



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Administration  
**DIVISION OF PLANNING**  
One Capitol Hill  
Providence, RI 02908-5870

November 28, 2014

Mr. Philip L. Hervey  
Town Planner  
283 County Road  
Barrington, RI 02806

**Subject: Draft Comprehensive Plan Review – Natural Hazards, Natural & Cultural Resources,  
and Energy Chapters**

Dear Mr. Hervey:

I am pleased to notify you that our office has completed its review of the above referenced chapters. As part of this review, we also solicited comments from other relevant State agencies. The following constitutes our evaluation of the draft material that you provided to our office. As with our previous reviews, this is a preliminary evaluation and does not constitute official findings.

As with previous chapters, these draft chapters are well-organized, clear, and attractively presented. In particular, the Natural Hazards chapter is exemplary. It describes the issue well, discusses very specific recent and potential impacts in Barrington, and offers concrete steps to address them in the short and long term. It's also very well written and illustrated. It has clear and concise maps that convey the necessary information without being cluttered or showing extraneous information. However, the most important part of this review is to alert you to any aspect of the draft that could prevent its receiving State approval. This includes any potential conflicts with elements of the State Guide Plan or the goals and policies of State Agencies, any internal inconsistencies within the Plan, and any missing material that is required to be included in a comprehensive plan by the Comprehensive Planning and Land Use Regulation Act (the Act). Our understanding is that the Town intends for this plan to meet the requirements of the Act as amended in 2011 and thereby qualify for a ten-year State approval.

What follows is divided into four sections. Section I enumerates the standards for State approval of local comprehensive plans as outlined in the Act and supplemented by the Division of Planning. Sections II and III set forth concerns with the draft Plan that relate to approvability issues, and Section IV presents other suggestions that, although not directly related to the review requirements, could improve the Plan's overall accuracy, readability, and usability if addressed.

## **I. Standards for State Approval**

The State review is intended to ensure that comprehensive plans comply with the requirements of the Comprehensive Planning and Land Use Regulation Act (the Act). These include that:

- 1) the intent and goals of the Act as stated in § 45-22.2-3(b)(1) and (c)(1) through (10) have been met;
- 2) the plan is internally consistent and complete as required by § 45-22.2-6;
- 3) the plan or amendment is consistent with, and embodies, the goals and policies of the State and its departments and agencies as contained in the State Guide Plan and the laws of the State;
- 4) municipal planning activities have been coordinated according to the provisions of section 45-22.2-7;
- 5) the plan or amendment has been officially adopted and submitted for review in accordance with §45-22.2-8 and other applicable procedures;
- 6) the plan or amendment complies with the rules and regulations adopted by the State Planning Council necessary to implement the standards established by the Act; and, that
- 7) adequate, uniform, and valid data have been used in preparing the plan or amendment.

Although all of the above will be considered in the final review of the Plan once it has been adopted by your Town Council, at this stage of the process, items 4) and 5) do not apply and are not evaluated in this review.

In addition to these general requirements, the Division of Planning is currently in the process of developing a Comprehensive Plan Guidance and Standards Manual that will offer both guidance on the development of comprehensive plans and set detailed standards relating to the above requirements for receiving State approval of comprehensive plans. However, until the Manual is adopted by the State Planning Council, which is anticipated for later this year, the review standards in force are the *interim* standards that were shared with all municipalities in 2013. Therefore, the comments included in this correspondence relating to State approval are divided into two categories, Section II presents comments relating to the current (interim) review standards and Section III presents comments relating to additional draft standards included in the Comprehensive Plan Guidance and Standards Manual. Please note that the draft standards used in this review are subject to change as the Manual is reviewed, finalized, and adopted by the State Planning Council.

Any municipally-adopted plan submitted before the adoption of the new Comprehensive Plan Guidance and Standards Manual by the State Planning Council, must satisfactorily address the comments found in Section II of this letter in order to receive State approval. Any municipally-adopted plan submitted after the adoption of the new Manual may also need to address the concerns identified in Section III.

## **II. State Approval Concerns based on the Interim Standards**

The draft Natural Hazards, Natural & Cultural Resources, and Energy chapters do not appear to contain any State Approval concerns based in the Interim Standards.

## **III. State Approval Concerns based on the Draft Standards**

The draft Natural Hazards, Natural & Cultural Resources, and Energy chapters do not appear to contain any State Approval concerns for items 1), 3), 6), or 7). Our comments for item 2) appear below.

**While the draft Plan appears to be internally consistent, it does not appear to be complete as required by § 45-22.2-6.**

Since this review is limited to the chapters presented, a full evaluation of internal consistency and completeness cannot be accomplished at this time. However, based on the material provided, we offer the following comments.

The **Natural Hazards Chapter** does not appear to contain all the content required by the draft *Comprehensive Plan Guidance and Standards Manual*.

**Comment 1** – The draft Standards require comprehensive plans to include one or more maps that illustrate the areas that are projected to be inundated due to 1', 3' and 5' of sea-level rise. It does not appear that such a map(s) has been included.

**Suggestion:** Include this map(s) in the plan. This information is available through RIGIS within the 'Planning and Cadastral' section or at the following website:  
[www.edc.uri.edu/rigis/data/data.aspx?ISO=planningCadastre](http://www.edc.uri.edu/rigis/data/data.aspx?ISO=planningCadastre).

The **Natural & Cultural Resources Chapter** does not appear to contain all the content required by the draft *Comprehensive Plan Guidance and Standards Manual*.

**Comment 2** – The draft Standards require comprehensive plans to include a map identifying conservation areas. It does not appear that this map has been included.

**Suggestion:** Add the required map(s) or add the information to an existing map. The map(s) must include and identify:

- Publicly-owned conservation areas that are permanently protected; and
- Privately-owned conservation areas that are permanently protected;

This information is available through RIGIS within the 'Environment and Conservation' section or at the following website:

[www.edc.uri.edu/rigis/data/data.aspx?ISO=environment](http://www.edc.uri.edu/rigis/data/data.aspx?ISO=environment)

To view the full set of conservation lands, you will need to refer to both the 'Conservation Lands: State of Rhode Island' and 'Conservation Lands: Municipal and NGO' datasets.

**Comment 3** – The draft Standards require a comprehensive plan to assess existing and future issues facing the community's significant natural resources. We commend the Town for including a section on Issues and Opportunities but it does not appear that an assessment of

how the identified issues are likely to change over the course of the Plan's 20-year planning horizon has been included.

**Suggestion:** For each identified issue, add the required 20-year planning horizon assessment.

**Comment 4** – The draft Standards require a comprehensive plan to include a map illustrating the effects of sea-level rise on saltwater marshes. The map must identify areas of potential losses and marsh migration areas. This information could be used to connect the effects of sea-level rise with the Town's policies and actions relating to the preservation of natural resources, especially migrating coastal wetlands.

**Suggestion:** Add the required map. The Coastal Resources Management Council has offered their assistance as the Town pursues this requirement. The Sea Level Affecting Marshes Model (SLAMM) project should be able to provide this information in the near future.

While not a requirement for approval, consider adding an Action to modify the criteria for evaluating and prioritizing open space acquisition and conservation easements to consider SLAMM data. Consider modifying Goal 1, Action B to read, "Seek grants and other funding sources to protect open space, including habitat areas, upland areas adjacent to coastal wetlands, and farmland, through acquisition and conservation easements.

Depending on how the Town chooses to incorporate this information into the Plan, we suggest including appropriate cross-references between the Natural Resources and Natural Hazards chapters.

**Comment 5** – The draft Standards require a comprehensive plan to discuss and assess existing techniques for minimizing the negative impacts of development on the community's significant natural resources. While some information is provided e.g. land acquisition, other important techniques such as LID do not appear to have been included. In addition, the discussion and assessment of all techniques employed to minimize the negative impacts of development should include a description of the purpose and scope of the technique and an assessment of how well it is working.

**Suggestion:** We realize that the Town may intend to provide some of the required information in the Land Use chapter. Wherever it is located within the Plan, it is important that the information be provided. Please review the attached draft Natural Resources chapter from the *Comprehensive Planning Guidance and Standards Manual* for additional detail (page 86 specifically addresses this requirement).

**Comment 6** – With respect to natural resources, the draft Standards require the Future Land Use Map to include existing and proposed conservation areas. With respect to cultural and historic resources, the draft Standards require the Future Land Use Map to include existing and proposed historic districts. We understand that the Town has not completed the Land Use chapter of the draft Plan but we wish to take this opportunity to alert the Town of these requirements.

**Suggestion:** Please ensure that when preparing the Plan's Future Land Use Map, that both existing and proposed conservation areas and the boundaries of any existing or proposed historic districts are included.

**Comment 7** – Map NCR-4 does an excellent job illustrating the location of Barrington's historic and cultural properties; however, the draft Standards also require comprehensive plans to identify which of these properties are municipally-owned and/or managed.

**Suggestion:** Identify which properties shown as listed on the National Register of Historic Places or as located in locally designated historic districts on Map NCR-4 are municipally-owned and/or managed (if any). If no properties are municipally owned or managed, then a statement to that effect should be made.

#### **IV. Comments and Suggestions to Enhance Accuracy, Readability, and Usability**

##### **Energy Chapter**

**Comment 8** – The draft Plan is to be commended for its extensive array of policies and implementation actions for energy efficiency and conservation. In addition to efficiency and conservation, the State is committed to the expansion of renewable energy supplies including solar, wind, geothermal, and hydro. Accordingly we urge municipalities to consider the development of renewable energy production facilities.

**Suggestion:** Add a discussion of what renewable energy sources might be appropriate in Barrington. Consider adding one or more policies and actions concerning how the Town could enable or promote the development of renewable energy production facilities by the private sector.

##### **Natural Hazards Chapter**

**Comment 9** – Natural hazards and climate change are a lens through which all of the other topical areas discussed within a comprehensive plan should be viewed. The impacts of natural hazards and climate change are far-reaching, touching every component of a community, including all of the components discussed within a comprehensive plan. To fully integrate natural hazard and climate change considerations throughout the comprehensive plans, municipalities should ensure that the plan's assessments, goals, policies and implementation actions reflect the impacts that have been identified. Nothing within the plan should contradict the findings related to natural hazards and climate change and communities should be aware of potential impacts when setting goals, policies and implementation actions.

**Suggestion:** Ensure that all chapters of the comprehensive plan, especially Land Use, consider natural hazards.

**Comment 10** – Goal 1, Action C on page 50 reads “Consider amending the Zoning Ordinance and subdivision regulations to require design standards that exceed FEMA's requirements.” Depending on the specifics, this may not be legally possible. It is our understanding that FEMA requirements for building design and elevation standards are incorporated in the current State Building Code which is enforced by the local building official. Municipalities do not have the authority to establish a local building code.

**Suggestion:** Revise the Action to clarify that the Town will not establish standards contrary to the State Building Code. Consider replacing the word “require” with “incentivize”.

**Comment 11** – It appears that Table 5 “Estimated Number of Structures In flood zones” on page 37 directly relates to Map NH-2 Development in Flood Zones on page 35. Having this map and table disconnected by a page of intervening text is a bit confusing.

**Suggestion:** Move Table 5 to immediately precede or immediately follow Map NH-2 if in fact the table quantifies the number of structures shown in the flood zones depicted on the map.

**Comment 12** – Page 35 contains a reference to the *RI Drought Management Plan*; this plan has been incorporated into, and superseded by, *RI Water 2030*.

**Suggestion:** Please change the reference to *RI Water 2030*.

In addition to the preceding comments, the Rhode Island Emergency Management Agency also provided several suggestions for your consideration; they are attached to this letter in their entirety.

### **Natural & Cultural Resources Chapter**

**Comment 13** – While the chapter includes a discussion of farms and agriculture, it is relatively brief. Additionally, there is no mention of the Farm, Forest, and Open Space Program (FFOS) which provides property tax reduction in return for land preservation.

**Suggestion:** Consider adding an expanded discussion of farming and agriculture.

With respect to FFOS, it appears that the Town does not currently participate in the program but Action 6D, “Evaluate potential options to protect agricultural lands, such as Agricultural/Forest Districts, an agreement where landowner voluntarily agrees to not develop a farm or forest land for a set period of time” signifies an intent for the Town to consider the FFOS Program; is this correct?

In addition to the preceding comments, the Rhode Island State Council on the Arts also provided several comments for your consideration; they are attached to this letter in their entirety.

### **General**

**Comment 14** – The proper categorization of Goals, Policies, and Actions is important to the clarity of a comprehensive plan. The proper categorization of Actions is especially important under the new requirements of the Act, one of which is that communities must conduct an assessment of the plan’s implementation program within five years of its adoption. While the majority of these chapter’s statements are well-thought out, clear, and properly classified, a few may not be. For example Natural Resources Goal 5 is “Adopt protections for scenic resources.” As phrased, this is an implementation action (i.e. “adopt”). Another example is Energy Goal 3 which is, “Provide resources and set policies to achieve the Town’s energy goals.” Providing resources and setting policies are a means to an end (the goal) but are not the endpoint themselves.

**Suggestion:** Please review the Goals, Objectives, Policies, and Actions in light of the guidance previously provided. As appropriate, re-categorize them or revise them to follow our definitions.

As previously mentioned, this is a preliminary review. At the appropriate time, we encourage the Town to provide us the "final draft", incorporating revisions made to the current draft. As always, please feel free to contact Kevin Nelson, Supervising Planner with any questions, concerns, or requests that you may have at 222-2093 or at [kevin.nelson@doa.ri.gov](mailto:kevin.nelson@doa.ri.gov).

Yours truly,

A handwritten signature in black ink, appearing to read "Kevin M. Flynn". The signature is fluid and cursive, with the first name being the most prominent.

Kevin M. Flynn  
Associate Director

cc: Jared L. Rhodes II  
Kevin J. Nelson



October 9, 2014

Mr. Benny Bergantino  
State of Rhode Island and Providence Plantations  
Department of Administration  
Statewide Planning Program  
One Capitol Hill  
Providence, RI 02908-5870

Subject: Town of Barrington Comprehensive Community Plan 2015 Update  
Natural & Cultural Resources Section

Dear Mr. Bergantino:

Thank you for the opportunity to comment on the Natural & Cultural Resources Section of the Town of Barrington Comprehensive Community Plan 2015 Update.

Most of what is contained within the Plan Update deals with natural resources and historic preservation. These are important issues for any community. However, Barrington can use the arts and engage with its creative community in ways that revitalize areas of the community and energize community life.

For example, the commissioning and placement of public art throughout Barrington can help contribute to community life. In the Rhode Island Percent for Art Law the General Assembly makes the case that "art creates a more humane environment: one of distinction, enjoyment and pride for all citizens." There is renewed interest nationally in supporting "creative placemaking" initiatives, which use the arts to create cities, towns and villages where people want to come to live, to work, to play and to learn. Barrington can develop strategies that identify places in the town that might benefit from a focused public art or creative placemaking initiative.

There is also a community of artists who live and work in Barrington and contribute to our state's cultural life. Barrington could develop strategies to identify and work with its artists by showcasing their work in Town facilities, helping them to organize local festivals featuring the work of Barrington artists, encourage and support Barrington artists to work in Barrington schools on community projects and other initiatives.

In conclusion, we would encourage the Town of Barrington to support the arts as a way to improve the education of young people, increase the vibrancy of the Town and its neighborhoods, improve property values and increase the quality of life for its citizens.

The Rhode Island State Council on the Arts would be proud to work with the Town of Barrington on these efforts.

Sincerely,

A handwritten signature in black ink, appearing to read "Randall Rosenbaum", with a long horizontal flourish extending to the right.

Randall Rosenbaum  
Executive Director

cc: Jean Rondeau, Chairman, RISCA



# RIEMA

**RHODE ISLAND  
EMERGENCY MANAGEMENT AGENCY**

Lincoln D. Chafee **Governor**  
Jamia R. McDonald **Executive Director**

October 16, 2014

Benny Bergantino, Senior Planner  
Department of Administration  
One Capitol Hill  
Providence, Rhode Island 02908

Dear Mr. Bergantino:

After review of the Town of Barrington Comprehensive Community Ten-Year Plan: Natural Hazards Element Draft, the Rhode Island Emergency Management Agency has determined that the plan is consistent with our agency's goals and objectives; however, it is recommended that the following be considered for incorporation into the document:

- Pg. 31 - Overview, last paragraph
  - Recommend identifying critical issues and steps that help reduce the risk and impacts of hazards on the community
- Pg. 32 - Natural Hazards: Threats
  - Due to Barrington's low lying coastal location consisting of relatively flat topography and large areas of inland water and wetlands, flooding is a pervasive problem in many areas
- 32 - Table 1
  - Current RI Hazard Mitigation Plan (adopted 4/2014) may provide additional and more current hazard related information
- Pg. 32 & 33 - Map NH-1, Hurricane Storm Surge Areas
  - Include evacuation route direction arrows
- 38 - NFIP
  - In 2014, the Town applied for a FEMA Hazard Mitigation Grant on behalf of seven (7) property owners seeking assistance to elevate their houses out of the flood zone (these projects were under review as of Fall, 2014)
- 38 - Protection and Restoration of Coastline
  - Recommend include verbiage regarding the reduction from flooding event damages
- 40 - Bridge Projects
  - The project was in the design phase in 2014 and construction could begin as early as 2016
- 41 - Location of Emergency Centers, Town Facilities
  - 1st sentence of second paragraph is worded awkwardly and it is difficult to understand context

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to know*



# RIEMA

RHODE ISLAND  
EMERGENCY MANAGEMENT AGENCY

Lincoln D. Chafee Governor  
Jamia R. McDonald Executive Director

- Page 49 - Public Awareness
  - Second paragraph should read, "A communications strategy would also help to disseminate information of benefits to property owners" ✓
- Pg. 50 - Funding Opportunities
  - Action D – Should list Emergency Management Performance and Homeland Security Grants. Although this document is hazards specific, those opportunities can be eligible ✓
- 51 - Objective 3.2
  - Statewide, a community cannot achieve better than a Class 6. This is partly due to the Building Code Effectiveness Grading Schedule (BCEGS) score
- 51 - Actions (B)
  - It would be more cost effective for the town to have a staff member become a Certified Floodplain Manager (CFM) and oversee the CRS program for the Town with guidance from the State
- 51 - Policy 4.1.1. Actions (A)
  - Excellent idea
- There is no information regarding COOP/COG planning for these detailed naturally occurring events. There should be some planning regarding COOP/COG and exercise of these plans to validate

If you have any questions regarding these recommendations, please feel free to contact Michelle Burnett at 401-462-7048 or michelle.burnett@ema.ri.gov.

Sincerely,

  
Jamia R. McDonald  
Executive Director

→ Ida ~ cell  
477-0196