

NAME: **City of Pawtucket**
CRMC FILE NUMBER: **D 2025-04-090**

Preliminary Buffer and Setback Requirements: See report for detailed information
BUFFER (ref Section 1.1.11 CRMP): 150', absent review under the Metro Bay SAMP
SETBACK (ref. Section 1.1.9 CRMP): 175', absent review under the Metro Bay SAMP

Note: **Setbacks** apply to "construction related activities" including filling, removing, and grading (ref: Section 1.3.1(B) Red Book). The coastal program requires a minimum setback of either 50', or the buffer zone width plus 25' (whichever is greater). Work within this minimum setback will require a variance per Section 1.1.5 of the Red Book. All variances must be requested in writing. No construction or construction related work shall occur within the required setback (exemptions include structural shoreline protection, outfalls and water dependant uses). Work within the required setback may require a Category "B" review (public notice and decision by the full coastal council) and would likely result in adverse CRMC staff recommendations to the Coastal Council during the review process.

Buffer zones are areas that must be retained in, or allowed to revert to, "an undisturbed natural condition." All structures (excluding accessory structures) should be setback a minimum of 25' from the buffer zone to allow for access, fire protection and maintenance without infringement into the buffer.

If applicable, The Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast (the Rules), shall be addressed. In addition, no activities (such as: drainage, grading, filling, etc.) may affect the freshwater wetland or the buffer zone.

Coastal Hazard: In accordance with Section 1.1.10, the applicant is encouraged to utilize CRMC's "STORMTOOLS" mapping feature to better understand the impact of current and future Sea Level Rise and Storms on the subject property. Also, in accordance with Section 1.1.6(I), the applicant is required to complete a "Coastal Hazards Worksheet" to further understand the impact of climate change on a proposal (<http://www.crmc.ri.gov/coastalhazardapp.html>). While the RICRMP does not yet require structures to be designed for SLR scenarios, the applicant should consider SLR, Climate Change, and design life expectations in design planning.

Coastal feature verification shall be valid for one-year from the date of this Determination or until an erosion event (e.g., due to storm event, landslide, man-induced alteration, etc.) occurs that alters the coastal feature.

SUMMARY OF FINDINGS

CRMC JURISDICTION: Yes **TYPE WATER:** 4-Multi-Purpose Waters, Seekonk River;
Type 6-Industrial Waterfronts & Commercial/Navigation Channels (within River)

For the purpose of this review the coastal feature(s) shall be the coastal wetland, coastal bluff and/or manmade shoreline (revetted coastal bank) and the inland edge of coastal(s) feature shall be the top of the manmade seawall, coastal bluff and/or inland edge of contiguous freshwater wetland, as applicable.

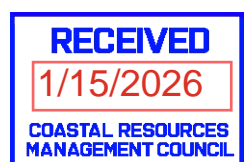
Applicability of Red Book and SAM Plans (as amended):

CRMP (Red Book/650-RICR-20-00-01) Sections: 1.1.4, 1.1.6, 1.1.7, 1.1.8, 1.1.9, 1.1.10, 1.1.11, 1.2.1(D)1.2.2(C), 1.2.2(D), 1.2.2(F), 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), 1.3.1(M), 1.3.1(N), 1.3.1(Q), 1.3.2, 1.3.5, 1.3.6, 1.7, 1.8

*The cited buffer/setback distances are not applicable if the project review is conducted under the Metro Bay SAMP and an Urban Coastal Greenway (UCG) option chosen. However, companion sections of the Red Book may be relevant to the project review (see herein).

FW Wetlands: The project site does not appear to contain any areas subject to The Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast (650-RICR-20-00-2).

SAM PLAN: Metro Bay, Development Zone/Area of Particular Concern, Priority Lands C2, C3, R1
Based on the submitted narrative, it appears the project will be conducted primarily under the Metro Bay Special Area Management Plan (MB SAMP/650-RICR-20-00-5).



STAFF CONCERNS/COMMENTS/INFORMATION REQUIREMENTS:

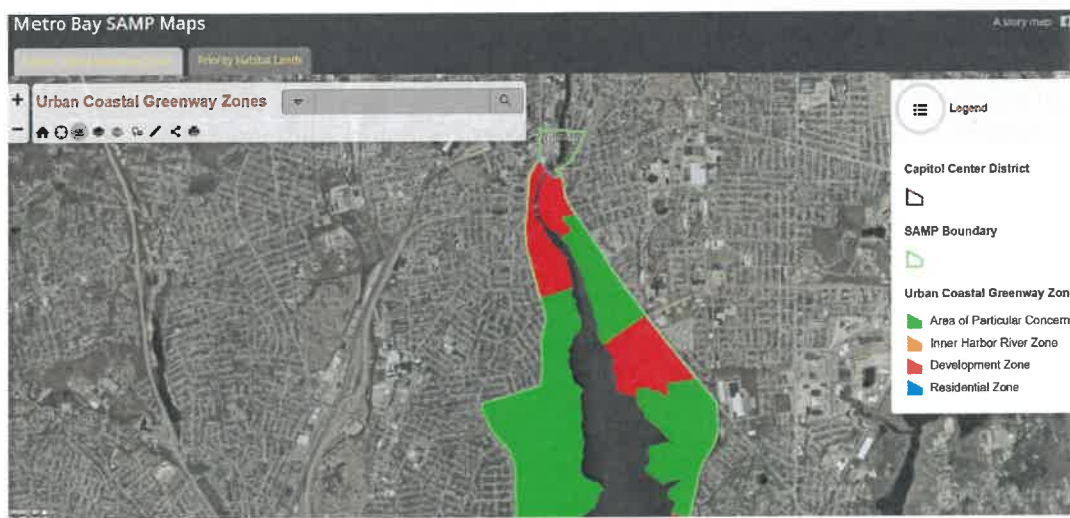
Project/Site:

Phase 1B (previous PD #2021-02-063 Phase 2) is located between Division & School Sts, Portuguese Social Club Way and Festival Pier, along the east side of the Seekonk River. Proposed work includes two public Riverwalks (with boardwalk spanning a coastal wetland), stormwater control BMPs, public access stairs, upland invasive management, coastal wetland restoration, Tidewater East Plaza, and establishment of two ‘future development sites’ (residential/commercial).

Work also includes construction of a pedestrian bridge spanning the Seekonk River to connect to the western Tidewater Stadium Riverwalk, permitted under #2025-02-055. Phase 1B is set on approximately 12a over four parcels owned by the City. The coastal feature was previously determined under PD #2021-02-063 as (north to south) manmade shoreline (retaining wall), coastal bluff and/or the coastal wetland. The coastal bluff is located at approximately contour line 6’, transitioning into the coastal wetland in the southern end.

The project site is broken into separate areas (Site Plans 1-5) and also into vegetation management areas (1A/B, 2A/B, 3A/B, 4 and coastal wetland), which don’t all coincide. Future submittal shall provide specific details of all activities within each Site Plan area and include the vegetation management areas on one plan sheet with the Site Plan areas (ie, existing v. proposed layouts).

I) METRO BAY (MB) SAMP REQUIREMENTS (650-RICR-20-00-5):



5.1(D) Jurisdiction The proposed project falls within the regulatory area of the MB SAMP and the applicant is advised to address all applicable SAMP requirements, including those specified herein. As stated in earlier review of the entire project as a whole, the applicant was strongly advised to submit the subsequent project phases for review early in the design stage.

5.2(A)(32) Urban Coastal Greenway (UCG) The applicant shall refer to the definitions within the SAMP.

5.3(N) Debris Subject to Removal The project will need to demonstrate compliance with this section through proposed O&M plans as well as proposed cleanup/repair of existing portions of the site, which appear to be many.

5.3(O) Fitness of Purpose Refer to this Section for applicable structures (ie, proposed pedestrian bridge).



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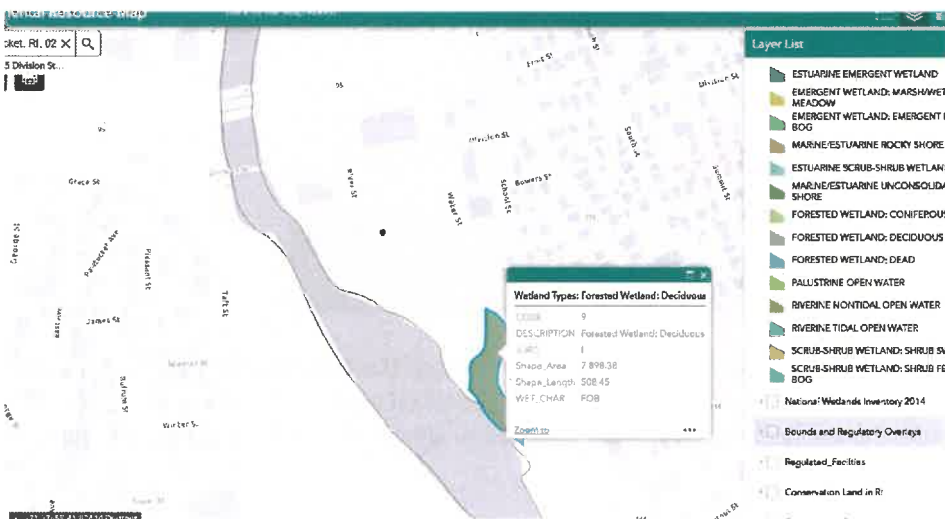
5.4 Urban Coastal Greenway Policies. The application shall demonstrate consistency with the main tenets of this Section, primarily stormwater, coastal resource protection/restoration and public access, including development.

The submitted narrative states these will be met however the submitted plans are lacking full details/supporting calculations demonstrating these have been met. This is required for further staff review of the project, specifically in meeting the compensation/mitigation and stormwater requirements.

G. High Priority Conservation and Restoration Areas (ref Appendices): High Priority Conservation Areas (HPCAs) and High Priority Restoration Areas (HPRAs) are those sites with valuable habitat quality rankings or sites suitable for habitat restoration which shall be preserved and enhanced to the greatest extent possible and afforded a higher level of protection, with fragmentation avoided.

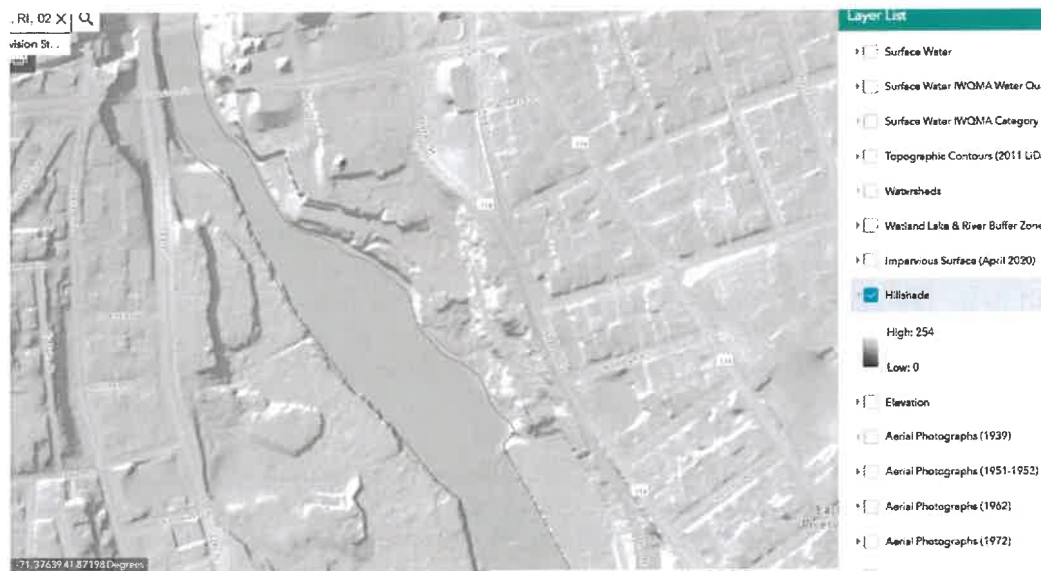


The submitted narrative references the HPCA/HPRAs but does not fully delineate them on the plans. The coastal feature is also not fully delineated (i.e. existing wetland habitat boundaries) and both shall be on future Assent plans.



I/J. Building Shading/Visual Elements Future application shall address whether the project is consistent with these requirements, specifically looking at current vs proposed elevations, viewshed and degree of area imperviousness.





5.5/5.5.1 Urban Coastal Greenway Regulations The UCG begins at the inland edge of the coastal feature and future site plans shall provide a scale which aids staff in reviewing proposed details (1"=20-40').

The entire extent of a project must be included for reference with any subsequent submittals for phased projects. The applicant must include any plans for phased development on the tract(s) of land so that the RICRMC can review proposals for jurisdiction and/or project impacts and shall not create any circumstance that would preclude the installation of the UCG on any phase of the project site. Accordingly, the applicant shall be cognizant that the UCG requirements apply for future site development phases and the projects must accommodate the UCG.

The submittal shows two 'future developments' (Pennrose and Wood) without supporting documentation/details for either. If they are not to be permitted in the upcoming Phase 1B Assent application, then they will require future permitting if any portion is within 200' of the coastal feature. In order to permit these two development footprints now, supporting documentation and clarifying details of the proposed development sites shall be included in the Assent application, as well as local signoff for such. Stormwater management and vegetated buffer areas will be important review considerations, as well as connectivity for public access to this Phase. The UCG determined in Phase 1B shall be applicable to future development phases as noted above and without the City Park these developments shall require much greater UCG width.



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A. Standards applicable to entire development Applicants within the MB SAMP area have a choice of meeting the Red Book buffer/setback requirements or providing a UCG in accordance with the applicable zone designations of §§ 5.6 through 5.9 of this Part. Regardless, they must still meet the vegetative cover and stormwater management requirements, below.

For proposed UCG areas, the applicant shall grant an easement for the UCG which runs with the land to the RICRMC. The easement shall be recorded in the land evidence records of the appropriate municipality, and also with the Homeowner or Condominium Association, or other ownership documents, where applicable. The applicant shall submit a draft easement & HOA documents under this Section at the time of future Assent application

All proposals will be subject to a fifteen (15) day public notice period. As variance requests under § 5.7 of this Part (Areas of Particular Concern) are proposed, as well as certain Red Book standards which are not met, the application will be processed as Category B public hearing applications.

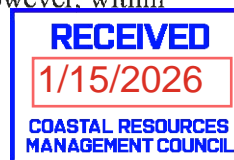
a. Minimum 15% vegetation requirement: Applicants shall review the requirements of this section in detail in order to achieve vegetative coverage of at least 15% of the surface area over the entire development parcel. This requirement may be met by the UCG or through a combination of the UCG and additional plantings. All planting plans shall be prepared by a licensed landscape architect (RLA), using an appropriate mix of groundcovers, grasses, forbs, shrubs, and trees with minimal use of high maintenance lawn sods and grasses to achieve the goals of these regulations. The vegetated area may include landscaping elements of surface stormwater treatments, green roofs and bioretention areas, or other Low Impact Development (LID) vegetation alternatives.

The submitted plans do not indicate the proposed change in site vegetative cover. While it appears that the project will exceed the 15% minimum coverage requirement, the project narrative indicates most of the onsite vegetation will be impacted and likely lost. The applicant shall document compliance with this standard in future Assent narrative/plans, with supporting calculations and detailed planting information in accordance with the Urban Coastal Greenway Design Manual (UCGDM). Additionally, the applicant is advised to enhance/retain areas of existing native vegetation, particularly within C3 designated habitats.

b. Stormwater Management: The City is asking for relief to allow the proposed infiltration basin to be located within the UCG due to the various site constraints including a narrow width of the site, excessive grade changes, and proximity to an existing utility easement preventing the basin from being located outside of the UCG.

Based on the submitted Preliminary Determination Application (4.3 Stormwater Management), the City proposes to meet the required WQV by “combining and treating low flow discharge from the Pennrose site and by diverting and treating stormwater from an existing 15-acre upland watershed within the new stormwater basin. The stormwater basin will provide WQV from the City watershed is estimated to be 20,691 CF, based upon ½-inch of treatment over the existing impervious area and an additional 3,159 CF from the Pennrose Development Site.” Due to the heavily developed area at Pennrose, it is CRMC staff engineer’s opinion this treatment train would be advantageous for treating this urban area and therefore the engineer does not have an objection to the overall approach. However, there is concern that the stormwater basin is being located in a heavily vegetated area that will have to be significantly altered. Additionally, this area is considered an Area of Particular Concern (APC) as described in the Metro Bay SAMP. The recommended alternative is locating the stormwater basin to the north in the area designated as Development Zone, this should be strongly considered and examined for the placement of a stormwater basin.

Beyond the location issue of the stormwater basin, the bottom of infiltration facility cannot be located in fill and must have 3’ separation from groundwater and bedrock. Please provide verification that the contributing drainage is not a LUHPPL since infiltration would not be allowed. Additionally, if the site is considered a LUHPPL the basin must be lined. Please note that the plants chosen for stormwater basin appear to be suitable, however, within



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an APC native existing vegetation is preferred to be retained and the design incorporate such where possible, although relocation to the Development Zone should be first.

Also, please address quantity of flow from the stormwater basin as this could impact restored coastal wetland habitat. Additional freshwater flow to a restored coastal wetland is to be avoided. Please reference RICRMP 1.3.1.F.4.g.1:

“All stormwater management plans shall take into consideration potential impacts associated with the discharge of stormwater runoff into the coastal environment. Applicants shall address these potential impacts to include, but not limited to, the following:

(1) Impacts to coastal wetlands such as changes in species composition due to the introduction of freshwater to high marsh areas;”

Additionally, please address the following details below:

Items that should be clearly depicted on the cross-section and/or profile drawing:

- Existing and proposed grades.
- Soils strata information of one or more pertinent soils test holes superimposed on or depicted adjacent to the submitted SW management practice cross-section / profile.
- The existing ground elevation of each soil test hole location and liner depth in the area of the remediation.
- The proposed bottom of the SW practice as well as the elevation/range of the seasonal high groundwater table (SHGWT).
- Indicate whether any existing soil material (such as existing A-horizon soils) will need to be removed as part of the proposed SW construction. Also, if fill material will need to be placed between the original grade and the bottom of the proposed SW management practice, indicate the textural classification of this fill.
- Clearly indicate the dimensions and inverts of all outlet devices, such as orifices and weirs. Indicate the proposed pretreatment devices/methods that will be utilized, also ensure they are sized and designed in accordance with RIDEM SW Management/Design/Installation Rules (25% of WQv)
- If soil test holes are not located within the confines of the proposed SW practice, provide pertinent documentation of the determination of the elevation of the SHGWT at the subject SW practice location by interpolation. In some instances, additional anecdotal information may be helpful in evaluating the position of the SHGWT.
- Please provide sizing calculations for the BMP design in accordance with the RIDEM SW Rules.
- Please indicate if sea level will impact the drainage system, please note it appears that the outlets may be inundated in future sea level rise scenarios. Reference §1.1.10 Climate Change and Sea Level Rise.
- Please address any required variances to the standards in the Red Book listed in §1.3.1.(F).(4). (Treatment of sewage and stormwater). Without better detailed plans and narrative, staff engineer is unable to assess the standards.

All SW management techniques shall have a maintenance plan submitted as part of the application, in accordance with the most recent edition of the RIDEM RISDISM. Maintenance provisions shall be tailored to the specific SW management techniques that are proposed for the site, including maintenance practices and frequency.

c. Public access: Applicants shall review the requirements of this Section in detail in order to achieve compliance with the public access standards of the SAMP, including American and Disabilities Act (ADA) requirements. Pathways should be pervious unless SW management is provided for the path and the applicant shall provide arterial pathways, emergency access and public parking spaces, as well as other applicable, appropriate



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public amenities throughout the site (both Phases) in accordance with the UCG requirements. The submitted narrative shows this requirement will likely be met, however, detailed calculations will be required to confirm.

d. Construction Setback: A construction setback of 25 feet is required for all new and existing residential, commercial, mixed-use, and other structures to provide for fire, safety, and maintenance purposes. The setback is measured from the inland edge of the UCG or buffer, noting the following constraints: At no time shall there be any private structures or encroachment into or above the UCG. These limitations must be clearly stated within the deed restrictions and applicable ownership documents for the project. The submitted plans and narrative indicate the setback is to be met with some proposed exceptions which will need a variance and clear public purpose documentation to receive support. It is recommended that adherence to the setback be provided as the project plans advance. Variances shall be submitted in writing with application and no foundations are allowed within the UCG.

e. Project Illumination: All exterior light fixtures shall use shielding and glare control devices to shield surrounding areas from excessive light trespass and glare. The narrative indicates expected compliance with such.

C. General standards for urban coastal greenways The boundaries of the UCG easement shall be marked on all plans used for planning, permitting, and during construction as well as proposed public access path and other public amenities. While conceptual public access/amenities have been shown on the plans submitted for this PD, future Assent plans shall have detailed location/dimension information and easement boundaries depicted. Appropriate signage and markers are required and draft language of both easements and signs shall be included in future Assent submittal. In the interest of public safety, project designs should facilitate the unobstructed observation of public space and the applicant shall review this Section for design requirements.

D. Vegetation standards for all urban coastal greenways The entirety of the UCG shall be vegetated with the exception of approved public access pathways (as described in § 5.5.1(E) of this Part) and shall be maintained with native plant communities and/or sustainable landscapes using a mixture of groundcover, shrubs, and trees. Stormwater from any public access path shall be directed into vegetated areas designed for SW treatment. Staff will review the planting plan for the proposed UCG during future Assent submittal in accordance with this Section and urges the applicant to utilize the CRMC's interactive online plant database, while retaining as much native vegetation (noting the APC Zone and existing wetlands) as possible. A further breakdown of Vegetation Areas (1-4) by existing/proposed habitat types shall be provided. Enhancement of the native meadow and coastal wetland habitat restoration are strongly supported for this site.

Applicants are required to submit a UCG Management Plan for any proposed future work within a UCG. In cases where the preservation, protection or enhancement of wildlife habitat is the primary management goal (such as the Area of Particular Concern Zone and/or HPCA/HPRAs), native plant communities shall be preferred over sustainable landscapes. The applicant shall document proposed management of the UCG within a UCG Management Plan, submitted with future assent application. The narrative states one can be drafted for submittal.

E. Public access standards for all urban coastal greenways Wherever public access is provided, there are several standards contained within this Section that shall be met. The proposed UCG appears to enhance connection to both sides of the River (Town Landing/Festival Pier) which is highly supported by staff. Detailed information supporting the proposed path widths, access points, parking spaces, etc. will be reviewed in future Assent application. While public access is a high priority, retainment of existing native vegetation shall be incorporated into the plans.

F. Stormwater standards for all urban coastal greenways 100% on-site management of SW is required.

H. Prohibitions The applicant shall abide by the restrictions within this Section upon completion of project phases and the Assent submittal shall demonstrate compliance with this requirement.

5.7 Area of Particular Concern Zone (APC) Almost a third of the site (southern end) is within an APC.



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proposed to be impacted. Future submittal shall demonstrate how the project preserves/enhances the existing habitat within this area and document HPCA/HPRAs. Note specifically, that the plans call for extensive removal of existing vegetation and should be redesigned to accommodate additional protection/restoration opportunities for the site.

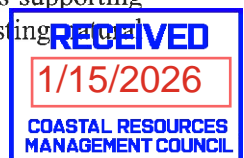
- A. Policy--Within the APC Zone, it is the policy of the RICRMC to maintain and restore natural vegetated coastal buffers with maximum widths to protect the valuable habitats and/or contiguous vegetated corridors contained within the zone. The Council does not support projects that propose to alter existing natural areas having high environmental value for habitat, recreation, or scenic quality, as delineated on the UCG Maps. Accordingly, projects that propose to alter these habitats are inconsistent with this policy and are strongly discouraged. The future plans shall indicate the boundaries of the applicable HPCA/HPRAs on the parcels and demonstrate how the areas are being enhanced/restored, while maintaining areas of natural vegetation. Applicants have a choice of either Option 1 (standard buffer width) or Option 2 (variance request) as detailed below for projects located in the APC Zone. Public access plans, 15% minimum vegetative cover and stormwater management requirements are required regardless of which Option is selected.

The applicant has proposed to meet the UCG requirements with a Compact (50') buffer width within the Development Zone (DZ) and by Option 2 (50% Buffer Width with Variance) within the APC including averaging compensatory UCG width and mitigation proposals. This approach is similar to how Phase 1 was reviewed and permitted, however, approximately 1/3 of this project area is within an APC. As such, enhancement of existing buffer should be a primary goal in this area, rather than reducing the required UCG width. A minimum 75' UCG (50% of required 150' based on parcel size) with 100' setback should be provided within the APC part of the site and averaging should only be used for reductions in the required 100' UCG (Compact 50') within the northern DZ part of the site. The applicant is reminded that both Compact and Option 2 UCG widths require the applicant to compensate for any reduction and this shall be fully documented separately for each zone. As such, based on the submitted plans, it appears the design will need to include a larger UCG.

In particular, the plan should include the methods proposed to protect/enhance the existing APC. Existing non-invasive vegetation, especially trees, shall be preserved in the UCG to the maximum extent practicable. Removal of these species will be allowed only after approval of a UCG Management Plan (UCGMP) prepared by a RI-licensed landscape architect and in accordance with standards and specifications found in the UCGDM. Reference to CRMC's Invasive Management Guidance is also strongly suggested to guide proposed work within these areas. Coordination with RIDEM and/or the RI Natural History Survey is required for further documentation of state listed species as the site is located within a Natural Heritage Area. Staff does not support the clearcutting of vegetation across broad areas of the site, in particular within the APC and will review the proposed UCGMP with future Assent submittal. As an example, removal of non-native mature Norway maple may not be preferred over clear-cutting and replacement with lower height vegetation; A mixed habitat should be the goal.

- B. Option 2: Variance request All development proposals within the APC Zone seeking a buffer variance shall be processed as Category B applications in accordance with the RICRMP. At no time shall any applicant provide a buffer less than 50% of the required buffer width as determined in § 5.16(B) of this Part (Appendix 2). Any proposals for a buffer less than 50% of the required APC Zone buffer width shall require a Special Exception in accordance with § 1.1.8 of the Red Book. All structures must be set back 25 feet from the inland edge of the buffer. In the event that a buffer variance is approved, the applicant must compensate for the difference between the required buffer width and any reduced buffer width at twice the rate described herein. Variance requests for APC zone buffers may not use the compensation measures described herein to meet their obligations under this section.

The application shall clearly delineate where standard v. variant width UCG widths are proposed as well as document that the setback, stormwater and public access requirements are still being met. An analysis supporting an Option 2 buffer variance shall be included with future Assent application, with retention of existing natural



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vegetation detailed. Currently, the project is not consistent with UCG requirements of this Section and staff is unlikely to support a Special Exception for reduction of UCG below 50% in the APC.

5.9 Development Zone The northern portion of the site is located within a Development Zone and applicable HPCA/HPRA shall be documented on all site plans.

- A. *Policy* It is the policy of the RICRMC to establish a continuous UCG within the areas designated as development zones that will satisfy the overall goals of the urban coastal greenway policy, as well as the specific development standards described in § 5.5.1 of this Part.
- B. *Standards.* Public access, stormwater, vegetation and setback requirements apply and the applicant has chosen Option 3: Compact UCG Width (50 feet); The applicant shall compensate for the reduction from 100' (standard) to 50' (compact) throughout the zone. Staff can support 'averaging' the required buffer area for a 100' UCG width across this zone to provide an equivalent area throughout, similar to Phase 1. Vegetative requirements and stormwater management may be included within the compensatory area as well, however a reminder that the UCG (and compensatory areas) are measured inland of the coastal feature and the feature itself (wetland/bluff) is excluded. Additionally, as noted elsewhere, if the sites contain HPCA/HPRA designated habitats, additional protection/enhancement measures in those areas such as greater UCG width shall be provided. The applicant shall provide a detailed breakdown of the particular zones/habitat areas and resulting UCG/compensatory areas. Note, compensation cannot be monetary (General Assembly has not established a trust), but can include additional public access/amenities as well as restoration/enhancement opportunities (which do exist on the site).

5.11 Variance Requests Applicants may request a variance to the UCG buffer width only under APC Zone Option 2; All other UCG variances requests will require Category B hearing and receive staff denial recommendations.

5.12 Brownfield Redevelopment Phase 1B does not appear to have remediation activities proposed for the site.

5.14 Management & Maintenance The owner of record of a property with a UCG is responsible for maintaining the UCG in accordance with the operative RICRMC Assent, unless the UCG is transferred to another agent (i.e., the municipality, a land trust, etc.) with that agent's agreement to provide maintenance.

All alterations within established UCGs or alterations to natural vegetation (i.e., areas not presently maintained in a landscaped condition as of October 10, 2006) shall submit a UCG management plan that is in compliance with the requirements of this section and the UCGDM. UCG management plans shall include a description of all proposed alterations for staff review. Applicants should consult the Council's most recent edition of the UCGDM when preparing UCG Management Plan. Note that monitoring reports may be required for any proposed Invasive Management/Wetland Restoration on the site until the native habitat is successfully established.

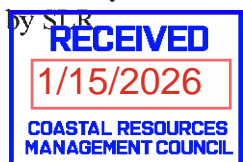
II) RICRMP REDBOOK REQUIREMENTS (650-RICR-20-00-01):

1.1.7 Variance Required for standards not met, may require Category B review and public hearing

1.1.8 Special Exception Required for prohibitions, relief requires Category B review and public hearing

1.1.9 Construction Setback The applicant is proposing a 25' construction setback to the UCG, with some variance relief requested. This shall be further documented as to why a variance is required.

1.1.10 Climate Change & Sea Level Rise (SLR) This project requires the submittal of a Coastal Hazard Analysis (CHA) worksheet. Based on staff's initial review, it appears that portions of the site may be impacted by SLR.



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especially along the proposed Plaza and wetland restoration areas and possible boardwalk areas and future narrative shall include and address the CHA results.



Based on the submitted preliminary plans, although no fill is shown for the bridge, the site is located within a FEMA designated VE 13 flood zone whereby FEMA restrictions apply to the use of fill for structural support and for the potential obstruction of flood flows (Section 1.3.1(C)(3)(d)). Also, please indicate on future plans where any riprap scour protection for the piers is proposed. The applicant is advised to coordinate with the local building official and consult applicable FEMA technical bulletins in this regard (see: <https://www.fema.gov/media-library/assets/documents/3490> and other applicable guidance). If the local building official, FEMA or the RI Emergency Management Agency (RIEMA) raises concerns regarding this project, CRMC Staff will not be able to support such fill. Where these issues are of concern, the applicant may apply to FEMA for a Letter of Map Revision (LOMAR) by addressing applicable FEMA requirements.

As mentioned in previous Preliminary Determination File #2021-02-063, discussions with CRMC's former Marine Infrastructure Coordinator Dan Goulet, P.E. indicated a 25'-30' Air Draft may be adequate. Permits will most likely be required by both the U.S. Coast Guard and ACOE-Navigation Division (408 Review) for this portion of the project (Reference: <https://www.nae.usace.army.mil/Missions/Section408/>).

1.1.11 Coastal Buffer Zone This is inapplicable if the applicant proceeds with the UCG options. Note, however, that all proposed invasive management work shall be in accordance with CRMC's Buffer Zone/Invasive Management Guidance and the application shall document compliance with future Assent submittal, consistent with the proposed UCGMP as well. All property abutting critical habitat areas, as defined by the Rhode Island National Heritage Program or the Council, shall possess a minimum vegetated buffer zone of two hundred (200) feet between the identified habitat and any development area. The applicant needs further documentation showing there is no critical habitat within the designated Natural Heritage Area; A mammalian den and other sandy soil areas were noted in the narrative and should be investigated for use by Diamondback terrapin. The proposed work identifies vegetation management zones and shall be broken down much more specifically for future review (what habitat is there, what is to remain, what is to be replanted and where, etc). Additionally, the applicant shall document that the proposed buffer reductions (UGC width) are minimized and sufficiently mitigated by additional public access and stormwater improvements as the proposed upland development, without the public component along the shore would require much larger buffer zones for the site. The proposed wetland restoration can not be determined at this time whether it is large enough to count toward UGC reduction mitigation or Special Exception mitigation for wetland alteration associated with the proposed boardwalk.

1.2.1(D) Type 4 Multipurpose Waters The applicant shall address the Bridge construction and any work within the waterway as applicable and note that activities below MHW will require RIDEM WQC and USACOE approval as well as US Coast Guard for the bridge work. These are required prior to CRMC Assent issuance, if applicable.



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1.2.1.(F) Type 6 Waters Industrial Waterfronts and Commercial Navigational Channels The applicant shall address the Bridge construction details as applicable.

1.2.2(C) Coastal Wetlands Phase 1B proposes alterations to a coastal (including contiguous freshwater) wetland with installation of a boardwalk (wetland walkover structure, see below). Per (f): Salt marshes adjacent to Type 3, 4, 5, and 6 waters that are not designated for preservation may be altered only if:

- (1) The alteration is made to accommodate a designated priority use for that water area;*
- (2) The applicant has examined all reasonable alternatives and the Council has determined that the selected alternative is the most reasonable; and*
- (3) Only the minimum alteration necessary to support the priority use is made.*

The applicant will need to demonstrate that these criteria have been met for construction of the boardwalk and shall provide further details on future plans (including current wetland /habitat delineations) and proposed sequencing for the boardwalk. In addition, as the wetland is located within an APC which also includes higher priority habitats to enhance/restore/conserves, minimization of impact to existing native vegetation is a priority. The applicant shall look at minimizing the design of the boardwalk impacts, consistent with Section 1.3.1(Q) below. As the site is currently degraded and monopolized by *Phragmites* and Japanese knotweed species, staff concurs it is a good restoration candidate.

1.2.2(D) Coastal Headlands, Bluffs and Cliffs The Red Book requires cutting back into existing slopes rather than filling out over bluffs. Additionally, the UCG shall be located inland of the top of bluff as construction or alterations to coastal cliff and bluffs contiguous to Type 2, 3, 4, 5 and 6 waters may only be permitted if:

- (1) The construction is undertaken to accommodate a designated priority use for the abutting water area;
- (2) The applicant has examined all reasonable alternatives and the Council has determined that the selected alternative is the most reasonable; and
- (3) Only the minimum alteration necessary to support the designated priority use is made.

1.2.2(F) Manmade Shorelines Ownership and maintenance responsibilities (including removal requirements) shall be documented in future application for all such pre-existing structures; No changes to these are currently shown.

1.2.3 Historic Preservation The initial comments provided July 2025 by RIHPHC included the following, which shall be addressed. A CRMC Assent will not be issued without an RIHPHC concurrence on the project.

The Rhode Island Historical Preservation and Heritage Commission (RIHPHC) staff has reviewed the information that your office provided for the above-referenced application. In this phase, the City of Pawtucket proposes to develop lots: 23/559, 23/672, 23/673, 35/361, and 54/887 along the east side of the Seekonk River in Pawtucket, Rhode Island.

The City proposes to construct two pathways, a stormwater basin, a staircase, pedestrian bridge over the river, and the Tidewater East Plaza. Additionally, two future development sites will be established. It is our understanding that at least one of the subject parcels is improved by a building. Our office assumes that this project will utilize or require federal funds, permits or licenses and we ask the applicant to clarify this point. Previously identified historic properties in the area include the National Register-listed Division Street Bridge. Further information on the project including a visual effects assessment for the Division Street Bridge, project plans, and a rendering of the proposed bridge, would be needed in order for our office to opine on the project.



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1.3.1 Category B Requirements The applicant shall address this Section in writing, as applicable.

1.3.1(B) Filling, Removing, or Grading of Shoreline Features The requirements of this Section shall be incorporated into the design of the proposed project, including consistency with the approved *RI Erosion and Sediment Control Handbook* and *RI Stormwater Design and Installation Standards Manual*.

1.3.1(C) Residential, Commercial, Industrial, and Recreational Structures The application proposes two upland structures: Wood Development and parking garage and Pennrose Development and parking areas; The details of these projects will need to be addressed in future submittal to fully determine which regulations may apply.

1.3.1(F) Treatment of Sewage and Stormwater See previous comments within this report in “b. Stormwater Management”

1.3.1(J) Filling in Tidal Waters Depending on the bridge work, filling will require Category B public hearing as well as USACOE and DEM WQ review, although at this time this section appears inapplicable to the project.

1.3.1(L) Coastal Wetland Mitigation The applicant is proposing to construct a boardwalk which will likely require the issuance of a variance and/or special exception for alteration of a wetland. The applicant is also proposing to alter coastal wetland with the purpose of restoring and enhancing the severely degraded existing wetland. Invasive species dominate the site and adjacent uplands and will be removed, the site restored and enlarged. This project, depending on future calculations is likely to meet the requirements for 2:1 mitigation for any special exception approved for alterations related to the proposed boardwalk. Note that a detailed work construction sequencing is required and plantings shall be refined in future review. This mitigation project, if approved will be required at the time of construction of the boardwalk and will require a wetland scientist, hydrologic details and future monitoring reports. The applicant is referred to CRMC’s Small Wetland Restoration Guidance document for further design requirements. Additionally, larger buffer zones (UCG) are required for restored wetlands and those within HPCA/HPRA areas within APC zones; A minimum 75’ from the restored wetland edge will be staff’s recommendation, to coincide with the Option 2 variance request for APC UCG widths. USACOE and DEM WQC approvals will be required and the applicant is encouraged to concurrently submit applications for any work within the wetland.

1.3.1(M) Public Roadways, Bridges, Parking Lots This Section shall be addressed as applicable.

1.3.1(Q) Wetland Walkover Structures The proposed project includes a wetland walkover structure (“boardwalk” along the eastern shore). As discussed above, the structure design shall be minimized to avoid impacts to the coastal wetland (especially to be restored within an APC) and a variance is required for all standards not met. Note the prohibitions contained within this Section will require the issuance of a Special Exception for relief (height, width, observation decks, etc). Staff concurs with the proposed helical anchoring/installation method.

1.3.5 Guidelines for the Protection and Enhancement of the Scenic Values of the Coastal Region The requirements of this Section for Type 4 waterbodies correspond with the goals of the MB SAMP for protecting and enhancing scenic value to and from the river which include screening vegetation, preservation or planting of trees, LID design techniques, etc. UCG planting/existing habitat details were not provided for staff to determine consistency with this Section, though the applicant is reminded that native vegetation within an APC Zone shall be retained as much as possible during the project development.

1.3.6 Protection and Enhancement of Public Access to the Shore Reference MB SAMP requirements above and document consistency with this Section.

1.8 SLAMM The applicant shall document consistency with the goals of this Section (ref. CHA above).



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CONCLUSION/RECOMMENDATIONS:


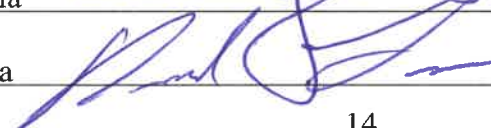
Overall, Phase 1B appears able to accommodate the requirements of the MB SAMP including public access, stormwater treatment and minimum vegetative coverage enhancements. However, similar to Phase 1 PD application, the UCG requirements of the MB SAMP have not been fully documented and so it does not appear the current proposal is consistent with the entirety of the MB SAMP requirements. Additionally, there appear to be activities such as coastal wetland alteration and bridge construction that may also necessitate additional state and federal agency review, as well as the required historic signoffs.

Staff attended a pre-application meeting December 2024 and a more recent site visit with the applicant's consultants, however Assent application for further work at this site will require the submittal of much more detailed plans and accompanying documentation (as noted above per Section) in order for staff to provide favorable reviews. Variances to the UCG buffer, potential construction setback and wetland walkover structure requirements as well as possible Special Exceptions to parts of the work appear to be required, which will need Category B review. Specifically, compensatory and mitigation buffer requirements do not currently appear to be met.

The applicant shall provide further information on the proposed future development sites in order to include them within Phase 1B Assent permitting. UCG easements are required with Assent application as well as supporting calculations for all requirements (stormwater, buffer area, etc). The applicant is encouraged to continue working with staff as they proceed with future design phases.

Additionally, as noted prior, the applicant should examine re-siting of the stormwater basin from the APC to an area to the north (Development Zone).

Lastly, although not shown on the submitted plans, public access from Division to Taft St on the western side of the River was discussed in the narrative and during recent site visit; Staff has no objection to that proposed work, which could be separated out as a stand-alone project if the applicant chooses. If so, buffer restoration shall be shown within any submitted application along with state/local/historic applicable signoffs.

SIGNATURE: T. Silvia  STAFF BIOLOGIST
SIGNATURE: R. Lucia  STAFF ENGINEER

