



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

March 5, 2018

Jeff C. Davis, AICP
Project Planner
Horsley Witten Group
55 Dorrance Street, Ste 200
Providence, RI 02903

Dear Mr. Davis:

I am writing this letter to summarize the items discussed with you at our meeting held on February 6, 2018 at the Rhode Island Department of Environmental Management (the Department). In attendance at this meeting were: from DEM – Nicholas Noons from the Site Remediation Program, and myself, Joseph Antonio from the Office of Customer & Technical Assistance. Also in attendance at this meeting were Tracy Silvia and Amy Silva from the Coastal Resources Management Council (CRMC), Nathan Kelly from Horsley Witten Group, and Phil Hervey from the Town of Barrington.

The purpose of this meeting was to discuss the status of two sites (owned by the same company) located on Bay Spring Avenue in Barrington. The Town of Barrington held 2 public meetings pertaining to the usage and development of the properties. The meetings touched on environmental constraints, as well as requirements vs. options. At these meetings, the Town solicited input from the community. The Town informed the Department that there is lots of interest from the public regarding the future of these sites. The Department was informed that meetings for milestones are moving forward for these sites and that earthwork and construction has already commenced in order to get the site development-ready.

The sites fall under CRMC jurisdiction for wetland permitting.

Below is a bulleted summary of items that were discussed and/or brought up as talking points during the pre-application meeting:

1. One of the sites lies adjacent to Allin's Cove. The site is zoned as both residential and industrial. Setbacks at this site are comprised of wetlands, surface water, and construction. CRMC requires a 200-foot jurisdictional area (i.e., buffer zone), plus a 25-foot construction buffer for this site. CRMC RICRMP (coastal) jurisdiction is any work within 200' of the nearest coastal feature(s). Based on the Town's parcel size of 5.57 acres, a 200' vegetated buffer zone is required for new work on this site. In addition, a 225' construction setback (buffer + 25') is also required for new work. Please note that when determining a coastal bank (i.e., bluff) as a feature, slope steepness (3:1) is used.



2. CRMC informed the consultants that if no work is proposed within the 200' buffer zone or 225' construction setback, then a CRMC permit is not required for work at this site. It was also mentioned that this site may have variances due to development. If variances are required for work within the buffer zone or construction setback, then the applicant will need to address the variance criteria as applicable.

It was also mentioned there may be potential encumbrances from future sea level rise impacts.

3. With regards to site clean-up, it was mentioned that there are standards for commercial vs. residential sites under the Site Remediation Regulations. Please note that under CRMC regulations, there is no set buffer zone for commercial projects; it is based on residential buffer zone criteria.

Some site remediation work was authorized back in 2013, including tank removals. CRMC authorized one site remediation Assent (#2013-05-183) which included cistern removal, spot soil removal, and test pits with limited vegetative clearing. Remediation performed since then primarily consisted of debris removal, as well as a short-term removal action. Remediation issues at the site moving forward are limited to soils contamination (metals, and polycyclic aromatic hydrocarbons (PAHs)). Capping is the preferred remedy for this site, as it allows for unrestricted use. Soil underlain with geotextile fabric was mentioned as a capping option to be used around the roots of any trees that will be remaining. The trees can be part of the redevelopment plan for this site.

CRMC can grant temporary permits for remediation. If any other work has occurred within 200' of the coastal feature on this site that was not permitted under the 2013 Assent, then technically the parcel is in violation, and permits need to be filed to authorize such work. Additionally, prior to site development, CRMC can issue separate remediation permits or Letters of Authorization as applicable during the continuing site remediation process. The Site Remediation Program recommended that more sampling be taken to show that the site is clean.

It was mentioned that the Site Remediation Program is not aware of any known groundwater contamination issues at this site.

4. CRMC prefers that the consultants and the Town not clear cut the site if there are other options available. CRMC informed the consultants that wetlands need to be delineated and verified through CRMC. The Town will work to keep this project within the realm of a Preliminary Determination application. The Town will need to verify where the coastal feature ends.

Depending on the project, a Preliminary Determination, per the Subdivision Act, may be required by CRMC, as the Town continues review of potential development options. In either case --in order to provide proper guidance-- the coastal feature(s) need to be delineated, as all offsets are measured from these points. CRMC will not support clearing the entire site, as the parcel appears able to fully support the

required offsets. Any variances to the required offsets which are sought will need to include minimization efforts.

5. The second site, known as Lot 102, is located at 85 Bay Spring Avenue adjacent to Haines Park. CRMC informed the consultant that waterways greater than a 10-foot width will require a 200-foot riverbank wetland and a 50-foot perimeter wetland. CRMC recommends that encroachment be avoided to the best extent practicable. CRMC informed the consultants that a recreation area and public access are OK in a buffer area, but that a conservation easement is desirable as well. It was also mentioned that a permit would not be necessary if all buffers/setbacks are met. A Determination would confirm where edges are for planning.

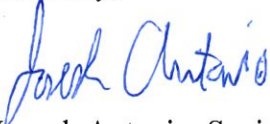
It was mentioned that if commercial or mixed-use is planned for the other lot, then the Town would need to provide public access. RICRMP Section 1.3.6 requires public access be provided for new commercial (including mixed-use) activities.

6. The Town informed CRMC and the Department that next steps include an online survey to lay out facts and to ask preferences from the public. It was mentioned that zoning recommendations will be needed.

This concludes the Department's understanding of the issues raised during the meeting. I hope that this summary is of assistance to you. Please be aware that this letter is not to be construed as a permit or an approval to undertake work or any indication that any permit for this project will ultimately be granted. This letter does not relieve the property owner from his/her obligation to obtain any local, state, or federal approvals or permits required by ordinance or law.

If you have any questions concerning this meeting, please contact me at 401-222-4700 x 4410, or by email at joseph.antonio@dem.ri.gov.

Sincerely,



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RIDEM/Office of Customer & Technical Assistance

Cc: Ronald Gagnon, DEM
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