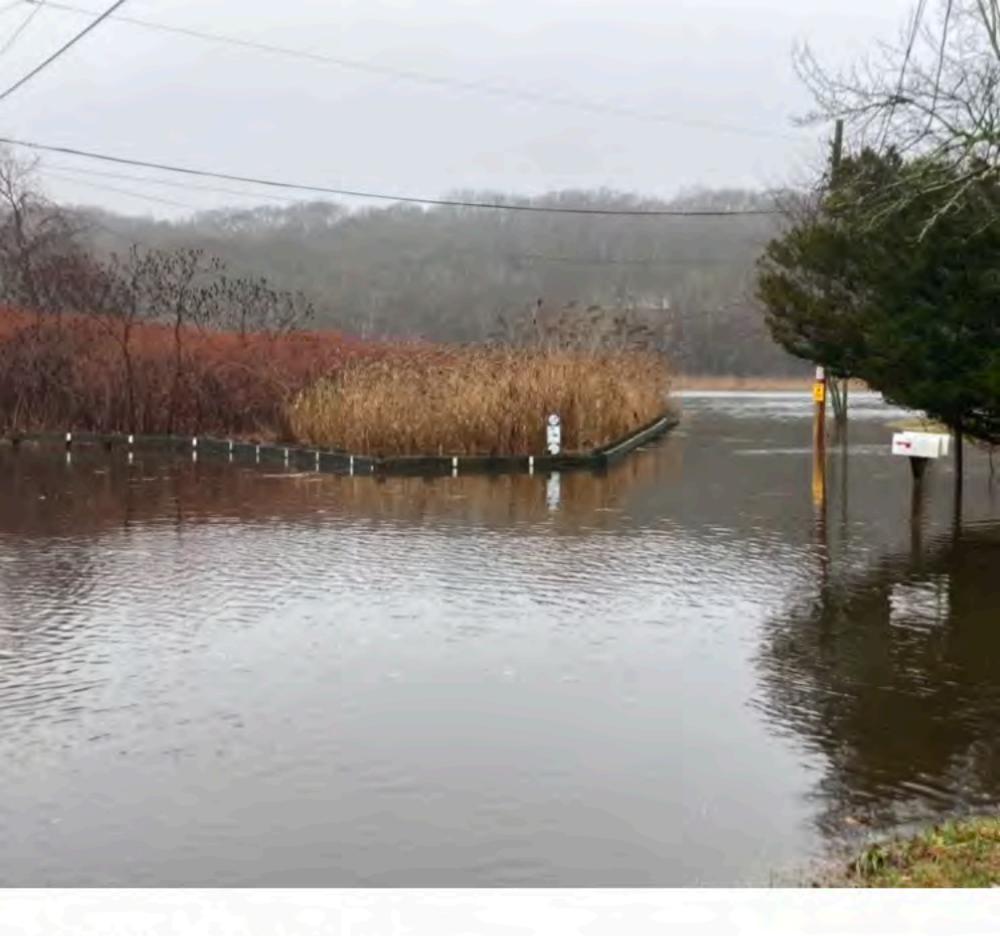
Wide Camera — 28 mm f 1.8











Monday • Dec 18, 2023 • 12:54 PM

**Adjust** 



(X) IMG\_1874

## Apple iPhone SE (2nd generation) HEIF



Wide Camera — 28 mm f 1.8 12 MP · 4032 × 3024 · 1.4 MB

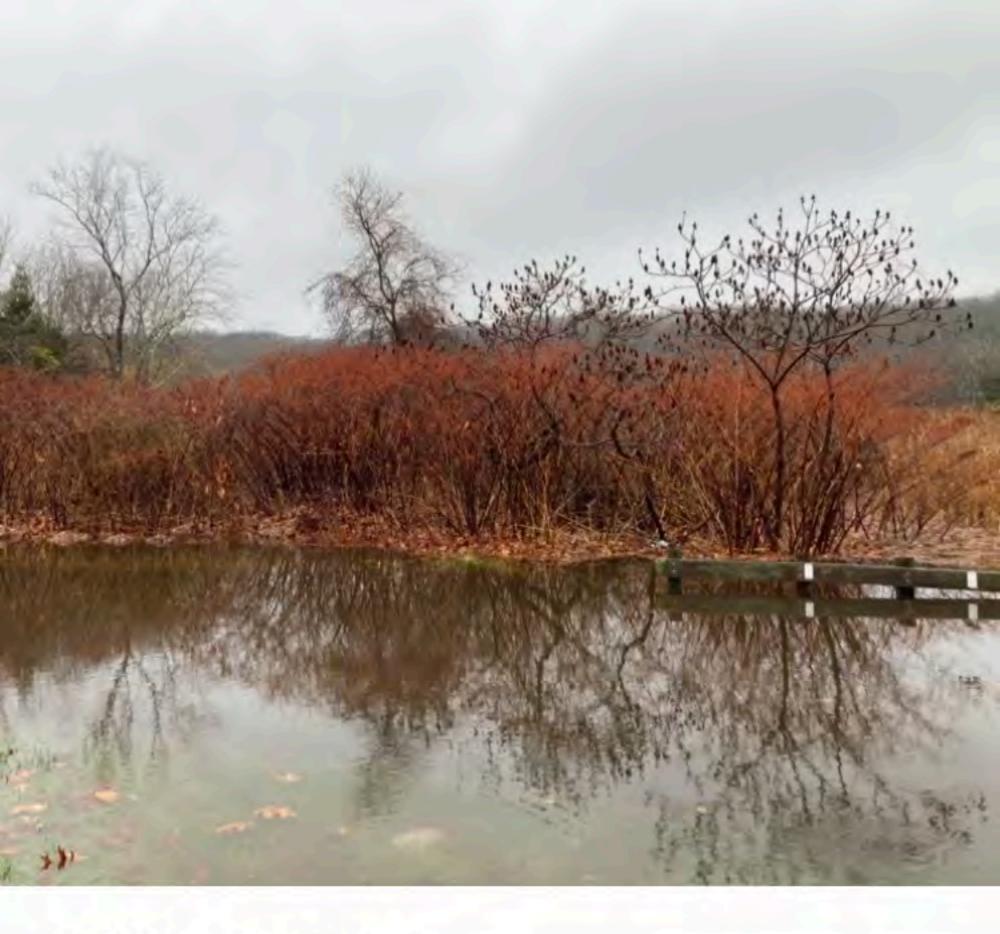
ISO20 45mm 0ev f18 1/13/10











Monday • Dec 18, 2023 • 1:13 PM

**Adjust** 



(X) IMG\_1877

## Apple iPhone SE (2nd generation) HEIF



Wide Camera — 28 mm f 1.8 12 MP · 4032 × 3024 · 3 MB

28mm | 0ev | f1 8

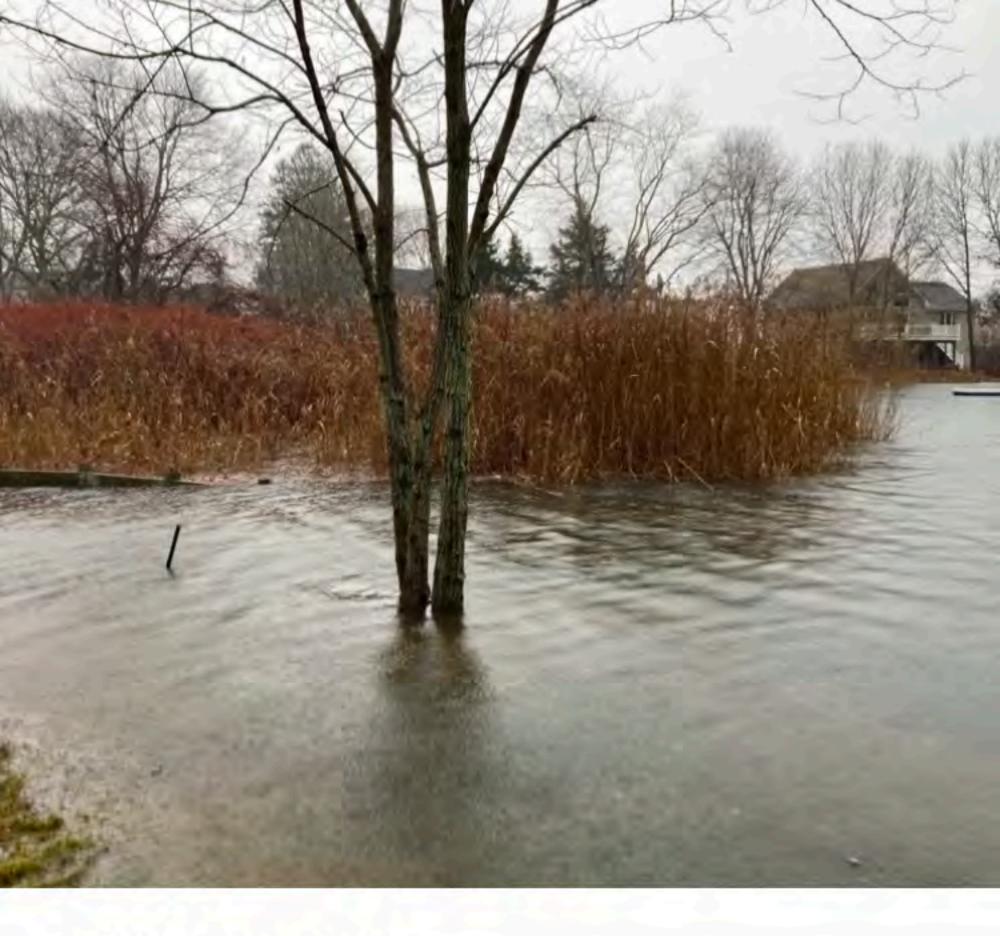
1/2860











Monday • Dec 18, 2023 • 1:18 PM

**Adjust** 



(3) IMG\_1878

### Apple iPhone SE (2nd generation) HEIF



Wide Camera — 28 mm f 1.8 12 MP · 4032 × 3024 · 2.7 MB

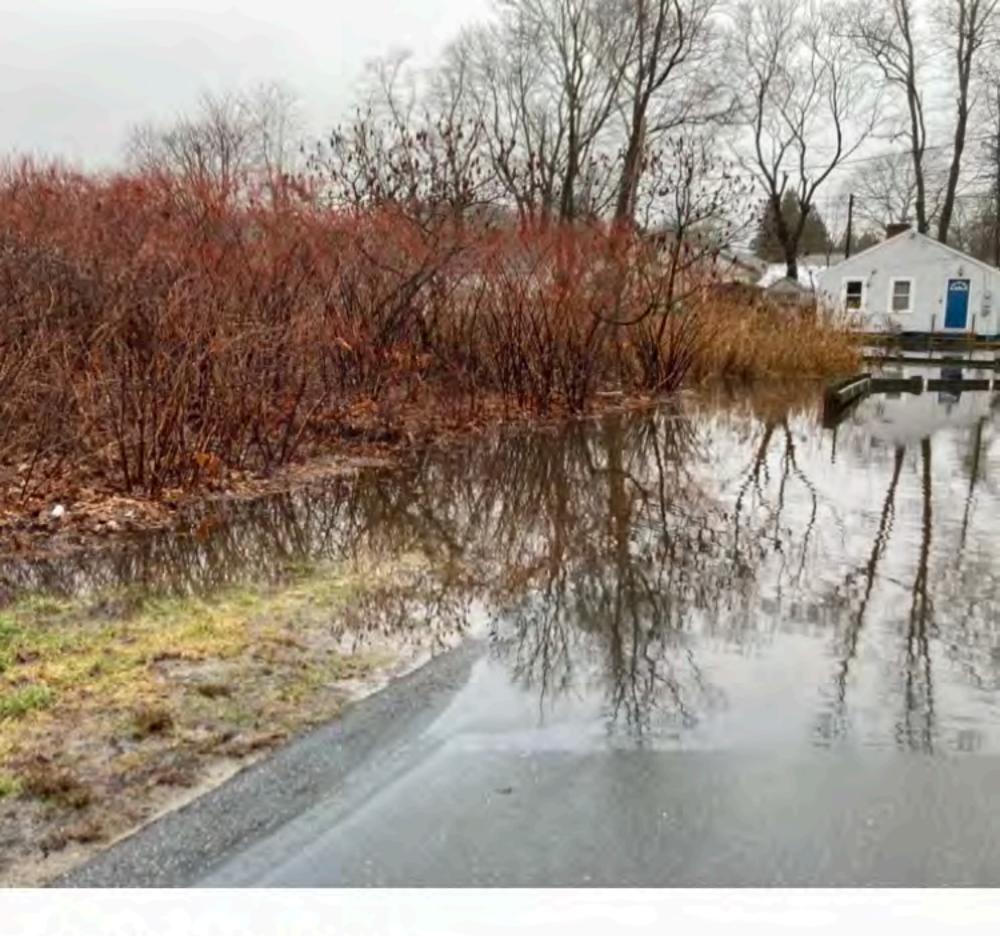
28mm | 0ev | f1 8 19064











Monday • Dec 18, 2023 • 2:06 PM

**Adjust** 



**MG\_1881** 

### Apple iPhone SE (2nd generation) HEIF



Wide Camera — 28 mm f 1.8 12 MP · 4032 × 3024 · 3.2 MB

28mm 0ev f1 8 1/121c 15050











Monday • Dec 18, 2023 • 2:09 PM

**Adjust** 



(X) IMG\_1882

### Apple iPhone SE (2nd generation) HEIF



Wide Camera — 28 mm f 1.8 12 MP · 4032 × 3024 · 2.2 MB

1/1210 28mm 0ev f18 15025









#### Cstaff1

From: Sent: To:		Tracy Silvia <tsilvia@crmc.ri.gov> Monday, December 18, 2023 3:22 PM 'Cstaff1' FW: 0 wilson drive</tsilvia@crmc.ri.gov>
Subject: Attachm	ents·	0 wilson 1.jpg; 0 wilson 4.jpg; 0 wilson 3.jpg; 0 wilson 2.jpg
Actue	circs.	o wilson 1,jpg, o wilson 4,jpg, o wilson 5,jpg, o wilson 2,jpg
Follow U Flag Stat		Follow up Flagged
For 22-12	2-75	
Sent: Mo To: tsilvia	tricia Federico <pattif311 Inday, December 18, 202 a@crmc.ri.gov 0 wilson drive</pattif311 	
the devel	•	Narragansett. Are you still the contact person to submit supplemental information for in Narragansett? If so, I would like to submit some photos from todays storm. Here is
2	2022-12-075	File No
		Town
٨	Narragansett	First Name
N	Nicholas	
V	/eltri	Last Name
V	Vilson Drive	
V	Vilson Drive	

Construct a 2-bedroom single family dwelling

Dwelling, Sewered

28-K

Narrow River (Narragansett)

**Easement** 

0

Acceptance Date

Dec 23, 2022

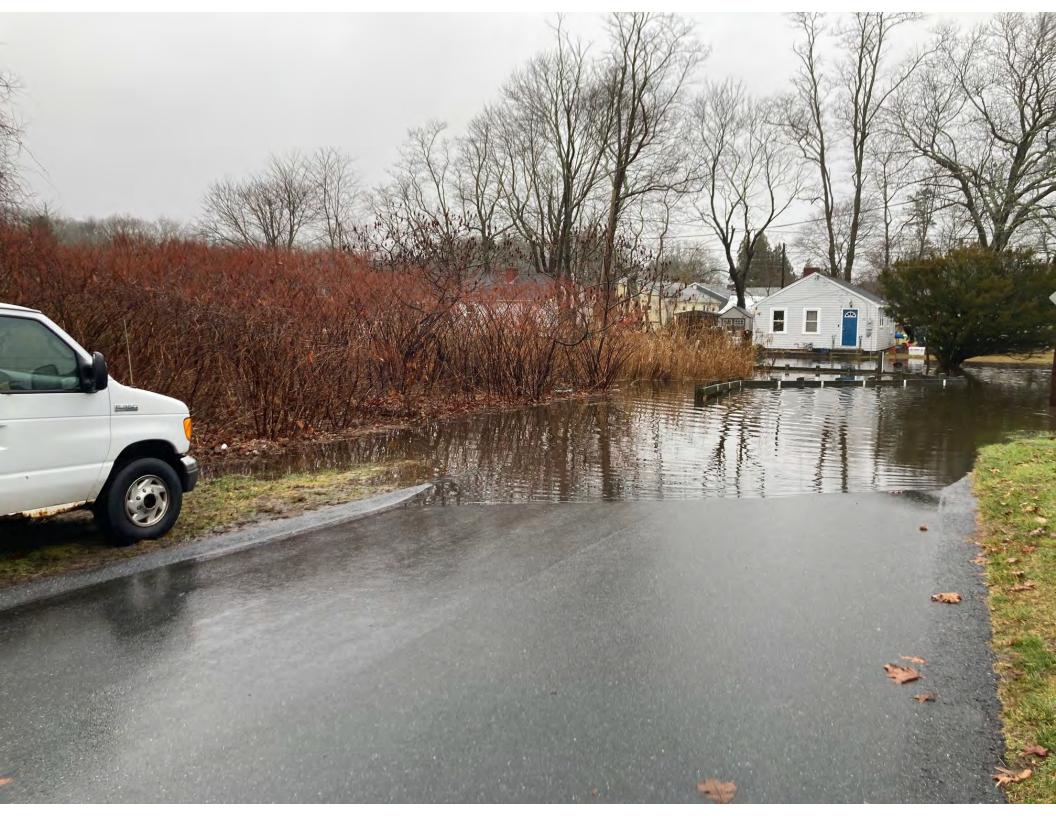
Attached are the photos from today. The neighborhood still believes developing this wetland will impact the water levels around our homes even more as storms become more severe.

Thank you for your attention to this matter.

Please feel free to contact me with any questions.

Patricia Federico









#### Cstaff1

From: Tracy Silvia <tsilvia@crmc.ri.gov>
Sent: Thursday, February 9, 2023 2:18 PM

To: 'Cstaff1'
Cc: Lisa Turner

**Subject:** FW: File - 2022-12-075

Attachments: PTIA\_RESOLUATION\_EXECUTED.pdf; IMG\_6127\_petta view.jpg; retention.jpg; corner of

shore\_petta.jpg; 20221223\_083843\_retention\_wilson.jpg

Follow Up Flag: Follow up Flag Status: Flagged

#### Letter(s) of objection-Veltri

From: Patricia Federico [mailto:pattif311@gmail.com]

Sent: Thursday, February 9, 2023 1:20 PM

**To:** tsilvia@crmc.ri.gov **Subject:** File - 2022-12-075

#### Hello Tracy,

I am sending some information and a question regarding the stated file number (2022-12-075) for the proposal of a house to be built at Plat N-A, Lot 28-K, 0 Wilson Drive Narragansett.

Question - CRMC maps indicate the area next to the boat ramp on Pettaquamscutt Ave as being a wetland yet I don't recall the proposed developer getting a variance on that side of the site of development. Can you clarify if that is so?

Also want to make sure CRMC is aware of the outfall drainage pipe on the property of 0 Wilson Dr that was part of a \$1.5 million stormwater quality improvement project funded by DEM approved by CRMC per Assent #A2009-04-008. The drawings of proposed dwelling appear to be very close to, if not on top of this outfall pipe. This is a concern of the neighbors.

Attached is a resolution written and signed by the Pettaquamscutt Terrace Improvement Association (PTIA) Executive Board members regarding the neighborhood's opposition to the development of this wetland.

I am also attaching some recent photos from December '22 storm with yet another tidal rise that put Lot 28-K, 0 Wilson Drive Narragansett under water, again. The frequency of this level of tidal surge has increased significantly over the 20 years I have resided in this neighborhood.

Thank you so much for reviewing this matter and please do not hesitate with any questions you may have. Patricia Federico
9 Wilson Drive
Narragansett, RI

### Pettaquamscutt Terrace Improvement Association (P.T.I.A.)

#### RESOLUTION OF THE ASSOCIATION

### "A RESOLUTION REGARDING OPPOSITION TO THE DEVELOPMENT OF OWIISON Drive, Plat N-A, Lot 28-K"

WHEREAS the PTIA, which is comprised of approximately 165 households, in keeping with our Mission Statement, which is to protect and promote the best interests of its residents and strive for the improvement and betterment of all public facilities, is concerned about the environmental impact such development would have on the surrounding area which includes the Narrow River Watershed, wetlands, and wildlife.

**WHEREAS,** on June 21, 2022, the PTIA voted unanimously in opposition to any development on the vacant wetland lot, Plat N-A, Lot 28-K, 0 Wilson Drive, Narragansett (Wyss).

**WHEREAS** the PTIA unanimously agreed to support the results from Biologist Craig Wood, Secretary of the Narrow River Preservation Association in a letter to the zoning board on April 12, 2022:

"NRPA believes approval of the requested relief will cause unnecessary degradation to Narrow River, create conditions inimical to public health and safety, and would establish an unfortunate precedent of unsound development practices within a community facing the severe consequences of a changing climate."

**WHEREAS** The PTIA unanimously agreed to support the CRMC Preliminary Finding Report File # D2020-11-091 citing the requirement of several setback variances and a special use permit:

- "6) ... ("absolute minimum width" per the Narrow River SAMP) is not met... Likely, a 100% buffer zone variance is still required for this proposal, which staff cannot support."
- "8) ... Regardless of variance relief (which staff is unlikely to support), the likelihood of future sea level rise impact to this site remains high. As such, staff is likely to provide denial recommendations to the full Coastal Council for this project.

### By Order of the Pettaquamscutt Terrace Improvement Association

Signed by Executive Board Members on July 6, 2022.

Victoria Hathaway

President .

Ingrid Melton

Secretary

Carol Hamlin

Vice President

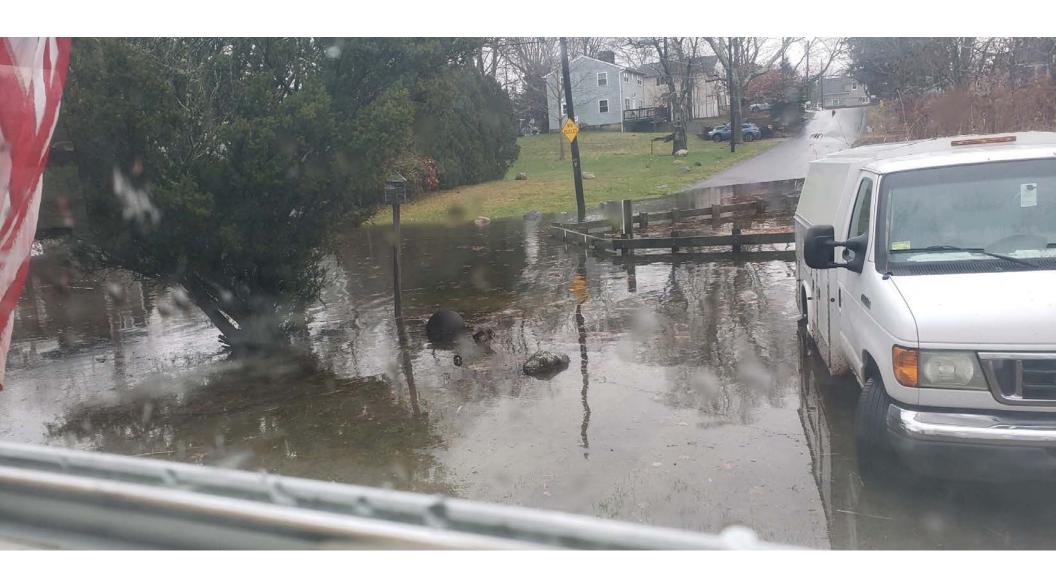
Michelle Hicks

Treasurer









PO Box 8 ~ SAUNDERSTOWN, RI 02874 ~ 401-783-6277 www.narrowriver.org ~ nrpa@narrowriver.org

March 31, 2023

Tracy Silvia
Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: CRMC 2022-12-075 0 Wilson Drive

Dear Ms. Silvia:

The Narrow River Preservation Association (NRPA) is designated by the RI Rivers Council as the "state-designated Watershed Council" for the Narrow River (Pettaquamscutt Estuary) Watershed. In accordance with General Laws of Rhode Island Section 42-28-8, NRPA is provided the opportunity to evaluate and comment on proposed actions so that any resulting comments may be considered by the responsible agency. The designation also gives legal standing to NRPA for appearances and to present testimony on behalf of Narrow River and its watersheds before local and state public bodies.

In this capacity, NRPA offering the following observations and comments on the proposed dwelling at 0 Wilson Drive:

- The applicant is requesting to construct an approximately 32' x 24' irregularly shaped, 2-bedroom single family house within a very small substandard (8,077 sf) lot, located within an R-10 Zoning District.
- To our disappointment, the Zoning Board issued multiple forms of relief to local ordinances including a Special Use Permit from the Coastal and Freshwater Wetlands Overlay District, a Variance and Special Use Permit from the Coastal Resources Overlay District, a Variance from the Dimensional Regulations, and a Variance from the Supplement Lot and Bulk Regulations – Lot Area Requirements.
- The current assent application is seeking extraordinary relief (50 -75% variance) from the required 25-foot buffer zone (per Section 1.1.11) and required 50-foot setback (per Section 1.1.).
- The applicant is proposing to maintain only a 7-foot buffer zone based on a building width envelope of only 5 feet. It is our opinion that a single-family dwelling cannot be constructed and maintained within a five-foot envelope and inevitability with result in direct and indirect impacts to the remaining buffer zone and coastal feature during both construction and over the design life of the structure.
- Further, Section 4.4.3(C)(1)(c) of the Narrow River SAMP states that for new development proposed on an existing lot within Lands Developed Beyond Carrying Capacity "buffers shall be an absolute minimum of 25 feet." NRPA played an instrumental role in the creation of the Narrow River SAMP as the first of its kind in the State. We urge CRMC to strongly consider why the words "shall" and "absolute minimum" were included in this section.

PO Box 8 ~ SAUNDERSTOWN, RI 02874 ~ 401-783-6277 www.narrowriver.org ~ nrpa@narrowriver.org

- As demonstrated by the applicant, this lot is further constrained by the susceptibility to inundation from future high tides alone not considering consequences of additional flooding from increasingly frequent low energy coastal storms. It is our opinion that a rain garden that will become frequently inundated will not function as designed and as a result will release pollutants to surface flood waters prior to treatment via groundwater infiltration.
- In seeking the extraordinary relief from the required 25-foot buffer zone and required 50-foot setback, the applicant must demonstrate the proposed alteration conforms with applicable goals and policies of the CRMC per Section 1.1.7. It is the Council's goal is to preserve and, where possible, restore all coastal wetlands. Further, it is the Council's goal to provide for maximum coastal buffer zone widths for projects abutting coastal wetlands that are adjacent to Type 1 and 2 waters. The multiple benefits coastal buffer zones provide (e.g., protection of water quality, protection of coastal habitat, erosion control) will be significantly compromised by the proposed development.

In summary, NRPA strongly believes the lot is simply too constrained to support the proposed dwelling and other proposed features, including stormwater management, without both short and long-term consequences to the buffer zone and immediately adjacent coastal feature. Thank you for the opportunity to comment on this matter.

Sincerely,

Craig Wood, PWS

NRPA Vice President

#### Cstaff1

From: Martha Callan <mcallan3@verizon.net>
Sent: Monday, March 13, 2023 3:29 PM
To: cstaff1@crmc.ri.gov; Martha Callan
Subject: file # 2022-12-075 Objection

Follow Up Flag: Follow up Flag Status: Completed

To: CRMC

From: Martha Callan( N-A-28-J; N-A-28-G)

am writing to express my concerns regarding an application to build a home on 0 Wilson Dr. Narragansett (file number 2022-12-075). I am an abutting property owner on 2 sides (south & partially west). My family and I have been familiar with the lot in question since the mid1950s. It has always been considered a swamp. Before 1970 people on the Terrace sometimes used it as a dump, throwing appliances, mattresses etc. into the wettest portion near the center of this property. I am concerned that if a house is built, run off from someone washing a deck, house siding or a car will produce runoff that would negatively impact water quality where people and ducks swim. The same for any leakage of antifreeze or oil from a motor vehicle parked there. Ducks are frequently found along that particular shoreline. I swim in front of this lot as do others. The land in question has experienced severe flooding when the wind, rain and high tide occur at the same time. This is happening now before further projected sea level rise. There will be no safe parking area for the home. Because that property so easily floods, I feel it acts as a buffer easing the impact on my Wilson Drive property from high water. There used to be an abundance of fireflies and some rabbits on the surrounding land, but as the lots got developed those animals mostly disappeared. I wonder what other wildlife will diminish or disappear if these wetlands are built upon. Also the design of the house requiring elevation seems out of character for the neighborhood.

In my opinion this applicant will not be subjected to any hardship if this application is denied. Mr. Veltri only recently purchased this land knowing it would be a difficult task to build on it. The fact that so many variances are being required should be reason enough not to allow a building there. **Due to the nature of these wetlands**, the applicable and required standards cannot be met. So I am objecting to this application for the many and varied reasons I have stated.

Sincerely, Martha Callan