



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COASTAL RESOURCES MANAGEMENT COUNCIL

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**Citizens Advisory Committee Meeting
Greenwich Bay Special Area Management Plan**

November 29, 2007

5:30-7:30 p.m.

**Buttonwoods Community Center
3027 West Shore Road, Warwick**

MEETING NOTES

Attendees

Marc Cardin, Gary Davis, John Greene, Michelle Komar, Richard Langseth, Lincoln Ross and John Williams

CRMC Staff: Grover Fugate, Caitlin Chaffee, and James Boyd

The objectives of the CAC meeting were to present the preliminary development of the CRMC Suburban Buffer/Low Impact Development (LID) program for Greenwich Bay and to address two specific prohibitions contained in Sections 390.7 and 910 of the Greenwich Bay Special Area Management Plan (SAMP). CRMC staff sought advice and feedback from the CAC to assist in revising the existing prohibitions.

Suburban buffer/LID program

As directed by Section 910.2.1 of the Greenwich Bay SAMP, the CRMC is developing a suburban coastal buffer program specifically for the Greenwich Bay SAMP area. The goal of this program is to offer greater flexibility for property owners to meeting regulatory requirements, while enhancing the functions (primarily water quality improvement) that coastal buffer zones provide. Staff provided a short visual presentation on the current buffer policy and problems associated with it, along with some proposed mapping units and examples of the thresholds and requirements as alternative options to the standard buffer program under CRMP Section 150.

Discussion followed concerning the application of the Suburban buffer/LID program to sites outside of CRMC jurisdiction. Staff noted that they had been working with the Warwick Planning Department so that the program could be implemented beyond CRMC jurisdiction (within 200-feet of a shoreline feature) throughout the entire Greenwich Bay watershed by way of Warwick Zoning Ordinance provisions.

A point was raised concerning the potential conflict with existing Warwick zoning requirements, such as setbacks, and how they might be resolved with implementation of the CRMC program. One suggestion was to ensure that Warwick Zoning Ordinances were properly reviewed and amended, if necessary, to be consistent with the CRMC program.

A question was asked concerning the current exemption under the freshwater wetland rules for structures under 600 square feet and how that may conflict with the proposed CRMC program thresholds. Staff stated that they would investigate and review for consistency.

Attendees noted that the City Building Officials office does not provides building permit applicants with information regarding CRMC rules or the requirements of the Greenwich Bay Special Area Management Plan. It was further noted, however, that the office does have a freshwater wetlands map depicting DEM and CRMC jurisdictional areas. It was suggested that a more concise map be provided to help applicants understand CRMC jurisdiction and that a guidance pamphlet be developed for distribution to building permit applicants.

It was suggested that perhaps some form of credit (e.g., property tax abatement) be available for land owners that provide onsite restoration or enhancement of their land or adjacent wetlands

Staff noted that the size of the average Warwick single-family dwelling was approximately 1400 square feet (as defined in the Greenwich Bay SAMP). Attendees suggested that the proposed threshold matrix should include area as well as the percentage coverage. Additionally, it was suggested to engage the real estate community in the development and implementation of the Suburban buffer/LID program to enhance public education and help provide good public relations.

Staff indicated that they would propose adding the Warwick Cove wetlands that have been previously identified by the CRMC as “wetlands designated for preservation” to the critical areas defined in the Greenwich Bay SAMP (i.e., Baker’s and Mary’s Creek). This would add a level of protection in the SAMP for these wetlands consistent with existing policy.

CRMC staff also reviewed the online coastal plant list (<http://www.crmc.ri.gov/pubs/index.html>) with attendees and explained the purpose and usefulness of the project. It was suggested that a new category be added for those plants (e.g., evergreens) that provide year-round screening.

Proposed amendments to Sections 390.7 and 910

CRMC Executive Director Grover Fugate explained the purpose of the amendments was to address the current prohibition on new or expansion on construction on lots adjacent to the two critical areas defined in the SAMP as Baker’s and Mary’s Creeks. He indicated that with the current prohibition in the SAMP that there is no remedy for relief and the prohibition is not backed by well established facts and data. Therefore, the concern being that a court could find the prohibition arbitrary and capricious and exposes the CRMC to legal liability. Accordingly, CRMC staff has proposed language to retain the prohibition, but provide a set of standard requirements for applicants to meet in order to provide some relief under the prohibition.

Staff had also proposed to amend the existing prohibition on the subdivision of land unless it can accommodate the required buffer by removing it from the policy section and placing it in the prohibition section, and by adding language regarding “the creation of additional lots.” It was suggested that the proposed text needs to address the subdivision of land for the purpose of creating open space or conservation lands. Another comment concerned the application of buffers to public (state or municipal) property. It was noted that buffer would still apply in cases where new construction triggered the regulatory thresholds.

It was agreed that CRMC would schedule a meeting in the near future with Warwick Planning staff to discuss consistency of the proposed CRMC regulatory language with existing city zoning ordinance language. Attendees suggested that the city ordinances should, if necessary, be amended by the City Council to ensure consistency with CRMC rules.

The meeting was adjourned at 7:30 PM