

CRMC DECISION WORKSHEET

2022-12-075

Nicholas Veltri

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
2022-12-075	Narragansett	Wilson Drive		A	<input type="checkbox"/>	X
		Plat	N-A			
		Owner Name and Address				
Date Accepted	12/23/2022	Nicholas Veltri		Work at or Below MHW		<input type="checkbox"/>
Date Completed	3/1/2024	159 Col. John Gardner Road Narragansett, RI 02882		Lease Required		<input type="checkbox"/>

PROJECT DESCRIPTION

Residential development consisting of a 2-bedroom single family dwelling, pervious drive and stormwater BMP, serviced by public utilities.

KEY PROGRAMMATIC ISSUES

Coastal Feature: Coastal wetlands

Water Type: Type 2, Low Intensity Use, Narrow River

Red Book: 1.1.2, 1.1.4(A), 1.1.6(G), 1.1.7, 1.1.9, 1.1.10, 1.1.11, 1.2.1(B), 1.2.2(C), 1.2.3, 1.3.1(B), 1.3.1(C), 1.3.1(F), 1.3.4, 1.3.5, 1.8

SAMP: Narrow River, Lands Developed Beyond Carrying Capacity

Variances and/or Special Exception Details:

18' buffer zone variance (72%)

20' buffer-derived setback variance (80%)

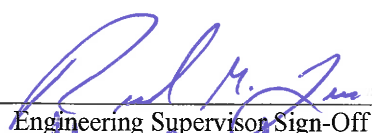
37.5' construction setback variance (75%)

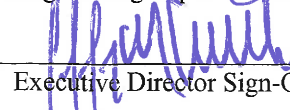
Additional Comments and/or Council Requirements: Consideration of Objectors' Comments

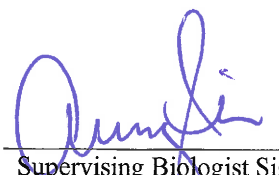
Specific Staff Stipulations (beyond Standard stipulations): Deed Restriction Requested if Approved

STAFF RECOMMENDATION(S)

Engineer	_____	Recommendation:	_____
Biologist	TAS	Recommendation:	Denial
Other Staff	_____	Recommendation:	_____

 3/13/24
Engineering Supervisor Sign-Off date

 13 March 24
Executive Director Sign-Off date

 3/13/24
Supervising Biologist Sign-off date

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



STATE OF RHODE ISLAND
COASTAL RESOURCES MANAGEMENT

BIOLOGIST ADDENDUM

TO: Jeffrey M. Willis
DEPT: Executive Director, CRMC
FROM: T. Silvia, Sr. Env. Scientist
DEPT: CRMC PERMITTING SECTION
SUBJECT: Category A Application

CRMC File Number: 2022-12-075
Name: Nicholas Veltri
Location: Wilson Drive, Narragansett; AP: N-A, Lot 28-K
Water Type/Name: Type: 2; Low Intensity Use, Narrow River (Narragansett)
Coastal Feature: Coastal wetland
Project Description: New dwelling

COMMENTS:

- 1) This addendum is to correct an error in the original staff report and comment on additional information which was relayed to staff since the staff report was prepared.
- 2) In the 3/5/24 original staff report for this application, in Section D, staff incorrectly cited the Town Engineer regarding communication on the adjacent stormwater BMP. Staff conversations were via the DPW staff, not the Engineer for the Town.
- 3) Since then, in May 2024, staff did have more recent conversation/email correspondence with both the Town DPW and Engineering staff regarding the Town BMP. Specifically, with reference to comments by staff further in Section D, the applicant has provided an updated property survey to the Town, verifying that the Town outfall components are within the Town-controlled ROW and not on the applicant's parcel.
- 4) With this new information, it is still staff's opinion that substantive objections have been received for this project and that a new residence on the subject parcel is likely to increase stormwater flooding impacts to the area, already a burden for the existing Town stormwater BMP and neighboring landowners. Staff recommendation for denial of the project remains unchanged.

Signed

Staff Biologist

AS OK AS -
RL -
SW OK
6/14 add. to
John
rel TS



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

DATE: 5 March 2024
TO: Jeffrey M. Willis, Executive Director
FROM: T. Silvia, Sr. Environmental Scientist

Applicant's Name:	Nicholas Veltri
CRMC File Number:	2022-12-075
Project:	Residential development consisting of a 2-bedroom single family dwelling, pervious drive and stormwater management serviced by public utilities.
Location:	Wilson Drive; Narragansett: Plat(s): N-A; Lot(s): 28-K (<i>merged with Lot 28-L</i>)
Water Type/Name:	Type 2, Narrow River (Narragansett), Low Intensity Use
Coastal Feature:	Coastal wetlands
Plans Reviewed:	<i>Two sheets by Nicholas Veltri, PLS dated October 2020, last revised 11/18/21 entitled "Property Site Plan/Site Layout Plan...Narragansett...AP N-A, Lot 28K & 28L, Nicholas & Marjorie Veltri.."; Scott P. Rabideau, PWS 12/5/2022 narrative</i>
Recommendation:	Denial

A) INTRODUCTION/SITE HISTORY:

1--This application is for an elevated 603sf two-bedroom single family home serviced by public sewer and water, as well as pervious parking for stormwater management. A walkway to stairs and deck are also proposed, with minimal buffer zone and site grading. The overall design is typical of residential projects, however significant variance relief to the buffer zone and setback requirements is needed.

2--The parcel is located at the intersection of Wilson Drive and Pettasquamscutt Ave (*Figure 1*) directly abutting CRMC-Designated Public ROW C-10, which is also owned and utilized for Town stormwater control; Plat N-A, Lot 28-K appears to be a merger of Lots 28-K and 28-L prior to current ownership.

Total lot size per the submitted plans is 8,077sf, requiring a full coastal buffer zone, construction setback and stormwater management for new development. The lot is also within the Narrow River Special Area Management Plan's (NR SAMP) Lands Developed Beyond Carrying Capacity (LDBCC) designation and is located down-gradient of surrounding dense development, one of the few remaining undeveloped lots. Approximately half of the site (*Figure 2*) is coastal wetland dominated by invasive *Phragmites australis* and the remaining upland is dominated by similarly invasive Japanese knotweed (*Polygonum cuspidatum*).

3--Prior CRMC action for the site includes several pre-application discussions in the past decade with potential buyers as the lot was listed for sale, followed by Preliminary Determination (PD) #2017-09-005. The PD report noted the wetland delineation and almost 100% buffer zone and construction setback variances for a 1000sf dwelling/600sf parking area. Staff also noted the current/predicted sea level rise (SLR) impacts to the site and advised the variance request was unlikely to be supported. The owner then requested PD report #2020-11-091, which cited similar concerns. Staff confirmed the coastal feature noting the staff-recommended Coastal Hazard Analysis (CHA) within STORMTOOLS showed likely impacts to the site from future SLR/flooding. Although the dwelling was reduced in size (740sf), large variances were still required, which staff could not support. Staff advised this request was also unlikely to be supported and that denial staff recommendations would be likely.

4--Single family residential development typically does not require a 30day public notice period, however numerous comments were received following CRMC acceptance of this application last winter. Concerns were mainly due to the existing and expected future flooding concerns of the area including stormwater management (*see "D" below*). While the applicant has further reduced the dwelling and parking areas from the prior PDs, staff recommends denial of this project based on the significant overall variances still required for development of the site as well as the current and expected future climate change impacts.

B) APPLICABLE POLICIES, STANDARDS, ETC

1.1.2(A)	Definitions - <i>C below</i>	#21 Buffer Zone definition
1.1.4(A)(1)(c)	Tidal Waters, Shoreline Features, Contiguous Areas	A permit is required for work within the 200' contiguous area to the shoreline feature
1.1.6(G)	Substantive Objection- <i>D below</i>	Staff opinion--Substantive Objections were received
1.1.7	Variances- <i>C below</i>	18' buffer zone variance (72%) is required 20' buffer-derived setback variance (80%) is required 37.5' construction setback variance (75%) is required

1.1.9	Setbacks, <i>below</i>	The project requires a minimum 50' construction setback and 32' buffer-zone-derived setback
1.1.10	Climate Change & Sea Level Rise, <i>below</i>	Coastal Hazard Analysis (CHA) worksheet was submitted for new development/work within setback
1.1.11(B)(3) & 1.1.11(B)(7)(a)	Buffer Zones, <i>below</i>	New residential development on this parcel size requires a minimum 25' coastal buffer zone
1.2.1(C)	Type 2 Low Intensity Use	Low intensity residential & recreational activities
1.2.2(C)	Coastal Wetlands	Approximately half the lot contains coastal wetlands and Type II requires maximum buffer widths
1.2.3	Areas of Historic & Archaeological Significance	The RIHPHC provided a letter of no objection
1.3.1(B)	Filling, Removing or Grading of Shoreline Features	Project includes sedimentation and erosion (S&E) controls for minor filling/grading per this Section
1.3.1(C)	Residential... Structures	Building official signoff letter is provided
1.3.1(F)	Treatment of Sewage & Stormwater, <i>below</i>	A public sewer connection is available for the lot; The project proposes a rain garden stormwater BMP
1.3.4 & NR SAMP Sections 4.3/ 4.4	Narrow River Special Area Management Plan (NR SAMP), <i>below</i>	NR SAMP's 200' contiguous zone, lot within Lands Developed Beyond Carrying Capacity (LDBCC), requirements similar to Redbook, minimum 25' BZ
1.3.5	Scenic Value... Coastal Region	Dwelling higher than surrounds with no screening
1.8	SLAMM maps, <i>below</i>	The lot can potentially accommodate marsh migration

1) **Section 1.1.9**--Construction setbacks are measured from the inland edge of the coastal wetland, a minimum 50' on this lot; The applicant proposes a 12.5' construction setback to the closest dwelling foundation point, a 37.5' (75%) variance (similar to prior PD). A buffer-derived setback (buffer zone + 25') is also required, measured from the inland edge of the buffer zone to proposed earthwork/construction. The project has a 5' buffer-derived setback from the proposed buffer zone to the closest foundation point, a 20' (80%) variance (minor change from prior PD); Only a 3-5' buffer-derived setback to the deck/stairs is proposed, inconsistent with prior PD comments regarding CRMC past practice of a minimum 10' from accessory structures (which are exempt from the full 50'). The NR SAMP Section 4.4(E), Table 1 also requires a construction setback of '*coastal buffer plus 25 feet*'.

Setback distances offer protection to the coastal wetland and buffer zone from nearby development impacts such as sedimentation, pollution, lighting effects and also direct wildlife disturbance, as well as provide an area for landowner access and maintenance of structures. The setback is also typically utilized as the owner's backyard. The reduced buffer-derived setback distance in this proposal does not appear to provide adequate room around the home and accessory structures for continued safe access and maintenance.

As important, the reduced 50' construction setback exposes the project site to increased coastal hazard impacts, including flooding. The proposed stormwater BMP and parking area, located only 15-20' from the coastal feature, also have potential to increase impacts to the nearby wetland as well as be impacted from coastal hazard events themselves, such as flooding.

2) **Section 1.1.10**--The Council will *'proactively plan for and adapt to climate change and sea level rise [and] integrate climate change and sea level rise [SLR] scenarios into its programs to prepare Rhode Island for these new, evolving conditions and make our coastal areas more resilient'* according to Section 1.1.10(A)(1). (A)(3) also states that the Council's *'foremost concern is the accelerated rate of rise and the associated risks to Rhode Island coastal areas today and in the future'*. As such, (A)(4) *"recommends the use of the STORMTOOLS online mapping tool...to evaluate the flood extent and inundation from sea level rise and storm surge"*. CRMC's website contains the Coastal Hazard Analysis (CHA) worksheet and online viewer required for particular projects, including new residential development and work within the setback.

The owner submitted a CHA based on a 30yr chosen design life, which corresponded to 3' SLR in the 8/2021 version and revealed that 3'SLR would affect the project site and that the recommended Stormtools Design Elevation (SDE) would not be met. An updated 3/2022 version showed similar results, with just 1'-2' SLR affecting the site (*Figure 3*). The recommended SDE for 0'SLR (current) is just met with a proposed Base Flood Elevation of 14', however for the project chosen 30yr design life (2' SLR), the SDE is not met at 16.3' or 17.4' at 3'SLR'. Note that SDE is typically higher than BFE as sea level rise is factored in.

Another component of the CHA, the Coastal Environmental Resource Index (CERI) shows potential damage estimates for a site due to coastal hazards; Severe Damage likelihood, including Inundation was found for this site. It is important to note that SLR estimates are for twice-daily tidal flooding affecting access/egress and/or use of the site. A storm flooding event is additive impacts and *Figure 4* shows the extent of flooding likely with only 1'SLR + a 10-year nuisance storm event, not including rainfall.

3) **Section 1.1.11**—Coastal buffer zones serve many functions (Section 1.1.11(B)(1)), including protection of water quality by capturing sediment and pollutants as well as absorbing nutrients from stormwater and groundwater. As such, *'the effectiveness of any vegetated buffer is related to its width, slope, soil type, and resident species of vegetation...[and] the removal of pollutants can be of particular importance in areas...contaminated by runoff water, such as ...the Narrow River'* (Section 1.1.11(B)(1)(a).

Protection of coastal habitat is also an important function of a buffer zone, providing feeding, nesting and resting cover for many wildlife species. “In general, the wider the buffer the greater its value as wildlife habitat” (Section 1.1.11(B)(1)(b)). Stabilizing the soil and reducing stormwater runoff velocity as well as reducing shoreline erosion during storm events due to the erosion control function of a buffer zone is also important, particularly along poorly flushed estuaries such as the Narrow River (Section 1.1.11(B)(1)(d)).

Aesthetics are also important components of coastal buffer zones, preserving the scenic value of the coastal region and natural character of the shoreline while mitigating the visual impacts of coastal development (Section 1.1.11(B)(1)(c)). Flood control (Section 1.1.11(B)(1)(e)) is also a very important function of a buffer zone, particularly when occupying the flood plain itself, adding to coastal flood protection (in addition to the benefits from the existing coastal wetland’s own flood protection capability).

As such, coastal buffer zones are required for new residential development and are calculated based on lot size and water type. The lot size <10,000sf on a Type II Narrow River shoreline requires a 25’ buffer zone per Section 1.1.11(B)(3) and the NR SAMP. Section 1.1.11(B)(6) states that “in order to enhance conservation, protect water quality and maintain the low intensity use characteristic of Type 1 & 2 waters, greater buffer widths shall be applied along the coastline abutting these water types”. The project provides <10’ of buffer zone for most of the lot, with a minimum 7’ in some areas and a maximum 15’ near the parking area. This represents an 18’ (72%) variance; Buffer zone variances >50% require full Coastal Council review for new development.

Given the minimal buffer zone proposed on this lot, it is staff’s opinion that the buffer zone functions at this site would be significantly reduced, in particular regarding flood, erosion and stormwater control (further below). Section 1.2.2(C)(1)(h) also states that “it is the Council’s goal to provide for maximum coastal buffer zone widths for projects abutting coastal wetlands that are adjacent to...Type 2 waters...[and] where the Council may grant a variance on small lots the minimum coastal buffer zone width should be no less than twenty-five (25) feet”. Additionally, (i) states that “it is the Council’s goal to provide maximum coastal buffer zone widths for projects abutting coastal wetlands that are likely...to migrate landward with sea level rise” as they may ‘provide protected upland areas that may transition to coastal wetlands in the future’. It appears clear that the Redbook requirements are intended to provide the maximum buffer width along this wetland, particularly with increased stormwater and tidal flooding from storms in this NR SAMP area.

4) **Section 1.3.1(F)**--requirements are met as the site is serviced by public sewer and in accordance with CRMC's Guidance for Individual Single-Family Residential Lot Development, the project proposes a crushed stone driveway and rain garden. However, if the site is flooded the rain garden will have little effect. Also relevant, within the abutting ROW, there exists a Town-controlled drainage project immediately adjacent to the proposed project. CRMC issued prior permits for its improvement under Assent #2009-04-008 as well maintenance permits. It is understood that the BMP was installed and is managed as part of a larger nutrient loading and bacterial contamination reduction project the Town was participating in, as well as reducing stormwater runoff flooding concerns in the area. Comments received indicate the proposal may directly affect components of this stormwater management BMP (see "D").

5) **Section 1.3.8**-- The Sea Levels Affecting Marsh Migration (SLAMM) maps (Panel 96) indicate the parcel's current condition does not include salt marsh, which is not entirely accurate (the wetland is *Phragmites* dominated rather than preferred native marsh species). However, by predicted 1', 3' and 5'-foot sea level rise scenarios, the maps indicate the parcel could offer potential salt marsh habitat as the wetland migrates inland through the *Phragmites* and existing buffer zone. The nearby ROW is predicted to be open water in the future, also limiting site access. Additionally, should the site be developed and access/flooding become a further issue, filling may be proposed to raise the grade, which is a Redbook prohibition if within coastal wetland and/or tidal waters. Prohibition relief requires a compelling public purpose.

6) **NR SAMP Sections 4.3 & 4.4**--The NR SAMP defines LDBCC (Section 4.3(A)(5) as those "developed at densities of one residential ...unit on parcels of less than 80,000 square feet, and frequently at higher densities of 10,000 square feet or 20,000 square feet. Intense development associated with [LDBCC] is the result of poor land use planning and predates the formation of the Council". High nutrient loadings and contaminated runoff waters from dense development are also cited. If developed, this lot is an example of poor siting, located adjacent to a stormwater BMP noted above which is maintained to help reduce the high loadings and contaminated runoff from the overdeveloped neighborhood.

Section 4.4(E) of the NR SAMP contains Table 1, which lists the land use classification requirements, and the setback and buffer zone distances. LDBCC lots require a coastal buffer zone requirement of "coastal buffer based on Section 1.1.11 of [the Redbook] and a construction setback requirement of "coastal buffer plus 25 feet". Variances are allowed, for pre-platted lots which cannot accommodate the requirement.

Section 4.4.3(C)(1)(c) notes that ‘buffer zones along the perimeter of Narrow River...shall be required in accordance with Section 1.1.11 [Redbook]..For new development, buffers shall be an absolute minimum of 25 in width” and Section 4.4.3(C)(2)(a) notes that ‘undeveloped property within this land use designation should be developed at densities consistent with current town zoning requirements..”. The project received Zoning Board relief for development.

C) COMMENTS ON APPLICANT’S NARRATIVE/VARIANCE REQUEST (Section 1.1.7):

1) **Section 1.1.7(A)(1)** states that *the proposed alteration conforms with applicable goals and policies [of the Redbook]*. The application states that the project is consistent with Sections 1.2.1(C), 1.1.6(I) and 4.4.3 of the NR SAMP. While staff concurs with the first Section, comments above indicate that Section 1.1.10 CHA results are significant for the site. Relative to SAMP Section 4.4.3(C), the Council should note that **Section 1.1.2(A)** of the Redbook contains a definition of Buffer Zone “..land area on or contiguous to a shoreline feature that is retained in its natural undisturbed condition..”. Staff agrees that the NR SAMP has no definition of buffer zone, however, for LDBCC parcels, the SAMP refers to the Redbook for buffer zone applicability and (C)(3) of section 4.4.11 refers to buffer and buffer zone widths interchangeably, when referencing SAMP /Redbook requirements. Possible confusion stems from the enactment of the recent DEM/CRMC Freshwater Wetland regulatory changes, which add and define Buffer and Buffer Zone as distinct terms within *those programs only*. The intent of CRMC Redbook and NR SAMP requirements remains the same, and CRMC past practice refers to coastal buffer and coastal buffer zones as one and the same as applied to coastal wetlands (this site is not a freshwater wetland). As such, a proposed 7’ buffer zone does not meet the requirements of either the Redbook or NR SAMP.

Additionally, the project is inconsistent with the Policies contained within Section 1.1.10(A) for preparing Rhode Island for evolving conditions and making coastal areas more resilient as well as the legislative mandate to preserve, protect and where possible, restore the coastal resources of the state. The site is an unfortunate example of the accelerated rate of SLR and its associated risks as (A)(3) is concerned with. Should development on this flood-prone lot (demonstrated to likely be affected by further SLR and storm event flooding) be approved, the precedent may lead to less coastal resiliency along the River over time.

As noted herein, the project is also inconsistent with Section 1.1.11(B) regarding the multiple uses and benefits that buffer zones provide. Specifically, the program applies greater buffer widths for Type 2 waters

to “*protect water quality*” (B)(6). The existing *Phragmites* marsh and invasive upland vegetation, while lesser wildlife habitat value than preferred native *Spartina* marsh or upland shrub species, is likely a result of the excessive nutrient and sediment load the site already receives from both tidal inundation and overland stormwater runoff. Both species form a thick root system which helps hold soil and trap nutrients and the vegetation itself can reduce flood velocity while providing wildlife cover. Both the buffer zone on this lot and the wetland it is protecting currently serve to store floodwaters in significant storm events. As shown in the submitted photographs, the site already experiences intense flooding events. Reducing the buffer zone on this lot will reduce the lot’s ability to continue to provide the same level of benefits. Future lot restoration could even enhance the current benefits for the surrounding area and adjacent River, improving resiliency.

Section 1.2.2(C)(h)/(i) state the Council’s goal “*to provide for maximum coastal buffer zone widths for projects abutting coastal wetlands that are adjacent to Type 1 & Type 2 waters...*” and the same for those “*wetlands that are likely...to migrate landward with sea level rise*’. The SLAMM maps (j) indicate that by projected SLR 1’, 3’, & 5’ scenarios, coastal wetland vegetation could use the site to migrate landward, one of the only areas available in this densely developed neighborhood.

It is staff’s opinion that the project does not meet all goals and applicable policies of the Redbook/SAMP.

2) **Section 1.1.7 (A)(2)** requires that “*the proposed alteration will not result in significant adverse environmental impacts or use conflicts, including but not limited to, cumulative impacts*”. The applicant indicates that the project meets this criteria as the existing lot vegetation is currently invasive species monocultures, there are no anticipated use conflicts and the setback variances are not significant as stormwater management is provided. As noted above, staff disagrees with the finding regarding existing vegetation and buffer zone reduction. The Redbook seeks to enhance/restore degraded wetland areas (Section 1.2.1(B)/1.2.2(C)) where possible. If left as-is, the current vegetation provides stormwater, sediment and flood control functions, particularly as there are few sites available for such in this area. Marsh migration can also potentially occur on the site if left undeveloped.

The potential use conflicts are with access to and around the site in current and future flooding events, as well as with the abutting Town stormwater BMP and public access ROW as sea levels continue to rise and storm events become more frequent. Although the applicant has properly designed for S&E controls and stormwater management per the Redbook minimum requirements, it is staff’s opinion that the site cannot

accommodate current flooding and the proposed design is subject to failure in future storm/tidal flooding events. Additional development on the lot (cars, fertilizer, etc) will potentially add to the pollutant burden the lot is currently facing during these events. Although the neighborhood is preplatted and densely developed, the NR SAMP notes that this predates the Council. Additional effects on the area could be cumulative by setting precedent for further development of sub-standard lots along the River.

3) **Section 1.1.7(A)(3)** states that “*due to conditions at the site, the applicable standard(s) cannot be met*”. Staff concurs with this statement, as the substandard lot (zoned R10) predates the Council and is half wetland. It is staff’s opinion that the lot has remained undeveloped for decades due to the difficulty in meeting the required standards as well as due to the existing lot conditions (increased flooding).

4) **Section 1.1.7(A)(4)** requires that “*the modification requested by the applicant is the minimum variance to the applicable standard(s) necessary to allow a reasonable alteration of the site*”. Although staff concurs the applicant has attempted minimization of the project through downsizing of the proposed dwelling and parking areas as well as irregular design of the dwelling, reconfiguration could potentially increase buffer zone along the northern portion of the site by designing a more north-south dwelling. However, it is important to note that staff did not request such as even with that change, impacts on the site from existing and future potential flooding would still remain. A reasonable use or alteration of the upland portion of the site could be for parking or passive recreation (shed, benches, kayak rack, etc) , which CRMC often issues permits for, provided local approval is received.

5) **Section 1.1.7(A)(5)** refers to the prior action of the applicant or predecessor’s in title. The applicant indicates the lot is a legal non-conforming lot of record, platted prior to formation of the Council and that no changes to the lot have occurred since that time, with which staff concurs. However, the former owner, R. Wyss (with realtor R. LeClerc) received a CRMC PD report indicating the significant variances and likely hazards with developing this lot. A second PD report was also issued to R. Wyss (with potential buyer N. Veltri), reiterating CRMC concerns with the project. *Mr. Veltri then purchased this lot* and began the development review process. This lot has remained vacant for almost 100 years as the surrounding community was built; It is staff’s opinion the owner was aware of the difficulties with developing this site.

6) **Section 1.1.7(A)(6)** asks if compliance with the standards will cause an undue hardship for the applicant due to site conditions. Staff concurs that site conditions are a source of difficulty with the project,

however the surrounding area also experiences similar conditions (flooding), which have been well documented and have been increasing. Relief from this hardship must be unique to this site and may not be mere economic diminution. The current owner purchased this site following several years of marketing the parcel by the former owner and agency indications that development would not be supported. There exist other opportunities for use of this lot as noted above.

It is staff's opinion that the variance criteria have not been met and the application should be denied.

D) COMMENTS ON OBJECTIONS (1.1.6(G)):

(1)(a)—There is no direct impact to the adjacent ROW or abutting properties. However, part of the Town stormwater BMP (drainage outfall) appears to be located on the subject parcel, based on comments received and personal communication (3/2024) with the Town Engineer.

(1)(b)--The project does not meet all of the applicable standards and has appropriately requested variance relief for buffer zone, construction setback and buffer-derived setback distances. However, as discussed above, the project does not appear to qualify for these variances.

(1)(c)—Several potential impacts are identified within this subsection. Sediment deposition and erosion, scenic values, biological communities, water quality and flood hazards could be adversely impacted by this project. The comments contained by objectors address several of these impacts.

It is staff's opinion that substantive objections have been presented for this project:

On 2/9/23 the Town Engineer submitted concerns with the location of the existing drainage outfall and potential conflict. While the submitted plans show the outfall to the north, on Town property, the field survey marker detected by the Town indicates the outfall is actually on the subject parcel. Alterations to the site for development could affect the existing drainage system and/or its future access/maintenance needs which could further impact its capacity to manage stormwater runoff.

On 2/9/23 as well as 12/18/23 and 1/16/24 P. Federico provided comments regarding access/egress for the site, with supporting photo documentation of the existing flooding issues at the site. She also sent a copy of

a Resolution by the Pettaquamscutt Terrace Improvement Association (representing 165 homeowners) stating opposition to the proposed project during the local zoning review of the project.

On 3/13/23, abutter M. Callan submitted an objection based on water quality, flooding and habitat concerns.

On 3/31/23 the Narrow River Preservation Association sent objections based on similar concerns, noting the NR SAMP requirements, storm hazards and increased future climate impacts.

On 4/13/23 L. O'Malley sent a concern linked to a Providence Journal article on the parcel/climate change. A South County Independent article was also published in January 2023 on the same.

E) CONCLUSION AND RECOMMENDATION

Although the applicant has attempted to minimize the design and impacts to the project site consistent with regulatory requirements (i.e., stormwater BMP, pervious parking, reduced/irregular house footprint), the existing lot already experiences flooding events. The lot also currently serves several important functions such as stormwater management, flood control, water quality improvement and wildlife habitat, in addition to providing scenic value next to a public access ROW in a densely developed area.

It is staff's opinion that the proposed project, as described herein, will significantly impact those functions. Stormwater management may be compromised relative to the existing Town's infrastructure, land area currently utilized for capturing/infiltrating runoff will be developed, wildlife habitat area and quality will be further diminished and additional contaminants potentially introduced by development. The site suffers from surrounding impacts (invasive species, sediment load, flooding) and yet still serves the functions outlined herein. Additional impact and loading in the face of increased storm intensity and frequency will reduce the ability of the site to continue to provide these benefits.

If developed as proposed herein, the site will be exposed to significant hazards. The submitted photographs as well as staff's own site inspections and STORMTOOLS mapping reveal the intensity of the tidal flooding which can and does occur under storm events. Combined with increased runoff from rain events, the low-lying lot (one of the sole locations left for receiving runoff) becomes pinched. Safe access to the site becomes impeded and abutters already cannot access past the site to/from their existing homes. Elevating

the dwelling will not solve the access problems and parking will be unavailable. The stormwater BMP will likely not function as designed either. Potential homeowners should be aware of these site impacts.

The comments received similarly portray the site as a poor development location as well as a possible conflict with the existing drainage system, which could exacerbate existing flooding problems in the area over time. Staff defers to the Council for consideration of the objectors' concerns.



Photo by Tracy Silvia, Staff Biologist 12/23/2022 storm tidal flooding at Wilson Drive/Pettaquamscutt Ave

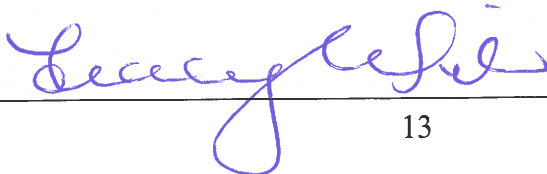
For the reasons detailed herein, it is staff's opinion that this application does not meet the criteria for variance relief and that this application for residential development should be denied.

Staff withholds standard stipulations pending Council's decision.

Should the Council approve this project, staff requests a deed restriction over further development activities on the lot (residential boating facility, buffer zone management, additions, etc).

Alternatively, should the Council deny this project, as noted herein, an application for parking and/or small accessory uses would likely be administratively supported by staff.

Staff Biologist: _____



Tracy A. Silva

Narrow
River ↓

Figure 1: #2022-12-075 0 Wilson Drive, Map N-A, Lot 28-K



Property Information

Property ID N-A-28-K
Location WILSON DRIVE
Owner VELTRI, NICHOLAS



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

Town of Narragansett, RI makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 9/10/2018
Data updated 9/10/2018

Print map scale is approximate.
Critical layout or measurement
activities should not be done using
this resource.

Figure 2: #2022-12-075

Wilson Drive
2021 Google Earth view
Approximate lot lines



- Legend**
- Feature 1
 - Narrow River
 - Wilson Dr

Narrow River

Wilson Dr

Marsh Ln

Lakeview Dr

Lakeview Dr

Lakeview Dr

Pettaquamscutt Ave

Isabelle Dr

Isabelle Dr

300 ft



FIGURE 3: 2022-12-075 STORMTOOLS Sea Level Rise Scenarios

1' SLR (yellow)

2' SLR (light blue)

3' SLR (dark blue)

 - approximate lot lines (TS)

3/28/2022

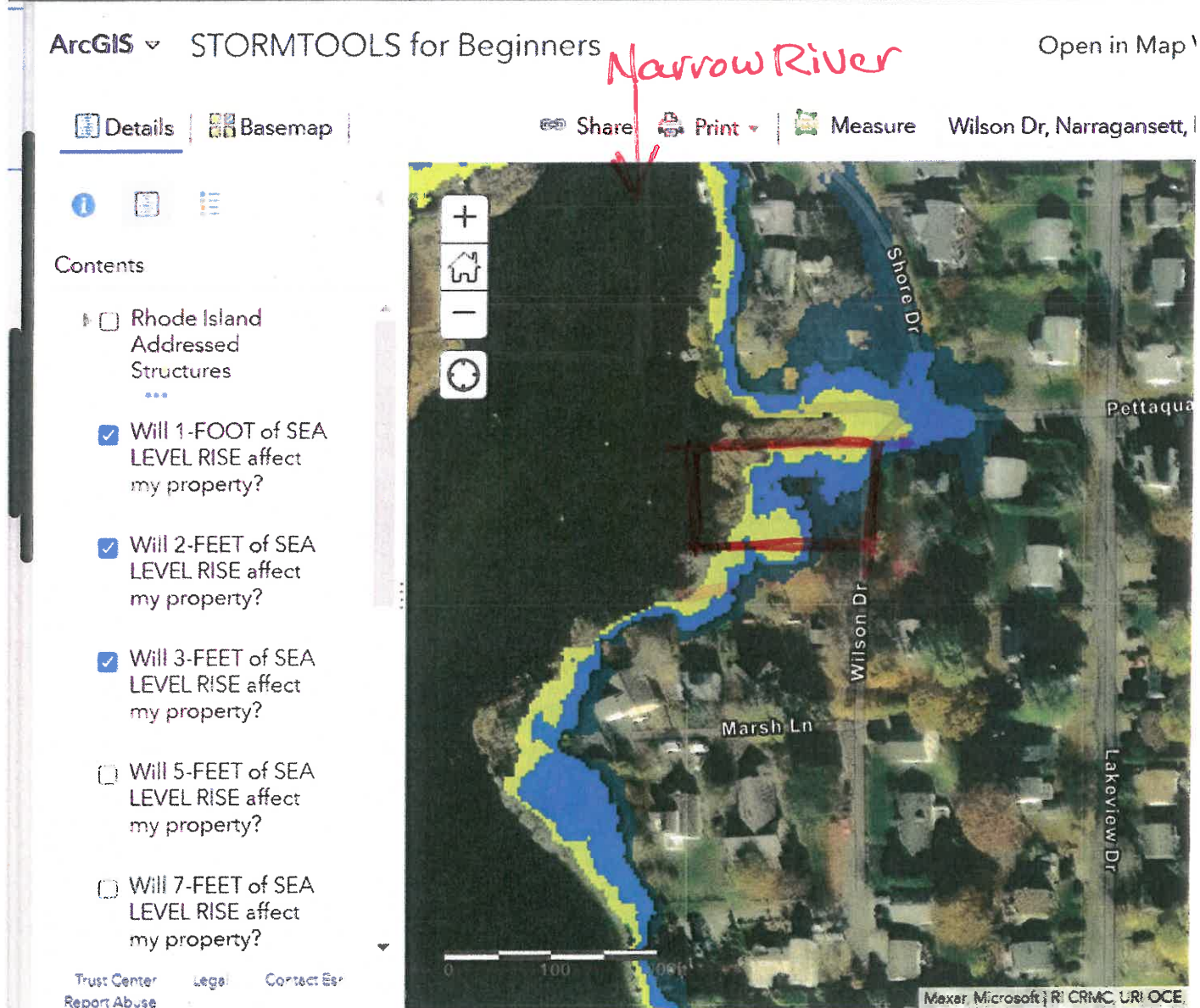


Figure 4: 2022-12-075 STORMTOOLS

1' SLR + 10yr Nuisance Storm Event

Handwritten:  - approximate lot lines



ArcGIS ▾ 1 FOOT SLR: Nuisance Storms.

Details Basemap








About Content Legend

Legend

1 foot Sea Level Rise (High Tide) (feet above grade)

 Inundated Area


10 Year Coastal Storm With 1 foot Sea Level Rise (feet above grade)

	<= 2
	4
	6
	8
	10
	> 10
	Lowlying

