

CRMC DECISION WORKSHEET

2012-02-074

Shawn & Lisa Guertin

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
2012-02-074	Barrington	45 Mathewson Road		A*	☐	☐
		Plat	25			
		Owner Name and Address				
Date Accepted	7/17/2025	Shawn & Lisa Guertin		Work at or Below MHW		X
Date Completed	10/9/2025	45 Mathewson Road Barrington, RI 02806		Lease Required		☐

PROJECT DESCRIPTION

c/m a residential boating facility

KEY PROGRAMMATIC ISSUES

Coastal Feature: Coastal beach, fringe coastal wetland, vertical seawall

Water Type: Type 3, High Intensity Boating, Barrington River/Main Harbor

Red Book: 1.1.6, 1.1.7, 1.2.1(D), 1.2.2(A), 1.2.2(C), 1.2.2(F), 1.2.3, 1.3.1(D), 1.3.5

SAMP: N/A

Variances and/or Special Exception Details: N/A

Additional Comments and/or Council Requirements: N/A

Specific Staff Stipulations (beyond Standard stipulations): Existing access stairs shall be removed or cut off higher than wetland substrate within thirty days of any Assent issuance.

STAFF RECOMMENDATION(S)

Engineer		Recommendation:	
Biologist	TAS	Recommendation:	No Objections
Other Staff		Recommendation:	

 10/16/25
Engineering Supervisor Sign-Off date

 10/17/25
Executive Director Sign-Off date

 10/15/25
Supervising Biologist Sign-off date

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



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

DATE: 9 October 2025 **Amended 22 October 2025**

TO: Jeffrey M. Willis, Executive Director

FROM: T. Silvia, Env. Scientist II

Applicant's Name:	Shawn & Lisa Guertin
CRMC File Number:	2012-02-074
Project:	To modify an existing residential boating facility with new float configuration
Location:	45 Mathewson Road; Barrington: Plat(s): 25; Lot(s): 51
Water Type/Name:	3, Barrington River, High Intensity Boating
Coastal Feature:	Fringe coastal wetland backed by seawall
Plans Reviewed:	Six sheets entitled "Guertin Float Modification, 45 Mathewson Road, Barrington.."
Recommendation:	dated 5/30/25 as last revised 7/23/25 by Kenneth W. Anderson, RPE NO OBJECTION

A) INTRODUCTION:

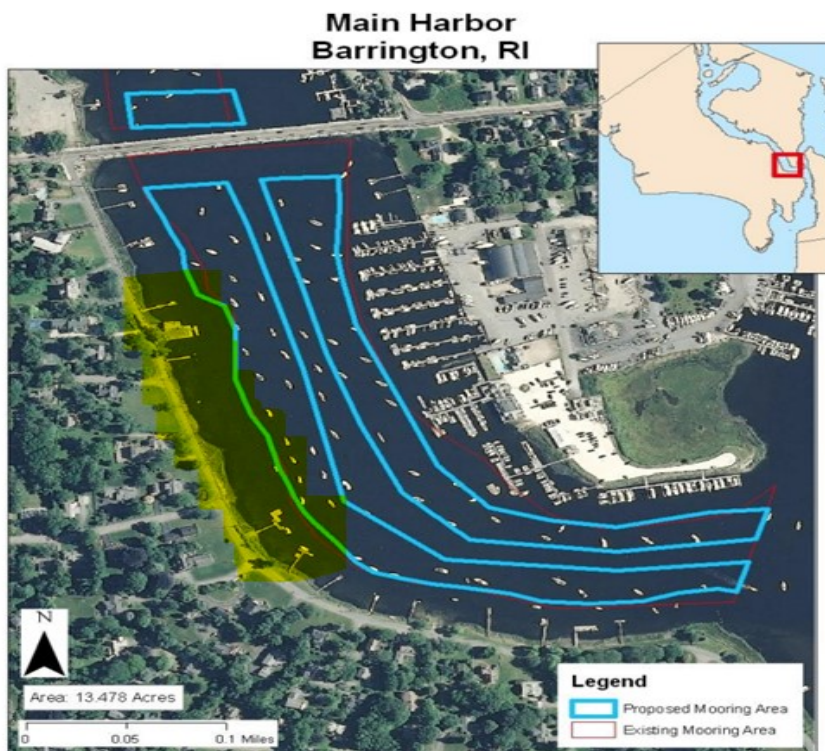
- 1) This application is for modification to an existing residential boating facility. The original facility was approved by the Council in 2013 for a previous owner (Harff), which the undersigned staff reviewed. The site is located on the eastern shore of the Type 3 waters of the Barrington River, south of the Rte. 114 Bridge (Figure 1). This main harbor contains numerous private marinas as well as several residential boating facilities and the piers extend from the existing vertical seawall running along the western side of Mathewson Road. Similar to other facilities along this stretch, the residential dwelling associated with the pier is located across the street from the wall/pier. The site contains fringe coastal wetland and is adjacent to a Town mooring field (Figure 2, Main Harbor).
- 2) The current owner submitted #2025-6-93 which was cancelled to more appropriately review the proposal as a modification to the prior dock permit. This proposal is solely to modify the existing terminal float (7.5'x20', 150sf) with a new float layout consisting of two floats (4'x 34.5') with a hinged 4' wide connector (total 150sf). The layout will remain the same length (64.5' seaward of MLW).
- 3) The project was sent to 30day public notice on August 19, 2025 and the Barrington Harbor Master filed an objection on August 27, 2025. No other comments were received. The ACOE review

remains pending due to backlog and it is presumed that the project may qualify for a non-reporting Self Verification (SV) under the existing 2022 RIGP.

FIGURE 1: Guertin Project Site, 45 Mathewson Road, Barrington, AP 25, Lot 51



FIGURE 2: Map of Main Harbor Mooring Field, from 2018 Barrington Harbor Management Plan



Map by: Emily Robinson
February 7, 2014
Source: RIGIS 2011 DEM Orthophotography,
RIGIS, Barrington Harbor Management Plan

C R M C
Cape Fear River Management Council

C) APPLICABLE 650-RICR-20-00-01 REDBOOK STANDARDS:

Section 1.1.6	Applications for Category A/B Council Assents	A* review / Substantive Objections
Section 1.1.7	Variances	Previously approved length variance
Section 1.2.1(D)	Water Types-Type 3 High Intensity Boating	Priority use for marinas, moorings, public
Section 1.2.2(A)	Shoreline Feature-Coastal Beaches	No new impact to the narrow beach
Section 1.2.2(C)	Shoreline Feature-Coastal Wetlands	No new impact to the fringe marsh
Section 1.2.2(F)	Shoreline Feature-Manmade Shoreline	No new impact to the existing seawall
Section 1.3.1(D)	Recreational Boating Facilities	1.3.1(D)(11)(l)(1) 25% distance to opposite shore, previously approved 1.3.1(D)(11)(m) 50' distance to mooring field required, previously approved 1.3.1(D)(11)(z) Table 8 design criteria
Section 1.3.5	Policies for Protection..of the Scenic Value	Proposed layout is similar to nearby piers

D) APPLICABLE REGULATIONS/STAFF COMMENTS:

- 1) There is no new work associated with the fixed pier or ramp portion of the facility. However, during staff review, three items were found regarding the existing fixed pier: the width, overall length and access stairs.
- 2) The existing stairs are located adjacent to the seawall, likely to provide access for the owner from the pier to the shore. However, the stairs also land in an area of coastal wetland, which is not allowed. The original permit required stairs at the MHW mark or elevation for lateral access. As the fixed pier meets the 5' elevation for lateral access and the stairs are not located on both sides of the pier, it is unlikely the stairs are for lateral access. The applicant will be required to remove the stairs as part of this Modification request.
- 3) The unauthorized pier width, discovered during staff site review to be over the permitted 4' width, was cut down and voluntarily removed on 7/23/25, leaving the current fixed pier in conformance with its approved width.
- 4) The existing pier length was originally submitted and sent to public notice as 64.5' seaward of MLW in 2012, however, a revised plan set with a slightly reduced length totaling 63.8' seaward of MLW was apparently the plan reviewed at the original Council approval. The Assent was then issued as "~64'seaward of MLW per the approved plans" and the pier constructed. Staff is of the opinion that this length discrepancy is within marine construction tolerances and can include this asbuilt length in this Modification request as it was within the original Noticed length of 64.5'seaward of MLW. The proposed length remains 64.5'seaward of MLW.
- 5) Although the applicant submitted variance criteria for the increased float area beyond the 50'seaward of MLW standard, it is staff's opinion that a variance is not required as the overall seaward extent of the facility (measured at the centerline, per past CRMC practice) is no longer than the original 64.5'seaward of MLW, already approved by the Council.

- 6) The facility meets the property line extension setbacks requiring no additional variances. The proposed design is consistent with Redbook Section 1.3.1(D)(11) residential boating facility construction standards seeking only the terminal float layout changes.
- 7) Additionally, although the facility is previously authorized to 5'+ water depth at the terminus, a new facility would currently be reviewed toward a maximum 3' terminus water depth. Staff cannot determine if a shortened layout would alleviate potential conflicts as no information was presented from the Town and the PE's submittal indicates the moorings are sufficiently offset. Further information from the Town's mooring data would be helpful to resolve any apparent conflicts.

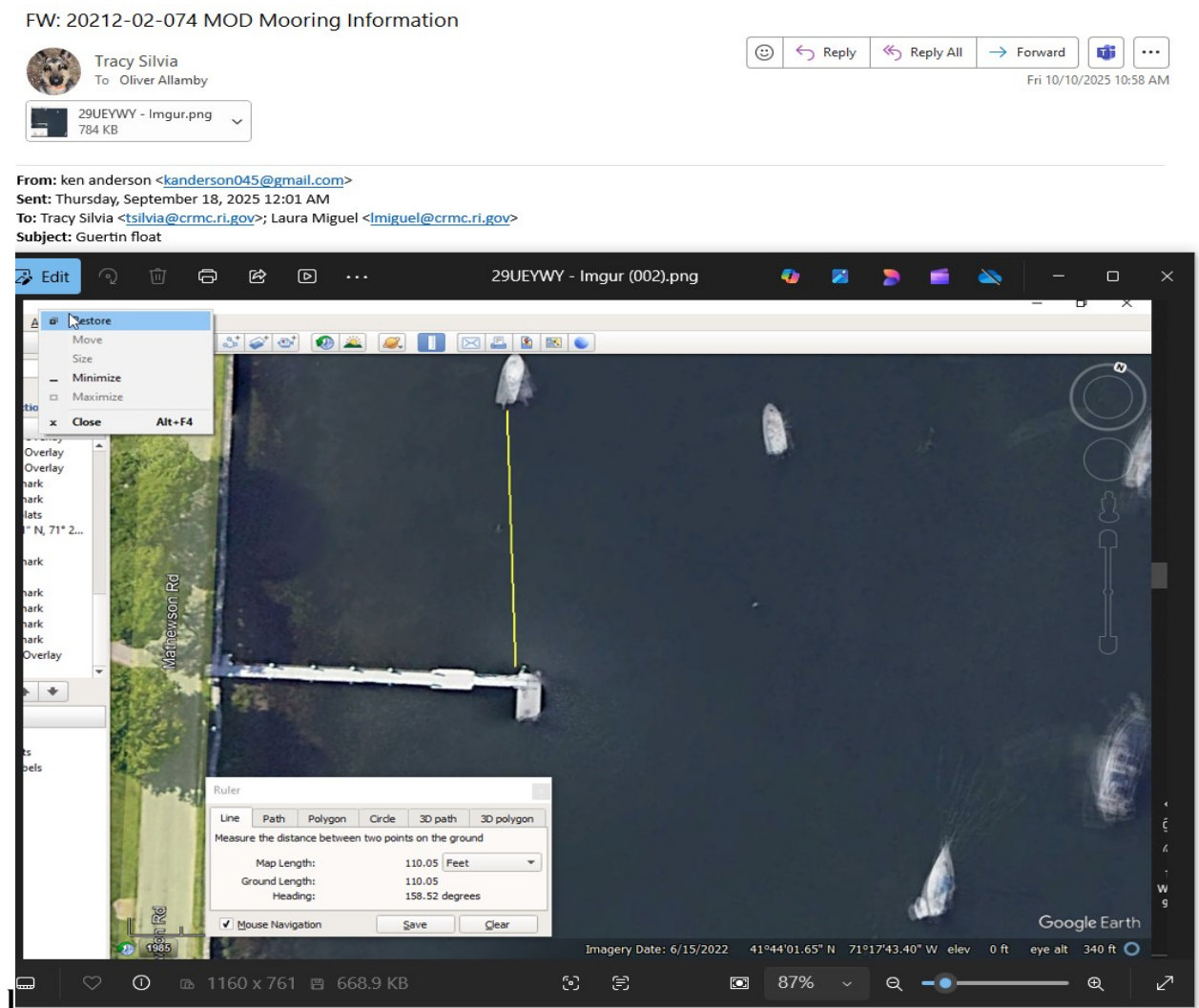
E) OBJECTIONS/STAFF COMMENTS:

- 1) The original approval in 2013 contained an objection from the Harbor Commission regarding length. The staff report noted that the facility appeared to have been designed per discussions between the then-Harbor Master and applicant, however, the then-Harbor Commission voted to object to the proposal as it required a length variance which could set precedent. During the Council hearing on the matter, staff explained that although 50' is the standard length under Section 1.3.1(D)(11) requirements, variances are allowed and often required due to existing site conditions. The then-existing moorings nearest the proposed dock were agreed to be relocated and the Council approved the project with length variance. Note, the project was otherwise eligible for administrative approval.
- 2) The current modification seeks to remove the terminal float and install two longer floats with hinged connector for ease in berthing a large vessel in heavy tidal current. The facility requires no further variance than previously approved and will be no further seaward (although extends further to each side). The design PE indicates the project meets the 50' setback from the Town's Main Harbor mooring field, maintaining the 25' offset from the property line extensions, as did the original dock.
- 3) The current Harbormaster, B. Hunt's, objection indicates this modification will require relocation of at least two additional moorings, potentially a hardship to unidentified mooring holders. He indicated that he would present to the Harbor Commission on 9/17/25 and that the current Commission Chair shared his concerns. As an administrative CRMC dock hearing was pre-scheduled, on 9/5/25 staff presented the application, which received approval conditioned upon rescinding of the objection.
- 4) Staff advised the applicant's design engineer, K. Anderson, PE, of the hearing result, and the PE attended the Harbor Commission September 17th meeting, noting the Commission voted to uphold the objection; Note, staff has received no information from the Harbor Master or Harbor Commission in this regard and left messages for the Harbor Master on 9/18 and 9/23/25 requesting to discuss the project, receiving no response to-date. The PE also noted that further attempts to clarify the potential mooring impact with the Harbor Master/Commission were to no avail (CRMC has no record of any applicant-Town discussions). As such, Council review of the project remains required.
- 5) **On 10/16/25, staff did receive a return call from the Harbormaster who, similar to the written objection, stated that he "has no objection to what he [the applicant] wants to do as long as I/we don't have to move moorings". Staff noted that the existing dock and proposed changes are not within the mooring field, (based on submitted plans) to which the Harbormaster disagreed, indicating the mooring field runs from Mathewson Road across the river to the marinas. Staff noted the inconsistency of this description with the current HMP map, as well as the portrayal of the existing dock as 75' (presumably seaward of MLW) rather than the permitted 64'. Staff also advised*

that a good depiction of the mooring field boundaries, existing moorings and relative distances to the existing/proposed dock would be helpful for the Town's Coastal Council presentation and the Harbormaster indicated he would not have time for such prior to the meeting. The request for continuance process was then discussed and the Harbormaster indicated he would see what the Harbor Commission wanted to do. To-date, it remains unclear on paper how/if any moorings are to be affected. If so, standard past practice is for the applicant to cover the cost of any relocation.

- 6) Recognizing that Type 3 waters prioritize mooring fields, marinas and public access for recreation, it should be noted the proposal is no closer to the mooring field (Figure 2) than previously approved. Based on the information staff has received, the issues are apparently related to riparian moorings in the area and conflict between riparian mooring holders and private residential dock owners are commonly resolved by the relocation of existing moorings to provide proper swing and berthing space for all vessels. The PE has provided some additional mooring information (Figure 3).

FIGURE 3: 10/18/25 email (K. Anderson, PE), estimate of distance to nearby moorings



7) Section 1.1.6(G) defines Substantive Objections as one or more of the following:

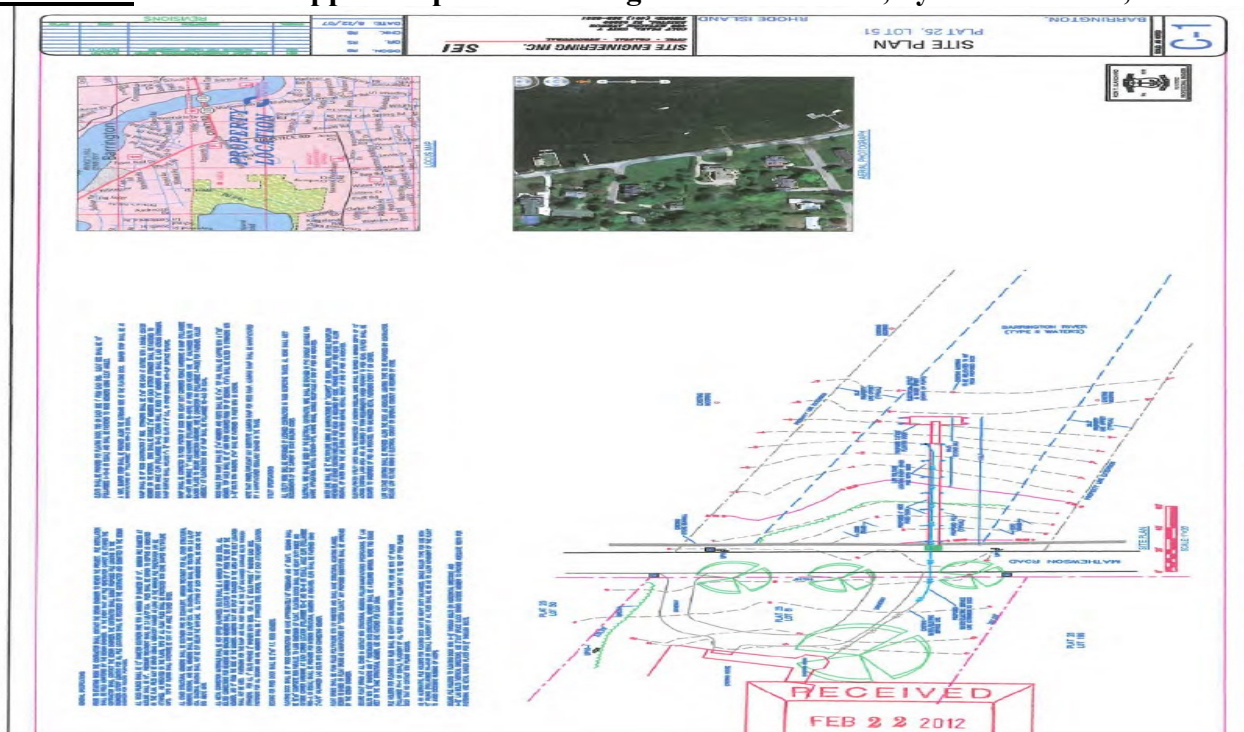
- i. “Threat of direct loss of property...” (Staff has no evidence of such)
- ii. “Direct evidence that the proposed alteration or activity does not meet all of the [requirements of the Redbook]” (Staff does not concur with this, as the length was already approved, the float meets the dock standards and no further information has been submitted by the Town)
- iii. “Evidence is presented which demonstrates potential for significant adverse impacts on....” circulation/flushing, sediment deposition/erosion, biological communities, historic significance, scenic/recreation, water quality, public access, shoreline erosion/flood, evidence does not conform to state or duly adopted municipal ..regulations” (Staff does not concur that any of these have been met)

It is staff’s opinion that the only above items which may warrant a substantive objection would be scenic/recreation values as the activity is a recreational boating facility and has potential conflict with nearby recreational moorings. Additionally, conflict with a municipal regulation could also apply.

However, the 2018 Barrington Harbor Management Plan (HMP) approval depicts the Main Harbor mooring field location and CRMC has received no additional information as to specific conflicts between this field and the pier. It is staff’s understanding that the pier still meets the 50’ setback from the mooring field itself and the facility appears relatively consistent with other piers extending from Mathewson Road as per the original approval (Figures 4).

Staff is of the opinion that there is not enough evidence to meet the substantive objection criteria. The Council may also wish to note that the design PE is one of the former supervisory signoffs and the current Harbor Master was the former Harbor Commission Chair at the time of the original dock construction project review.

FIGURE 4: Portion of approved planset for original #2012-02-074, by R. Blanchard, RPE



F) CONCLUSION:

- 1) The applicant has submitted a proposal to modify an existing pier/ramp/float permitted at approximately 64' seaward of MHW. The modification will reconfigure the terminal float layout for better maneuverability within a strong current environment while remaining no further seaward than previous. To staff's awareness, the proposal will also maintain the required setbacks to the Town's mooring field and adjacent PLEs. The proposal therefore meets current design standards and requires no variance.
- 2) The Town Harbor Master has objected to the proposal and apparently the Harbor Commission has as well, based on potential conflict with nearby moorings. Staff has received no additional information from the Town regarding the mooring locations, potential conflict or Harbor Commission review, and cannot determine if moorings are appropriately located within the approved mooring field or could be relocated as riparian moorings, to resolve any conflict.
- 3) **No further information has been presented on-paper, to-scale for staff to determine potential mooring field conflicts from the proposed dock changes. It is staff's opinion that this information is important in order to make an accurate determination on potential impacts, however, even if there is a potential impact it is staff's understanding that relocation of an affected mooring is a common solution in these cases.*
- 4) *It remains staff's opinion at this time that the objection is not substantive and staff has no objection to the approval of the modification as proposed.* Staff asks the Council to require removal/cut back of the existing asbuilt access stairs as part of any Decision on the application. Standard stipulations are withheld at this time, pending Council's final Decision on the matter.

Signature: _____



Staff Biologist