Town of Westerly, RI

Property Listing Report

Map Block Lot	179-016	Building #	1	PID	13037	Account	15033080

Property Information

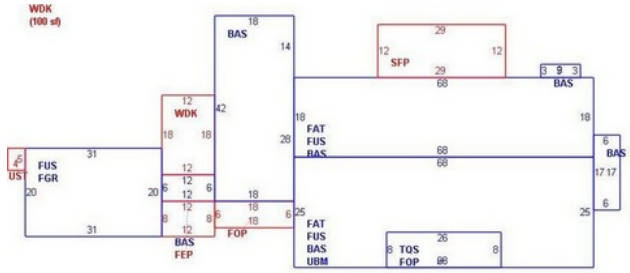
Property Location	11 WATERS EDGE RD
Owner	SAMOSET 11 LLC
Co-Owner	NA
Mailing Address	630 GEORGE BUSH BLVD DELRAY BCH FL 33483
Land Use	1080 LUX ESTATE
Land Class	R
Zoning Code	R43
Census Tract	

Neighborhood	0170
Acreage	2.25
Utilities	Public Water,Septic
Lot Setting/Desc	Suburban Septic
Fire District	WHFD
Book / Page	2021/4644
Additional Info	

Photo

No Photo Available

Sketch



Primary Construction Details

Year Built	1905
Building Desc.	LUX ESTATE
Building Style	Estate
Building Grade	Very Good
Stories	2
Occupancy	1.00
Exterior Walls	Wood Shingle
Exterior Walls 2	NA
Roof Style	Gambrel
Roof Cover	Asph/F Gls/Cmp
Interior Walls	Drywall/Sheet
Interior Walls 2	NA
Interior Floors 1	Hardwood
Interior Floors 2	Pine/Soft Wood

Heating Fuel	Oil
Heating Type	Forced Air-Duc
AC Type	Central
Bedrooms	5 Bedrooms
Full Bathrooms	9
Half Bathrooms	0
Extra Fixtures	0
Total Rooms	14 Rooms
Bath Style	Average
Kitchen Style	Luxurious
Fin Bsmt Area	NA
Rec Rm Area	NA
Bsmt Gar	NA
Fireplaces	NA

(*Industrial / Commercial Details)

Building Use	Residential
Building Condition	NA
Sprinkler %	NA
Heat / AC	NA
Frame Type	NA
Baths / Plumbing	NA
Ceiling / Wall	NA
Rooms / Prtns	NA
Wall Height	NA
First Floor Use	NA
Foundation	NA

Report Created On 3/9/2024

Town of Westerly, RI

Property Listing Report | Map Block Lot 179-016 | Building # 1 | PID 13037 | Account 15033080

Valuation Summary

Item	Appraised	Assessed
Buildings	2205900	2205900
Extras	8700	8700
Improvements		
Outbuildings	18500	18500
Land	7863400	7863400
Total	10096500	10096500

Outbuilding and Extra Features

Type	Description
2 STORY CHIM	2 UNITS
DOCKS-RES TYPE	176 S.F.
GARAGE-AVE	528 S.F.
GAZEBO	100 S.F.
EXTRA FPL OPEN	1 UNITS

Sub Areas

Subarea Type	Gross Area (sq ft)	Living Area (sq ft)
First Floor	3881	3881
Attic, Finished	2924	585
Porch, Enclosed	96	0
Garage	620	0
Porch, Open	316	0
Upper Story, Finished	3544	2835
Superior Fin Porch	348	0
Three Quarter Story	208	156
Basement, Unfinished	1700	0
Utility, Storage, Unfinished	20	0
Deck, Wood	316	0
Total Area	13973	7457

Sales History

Owner of Record	Book/ Page	Sale Date	Sale Price
SAMOSET 11 LLC	2021/4644	2/22/2021	
ORTHWEIN JANE ROSS 2020 ALASKA TR DTD 12/15/20	2020/29128	12/28/2020	
ORTHWEIN JANE ROSS RT DTD 1/29/04	2020/10489	6/5/2020	
ORTHWEIN JAMES B JR	545/280	1/19/1995	1500000

Report Created On 3/9/2024

Town of Westerly, RI

Property Listing Report

Map Block Lot	179-015	Building #	1	PID	13036	Account	23032100

Property Information

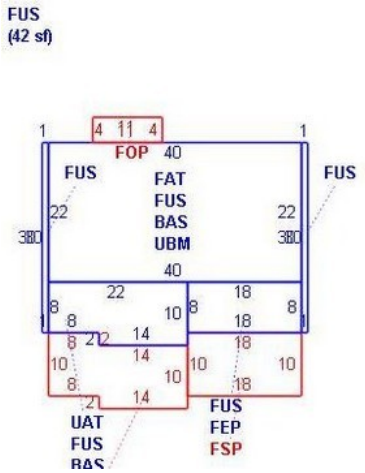
Property Location	14 WATERS EDGE RD
Owner	WATCH HILL LLC
Co-Owner	NA
Mailing Address	14 WATERS EDGE RD WESTERLY RI 02891
Land Use	1070 SEASNL&BCH MDL-01
Land Class	R
Zoning Code	R43
Census Tract	

Neighborhood	0170
Acreage	0.37
Utilities	Public Water,Septic
Lot Setting/Desc	Suburban Septic
Fire District	WHFD
Book / Page	2019/1077
Additional Info	

Photo

No Photo Available

Sketch



Primary Construction Details

Year Built	1900
Building Desc.	SEASNL&BCH
Building Style	Custom
Building Grade	Good +
Stories	2
Occupancy	1.00
Exterior Walls	Wood Shingle
Exterior Walls 2	NA
Roof Style	Gambrel
Roof Cover	Asph/F Gls/Cmp
Interior Walls	Plastered
Interior Walls 2	NA
Interior Floors 1	Pine/Soft Wood
Interior Floors 2	NA

Heating Fuel	Electric
Heating Type	Hot Air-no Duc
AC Type	Heat Pump
Bedrooms	7 Bedrooms
Full Bathrooms	1
Half Bathrooms	2
Extra Fixtures	2
Total Rooms	10 Rooms
Bath Style	Old Style
Kitchen Style	Modern
Fin Bsmt Area	NA
Rec Rm Area	NA
Bsmt Gar	NA
Fireplaces	NA

(*Industrial / Commercial Details)

Building Use	Residential
Building Condition	NA
Sprinkler %	NA
Heat / AC	NA
Frame Type	NA
Baths / Plumbing	NA
Ceiling / Wall	NA
Rooms / Prtns	NA
Wall Height	NA
First Floor Use	NA
Foundation	NA

Report Created On 3/9/2024

Town of Westerly, RI

Property Listing Report | Map Block Lot 179-015 | Building # 1 | PID 13036 | Account 23032100

Valuation Summary

Item	Appraised	Assessed
Buildings	492300	492300
Extras	8500	8500
Improvements		
Outbuildings	9800	9800
Land	3253100	3253100
Total	3763700	3763700

Outbuilding and Extra Features

Type	Description
2 STORY CHIM	2 UNITS
DOCKS-RES TYPE	280 S.F.

Sub Areas

Subarea Type	Gross Area (sq ft)	Living Area (sq ft)
First Floor	1084	1084
Attic, Finished	880	176
Porch, Enclosed	364	0
Porch, Open	44	0
Porch, Screen, Finished	180	0
Upper Story, Finished	1330	1064
Attic, Unfinished	204	0
Basement, Unfinished	1084	0
Total Area	5170	2324

Sales History

Owner of Record	Book/ Page	Sale Date	Sale Price
WATCH HILL LLC	2019/1077	1/24/2019	
ORTHWEIN PERCY J II ET AL	485/121	10/14/1993	300000
ORTHWEIN JAMES B JR	449/237	1/26/1993	0
WHEELER KATHERINE GATCH ET AL	388/234	1/9/1992	0
WHEELER KATHERINE G ET AL	366/423	1/22/1991	0
WHEELER KATHERINE G ET AL	311/213	7/16/1987	0

Report Created On 3/9/2024

So. County Uses 'No Parking' Signs to Bar Access to Shore

Some of Private Developments at Watch Hill and Weekapaug Organized to Fight Migration of Transients to Waterfront Spots

Is the Rhode Island public losing its access to salt water, and as a result its constitutional "privileges of the shore?" The Providence Journal, in a statewide survey, has sought an answer to this question. The results are presented in a series of five articles, of which this is the third.

BY STUART O. HALE

You can still get to the shore in South County but your car won't let you stop at many choice spots.

The automobile has brought the problem of access to the shore to sections of the state which for many years slumbered peacefully.

And strangely, waterfront residents who seek to block the transient migration to the shore have found their most effective barrier to be the automobile.

No one will question that real estate development of large sections along the South County shoreline has received tremendous impetus through the ability of summer, and an increasingly large number of year-around, residents to commute to work in Providence and elsewhere.

At the same time, every public beach, beachfront concession and known right of way to the water gets its load of transient traffic during the hot months.

Organize to Fight

Some of the private developments such as those at Watch Hill and Weekapaug have organized to fight the invasion. Elsewhere smaller groups have turned to local police for aid.

The defensive tactic is the "No Parking" sign.

Take the Westerly area, through the years one of the centers of right-of-way battles. In a survey to learn whether Rhode Islanders are being deprived of their constitutional rights to use the shore it was found that a number of virtually unknown rights of way to the water exist, unblocked. But using them, unless you live nearby, is difficult.

"No Parking" signs blanket beach front roads for miles and are repeated on many of the deadend roads which lead to the water in fashionable Watch Hill. At the northerly end of Weekapaug, Ninigret Road runs for more than a mile behind the dunes, separated from a beautiful, virtually deserted beach by less than 300 feet.

Is Public Road

Ninigret Road is a public road but "No Parking" signs the length of it prevent lingering. This deserted stretch contains no right of way to the water for the public. The undeveloped land, owned largely by the local fire districts, is a cushion against unwanted invasion of privacy. The "No Parking" signs prevent trespassing.

At Misquamicut, public right of ways are virtually unknown, except through the Westerly Town Beach area north of Atlantic Beach, yet they exist. In 1900 the land owners prepared a plat extending from the Winnapaug Pond breachway to Winnapaug Road, a distance of several miles. In developing the plat, eight 10 and 12-foot right of ways were dedicated to the public.

Several of these were found during the survey but only one appeared to be in use—a curving path through the dunes about midway between the breachway and Atlantic Beach. One ran between the Atlantic Beach property and the concession immediately to the south. Not one was marked with any sign indicating its purpose, although considerable agitation to have this done was advanced before the Westerly Town Council several years ago.

No-Parking Signs

Even if the Misquamicut right of ways were clearly marked, however, transient bathers must park their cars in the small Westerly town parking lot or on property of the bathhouse concessionaires. "No Parking" signs line both sides of Atlantic Avenue, behind the beach, from one end to the other.

Westerly, incidentally, is about the only waterside community in which a serious effort to locate public right of ways has been taken. In 1940, in response to some pressure, a town council committee went to work on the public records.

In addition to the Misquamicut beachways, it reported back with a number of other "duly found public right of ways."

Latest in a long list of Westerly right of way disputes came to a head last Aug. 17 when a chain link fence closing a lane leading to a beach between Misquamicut and Watch Hill was torn down at night. Mrs. C. Bal Lihmehad applied for a zoning permit to erect it.

Insists It Is Public Way

In a letter presently before the Westerly Town council, Fire Chief Edwin Barber of Watch Hill insists it is a public right of way.

Use of the "No Parking" weapon to discourage unwelcome, or non-paying waterfront visitors, is not confined to the Westerly area but is the first defensive action taken from one side of the bay to the other whenever one street, neighborhood or beach community receives heavier transient use than it can stand.

As far up the bay as Conimicut Point in Warwick, for example, efforts at crowd control involve parking restrictions. At Conimicut Point, in the early summer, it was possible to park freely at dozens of spots. Then the summer dwellings filled and hot weather thrust carloads of bathers out of the city for relief. On weekends the point swarmed with humanity seeking the first good swimming below the pollution line at the mouth of the Providence River.

Signs Sprout Up

Immediately "No Parking" and "No Trespassing" signs sprouted by the dozen. Warwick police roved the point roads to enforce the warnings. A limited number of transient cars were accommodated by a fee-charging parking lot at the end of the point. The rest, unwilling or unable to pay for parking privileges, moved on.

It became obvious during the survey that the problem of access to the shore is tied tightly to the family car. Without adequate parking space for the jalopy or limousine, the constitutional "privileges of the shore" appear limited to the few, rather than the people as a whole.

(To Be Continued)

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State of Rhode Island and Providence Plantations

REPORT

OF

THE SPECIAL COMMISSION TO DISCOVER

THE PUBLIC RIGHTS-OF-WAY TO WATER

AREAS OF THE STATE

TO THE

GOVERNOR

March 1958

Santo J. Turano, Jr., Esq.
Attorney for Commissi on

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JANUARY SESSION, 1956

RESOLUTION creating a special commission to discover the public rights-of-way to water areas of the state.

It is resolved by the General Assembly as follows: That a special commission be and the same is hereby created consisting of 7 members, 2 of whom shall be from the house of representatives, one from each political party, to be appointed by the speaker, 2 of whom shall be from the senate, one from each political party, to be appointed by the lieutenant-governor, and 3 of whom shall be appointed by the governor to discover the public rights-of-way to the water areas of the state.

Forthwith upon the passage of this resolution the members of said commission shall meet and organize and shall elect from among themselves a chairman and a secretary.

The members of said commission shall receive no compensation for their services but shall be allowed their necessary and travel expenses and may employ such technical and other assistants as may be necessary in carrying out the purposes of this resolution.

For the purpose of this resolution said commission shall have access to all state and local records pertaining to the water areas and the land adjacent thereto.

Said commission shall report to the governor and the general assembly on or before March 1, 1957; and be it further

RESOLVED, That the sum of $10,000.00 be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, for the purpose of carrying out the provisions of this resolution; and the state controller is hereby authorized and directed to draw his orders upon the general treasurer for the payment of said sum, or so much thereof as may be necessary from time to time, upon the receipt by him of duly authenticated vouchers.

JANUARY SESSION 1957

IN AMENDMENT OF RESOLUTION NUMBER 74, PASSED BY THE GENERAL ASSEMBLY AT ITS JANUARY SESSION, A.D. 1956, APPROVED MAY 2, 1956, ENTITLED "RESOLUTION CREATING A SPECIAL COMMISSION TO DISCOVER THE PUBLIC RIGHTS OF WAY TO WATER AREAS OF THE STATE."

RESOLVED, That the special commission created by resolution number 74, passed by the general assembly at its January session, A. D. 1956, approved May 2, 1956, entitled, "Resolution creating a special commission to discover the public rights of way to water areas of the state," is hereby authorized to continue its study and make its report to the general assembly on or before March 1, 1958; and be it further

RESOLVED, That the time for reporting authorized by said resolution number 74, passed by the general assembly at its January session, A. D. 1956, and approved May 2, 1956, be and the same is hereby rescinded; and be it further

RESOLVED, That the sum of $5,000.00, in addition to any moneys appropriated by said resolution number 74, be and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of carrying out the provisions of this resolution; and the state controller is hereby authorized and directed to draw his orders upon the general treasurer for the payment of such sum, or so much thereof as may be required from time to time, upon the receipt by him of properly authenticated vouchers.

REPORT

TO HIS EXCELLENCY, DENNIS J. ROBERTS, GOVERNOR OF THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS.

Sir: The Resolution creating a special commission to discover the public rights of way to water areas of the state, approved May 2, 1956, as amended in the January Session 1957 provides that "said commission shall report to the Governor and the General Assembly on or before March 1, 1958." In accordance therewith, we are filing this report which reflects the results of our investigation, as well as our deliberations at many lengthy sessions, and in the Appendix of which we are setting forth our specific recommendations which were unanimously approved at our meetings.

In accordance with the aforesaid resolution which provides that the members shall elect from their own membership a chairman and secretary, the Commission elected Samuel J. Azzinaro as its Chairman and Carl Towle as its Secretary.

At the outset, it is deemed advisable to point out some of the difficulties encountered by the Commission in its study.

References to rights-of-way are rare thereby necessitating examining records back to c. 1800.

Time for research is limited to those hours which a city hall or town hall is open. Then, some towns do not have complete index card systems so that each land record book must be perused in tracing a title. Each book has its own index and the search is therefore extremely time consuming. Further, all towns and cities do not have a master plan or plat on record for various divisions or sub-divisions of land, but a sketch or map is attached to each recorded deed, therefore, many loose ends are available but no master plan is avilable to match the sketch or map against. Then again, some towns or cities have hired outside engineers for surveys but these plans are not recorded in the city or town records. Whether these plans are public or private records remains open. Also names of streets or bodies of water have been changed and no concise record kept of these changes, therefore, two different grantors could convey adjacent property, yet, call a street or body of water forming a common boundary by two different names.

As the work of this Commission progressed it became perfectly obvious that many practical problems had to be confronted, and, in turn, shall confront any successor organization selected by the General Assembly.

Therefore, we wish to point out some of the more outstanding problems which have arisen and which will arise in the further development of this study, with suggestions as to their solutions.

It is obvious to the Commission that many rights-of-way are of no practical use to the general public because of lack of parking facilities near them. Therefore, there must be close correlation between any agency created by the General Assembly and local governing bodies whereby land, for parking purposes, may be acquired.

In some instances a rather isolated right-of-way is within an area of well developed plats from which a town or city derives much income via taxation. For the greater part, these homes are owned by summer residents who prefer peace and solitude. However, within a rather short distance of such a community, with proper cooperation between a state agency and local authorities as well as landowners, a right-of-way and parking facilities may be acquired by barter or at a very nominal cost. Negotiations of this type would accomplish more than attempting to enforce a bare legal right against an aroused community.

In other instances, it would avail the public practically nothing to have established the discovered rights-of-way unless parking facilities are made available. The rights-of-way are rendered practically useless by enforcement of "no parking" ordinances on the main thoroughfare giving access to them. Therefore, by concentrating on probably four out of eight possible rights-of-way and by furnishing parking facilities close by the four so selected, the needs of the public will have been served.

Another factor to consider is the investigation and determination

as to whether or not any division of the State of Rhode Island owns any land adjacent to said rights-of-way. If that be the fact, then such property should be used advantageously in the further exploitation of rights-of-way close by. Also, even though rights-of-way have been determined, positive identification and marking out of same must be done by engineers. Practically all of the discovered rights-of-way are hidden because brush has been allowed to grow over them and existing markers are very small. Adjacent property owners cleverly indicate their own boundary by an insignificant appearing marker which takes a minute visual inspection to notice. However, a passer-by would accept the brush covered right-of-way as being part of the privately owned property. This Commission has been unable to sit down with local governing bodies as well as other state agencies in establishing rights-of-way with parking facilities and to have them clearly marked because of the time element and the broadness of the task assigned to this Commission. In other words, this Commission attempted to cover as many towns as possible and doing a little for each town rather than completing the survey of any given town.

In as much as the greater percentage of the rights-of-way would involve extensive legal proceedings to establish their authenticity, or because rights-of-way in a particular locality are practically impossible to determine because of the status of the records and further that most of these rights-of-way are narrow, and provide a foot path to the sea, this Commission, after exhaustive study of the particular local problem has recommended certain areas to be purchased by the state with sufficient parking area immediately adjacent thereto.

It is recommended that more of these purchases be made in other localities but each problem is unique and requires tremendous time and effort on the part of all parties involved. A successor agency should be encouraged to pursue this path further even if most of the discovered rights-of-way are thoroughly established as open to the public, as they now exist, it would be necessary for the public to park their vehicles at great distances in order to have access to the shore and this is deemed impractical by this commission.

While it is true that the rights of individuals should be protected, and while diversified interests are affected by the enforcement of any legal right our political mode is that the will of the majority shall prevail, but!! in all instances we all prefer to avoid internecine struggles. And it is the hope, wish and desire of this Commission that its successor be cognizant of the fact that each problem is a local one and must be treated as such. Further that no set rule can be made to encompass every town and city without creating havoc in neighborhoods and pitting friends and neighbors against themselves.

It is further suggested that, in cooperation with the Department of agriculture and conservation many of these recommended areas could be purchased using seventy-five percent federal funds under the provisions of the Dingell-Johnson Act, as is presently being done in two localities.

It is further suggested that the expense involving the use of the matching funds would be far less than those required for extensive legal proceedings to establish rights-of-way which would be impractical for modern day usage. The greatest percentage of the existing rights-of-way were established in colonial times for the purpose of allowing horse-drawn vehicles to enter onto the shores to secure seaweed, etc. for the use of the farmers,

but no provisions were made to secure any land holdings adjacent thereto for parking or storage purposes.

A brief resume of ways to water determined and established which are more particularly described and located in the appendix hereof are as follows:

Atlantic Beach, Misquamicut; 8 ways off Atlantic Avenue and other points extending as far as and including Watch Hill eleven and three other probably ways

South Kingstown; one right-of-way at Matunuck Beach and the public Boat House Lots with two ways established as private

Portsmouth; 8 ways and one probable

East Providence; 12 ways at Bullock's Point

Newport; 2 ways, one of which is by agreement

Barrington; 3 ways and 1 probable

Little Compton; 4 ways and 3 probables

Warren; 21 ways and two established as private

Warwick; 36 ways

The total number of rights-of-way determined being 106 with an additional 8 rights-of-way highly probable of being finally determined as public rights-of-way for a total of 114 and 4 determined as being private.

In the towns of Tiverton and Charlestown purchase of land for both have been instituted and recommended. A more concise statement of these two towns is to be found in the appendix and in both instances said purchases will be more than sufficient to satisfy the needs of the people of these towns.

Whether or not the public has attained any rights-of-way, in any given locality, by prescriptive use cannot be determined from the type of examination conducted by this Commission. Finally, the Commission did not have an engineer to assist it in pin-pointing any particular right-of-way, and no town hereinafter reported is complete in the search for rights-of-way.

The Commission is deeply indebted to the various town and city officials who cooperated so willingly in helping to solve some of the local problems with which it was confronted.

The Commission also wishes to acknowledge its indebtedness to the following State personnel for their untiring assistance in furnishing direly needed information and placing their facilities at our disposal:

Mr. Thomas Aniello

Mr. John Rego

Mr. Thomas Wright

Mr. William Cotter

Mr. Chester T. Whaley

Mr. Thomas A. Monahan

and the following members of the General Assembly

Senator Joseph Savage

Representative Edward K. Ockley

Representative Charles L. Walsh

Rhode Island is today experiencing an upsurge in the interest of sportsfishermen along our entire coastline, and it is the recommendation of this commission that for the further promotion of Rhode Island as a sports-

fishing and recreation area, would be greatly enhanced by making provision for definite areas with parking facilities dedicated for this specific purpose.

The interest which is being shown not only by our own citizens but also by many thousands of out-of-state visitors to our shores, makes the acquisition of substantial acreage immediately adjacent to the shores, an urgent necessity. To acquire this acreage as well as determining available and useable rights-of-way, without legal proceedings being recommended, was the criterion set for itself by this Commission.

Respectfully submitted

Samuel J. Azzinaro, Chairman

Frank McMurrough

Fred Arnold

Ernest H. McVay

Francis O'Neil

Samuel Cudworth

Carl Towle, Secretary

I ATLANTIC BEACH

The following is a report showing lot numbers taken from the Assessor's Plat in Westerly, R. I. and the corresponding numbers of the same lots as designated in "Plan of present Beach Roads, Westerly, R. I. scale 200 ft. to the inch by C. H. Chandler and S. B. Palmer, Engineers, Norwich, Conn., 1909," filed July 21, 1909. Said plan being recorded in the Westerly Land Evidence Record Plat Book number 2 pages 13, 14 and 15. Authorities which have the recording of these beach lots is contained in an agreement between Albert Langworthy, et als, dated May 17, 1909 and recorded in the Land Evidence Records of said Westerly in Book 39, page 419. Between each of these lots is a right-of-way.

Assessor's Plat #7 Lot 10 & 11	being	Plat Book #2 Page 14 Lot # 11 & 12
Assessor's Plat #5 Lot #2 & 1	being	Plat Book #2 Page 15 Lot #123 & 124
Assessor's Plat #5 Lot #51 & 52	being	Plat Book #2 Page 14 Lot #73 & 74
Assessor's Plat #5 Lot #37 & 36	being	Plat Book #2 Page 14 Lot #88 & 89
Assessor's Plat #4 Lot #14 & 15	being	Plat Book #2 Page 14 Lot #140 & 141

Assessor's Plat #5 Lot #22 & 21	being	Plat Book #2 Page 15 Lot #58 & 59
Assessor's Plat #6 Lot #32 & 31	being	Plat Book #2 Page 14 Lot 41 & 42
Assessor's Plat #6 Lot #48 & 49½	being	Plat Book #2 Page 14 Lot 95 & 25

At the outset, for sake of brevity, deeds of importance will be designated by book and page number without reference to words. For example, deed in Book 500 page 63 will be designated as 500/63.

For key deeds at Misquamicut see 71/266; 59/519; 47/568; 53/219; 49/15; 71/10; 61/200; 51/329; 55/571; 45/531; 561/363; 55/583-586; 63/323 47/313; 41/479; 71/175; 57/591; 48/382; 71/108; 64/576; 74/177; 67/306; 53/481; 46/596; 66/582; 48/95; and 48/436

Other points accessible by public roads refer to:

1. Assessor's Plat No. 8 - Winnapaug Road bordering on Winnapaug Road.
2. Assessor's Plat No. 13 - shows Ocean View Highway to shore, south of Lot No. 2. Everett Avenue also shows a lot from Bluff Avenue to shore east of Lots No. 11 and 12.

3. Assessor's Plat No. 16 - Meadow Lane from Watch Hill Cove to Foster's Cove.

4. Assessor's Plat No. 16 - Wapon Road, from Misquamicut to Pawcatuck River.

5. Assessor's Plat No. 18 - Avondale borders on so-called Col. Wither's Cove off the Pawcatuck River.

6. Assessor's Plat No. 19 - Public Way and wharf opposite Lot No. 9.

7. Assessor's Plat 13 shows the following roads which lead to or are adjacent to public waters: Bluff Avenue, Everett Avenue, Wanwimast Avenue, Niantic Avenue, Ninigret Avenue. See also book 43, page 458 in reference to right-of-way to Napstree point and Book 44, page 368 regarding a 10 foot right-of-way from Ocean View highway. Also Book 35, page 298 with reference to Napstree Point and Book 22, page 358 with reference to a right-of-way of roadway leading to Coast Guard Station. These latter referred to rights-of-way have not been conclusively determined and should be pursued further

II SOUTH KINGSTON:

Certain rights of way purportedly existing were examined by the Commission and the following findings were determined.

Rights of way shown in Plat Book No. 2, page 854; Plat Book No. 12, page 858; Plat Book No. 12, page 840; Plat Book No. 9, page 629; dealing with possible rights of way to Potter's Pond; Moonstone; Charlestown Beach off Green Hill Beach Road; Point Judith Pond and the Atlantic Ocean were found to be entirely private rights of way; in Plat Book No. 6, page 456 there is a probable ten (10') foot right of way which exists according to Town Council Meeting Minutes, July 14, 1924, Book 13, page 37 - 141 of said Town Council Minutes.

Town Council Meeting Minutes
July 14, 1924
Town Council Minutes
Book 13, page 137 - 141

Page 141 - ". . .the undersigned recognizing that the relay and widening of the new layout, and the abandonment of that portion of the old driftway as it not exists on land of Samuel H. Davis and others, is a benefit both to the public and themselves."

The above seems to indicate that the ten (10') foot pass-

way between land of T. F. Mournighan and Lot #3 shown in Plat Book 6, pages 454-5 Plat of Matunuck Point Beach Club Property of S. H. Davis, Surveyed by Leon L. Holland, C.E. 1925 is a public right-of-way.

Further pertenent records are to be found in Plat Book 3 pages 238-239, and Plat Book 9 pages 615-616 in conjunction with Council Record Books No. 7, page 419 and Book No. 8 pages 8 to 29 inclusive.

See also deeds in 18/453; 48/39, 240, 327, and 435; 45/300; 43/543; 44/171; 52/424; and 39/433.

The following are definite parcels of land set aside for the public and fishermen.

"Boat House Lots" Plat of additional lots owned by the Town of South Kingston, February 1944 Leon L. Holland, Eng.

Lots #50, 51, 52, 53, 54, 55, 56, 57, 58 and 59 made a Public right-of-way to water by the Town Council November 14, 1949. The land totals 191.80 feet and borders Upper Point Judith Pond.

For the dispute over Potter's Pond and adjacent waters wherein this commission determined that the rights-of-way brought to our attention are private rights of way and are accordingly noted. See deed in Book 41 page 499 in conjunction with Plat Book 12 page 854. Also, deed in Book 59 page 316 in conjunction with Plat Book 12 page 858. Also, 43/183; 70/300; 77/72; 57/443, 444, 453, 481, and 50/550 all of which deal with Potter's Pond.

III PORTSMOUTH, RHODE ISLAND:

Plat Book 1, page 21 entitled Plan of Portsmouth Park situated in Portsmouth, Rhode Island belonging to E. M. Corbett and T. H. Angell surveyed by E. M. Corbett November 1900. This plat shows a thirty (30) foot right-of-way on the easterly end of Scott's Road and there is a public way to the beach declared and shown on said plat. The right-of-way is south of Lots No. 90 and 94. For confirmation of this right-of-way see deed of Edward M. Corbett et al to Michael Diskin in Book 22, page 437 wherein it refers to Lot No. 94 of the above plat and the following language is contained ". . .and upon the further condition and restriction that neither the grantee nor any person claiming under him shall obstruct, hinder or interfere with the full use of the beach." For further confirmation see the following deeds: Book 22, page 88; 22/86; 24/342; and 27/353. However, the thirty (30) foot right-of-way leading to the beach above referred to has been blocked off by the State of Rhode Island when a highway was constructed after the 1938 Hurricane and precautions were taken against tide waters doing damage to the state highway. A four (4) foot high wall is presently blocking this right-of-way leading to desirable beach and it is recommended that stairs be constructed so that the people may get over the wall and thereby

use the beach.

East Cory's Lane south of the Portsmouth Park Plat is a non-disputed right-of-way to water as is Child's Street further south.

Plat Book 3 pages 16-17-these pages show "Plan No. 1 of Hummock Point Beach, Portsmouth, R. I. owned by Henry A. Brown Corp., Brocton, Massachusetts, August 17, 1921, Hayward, & Hawward, Surveyors."

Public rights-of-way are shown between the following lots:

Lot No. 30	see Aerial Map No. 2 - Block 121
and	
Lot No. 31	see Aerial Map No. 2 - Block 122
and	
Lot No. 78	see Aerial Map No. 22 - Block 124
and	
Lot No. 79	see Aerial Map No. 22 - Block 120
Lot No. 95	
and	see Aerial Map No. 22 - Block 120
Lot No. 96	

Said plan also shows a lot reserved for public use north of Lot No. 115. Common Feace Realty owns this but it is still reserved for the public.

Mount View Road shown on said plat leads to a rock ledge with an eight (8) foot drop to the beach. It is recommended that this be corrected.

Seaconnet Drive leads to the beach and is also open to the public.

For key deeds involving the above rights of way see: 45/92; 40/299; 39/544; 42/77, 78; 39/534; 35/65; 36/302; 40/167; 36/300; 33B/123 which is an attempt to convey the rights-of-way, streets and lots reserved for the public; 45/455; 41/533; 31/88; 45/454; 41/369; and 38/318

There is quite a controversy regarding the public common which involves property of the Bristol Ferry Co. and your Commission has not been able to bring this matter to a conclusion, however, for the benefit of a future commission see Plat Book 1, page 29 and the following deeds:

Book 17, page 477; 20/501; 26/55; 32/519; 33B/201; Town Council records Book 12, page 153. Town Meeting Book 1 pages 63 to 65. The case in 9 Rhode Island at page 1 entitled State vs Peckham and Volume 11, page 210 entitled Engs vs Peckham. By tracing the aforementioned deeds and cases plus engineering assistance it would probably result in clearing up this point of agitation.

IV EAST PROVIDENCE

Refer to recorded plat number 157 entitled "Narragansett Terrace East Providence, Rhode Island by F. E. Waterman Company, August 1920". Said plan being approved by the East Providence Town Council and recorded September 18, 1920 in Council Record Book 12 page 360. In conjunction with the above recorded plat see plat book 14 page 1.

The rights of way in East Providence at Narragansett Terrace which is Bullock's Point are:

Between Lots 6 & 7	5 ft	Narragansett Beachway
Between Lots 15 & 16	5 ft	First Beachway
Between Lots 19 & 20	5 ft	Second Beachway
Between Lots 31 & 32	10 ft	Third Beachway
Between Lots 36 & 37	5 ft	Fourth Beachway
Between Lots 39 & 40	5 ft	Fifth Beachway
Between Lots 50 & 51	5 ft	Sixth Beachway
Between Lots 56 & 57	10 ft	Seventh Beachway
Between Lots 75 & 76	5 ft	Eighth Beachway
Between Lots 87 & 88	5 ft	Ninth Beachway
Between Lots 98 & 99	5 ft	Tenth Beachway
Between Lots 113 & 114	5 ft	Eleventh Beachway

Pertinent deeds to look at are as follows:

83/453, 472, 371; 84/154, 244, 247, 248; 86/90; 143/567; 2/289; 30/266, 269; 44/47; 139/462; 161/555; 131/468, 578; 132/413. Also 85/82; 129/662; 143/147; 85/17; 94/478; 94/225; 110/479; 128/349; 132/506; 122/117; 126/182; 133/285; 159/456; 135/131; 144/65; 136/169; 156/195, 197, 199; 157/157; 102/141; 137/209; 103/449; 130/318; 94/204; 138/231; 110/679; 136/78, 81, 85, 180; 153/40; 89/16; 91/30; 104/289; 130/41; 140/623; 86/379; 106/117; 141/407; 154/168; 112/60; 113/481; 122/466; 167/171; 156/205; 128/519; 140/152; 167/157; 122/569; 139/687; 145/384; 154/597; 120/417; 461; 129/236; 143/166; 122/334, 336; 137/186; 116/445; 122/117, 324, 343; 163/493, 496; 90/416; 109/313; 132/67; 142/14, 21; 120/343; 125/126; 134/328; 136/210; 138/495; 142/14; 143/644; 90/420; 132/595; 136/103; 122/609; 117/129; 167/147; 90/102; 134/602; 139/683; 98/72; 113/587; 122/72; 166/555; 124/273; 130/691; 132/54, 57, 58; 138/102; 120/294; 134/516; 139/466; 130/447; 135/373; 134/532; 138/581; 141/18 and 158/199. These latter deeds are deeds to interior lots of the aforementioned plat and preclude the previous mentioned rights of way from being private by exclusion.

V CHARLESTOWN

The Committee helped arrange for the purchase of 12 to 14 acres of land in the most desirable section of the Charlestown Beach Area. Purchase will be made by the Department of Agriculture using Dingell-Johnson Funds. Title to this land should be acquired in the very near future. All property owners leading to this area, except one who has not been available, have agreed to give 40 feet of land in front of their respective properties for access to the area.

VI TIVERTON

The Committee helped arrange for the purchase of 4 to 9 acres of land in the most desirable water-front area of Tiverton. This is still in the negotiation stages in that the amount of land to be purchased is still under consideration. However, the price is fixed for the varying sizes and title work is under-way.

VII NEWPORT

There is no dispute concerning the right of way to the west of Bailey's Beach and agreement has been reached on the east end of Gooseberry Beach. This area required engineering assistance. Furthermore, as soon as desirable ocean front property is located

for purchase, - private individuals obtain the information and purchase the property before the Commission can even begin to act.

VIII BARRINGTON

Assessor's Plat 34 shows a right-of-way between lots numbered 67 & 10. In conjunction with this right-of-way see "Plan No. 2 of Land in Barrington, R. I., Belonging to Robert Clark and Herbert J. Clark, Charles Estes, Engr., April, 1920". This is recorded Plat 246, found in File 1, Pocket 1, Folder 2. The attempted confusion of this right-of-way merits its discussion.

The original plan shows a driftway to the ocean in what was a continuation of the present Mason Road. However, recorded plat shows a change whereby Lot designated as Lot 3 on said plan was 40 feet wide with the right-of-way to the east of Lot number 3 being 20 feet wide. Then in Vol. 28, page 74, 75 Agnes Clark conveyed to David J. and Malinda Watson two tracts and on Page 75 states. . . . The second tract or parcel of land begins at a stone bound set in the northerly line of a driftway (presently Teed Avenue) and at the southwesterly corner of land of Orria C. Teed, thence running westerly along the northerly line of said Driftway forty-five (45) feet to a Driftway (present right-of-way) running to the cove, thence extending northerly from said first mentioned Driftway (Teed Avenue) holding said width of forty-five (45) feet, to One Hundred (Acre) Cove and bounded westerly by a Driftway present right-of-way) northerly by said Cove and easterly by land of Orrin C. Teed.

The premises above described being the easterly twenty-five (25) feet of Lot No. 3 on the above described Plan, and a strip of land twenty (20) feet wide lying between said Lot No. 3 and land of Orrin C. Teed (Deed dated October 7, 1920).

The above right-of-way is now shown on Assessor's Plat 34 between Lots 67 and 10 of said Plat.

In Book 56 page 460 the same right-of-way is referred to in a deed from Arthur and Marguerite La Plante to Alexander and Viola Ladish: " . . . Beginning at a point in the northerly line of said Teed Avenue, at the southwesterly corner of land now or lately of Orrin C. Teed, said point being the southeasterly corner of the herein described premises, thence westerly bounding southerly on said Teed Avenue 45 feet to a right-of-way; thence northerly bounding westerly on said right-of-way to One Hundred Acre Cove, thence easterly bounding northerly on said Cove to said Teed land, thence southerly bounding easterly on said Teed land to point and place of beginning." Dated September 6, 1957. This becomes Lot 67 of Assessor's Plat No. 34 and clarifies the multiplicity of the word "Driftway" used by Clark to Watson in Book 28, pages 74, 75. (Second Tract).

But in Book 58, page 193 wherein Jerome and Sarah B. Feinstein were conveyed Lot 10 of Assessor's Plat No. 34 being designated on the original Clark Plan described in Book 28 at Page 74 as a parcel to the west of Lot No. 3 (previous to the right-of-way being moved by deed in Book 28

at pages 74, 75) sold to Edgar Hobbs.

The Feinstein deed says: "Beginning at a point sixty (60) feet southwesterly from the northerly line of land formerly of William Wood thence running northwesterly parallel with said northerly line 150 feet to ..... the Barrington River."

Actually, compare this with Book 43 at page 547 to understand the confusion. Ultimately what is done is that the starting point for the Feinstein deed becomes the southwest corner of the Orrin C. Teed land referred to in prior deeds and by moving southwesterly 60 feet we encompass 45 feet (which is all of Lot 67 of Assessor's Plat 34) owned by Ladish plus the 15 feet reserved for a right-of-way. Yet by use of words such as "Parallel" and by using deceptive though accurate, courses the right-of-way is omitted as a reference or a bound. However, the original right-of-way 20 feet was properly moved westward and reduced to 15 feet by the owners, and this 15 foot right-of-way exists today.

Assessor's Plat 34 showing a right-of-way between lots numbered 130 & 131 are the same as lots numbered 35 & 36 on "Plan of House Lots belonging to Fred Hanson by Charles F. Chase, August 1923" in File 1, Pocket 1, Folder 1. In conjunction with this right-of-way see deeds in Book 47, page 96, and 31/329. The above so-called right-of-way may be a private one because the Town of Barrington has not accepted Hanson Road. Whether aright-of-way over Hanson Road and the way to the sea was attained by prescriptive use is

beyond the realm of this Commission's study.

Assessor's Plat 27 shows a right-of-way between lots numbered 4 & 5 being the same as lots 8 & 9 of the Stanley Plat No. 213 filed in File 1, Pocket 4, Folder 3. See deeds in Book 27, page 374; 13/485 and 26/149. Whether a right-of-way exists between Lots 91 and 68 as shown on Assessor's Plat No. 27 will necessitate a further study with engineering assistance of the following deeds in Barrington and other allied plats. See 38/115; 36/219; 415; 34/121; 28/52; 24/43 and 23/183.

In addition to the deeds referred to in the text see: 17/317, 449, 19/489; 47/96; 43/547; Mortgage Book 58/193, 199; 23/136; 55/373, 374 & 381; 28/74; 19/489; 22/347.

IX LITTLE COMPTON

Town Beach at South Shore (west of Goose Wing Beach) entry via South Shore Road; park facilities available (free to taxpayers - charge to non-taxpayers). Available beach is about 1500 - 1600 feet. That area designated as "Goose Wing Beach" can be entered from the Town Beach.

On the Town Beach there is a creek which may or may not be open. The gap is as much as 30 feet wide, however, people can walk across at all times as the water, at its deepest point, is about hip deep. This beach is shown on Aerial Map D. P. I-411-40.

There is also another Town Beach recently acquired by the Town of Little Compton under the Will of Hester B. Simmons. The will is in Probate Book 19, pages 245-46. Page 246 clause 4 of will

> I give, devise and bequeath unto the proper persons to receive the same for the Town of Little Compton, Rhode Island, the plot of ground owned by me bordering on the Atlantic Ocean in Little Compton Township, for the use, pleasure and benefit of the people of the community, in perpetuity. It is my express desire that the tract of land shall not be commercialized, but shall always be used for recreational purposes, free to all.

This area contains about four acres of land and is a very desirable fishing area. Entry is by Grange Avenue then via a private road used in common with other abutting property owners. Title to the property devised

to the Town was derived from the following deeds: Book 18, page 45; 19/212 and 21/351. See also, Disclaimer in Book 25, page 72.

II Access to Bluff Head so-called has been settled within the last year. See 3/633; 5/633; 24/105, 106; 9/223; 9/240[2]

Seaconnet Point - This right-of-way is presently blocked and should be opened. This area was once litigated and rights of all parties was determined in Book 23, pages 72 - 79 of the Common Pleas Court, September 28, 1868 and deeds in Book 2, page 333; 3/61; 486, 488, 491; 9/3-4; 11/648; 12/231; 19/409; 21/347 17/229; 16/116 & 403. In conjunction with the aforegoing see the plats in Plat Book 1, page 13; Plat Book 1, pages 53 - 54 and Plat Book 1, pages 57 - 58.

Prior to the 1938 hurricane, the Old Massachusetts Road and Columbia Road (presently Sakonnet Point Road) led to Warren Point. This is blocked off Sundays by an officer engaged by the Round Pond Association (property owners in the area). During the week, all persons can use the road. At its lower extremities someone has blocked the road. However, time alloted prevented search of this area. Local townspeople used the road for years and prior to the 1938 hurricane and could possibly have acquired a right by prescriptive use in the event no public right-of-way exists. For plans of this area see Plat Book 1, pages 57 and 58 and Plan Book 3, showing U. S. Engr. Dept. Survey dated 1941. Deeds to be traced in this area are those in 29/171; 35/358 and 34/542. Also 29/563; 28/422; 26/185; 13/756 and 13/454.

X WARREN

The following is a report showing lot numbers taken from the Assessor's Plat cards in Warren and the corresponding numbers for the same lots on the plat cards recorded by various individuals. Between each of the lots listed below are specific rights-of-way.

Assessor's Plat #17 Lot 29 & 30	being	Recorded Plat #83 Lot 56 & 57
Assessor's Plat #17 Lot # 33 & 34	being	Recorded Plat #83 Lot #60 & 61
Assessor's Plat 17 Lot #38 & 39	being	Recorded Plat #83 Lot No. 65 & 66
Assessor's Plat #17 Lot #43 & 44	being	Recorded Plat #81 Lot #22 & 24
Assessor's Plat #17 Lot #128 & 129	being	Recorded Plat #97 Lot #13 & 12
Assessor's Plat #17 Lot #134 & 135	being	Recorded Plat #97 Lot #7 & 6

Assessor's Plat #17		Recorded Plat #97
Lot #140 & 141	being	Lot #1 and Lot designated "Reserved"

Assessor's Plat No. 17		
Lot #159 & 122		not listed elsewhere

For Lot #159 see Vol. 61 page 551 corrected in 67/66

For the previous eight (8) rights-of-way consult Volume 85, page 403; 67/66; 66/554; 66/685; 67/421; 61/551; 61/461 and 75/442; 67/453; 55/8

Assessor's Plat #16		Recorded Plat #71
Lot #233 & 232	being	Lot #3 & 2

Assessor's Plat #16		Recorded Plat #71
Lot #216 & 230	being	Lot #16 & 30

Assessor's Plat #16		Recorded Plat #71
Lot #259	being	Lot #31
#301 & 27	not numbered on Plat 71	

The above deal with three rights-of-way. Consult Book 75, page 593; 80/667; 17/348 in conjunction with Town Council Book 3, pages 321 and 329; 46/498 and 61/428, 517.

Assessor's Plat #16		Recorded Plat #35
Lot #170 & 171	being	Lot #6 & Lots #4 & 5

Assessor's Plat #16		Recorded Plat #34
Lot #180	being	Lot #1 & 2
Lot #181	being	Recorded Plat #42 Lot #30

Assessor's Plat #16		Recorded Plat #42
Lot #190 & 191	being	Lot #39 & 40

For these three rights-of-way consult Book 52, page 234; 85/645; 66/270; 85/203 & 548; 69/482 and 67/335

Assessor's Plat No. 13		Recorded Plat No. 39
Lot No. 48	being	Lot Nos 1 to 11
Lot No. 614 River View St.	being	Lot not designated by number but is east of Barker Avenue

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Assessor's Plat No. 13		Recorded Plat No. 28
Lot No. 18	being	Lot No. 16
Lot No. 960	being	Lot Nos 71, 72, 73 74 & 75

Assessor's Plat No. 13		Recorded Plat No. 27
Lot No. 113	being	Lots Nos 31, 32, 33 34 & 35
Assessor's Plat 13		Recorded Plat #86
Lot No. 805 Parker Avenue	being	Lot No. 1

Assessor's Plat No. 13		Recorded Plat #40
Lot No. 1085	being	Lot No 63
Lot No. 1087 Patterson Avenue	being	Lot No. 65

Assessor's Plat No. 13		Recorded Plat #58
Lot No. 377	being	Lot No. 97
Assessor's Plat No. 13		Recorded Plat #111
Lot No. 1000 Harris Avenue	being	Lot No. 7

For the above five rights-of-way see Volume 58 page 168; Volume 61 page 167; Volume 85 page 157; Volume 43 page 308; Volume 66 page 679; Volume 85 page 382; Volume 67 page 208.

Assessor's Plat No. 13		Recorded Plat No. 61
Lot 626	being	Lots Nos 47 & 48
Lots Nos. 416 - 417	being	Lots Nos 36, 37, 35 & 34

The above tracts form the end of Laurel Lane which is in dispute. For consideration consult Volume 51 page 450; Volume 55 page 36 and Volume 66 page 38. Extending the search further, Lot No. 427 on Assessor's Plat 13 becomes part of Lot 46 on Recorded Plat No. 61. Also see Volume 46, page 83.

To confirm Maple Street as a public way see Assessor's Plat No. 15 Lot No. 1 with deed in Book 8, page 51. The above establish two additional

ways to water.

As for the so-called right-of-way westerly from Westminister Street to the Wharf (This location was of interest to local people pressing for an answer). This is a private right-of-way laid out by Joseph B. and Stephen Davol 15 feet wide from Westminister Street westerly to the Wharf. See Volume 10 page 416, May 7, 1836 note the tenth (10th) line from the bottom of page 417. In conjunction with this see J. S. Mason Plat Sec. 1, Plat 3, Page 3. (No reason for request was advanced and I didn't look to see where it is located as it is a public road.)

See also 55/146; 52/236; 75/670; 66/28; 55/36; 42/437

The rights-of-way shown on Assessor's Plat 16 between Lots 266, 252, 15, 253 and 16 are private. See 80/429, 165; 74/48; 67/203; 61/483; 28/327; 41/1; 52/164; 55/277; 340; 66/100, 195; 75/674. Also the right-of-way south of Lot 18 off Sea View Avenue is private. See 51/186; 61/40 42/194; 74/6 and 85/649.

XI WARWICK

The following is a report on the City of Warwick, between the following lot numbers listed below are rights-of-way which should be open to the public. One or two of these may require an engineering survey to determine the exact location of the right-of-way but there is no question that a right-of-way exists within the locality.

	Assessor's Plat No. 201		Recorded Plat No. 278
	Lot No. 149	being	Lot No. 14
1.			
	Lot No. 135	being	Lot No. 13
	Lot No. 132	being	Lot No. 9
2.			
	Lot No. 114	being	Lot No. 8
	Lot No. 85	being	Lot No. 145
3.			
	Lot No. 57	being Lot No.	146
	Lot No. 54	being Lot No.	150
4.			
	Lot No. 24	being Lot No.	151

All of the above rights-of-way are listed as being ten (10) feet wide. In order to correlate the above information the recorded Plat No. 278 entitled "Potowomut Plat, Warwick, R. I. Belonging to Herbert C. Calef by Frank E. Waterman Co. July 1920" which is in Plat Book 6, page 15 will show the lots designated on said card No. 8 through 144. The above numbered lots 145 through 151 which are also shown on card 278 but is a separate plat drawn by the same engineer for the same property owner as above dated August 1920 and is found in Plat Book 6, page 16.

	Assessor's Plat 203		Recorded Plat No. 283
	Lot No. 22	being	Lot No. 44
5.			
	Lot No. 21	being	Lot No. 45

	Lot No. 7	being	Lot No. 59
6			
	Lot No. 6	being	Lot No. 60

This is to be found in Plat Book 6, page 24 and is entitled "Bay Ridge" belonging to James F. Freeman Company, Potowomut, Warwick, R. I. surveyed by Frank E. Waterman Co., March, 1921."

	Assessor's Plat 202		Recorded Plat No. 285
	Lot No. 35	being	Lot No. 318
7			
	Lot No. 34	being	Lot No. 317
	Lot No. 28	being	Lot No. 309
8			
	Lot No. 27	being	Lot No. 308

Each of the above are designated under the heading "Beachway" and are ten (10) feet wide. This is Potowomut Plat Annex No. 2 owned by the aforesaid Herbert C. Calef drawn by Waterman Co. June 1921.

	Assessor's Plat No. 334		Recorded Plat Card 264
	Lot No. 279	being	undesignated lot west of Lot 13 on Plat 264
9	Lot No. 278	being	undesignated lot east of Lot 12 on Plat 264

Plat 264 is entitled "Shawomet Shores Subdivision No. 1, Warwick, Rhode Island belonging to Ferrier Land Co. Providence, R. I. by Edward E. Goff, August, 1919".

	Assessor's Plat 334		Recorded Plat 119
	Lot No. 13	being	Lot No. 31
10			
	Lot No. 12	being	Lot No. 30

Plat 119 is a Plat of Shawomet Avenue, Green Street and Conimicut Avenue and adjacent land in Warwick, R. I. July 25, 1892. This can be found in Plat Book 3, page 328. Plat 119 designates the owner of Lot 31 as Robert

Marshall and Lot No. 30 as Simon Fraser. It is to be noted that the road in front of the right-of-way of Plat Card 119 is called Conimicut Avenue and Plat Card 264 calls the same Road Shawomet Avenue as it is known today.

In Book 50, page 390 is a deed from Howard Jaffray, et ux, to Simon Fraser dated August 31, 1891 and the description which is by metes and bounds when laid out against the plat excludes the right-of-way from the conveyance.

In Book 50, page 478 is a deed from Howard Jaffray et ux and Maria M. Foster to Robert Marshall et ux dated September 19, 1891. This deed states "... beginning at a point in the easterly line of a proposed street or avenue forty (40) feet wide on said farm just 1, 120 feet southeasterly from a Granite bound that stands at an angle in said proposed street or avenue in front of the farm house on said farm thence running easterly at nearly right angles with said street to "High Water Mark" on the Narragansett Bay about 150 feet said line being parallel with and ten (10) feet from the line of a lot recently conveyed to Simon Fraser thence southeasterly on said bay about fifty (50) feet, etc."

Assessor's Plat 333

Lot No. 376	being	Recorded Plat Card 90 11
Lot No. 375	being	Recorded Plat Card 102 Lot 8 Section A

In Book 96, page 243 a deed from Herbert Field to Baba Kalunian refers to Card 90 rather than Card 102 for its description whereby reference is made to a lot number designated on a Plat dated 1886 which shows the lot number referred to in said deed and gives measurements which are shown on a plat dated 1889 and purportedly attempts to confuse the metes and bound description.

The deed conveys a distance of 56.5 feet and then goes on to say an additional 83/100 foot of the northerly portion of Lot No. 6, however, the Plat in Book 2, page 62 showing confirmation of this deed description is pure nonsense. Card 102 which is the Plat of 1889 shows the lot conveyed as being 57.33 feet wide. Therefore if you were to add the 56.5 feet given in the deed plus the 83/100 foot given in the deed you will total 57.33 feet which is the footage shown on the Plat of 1889 and you would eliminate the reference to the 83/100 foot purportedly taken from Lot No. 6 in the Plat of 1886. It is interesting to note that a ten (10) foot strip marked "reserve" was also conveyed to the Kalunians, therefore making the Kalunian property 67.33 feet wide at the most.

In Book 55, page 509 is the deed of William F. Jenison to William A. Jenison conveying Lot No. 1 plus the ten (10) foot strip as shown on the Plat of 1889 which in turn is shown on Card 102, in Book 59, page 65. William A. Jenison conveys the ten (10) foot strip to J. Herbert Field. The Herbert Field previously referred to is the son of J. Herbert Field. This above lot spoken about is Lot No. 375 in Assessor's Plat 333.

In Book 51, page 44 deed of William F. Jenison to William F. King conveys Lot No. 80 Card 102 (gives frontage on road as 63.41 feet- same as plat shows and continues " . . . bounded northerly on a walk 4 feet in width extending from said avenue to the river . . . "

This lot is Lot No. 375 on Assessor's Plat No. 333

N. B. the Fuller Street which is shown on recorded Plat No. 102 is presently called Fulton Street.

The result of this causes a confusion on what is presently called Acme Avenue which the Kalunian family has obstructed. There is no doubt in my mind but what all of Acme Street is a right-of-way and an engineer should be assigned to properly set out the frontage on the Kalunian property so that this right-of-way can be opened to the public.

Assessor's Plat 304		Recorded Plat No. 232
Lot No. 145	being	Lot No. 1
Lot No. 146	being	Lot No. A

North of these lots is a right of way. Book 276, page 205 deed of Chester F. Swenson, et ux to C. O. Sparhawk dated February 1, 1956 clarifies this particular right-of-way bearing in mind however that Lot A referred to in said deed is presently known as Lot No. 146.

Assessor's Plat 292	Recorded Plat No. 80 & Recorded Plat No. 91
Lot No. 396	
Lot No. 397	
Lot No. 398	
Lot No. 399	
Lot No. 400	

Lot No. 393

14

Lot No. 395

Lot No. 397

See in conjunction with the above lots. Book 46, page 7 deed of Jabey L. Harris dated May 18, 1887 wherein the deed description begins at a 20 foot gangway and refers to a "point of Rocks Lot " Platted by J. A. Latham, March 1887 - see recorded Plat Card 91 showing the gangway to the north east and west of present lot 397.

Book 89, page 567 deed of Willis Proctor to Samuel P. Harris in 1915 conveys the same lots designated in Book 170 page 481 plus whatever right, title and interest Proctor had to the said gangway lying to the east of said lot.

Book 170, page 481 refers to Assessor's Plat 84, lots 253-289 inclusive which are the same as Lots 393 to 400 inclusive and said Plat shows the two gangways in question and clearly defines them in order to clarify the gangways on either side of the hereinbefore mentioned lots ~~as~~ on Plat 292. See also Book 18, page 42 with recorded card Plat No. 80 being J. A. Latham, March 1884.

N. B. in Book 78, page 599 Russell Proctor conveyed property to Willis Proctor under the deed dated January 12, 1911 and in this description on the property conveyed bordered on the gangways and no interest in and to the gangways were conveyed to Willis Proctor but despite this fact Willis Proctor in Book 89, page 567 above attempted to convey the gangways to Samuel P. Harris. This gangway should be opened up.

Assessor's Plat 292		Recorded Plat 238
Lot No. 230	being	Lot No. 3
15		
Lot No. 229	being	Lot No. 4

Book 213, page 194 deed of A. M. Rutter to R. J. O'Brien refers to Lot No. 229 on Assessor's Plat 292 above states "... said lot bounds westerly on Butler Court 17.29 feet more or less; northerly on a gangway extending easterly from Butler Court to Narragansett Bay 113.67 feet, more or less" dated June 7, 1949. In Book 160, page 311 deed of Charles Cotton to F. L. O'Conner dated April 4, 1941 refers to the southerly boundary of said conveyance as a 9 foot strip i.e. this is the right-of-way.

Assessor's Plat 385		Recorded Plat 303
Lot No. 26	being	Lot No. 30
Lot No. 37	being	Lot No. 29

Assessor's Plat 366		Recorded Plat Card 330
Lot No. 255	being	Lot No. 3
Lot No. 210	being	Lot No. 4
Lot No. 117	being	Lot No. 9
Lot No. 206	being	Lot No. 8
Lot No. 51	being	Lot No. 14
Lot No. 113	being	Lot No. 13

The deeds clarifying these right-of-way are to be found in Book 179, page 103; Book 123, page 144; Book 117, page 383; Book 121, page 27; Book 139, page 335; and Book 133, page 544. These deeds refer to recorded cards and designate the lots by lot numbers as shown on said cards which in turn bound on rights-of-ways.

Assessor's Plat 380		Recorded Plat 157
Lot No. 108	being	Lot No. 109
Lot No. 157	being	Lot No. 72
Lot No. 184	being	Lot No. 25 Recorded Card 167;
Lot No. 229	being	Lot No. 87 (Highland Beach)
Lot No. 269	being	Lot No. 28 (Highland Plat)

To clarify some of the ambiguities involved in this section see deed in Book 87, page 396; Book 157, page 315; Book 234, page 319; and records referred to therein.

Assessor's Plat 377		Recorded Card 189
Lot No. 2	being	Lot No. 6
Lot No. 3	being	Lot No. 7
		Recorded Card 374
Lot No. 36	being	Lot No. 4
Lot No. 37	being	Lot No. 5

		Recorded Card 376
Lot No. 154	being	Lot No. 589

In reference to Lot No. 154 which is a lot adjacent to the beach volume 139, page 148 describes Lot No. 154 in Assessor's Plat No. 377 by metes and bounds which therefore leaves the beach open for the public to use. Said lot No. 154 is at the extreme end of Paine Street.

Assessor's Plat 358		Recorded Card 323
Lots No. 257 - 260	being	Lot Nos. 18 - 15
Lot Nos. 261 - 264	being	Lot Nos. 12 - 15

Volume 279, page 425 covers all of the above lots involved in this particular right-of-way and these lots were sold according to lot numbers with direct reference to the proper plats thereby excluding the 10 feet right-of-way shown on the plat from being part of the conveyance to these property owners.

Assessor's Plat 359		Recorded Card 260
Lot No. 57	being	Lot No. 9
Lot No. 58	being	Lot No. 8

This 12 foot right-of-way is east of North Shore Street - key deeds; Volume 107, page 446; Volume 95, page 197.

Assessor's Plat 357	being	Recorded Card 321
Lot 124	being	Lot No. 21
Lot No. 125	being	Lot No. 20

This 20 foot right-of-way is off Ship Street see deeds in Volume 131, page 509 and Volume 144, page 567.

Assessor's Plat 359		Recorded Card 263
Lot 271	being	Lot No. 26
Lot No. 272	being	Lot No. 225

This is a 20 foot strip marked "Landing" off Water Front Drive at its easterly end. See deeds in Volume 147, page 403 and Volume 149, page 466.

Assessor's Plat 359		Recorded Card 229
Lot No. 44	being	Lot No. 18
unmarked lot which Lot 1 on Assessors Plat 376	being	Lot No. 19

Lot No. 18 on Recorded Card 229 is the same as Lot No. 18 on Recorded Card 260.

Assessor's Plat 376		Recorded Card 260
Lot No. 1	being	Lot No. 18

With reference to this see above Assessor's Plat 359 Lot No. 44 and deed in Volume 149, page 153.

Assessor's Plat 376		Recorded Card 182
Lot No. 8	being	Lot No. 14
Lot No. 9	being	Lot No. 10

See deeds in Volume 182, page 632 and Volume 152, page 684.

Assessor's Plat 376		Recorded Card 168
Lot No. 154	being	Lot No. 361
Lot No. 155	being	Lot No. 362
Lot No. 157	being	Lot No. 363
Lot No. 155		

A determination of this in Book 149, page 658; Book 157, page 432 seems to indicate that these two rights-of-way are private. Further studies of the layout of this locality should be made.

Assessor's Plat 376		Recorded Card 168
Lot No. 450	being	Lot No. 478
Lot No. 451	being	Lot No. 660

See Volume 150, page 253 for this 6 foot right-of-way and also Volume 150 page 293.

Assessor's Plat 375		Recorded Card 168
Lot No. 524	being	Lot No. 878

Lot No. 525 being Lot No. 879

See deeds in Volume 149, page 252 and Volume 151, page 469.

Assessor's Plat 361 Recorded Card 229

Lot No. 35 being Lot No. 29 & 30

Lot No. 36 being Lot No. 25 & 28

For this 6 foot right-of-way see Volume 182, page 531

Assessor's Plat 369 Recorded Card 402

Lot 26 being Lot 23

Lot 42 being Lot 22

For this 10 foot right-of-way see 209 and 359, 212 and 411, 386.

Assessor's Plat 369 Recorded Card 220

Lot No. 26 being Lot No. 41

Lot No. 275 being Lot No. 42

For this 8 foot right-of-way see deed in Book 182, page 219. Also see 179/379 and 290/414.

For a summary the following should be seen together: Assessor's Plat 201 in conjunction with Recorded Card 278 which is "Potowomut Plat, Warwick, Rhode Island belonging to Herbert C. Calef by Frank E. Waterman Co. July 1920 and the following deeds; Volume 160, page 90; Volume 206, page 324; Volume 148, page 14, Volume 236, page 98; Volume 236, page 99; Volume 139, page 174 and Volume 144, page 398.

Assessor's Plat 203 with Recorded Card 283 entitled "Bay Ridge" belonging to James F. Freeman Company, Potowomut, Warwick, Rhode Island surveyed by Frank E. Waterman Co. March 1921 These are 10 foot rights-of-way. See deeds in Volume 223, page 224; Volume 106, page 124; Volume 160, page

603 and Volume 109, page 539.

Assessor's Plat 202 - Recorded Card 285 entitled "Potowomut Plat Annex No. 2 Warwick, Rhode Island and belonging to Herbert C. Calef by Frank E. Waterman Co. June 1921. These 10 foot rights-of-way are determined in the following deeds: Volume 105, page 237, Volume 105, page 149, Volume 105, page 144 and Volume 105, page 151.

Assessor's Plat with Recorded Card No. 264 entitled "Shawomet Shores" Subdivision No. 1, Warwick, Rhode Island Belonging to Ferrier Land Co., Providence Rhode Island by Edward E. Goff, August 1919" and Recorded Plat Card 119 entitled "Lots of Shawomet Avenue - Greene Street and Conimicut Avenue and adjacent lands in Warwick, Rhode Island July 25, 1892" see deed in Book 50, page 390. The right-of-way between Assessor's Plat 334 lots 279 and 278 is shown on Plat Card 264 as being opposite a 15 foot way between lots 30 and 31 on the interior lots with the right of way being 5 feet wide. The Assessor's Plat 334 shows the 15 foot way as being now called "Dome Street" and Lot 30 on the Recorded Plat is now Lot Nos. 302 and 303 on the Assessor's Plat. Lot 31 on Recorded Card 264 is now Lot 304 on the Assessor's Plat.

Assessor's Plat 333 - see Recorded Card 189 and deeds in Volume 96, page 243; Volume 68, page 300; Volume 51, page 44 and Volume 257, pages 252, 253. Also see Recorded Card 102 and deeds in Volume 59, page 55; Volume 55, page 509 and Volume 51, page 44.

Assessor's Plat 304 see Recorded Card 232

Assessor's Plat 292 see deed in Volume 46, page 7 and Volume 18, page 42.

Assessor's Plat 292 with Recorded Plat Card 238 - see deeds in Volume 63, page 289; Volume 87, page 383; Volume 213, page 194 and Volume 160, page 311.

Assessor's Plat 385 see Recorded Plat 303 - Volume 179, page 103; Volume 123, page 144. Assessor's Plat 385 being Recorded Plat 303.

Assessor's Plat 356 with Recorded Plat Card 330 - see deeds in Volume 121, page 27; Volume 139, page 335; Volume 117, page 383 and Volume 133, page 544.

Recorded Card 303 is entitled "Warwick Neck Plateau, Warwick, R. I. Ferrier Land Co. Selling Agents, French and Batemen, Engineers, September 1922". Card 330 is entitled "Long Meadow Shore Plat, Warwick, R. I. belonging to Victory Land Company by Frank E. Waterman Co., May 1925". See also with Card 330 deed of John F. Taylor et al to Agnes I. Bruno in Volume 139, page 335.

Assessor's Plat 380 - see Recorded Plat Card 157 which is the Sea-view Plat as well as Recorded Card 167 entitled "Highland Beach belonging to

John E. Cummings and William D. Plympton by Frank E. Waterman, May 1904" and deeds in Volume 234, page 319; Volume 76, page 195; Volume 157 page 301; Volume 123, page 194 and Volume 87, page 396 also Volume 157, page 315.

Assessor's Plat 377 with Recorded Card 189 which is the Sea Breeze Plat and Recorded Card 374 entitled "Ponham Fort Plat, Warwick, R. I. belonging to J. A. Foster Estate September 28, 1933, Carlton North, Eng." and also Recorded Card No. 376 and deeds in Volume 107, page 485; Volume 70, page 446; Volume 72, page 236; Volume 157, page 548; Volume 208, page 469; Volume 148, page 678 and Volume 149, page 148.

Assessor's Plat 358 with Recorded Card 322 which is the Water View Plat belonging to United States Land Company and deeds in Volume 279, page 425.

Assessor's Plat 359 with Card 260 entitled "Replat of MacFarlane Plat Oakland Beach belonging to S. D. & F. H. Watson by Edward A. Goff June 1917" and Recorded Card 321 and Recorded Card 263 with deeds in Volume 107, page 446; Volume 95, page 197; Volume 131, page 509; Volume 144, page 567; Volume 149, page 466; Volume 147, page 403; Volume 871, page 111; and Volume 149, page 53.

Card 321 is entitled "Second Point Plat, Warwick, R. I. belonging to Archibald C. Caton by Robert W. Greene, May 1925".

Card 263 is entitled "Shore Front Plat, Warwick, R. I. owned by Providence Land Co. April 1921, C. A. Thayer, Engr".

Assessor's Plat 376 with Recorded Card 260 - Card 168 and deeds in Volume 149, page 153; Volume 182, page 632; Volume 152, page 684; Volume 149, page 658; Volume 157, page 432 and Volume 150, page 293.

Recorded Card 168 is entitled "Map of Oakland Beach, Warwick, R. I. by J. A. Latham, 1903 belonging to Massasoit Real Estate Co.

Assessor's Plat 375 with Recorded Card 168 hereinbefore mentioned and deeds in Volume 149, page 252; Volume 151, page 469; Volume 182, page 531; Volume 129, page 142; Volume 283, page 33 and Volume 168, page 546.

Assessor's Plat 369 with Recorded Card 402 entitled "Capron Farm Estates Plat No. 1, Warwick, R. I. owned by Helen C. Strickler A. E. McQuinness September 1944" and deeds in Volume 212, page 411; Volume 212, page 386 and Volume 209, page 359.

Assessor's Plat 367 with Recorded Card 220 entitled "Cedar Tree Point Plat, Warwick, R. I. belonging to Colwell & Fitzpatrick by Richard A. Saunders, April 1911" and deeds in Volume 179, page 379; Volume 290, page 414.

The following lists fishing places which are stocked by the Rhode Island Department of Fish and Game, and are open to all people who are properly licensed. It is to be noted that the following are considered to be privately owned.

I HOPKINTON

1 Ashaway River
2 Brushy Brook

II COVENTRY

1 Ducks Horn Brook
2 Moosup River
3 Turkey Meadow Brook

III CUMBERLAND

1 Abbots Run
2 Silvys Brook

IV CRANSTON

1 Mechanticut Brook

V BURRILLVILLE

1 Tarklin Pond

VI EAST GREENWICH

1 Hunt River

VII WEST GREENWICH

1 Big River

VIII FOSTER

1 Windsor Brook
2 Shippee Brook
3 Hopkins Mill Pond
4 Dolly Cole Brook

IX SOUTH KINGSTON

1 Biscuit City Pond
2 Chickasheen Brook

X GLOCESTER

1 Chepachet River
2 Nine Foot Brook
3 Brandy Brook

XI NORTH PROVIDENCE

1 Geneva Brook

XII EAST PROVIDENCE

1 Ten Mile River

XVIII ROCKVILLE

1 Log House Brook

IVX LINCOLN

1 Allrich Brook

VX TIVERTON

1 Adamsville Brook
2 Sin and Flesh Pond

VIX JOHNSTON

1 Pocasset River

XVII SMITHFIELD

1 North Branch

XVIII CHARLESTOWN

1 Perry Healy Brook (Partly State Owned)

The following are waters which are leased from private owners, but by agreement are available to the public.

I RICHMOND

1 Beaver River

II NORTH SMITHFIELD

1 Upper Rochambeau Pond

III FOSTER

1 Ponagansett River
2 Shippee Mill Pond

IV NORTH KINGSTON

1 Rodman Mill Pond

V WEST GREENWICH

1 Bradley Pond for children under 15

The following are waters entirely state owned.

I EXETER

1 Breakheart Brook
2 Wood River
3 Parris Brook (Partly state owned)
4 Flat River

II RICHMOND

1 Meadow Brook

III WEST BLOCESTER

1 Peck Pond

IV BURRILLVILLE

1 Round Top Brook and Pond

V ARCADIA

1 Roaring Brook

VI WEST GREENWICH

1 Bradley's Pond children under 15

RECOMMENDATION 1.

That a permanent Commission be appointed to continue this work and that funds for such work be appropriated.

RECOMMENDATION 2.

That the discovered rights-of-way which are of practical use be clearly defined and marked and opened for public use.

RECOMMENDATION 3.

That any department of the State of Rhode Island owning land close to discovered rights-of-way be given authority to set out such land for public parking. Provided that such transfer of property does not conflict with its present or intended use.

RECOMMENDATION 4.

That engineering assistance be supplied a permanent Commission.

RECOMMENDATION 5.

That parking facilities be purchased and developed in close proximity to practical rights-of-way through the Department of Agriculture and Conservation.

RECOMMENDATION 6.

That the permanent Commission be empowered to enjoin by proper legal action the unlawful posting, blocking and policing of public rights-of-way.

State of Rhode Island

PUBLIC RIGHTS-OF-WAY TO THE SHORE

March 1970

Prepared for the
Rhode Island Commission on the Discovery and Utilization of Public Rights-of-Way
By the
Rhode Island Statewide Comprehensive Transportation and Land Use Planning Program

Room 124
The State House
Providence, Rhode Island 02903

ABSTRACT

TITLE: Public Rights-of-Way to the Shore

SUBJECT: Resource Planning

DATE: March 1970

AGENCY: Rhode Island Statewide Comprehensive Transportation and Land Use Planning Program

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PROJECT: R.I.-P-51; H.U.D.

SERIES NO: Special Report

NUMBER OF PAGES: vii+22+Appendix (405 pages unnumbered)

ABSTRACT: This report was prepared for the Rhode Island Commission on the Discovery and Utilization of Public Rights-of-Way, and is on expansion of the data contained in a report published in 1958 by the Special Commission to Discover the Public Rights-of-Way to Water Areas of the State.

The information contained in this report will be incorporated into the states' plan for recreation, conservation and open space.

The report is divided into three major sections and an appendix. Part One summarizes the case law, legislation and definitions relating to the public rights-of-way. Part Two presents an inventory and analysis of the rights-of-way for each municipality. Part Three contains the recommendations for further legislative and administrative actions. The appendix contains maps, aerial photographs and descriptions of each right-of-way.

State of Rhode Island and Providence Plantations

Public Rights-of-Way Commission

Room 326 State House
Providence, Rhode Island 02903

REP. ANTHONY GIANGIACOMO, *Chairman*

SEN. F. MONROE ALLEN
ATTORNEY GENERAL HERBERT F. DE SIMONE, *Ex Officio*
MR. MORRIS CHORNEY, *Ex Officio*
REP. HERBERT U. HOLMES
MR. JOHN L. REGO, *Ex Officio*
MR. ADOLPH T. SCHMIDT, *Ex Officio*

March 19, 1970

To His Excellency Governor Frank Licht and
The Honorable Members of the General Assembly:

The Commission on Discovery and Utilization of Public Rights-of-Way was created by the General Assembly in 1958. It was established as a permanent commission on the recommendation of the special commission to study the problem.

The Commission was ordered to carry on a continuing discovery of the public rights-of-way to the water area of the State, and define and mark and cause to be opened for the public use all discovered rights-of-way which it deems feasible.

The 1958 report pointed out several of the problems encountered in establishing these rights-of-way, and the commission has been hampered in its work by these difficulties. Earlier this year it was decided to make a thorough study as to the location of the public rights-of-way, a description of the area and to map these on aerial photographs. The study is also intended to describe the role of the State in defining the rights of land ownership, the ownership of shoreline property, the riparian right of the property owner and of the general public, and the recommendation of appropriate legislation. Finally, it updates the findings of the report of the 1958 committee. It is hoped that the findings of this report will materially aid the commission in carrying out its functions.

This is the result of the study.

Respectfully submitted,

Anthony Giangiacomo

Anthony Giangiacomo, Chairman
Public Rights-of-Way

RHODE ISLAND COMMISSION ON THE DISCOVERY AND UTILIZATION OF PUBLIC RIGHTS-OF-WAY

Representative Anthony Giangiacomo, Providence, Chairman

Representative Herbert U. Holmes, Barrington

Senator F. Monroe Allen, Smithfield

Herbert F. DeSimone, Attorney General, ex-officio

Morris Chorney, Director, Department of Public Works, ex-officio

John L. Rego, Director, Department of Natural Resources, ex-officio

Adolph T. Schmidt, Executive Director, Rhode Island Development Council, ex-officio

Preface

The purpose of this study was to inventory all the known public rights-of-way along Rhode Island's shoreline. The study is based upon a report published in 1958 by the "Special Commission to Discover Public Rights-of-Way to Water Areas of the State" and supplementary data published by this Commission.

With these basic materials the Rhode Island Statewide Comprehensive Transportation and Land Use Planning Program in cooperation with the present Legislative Commission on the Discovery and Utilization of Public Rights-of-Way have updated, mapped and evaluated all known rights-of-way.

The inventory was designed to give the Legislative Commission the information necessary to recommend certain rights-of-way to be used as recreational sites. This material will also be included in the long range recreation planning activities of the state. The data complied in this study not only will be helpful to the state but also will assist the local communities in implementing part of their recreational plans.

Special recognition is extended to Representative Giangiacomo, Chairman of the Commission on the Discovery and Utilization of Public Rights-of-Way, for his invaluable assistance in advising this agency in the preparation of this report.

This report was prepared by Mr. Stephen T. Napolitano, Senior Planner, working under the direction of Mr. Bradford E. Southworth, Supervising Planner. Other staff members who participated in this work are: Mr. Nelson Self, Engineering Aide, Mr. Richard Spencer, Draftsman, Mr. Peter Ouimette, Draftsman, Mr. Mansuet Giusti, Draftsman, Miss Kathleen McLean, Typist, Mrs. Linda Robberson, Typist, and Miss Veronica Girard, Typist.

Finally, acknowledgement is made to the various city and town officials for their assistance in compiling the necessary data.

The activities involved in the preparation of this report are included under work item number 551501, Recreation Plan, which is described in Report Number 2, Work Program, (Supplement: 1969-1970).

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SUMMARY OF FINDINGS AND RECOMMENDATIONS

* There has been an apparent conflict in regard to ownership of shoreline property on the east and west side of the bay. However, by reason of the decision in Narragansett Real Estate Company v. Jackson C. Mackenzie 34 R.I. 103 the courts have appeared to resolve the dispute in favor of state ownership of land between high and low water marks on both the east and west side of the bay.

* Outside of the Constitution's Article I, Section 17 and case law, there is no legislation dealing with shoreline property rights.

* Since there appears to be a discrepancy of existing law as to ownership of shoreline property on either side of the bay, a unifying statute should be formulated settling this discrepancy.

* A total of 148 public rights-of-way were identified. These rights-of-way are located in twelve cities and towns along the states' coastline.

* Evaluation of the 148 public ways according to terrain, access, location, and zoning indicated that 53 public rights-of-way had some potential for being developed for recreational use.

* The Department of Natural Resources should undertake the development of sites which fit into its overall program and should provide minimum maintenance functions for other major rights-of-way where feasible.

* Access to the shoreline via public rights-of-way should also include longitudinal access as well, between the high and low water marks and if possible to the line where vegetation exists.

* A commission should be established to define and describe the ocean shore area.

* All identified public rights-of-way should be owned by the state so they may be preserved for use by the citizens of the state. Specific legislation should be considered to permanently protect these areas.

INTRODUCTION

In preparing a report of this nature the basic objective is to present a method by which public rights-of-way to the water can be developed, supervised, and preserved with the least amount of damage to private property. The report by the Special Commission to Discover Public Rights-of-Way to Water Areas of the State, prepared in 1958, was the key source of data used in this study.

In May of 1956, the General Assembly passed a resolution creating this commission. The Commission's deadline was extended from March, 1957 to March of 1958 in which to present its findings. Upon reporting its findings the General Assembly established a permanent commission designating it the, "Rhode Island Commission on the Discovery and Utilization of Public Rights-of-Way". The powers and duties of the commission are as follows:

> Section 1. There is hereby created a Rhode Island commission on the discovery and utilization of public rights-of-way, to consist of 7 members, 2 of whom shall be from the house of representatives to be appointed by the speaker, one from each of the 2 major political parties, one of whom shall be from the senate to be appointed by the lieutenant governor, and the director of public works, ex-officio, the director of natural resources, ex-officio, the executive director of the Rhode Island development council, ex-officio, and the attorney general, ex-officio. Vacancies on the part of members from the general assembly shall be filled in like manner as the original appointments.
>
> Sec. 2. The commission shall be entitled to contract for, appoint and engage such technical and legal assistance and clerical and other employees as may be required for the proper performance of its duties.
>
> Sec. 3. The members of the commission shall serve without compensation but shall be allowed their necessary and actual traveling expenses in the performance of their official duties.
>
> Sec. 4. The commission shall carry on a continuing discovery of the public rights-of-way to the water areas of the state, and for this purpose shall have access to all state and local records pertaining to the water areas and the land adjacent thereto. It shall define and mark and cause to be opened for the public use all discovered rights-of-way which it shall deem feasible.
>
> Sec. 5. Every state department controlling state-owned

land close or adjacent to discovered rights-of-way are authorized to set out such land, or so much thereof as may be deemed necessary, for public parking; provided, however, that such use of said land shall not conflict with existing or intended use, and no improvement shall be undertaken by any state agency until detailed plans have been submitted to and approved by the governing body of the local municipality.

Sec. 6. The commission is authorized, subject to the provisions of chapter 37-6 of the general laws, as amended, to acquire and develop land for parking facilities in close proximity to rights-of-way.

Sec. 7. The commission is empowered to apply to any court of competent jurisdiction for an injunction to prevent the unlawful posting or blocking of any public right-of-way.

Sec. 8. The general assembly shall annually appropriate such sum as shall be necessary to carry out the provisions of this act.

Sec. 9. This act shall take effect on its passage.

This report concerns itself with three major subjects: first, the legal and legislative basis for the establishment and existence of all public rights-of-way, second, an actual graphic and pictorial inventory of all known rights-of-way in the state, third, recommendations for the development of certain rights-of-way.

PART ONE: PUBLIC RIGHTS-OF-WAY: CASE LAW LEGISLATION AND DEFINITIONS

In order to adequately discuss the subject of rights-of-way, a general understanding of the language used to describe such legal rights is necessary. This section of the report is by no means to be construed as a legal treatise on the legal implications of public rights-of-way. However, it will attempt to discuss the basic concepts which are involved in the makeup and use of rights-of-way.

The first question that arises in this discussion is what is a right-of-way. According to Black's Law Dictionary, it is "A servitude imposed by law or by convention and by virtue of which one has a right to pass on foot, horseback, or vehicle through the estate of another. When this servitude results from the law, the exercise of it is confined to the wants of the person who has it."[1] Therefore, if one has a right-of-way over another's property either by operation of law or by contract, he is the only one that can use it and is limited in use in the first instance, by his own desires and in the second by the terms of the contract. If the person or persons holding this right-of-way are a community or state, the same rules apply to them as to the use of the right.

Public rights-of-way by themselves do not constitute the crux of the problem. The chief problem arises when a public right-of-way is situated near the shore line of the state. Specifically, one has in conflict, the rights of riparian property owners and the general public. Who has a right to the shore area? The public or the private property owner? A riparian proprietor is one whose property is bordered on one or more sides by a water course.[2] Corpus Juris Secundum states that such a person has a right to use exclusively that portion of a shore or bank which is situated between the high-water and low-water marks so long as it doesn't interfere with the navigation on a public highway, other riparian owner, or the governing local law. Also, a riparian owner may take steps to protect his shore by erecting structures reasonably appropriate for such a purpose.[3] These rules of law seem to be in direct conflict with Article I Section 17 of the Rhode Island Constitution which states in part, "The people shall continue to

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1 Black's Law Dictionary, Fourth Edition, H. C. Black, West Publishing Co., St. Paul, Minn., 1951, p. 1489.

2 Corpus Juris Secundum, American Law Book and West Publishing Co., Brookline, N.Y. Vol. 93, p. 603.

3 Op.cit., Corpus Juris Secundum Vol. 65, p. 216, and p. 232.

enjoy and freely exercise all the rights of fishery and the privileges of the shore".[4]

The Supreme Court of Rhode Island in its decision of Gilbane, Inc. v. Donat Noel[5] stated in (1917) that the State through its General Assembly has the right under Article I Section 17 of the Constitution to regulate fisheries and taking of fish from Rhode Island waters. In Jackvony Attorney General ex rel v. R.F. Powell et al[6] (1941) the Supreme Court struck down a statute allowing a Newport Beach Commission to erect a fence between the high-water mark and low-water mark at Easton's Beach, Newport, saying it was in conflict with the Constitution's Article I Section 17. In its decision, the court discussed what the phrase "privileges of the shore" should be construed to mean. The court refers to the common-law rights of the public in the shore, such as the right to fish, take seaweed, bathe, and walk along the shore, and stated that for many years authorities have felt this was the meaning of the phrase, "privileges of the shore". But, there is no colonial or present day precedent that so states such an interpretation of the phrase.

However, in Clark v. Peckham, 10 R.I. 35, (1870) the Supreme Court of Rhode Island stated that while the public has a right of passage along the shore, the riparian owner cannot be deprived of his access to a navigable water course.[7] In Providence Steam-Engine Company v. Providence and Stonington Steamboat Company, 12 R.I. 348, (1879) the court held that a riparian owner has certain rights in the shore in front of his property, subject to control by the state, including a right of wharfing out.[8] Further there is dictum in this case which seems to be right on point with regard to the problem of rights-of-way which states: "The State has governmental control of the shores and tide-waters for the benefit of the public, in order to protect the public rights of passage or other rights on the shore."[9] In Allen v. Allen, 19 R.I. 114, (1895) the court said,

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4 General laws of Rhode Island 1956, State Constitution Article I, Section 17.

5 Rhode Island Reporter, Rhode Island Supreme Court Volume 40, p.87.

6 Rhode Island Reporter, Rhode Island Supreme Court Volume 67, p.218

7 Op.cit., Rhode Island Reporter, Volume 10, page 35.

8 Op.cit., Rhode Island Reporter, Volume 12, page 348.

9 Ibid.

by way of dictum, "The State holds the legal fee of all lands below high-water mark as at common law. . . This right of the state is held, however, by virtue of its sovereignty, and in trust for all the inhabitants, not as a private proprietor."[10]

The preceding excerpts must be understood in the manner in which the court gave them. That is, they are all dicta, which is nothing more than a certain court's or justice's opinion on a particular matter. Dicta in a case are reasons which are more or less personal opinions carrying no weight in a certain decision. It is true that dictum in one case can be and sometimes is followed in later decisions of the same jurisdictions, but the court is not bound to so follow it.

Cases such as Jackvony v. Powell, and Allen v. Allen leave many questions unanswered as to ownership of the shoreline, in particular, on the East side of the Bay. To find such an answer we have to investigate further into the case law of Rhode Island. In Narragansett Real Estate Co. v. Mackenzie, 34 R.I. 103, (1912) the court stated that, "the plaintiff by proof of title to land bounding upon salt water in the town of Little Compton has title in fee only to the ordinary high-water mark, and the fee to the land below ordinary high water is in the State".[11] Further on in this case the court discussed the problem concerning a Colonial Ordinance of 1641-1647 which gave in fee the tide flowed lands to the littoral proprietors of the Massachusetts Bay Colony. It was claimed by the plaintiff in this case that the State of Rhode Island by its act (Public Laws of Rhode Island, 1745-1752, p. 21) "An act for quieting Possessions and establishing Titles of Land, within the towns of Bristol, Tiverton, Little Compton, Warren and Cumberland" allowed the above mentioned Colonial Ordinance to become the law in that section of the State. However, the court stated that, "The Public Laws of Rhode Island, 1745-1752, page 21 . . .did not have the effect of bringing over into this State the Colonial Ordinance of 1641-1647 of the Massachusetts Bay Colony, giving the fee of tide flowed lands to the littoral proprietor to low water mark not exceeding 100 rods from high water marks."[12] At this point it would be helpful to have a definition of what exactly the court means by high and low water marks. According to Black's Law Dictionary, "shore and beach lands are those lands lying between the lines of high and low water mark. The beach area

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10 Rhode Island Reporter, Rhode Island Supreme Court, Volume 19, p. 114.

11 Op.cit., Rhode Island Reporter, Volume 34, page 103.

12 Ibid.

is that area which in common parlance is situated between high-water mark and the uplands."[13] Therefore, when the court uses the terms high and low water marks it is referring to the shore line not the beach area. Finally, to clear up any ambiguity as to ownership of this shore property the Rhode Island Supreme Court in, New York, New Haven, and Hartford R.R. Co. v. Hargan Tide, 25 R.I. 408, (1903) states, "Title to land below high water mark was in the crown until the State became independent and since that time all the power of the king and parliament with respect to these lands has resided in the General Assembly."[14]

This rule of law that was ennunciated in the above mentioned Hargan Tide case, is by no means inflexible. There is a line of case law which deals with the problem created by the drawing of a harbor line by the authority granted under various harbor line acts down through the years. This report will be concerned with the present day act found in Title 46 Chapter 4, Section I of the Rhode Island General Laws. Chapter 4 Section I gives the authority to draw such a line to the Division of Harbors and Rivers which is responsible to the General Assembly and Governor.[15] As for an actual harbor line it is, according to Black's Law Dictionary, "A line marking the boundary of a certain part of a public water which is reserved for a harbor. The line beyond which wharves and other structures can not be extended."[16]

If a harbor line is drawn by the proper authorities, it outlines that area in which ships can navigate freely. But this presents a problem with regards to ownership of tidal flats. It is a hard and fast rule of common law as well as present day law that a riparian owner bounded by navigable water has a right of access to such navigable water of which he can not be lawfully deprived, see, Clark v. Peckham, 10 R.I. 35.[17] In Asselin v. Blount, 65 R.I. 293, (1940) a definition of what constitutes navigable water ways was given as, "Any river is navigable in fact if they are sus-

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13 Black's Law Dictionary, Fourth Edition, H.C. Black, West Publishing Co., St. Paul, Minn., 1951, page 194.

14 Rhode Island Reporter, Rhode Island Supreme Court, Volume 25, page 408.

15 General laws of Rhode Island 1956, Title 46, Chapter 4, Sec. 1.

16 Black's Law Dictionary, Fourth Edition, H.C. Black, West Publishing Co., St. Paul, Minn., 1951, p. 1242.

17 Rhode Island Reporter, Rhode Island Supreme Court, Volume 10, p. 35.

ceptible of use in their ordinary condition as highways or commerce over which trade and travel are or may be conducted in the customary modes of trade and travel on water."[18]

Assume for the purposes of this report that a harbor line is drawn in front of a riparian land owner. What are his rights under the law? As seen in the Peckham Case he can not be deprived of his access to the navigable water. Assume further now that this riparian owner either fills to this harbor line or builds a wharf to it. If he were to build a wharf would he in effect be encroaching on public lands? No. In Nugent, Attorney General v. Vallone, 91 R.I. 145, (1960) it was announced that, "A riparian property owner has a right to wharf out to navigable water. This right of wharfing out to navigable waters in no way gives the builder ownership of the tidal land it rests on and he cannot prevent passage under it along the shoreline."[19] However, if this particular owner fills out to the harbor lines the courts have construed his right in a different manner. In Allen v. Allen, 19 R.I. 114, it was stated, "By establishment of a harbor line the riparian owner is permitted to carry the high-water mark out a certain distance from the natural shore thereby extinguishing all public rights within it. While the rights to the shore and upland are not changed they are carried further out into the tidal stream or sea".[20] Therefore, if a riparian land owner fills out to the harbor line, in effect he changes the high water mark from its original place to the harbor line. He can fence this land and thus exclude the public from passing over it.

As was mentioned at the beginning of this discussion of harbor lines, a problem is presented with regards to rights-of-way. If there is a right-of-way adjacent to private property and a harbor line is drawn and the riparian owner fills out to the line, the public no longer has a right of passage over the original shoreline. They still can pass over the new shoreline at the harbor line but this may be a substantial distance from the right-of-way shoreline. In a similar manner if a wharf is built the public can pass under it but has no access to the wharf except with permission of the owner.

Up to this point in our investigation we have discussed the various decisions and definitions of riparian land owners and rights-of-way. From this we can draw certain conclusions. First, the state has the right to regulate shoreline and fisheries. The courts by way of dictum and rulings have said that the public has a right of passage and enjoyment of the shoreline. Secondly, if a

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18 Rhode Island Reporter, Vol. 65, page 293.

19 Op.cit., Rhode Island Reporter, Vol. 91, page 145.

20 Op.cit., Rhode Island Reporter, Volume 19, page 114.

harbor line has been drawn and the riparian owner fills out to it he can claim this filled area as his exclusively. However, his right of wharfage as distinct from filling to the harbor line does not give him ownership of the tidal flats on which the wharf rests. Thirdly, if a public right-of-way exists next to private property the same rights apply to it with regard to wharfage, fill, and access. But, if a private owner fills out to a harbor line, then access to the original shoreline is cut off and pushed out to the harbor line. This last point appears to be the major difficulty envisioned between public rights-of-way and riparian owners.

PART TWO: PUBLIC RIGHT-OF-WAY INVENTORY

This part of the report contains a listing of all public rights-of way to salt water known to exist along the State's shorefront. This listing is a combination of various source materials including the 1958 Commission's Report on Public Rights-of-Way, a supplementary data sheet published after the 1958 report, entitled Public Rights-of-Way and research by the Statewide Planning Program staff.

A. INVENTORY METHOD AND EVALUATION

In preparing this inventory, the following method of operation was used. The first step was to gather all the information on the known rights-of-way from the above-mentioned source materials. These locations were plotted on maps of the city or town in which the right-of-way was located. Using this information as a starting point, the tax assessor's office of the various communities were contacted and a search of the plat maps was conducted. As a result of this search additional public rights-of-way were discovered. However, a problem was encountered at this point in the towns of Jamestown, Little Compton, and Tiverton. These communities do not employ the use of plat maps. Thus, the only possible solution would be to make a study of the records in the Registrar of Deeds office. This is a very time consuming project and the time allowed for this report did not permit such an investigation. Therefore the inventory does not include any listings for these three towns. In the towns and cities which did have tax assessor's maps, a copy of the plat on which the public way was located was used to provide a more accurate description of the traced location.

After conducting this investigation, each public right-of-way for every town or city was studied in the field by staff members of Statewide Planning Program and the Chairman of the Rights-of-Way Commission. Through this process a better evaluation of the assets and liabilities of each right-of-way was obtained. Basically, each public way was evaluated according to the following criteria: location, terrain, and accessibility.

The evaluation of each right-of-way was recorded on an evaluation sheet. Many of the public ways were located in heavily populated shorefront areas with parking restrictions on the local access roads. A number of the rights-of-way have good access but limited vacant land area for development of parking facilities. Some of the public ways were considered ideal for development, but were located too close to existing recreational facilities.

Once the rights-of-way were mapped and tracings of the plat maps completed, an aerial photograph at a scale of 1" = 100' was prepared for each location. Use of the aerial photograph was

considered an ideal method for examining existing conditions adjacent to the right-of-way, and also a means of preserving a record of the rights-of-way location.

The evaluation sheet, plat map tracing sheet, and aerial photograph of each right-of-way are presented in Appendix A.

B. ANALYSIS AND EVALUATION BY MUNICIPALITY

In this section of the report each public right -of-way is analyzed and evaluated on the basis of its potential for development as a recreation site. The analysis and evaluation is made on a community by community basis. The number in parenthesis following the location of the right-of-way indicates its location as shown in Figure 1. Table 1, is a listing of each right-of-way evaluated in this report.

There are twelve cities and towns which had public rights-of-way located within their political boundaries. The following is a description of the rights-of-way in each community.

1. Barrington

There are three public ways located in the Town of Barrington. Two of the public ways are located on Teed Avenue (85,86), and one on Hampden Street (87). All of these rights-of-way are situated in a large lot residentially zoned section of the community which leaves little or no vacant land for the development of recreational facilities. It appears from this investigation that the two public ways located on Teed Avenue should be left for the use of local residents. The Hampden Street right-of-way should be signed, maintained and policed.

2. Bristol

The Town of Bristol has eighteen public rights-of-way located along its shoreline. The inventory indicated that a total of five public ways have some potential for development. They are: Gibson Road (107), Constitution Street (109), Union Street (110), Narrows Road (121), and Annawamscott Drive (123). With the exception of Constitution and Union Streets all of these public ways were located close to vacant land. Constitution and Union Streets are wide enough to accommodate the parking of automobiles without additional land acquisition. This would limit the development of both areas for recreation facilities.

The area surrounding all of these public ways has been zoned for low to medium density residential development. None of the public ways are signed to indicate their location.

Table I

PUBLIC RIGHTS-OF-WAY INVENTORY
1969

Municipality	Right-of-way Location	Right-of-way Number (s)
1. Barrington	Teed Avenue	85 - 86
	Hampden Street	87
2. Bristol	Beach Road	106
	Gibson Road	107
	Fales Road	108
	Constitution Street	109
	Union Street	110
	Wally Street	111
	Low Lane	112
	North Street	113
	Butterworth Avenue	114
	Franca Drive	115
	Fatima Drive	116
	San Miguel Drive	117
	Sherman Avenue	118
	Smith Avenue	119
	Kickamuit Avenue	120
	Narrows Road	121
	Sowans Drive	122
	Annawamscott Drive	123
3. Charlestown	Devils Beach Channel (Quonochontaug)	19
	East Beach Road	20
	Charlestown Breachway	21
4. East Providence	Terrace Avenue	72,73,74 75,76,77 78
	Seaview Avenue	79
	Riverside Drive	80,81,82, 83,
	Bullocks Point Avenue and Riverside Drive	84
5. Middletown	Tuckerman Avenue	142
	Shore Drive	143 - 144
6. Narragansett	Foddering Farm Road	34

Table I (continued)

		Great Island Road	35
		Knowlesway Extension	36
		Pilgrim Avenue	37
		Louise Drive	38
		Bassrock Avenue	39
		Hazard Avenue	40
		Newton Avenue	41
		Tucker's Dock (Ocean Road)	42
		Dunes Club (Boston Neck Road)	43
7.	Newport	Bellevue Avenue (Bailey's Beach)	145
		Ocean Avenue	146
8.	Portsmouth	Hummock Point Road	124
		Hummock Point Road	125
		Narragansett Road	126
		Leedham Street	127
		Point Street	128
		Green Street	129
		Ivy Avenue	130
		Edith Avenue	131
		Gould Avenue	132
		Island Park Avenue	133
		Ruth Avenue	134
		Morgan Street	135
		Aquidneck Avenue	136
		East Corys Lane	137
		Tallman Avenue	138
		Child Street	139
		Morningside Lane	140
		Sand Point Road	141
9.	South Kingstown	Matunuck Point (Matunuck Beach Road)	22
		Salt Pond Road	23 - 33
10.	Warren	Maple Street	88
		Barker Street	89
		River View Street	90
		Parker Avenue	91
		Patterson Avenue	92
		Laurel Lane	93
		Harris Avenue	94
		Shore Drive	95 - 101
		Touisett Road	101A
		Emery Street	101B
		Emery Road	102
		Brownell Street and George Street	103

Table I (continued)

	Ceder Street	104
	View Avenue	105
11. Warwick	Bradford Avenue	44 - 45
	Sidney Avenue	46
	Hale Avenue	47
	Collins Avenue	48
	Hopkins Avenue	49
	Beachwood Drive	50
	Beachwood Drive	51
	Grand View Drive (Midget Avenue)	52
	Sylvia Drive	53
	Coburn Street	54
	Logan Street	55
	Reynolds Avenue and Bayonne Avenue	56
	North Shore Street and Crown Street	57
	Waterfront Drive	58
	Cooney Street and Lilac Street	59
	West View Street	60
	Hess Avenue	61
	Ogden Avenue	62
	Brinton Avenue	63
	Chapin Avenue	64
	Dome Street and Shawomet Avenue	65
	Shawomet Avenue	66
	Bellman Avenue	67
	Gaspee Point Drive	68
	Butler Court	69
	Peck Lane	70 - 71
12. Westerly	Avondale Road (wharf)	1
	Avondale Road	2 - 3
	Wapan Road	4
	Meadow Lane	5
	No Name (off Bluff Avenue)	6
	Everett Avenue	7
	Niantic Avenue and Ocean View Highway	8
	Winnipaug Road	9
	Atlantic Avenue and Winnipaug Road	10
	Atlantic Avenue	11 - 18

Of the remaining thirteen rights-of-way, it is recommended that nine (106, 108, 115, 116, 117, 118, 119, 120, 122) be signed, maintained and policed. No further recommendation is made for rights-of-ways numbered 111, 112, 113, 114.

3. Charlestown

There are three public rights-of-way located in the Town of Charlestown. All are situated in areas where public access exists through state property. They are: Devils Beach Channel (Quonochontaug Breachway, 19), East Beach Road (20) and Charlestown Breachway (21). It is recommended that the Charlestown Breachway right-of-way be signed, maintained and policed. No recommendation is made at this time for the public ways at Devils Beach Channel and East Beach Road.

The Town Dock Road public way was listed on a supplementary data sheet published after the 1958 Commission report. It was not included in the inventory because of the vague documentation and lack of records designating this area as a right-of-way. Presently it is not owned by the Town of Charlestown but is maintained by the community. A marina is located at the southern end of the road which terminates at Ninigret Pond.

4. East Providence

The inventory of rights-of-way in the City of East Providence revealed the location of thirteen public ways in the Narragansett Terrace Section. This area is primarily high density residential development and is located south of the Crescent Park Amusement Center. The public ways are very narrow with private homes located on both sides.

Of the thirteen rights-of-way located in this community only the one north of the Bullocks Point Avenue and Riverside Drive intersection (84) appears to be suitable for serious consideration for recreation development. No recommendation on the remaining twelve public ways (72-83) is made at this time.

5. Middletown

There are three known public rights-of-way located in the Easton's Point area of Middletown. One public way is located off Tuckerman Avenue (142), and two are located off Shore Drive (143,144)

The area surrounding the rights-of-way off Tuckerman Avenue consists of high density residential development and is a short distance from Easton's Beach (First Beach) in the City of Newport. There is little vacant property between the beach front and Shore Drive that could be used for the development of recreational facilities.

The public way located off Tuckerman Avenue has some vacant land adjacent to it, but is surrounded by high density development.

No recommendation for the further development of these areas is made at this time.

6. Narragansett

The investigation of public rights-of-way in the Town of Narragansett indicated that ten public ways were situated along the town's shore. Of these ten, four seem to hold the most potential for the development of recreation facilities. They are: Knowlesway Extension (36), Pilgrim Avenue (37), Tucker's Dock (Ocean Road, 42), and the Dune's Club (Boston Neck Road, 43). All of the above mentioned rights-of-way provide excellent access to vacant property which could be used for parking facilities.

The public way at Great Island Road (35) in the Galilee section of Narragansett is presently owned by the state.

The remaining five rights-of-way (34, 38, 39, 40, 41), are located in areas of high density residential development and business districts, with little available land for further development of recreation facilities.

7. Newport

There are two public ways located in the City of Newport. One is located at Bellevue Avenue (145), adjacent to Bailey's Beach. The other is situated off Ocean Road (146). The Bellevue Avenue public way should be signed, maintained and policed. The one off Ocean Road should be considered for further development as a recreation area.

8. Portsmouth

There are eighteen public rights-of-ways situated along the shoreline in the Town of Portsmouth. An analysis of these public ways indicates there are ten areas which should be considered for further development as recreation areas. They are: Hummock Point Road (124), Teedham Street (127), Ivy Avenue (130), Edith Avenue (131), Gould Avenue (132), Island Park Avenue (133), Ruth Avenue (134), Morgan Street (135), East Corys Lane (137), and Sand Point Road (141). Several of these public ways are posted and are paved to the beach area. Others are partially paved but are not posted.

The rights-of-way at Child Street (139) and Morningside Lane (140), should be signed, maintained and policed.

The remaining six public ways (125, 126, 128, 129, 136, 138) should be left in their present use. No further recommendation is made at this time.

9. South Kingstown

The investigation in the Town of South Kingstown revealed the location of twelve public rights-of-way. The right-of-way located off Matunuck Beach Road (22), affords an excellent area for water-oriented recreation activity. There is vacant property on both sides of the area. Eleven public ways are located off Salt Pond Road (23-33), at the northern end of Point Judith Pond. These areas are in close proximity to one another, therefore, it is recommended that they be consolidated intoa useable parcel for recreation development.

10. Warren

The Town of Warren has twenty public rights-of-way located along its shoreline. It was determined that four of these public ways had some potential for development. They are: Barker Street (89), River View Street (90), Laurel Lane (93), and Harris Avenue (94). The area surrounding these public ways has been zoned for low density residential use and there appears to be sufficient vacant land for further development.

Three areas should be signed, maintained and policed. They are: Maple Street (88), Parker Avenue (91), and Patterson Avenue (92).

The remaining thirteen (95-101, 101A, 101B, 102-105) should remain in their present use. No further recommendation is made at this time.

11. Warwick

The City of Warwick has twenty-eight public rights-of-way situated along its shoreline. The analysis and evaluation indicated that eleven public ways could be considered for further development of recreation facilities. They are: Bradford Avenue (44), Reynolds Avenue and Bayonne Avenue (56), North Shore Street and Crown Street (57), Waterfront Drive (58), Cooney Street and Lilac Street (59), West View Street (60), Ogden Avenue (62), Brinton Avenue (63), Chapin Avenue (64), Shawomet (66) and Gaspee Point Drive (68). The areas in which these public ways are located has been zoned for low density residential development. Adequate vacant land appears to be available adjacent to these rights-of-way.

It is recommended that the public ways located off Sylvia Drive (53), Coburn Street (54), and Hess Avenue (61), be signed,

maintained and policed.

The remaining thirteen should remain in their present use (45-52, 55, 65, 67, 69, 70, 71). No further recommendation is made at this time.

The report published by the Special Commission to Discover the Public Rights-of-Way to Water Areas of the state in 1958, indicated that thirty-four rights-of-way existed in the City of Warwick. The more current inventory conducted for this report indicates that only twenty-eight public ways could be precisely located. A field survey and study of tax assessor's maps showed that of the remaining six rights-of-way previously identified two were located a considerable distance from the shore; three were located in areas where the City had removed all structures, thereby making it impossible to locate the rights-of-way; and one was located in the vicinity of a large marshy area which made it difficult to pinpoint the exact location.

12. Westerly

The inventory and evaluation of public rights-of-way in the Town of Westerly resulted in the location of eighteen public ways.

Five of these ways have been selected for further consideration as areas for recreation facilities. They are: Avondale Road (wharf 1), Avondale Road (2-3), Wapan Road (4), and Niantic Avenue and Ocean View Highway (8). All of these public ways are situated in low density residential use areas. Adequate vacant property appears to be available adjacent to these rights-of-way.

Two public ways, one off Bluff Avenue (6), and one off Everett Avenue (7), should be signed, maintained and policed.

The remaining eleven rights-of-way (5, 9, 10-18) should remain in their use. No further recommendation is made at this time.

PART THREE: CONCLUSIONS AND RECOMMENDATIONS

The public rights-of-way to the water which were discovered by the Commission and which are further defined and described in this report represent a valuable asset of the people of Rhode Island. The character and usability of these sites vary considerably. Some are no more than foot-paths to the water while others provide vehicular access to attractive fishing or boating sites. Several of the areas have the potential for further development of the site itself or for adjacent parking facilities to make the site more accessible to more people. See Table 2.

The importance of the rights-of-way as a recreational resource for the people of the state makes it necessary that each one be used to its fullest potential. There is a great need for additional public land along the shore to serve a growing population. However, continuing intense private development makes it increasingly difficult for new public lands to be acquired.

A. RESPONSIBILITY FOR FUTURE ACTION

It is apparent that the development of this shore resource will require the continuing cooperation of the Commission and the Department of Natural Resources, which is the state agency charged with the responsibility for developing and operating recreational facilities in the state.

Section 4 of the legislation establishing the Commission authorizes it to "carry on a continuing discovery of the public rights-of-way to the water areas of the state." In Section 6 of the law the Commission is authorized "to acquire and develop land for parking facilities in close proximity to rights-of-way."

The duties of the Commission and the responsibilities of the Department of Natural Resources for recreation planning and development underline the importance of a close working relationship between these two agencies. The fact that the Director of the Department of Natural Resources is an ex-officio member of the Commission is an important element in this relationship.

In order to provide for the optimum utilization of the public rights-of-way the Commission will review the data presented in this report with the Department of Natural Resources and establish a continuing program for the investigation and evaluation of the sites which have the greatest development potential.

The Department of Natural Resources should undertake the development of those sites which fit into its overall recreation and conservation program and should also provide minimum policing

Table 2

PUBLIC RIGHTS-OF-WAY INVENTORY, 1969 RECOMMENDATIONS FOR DETAILED STUDY OF DEVELOPMENT POTENTIALS

Municipality	Right-of-Way Location	Right-of-Way Number (s)
Bristol	Gibson Road	107
	Constitution Street	109
	Union Street	110
	Narrows Road	121
	Annawamscott Drive	123
East Providence	Bullock's Point Avenue	84
Narragansett	Knowlesway Extension	36
	Pilgrim Avenue	37
	Tucker's Dock (Ocean Road)	42
	Dunes Club (Boston Neck Road)	43
Newport	Ocean Road	146
Portsmouth	Hummock Point Road	124
	Leedham Street	127
	Ivy Avenue	130
	Edith Avenue	131
	Gould Avenue	132
	Island Park Avenue	133
	Ruth Avenue	134
	Morgan Street	135
	East Corys Lane	137
	Sand Point Road	141
South Kingstown	Matunuck Point (Matunuck Beach Road)	22
	Salt Pond Road	23-33
Warren	Barker Street	89
	River View Street	90
	Laurel Lane	93
	Harris Avenue	94
Warwick	Bradford Avenue	44
	Reynolds Avenue and Bayonne Avenue	56
	North Shore Street and Crown Street	57
	Waterfront Drive	58
	Cooney Street and Lilac Street	59
	West View Street	60

Table 2 (Continued)

Warwick	Ogden Avenue	62
	Brinton Avenue	63
	Chapin Avenue	64
	Shawomet Avenue	66
	Gaspee Point Drive	68
Westerly	Avondale Road (Wharf)	1
	Avondale Road	2-3
	Wapan Road	4
	Niantic Avenue and Ocean View Highway	8

and maintenance functions for other major rights-of-way where feasible.

B. LEGISLATIVE RECOMMENDATIONS

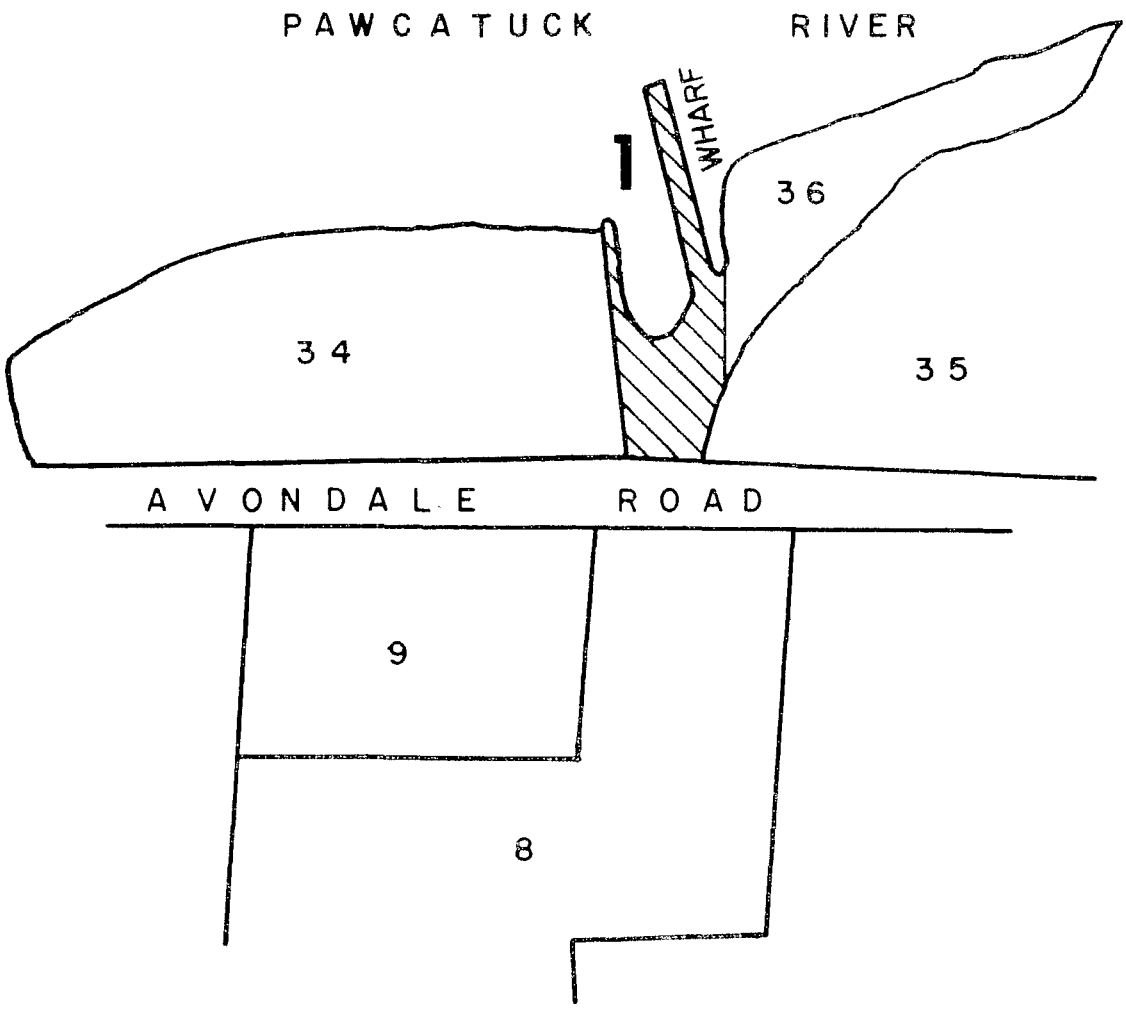
In Part One of this report three important points were presented. First, there is little or no legislation dealing with shoreline property other than that described in the Harbor Lines Act and Article I, Section 17, of the State Constitution. Second, the intent of the courts with regard to private ownership of shoreline property is not clearly distinguishable. And third, there are no statues now governing shoreline development.

Based upon the above-mentioned problem areas, some type of uniform legislation with regard to shoreline ownership of property is recommended. First, control of shoreline development should meet with the approval of a state or combination state-local government authority. Second, a legislative commission is proposed whose principal function shall be to recommend to the general assembly the legislation necessary to preserve and protect the scenic and recreational use of the ocean shore areas. This commission shall also recommend a plan to define and describe the ocean shore area.

It is the opinion of the Commission on the Discovery and Utilization of Public Rights-of-Way that the ocean shore area should be described as the area between the low-tide and the line of vegetation.

The Commission on the Discovery and Utilization of Public Rights-of-Way believes that it is of the utmost importance that the interest of the public in the shore area be adequately defined in law and recommends that the General Assembly either establish a committee to undertake this task or delegate this responsibility to the Department of Natural Resources which is the Executive Branch agency with responsibility for planning and development of shorefront recreation areas.

APPENDIX A
EVALUATION SHEETS, TAX ASSESSOR'S MAPS, AERIAL PHOTOGRAPHS



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WESTERLY

PLAT 14 SCALE: 1" = 80'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 1

Town of Westerly

Location:

This public way is located just west of Avondale Road and is bounded by the Pawcatuck River.

Approximate Area: 3,776 Square Feet

Existing Conditions and Land Uses:

This right-of-way consists of a wharf and land area and is situated next to a marina. The area has been zoned low density residential. There are vacant lots to the north of the wharf. The area to the south appears to be in use as a parking lot for the marina.

Recommendations:

A sign should be posted indicating the existence of a public way and the area should be maintained and policed. The possibility of further development of the wharf and adjacent land should be investigated.

1
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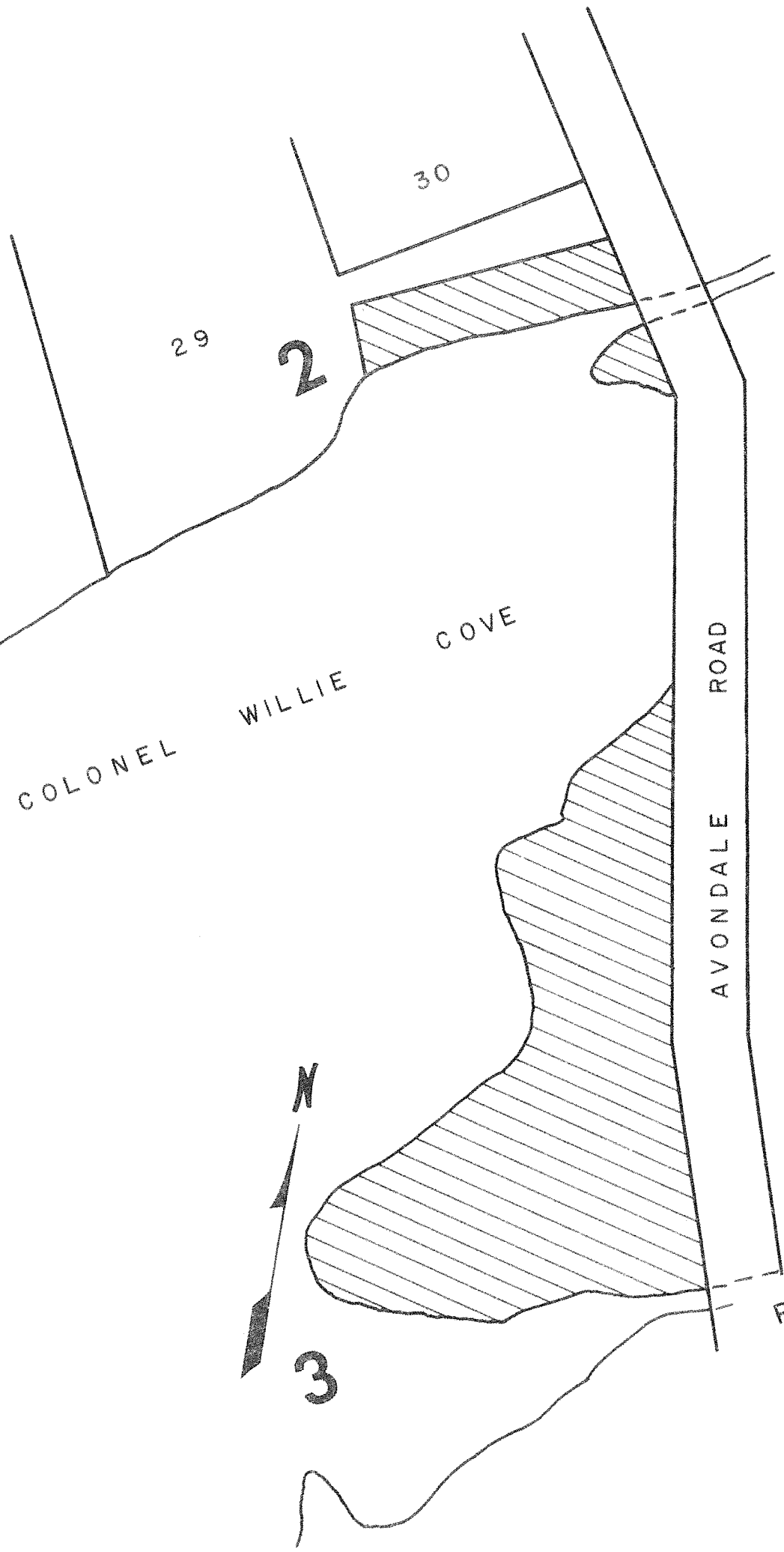

PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WESTERLY

SCALE: 1" = 80'

PLAT 18 1/2

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 2,3

Town of Westerly

Location:

This public way runs off Avondale Road at a mid-point between Champlin Drive and Watch Hill Road. Part of the roadway which extends into the cove is considered part of the right-of-way.

Approximate Area: 2. 6,912 Square Feet

3. 38,272 Square Feet

Existing Conditions and Land Uses:

This area has been zoned for low density residential development. The road (Avondale) runs along the shore of the Colonel Willie Cove. The northern right-of-way (2) off the road is bordered on its upper limit by private homes. However, across the road there is considerable vacant land.

Recommendations:

There appears to be some potential for developing these rights-of-way for either a boat launch site or a fishing access area. The vacant lots across the road should be considered for use as parking facilities. A sign should be posted indicating the right-of-way and the area should be maintained and policed.

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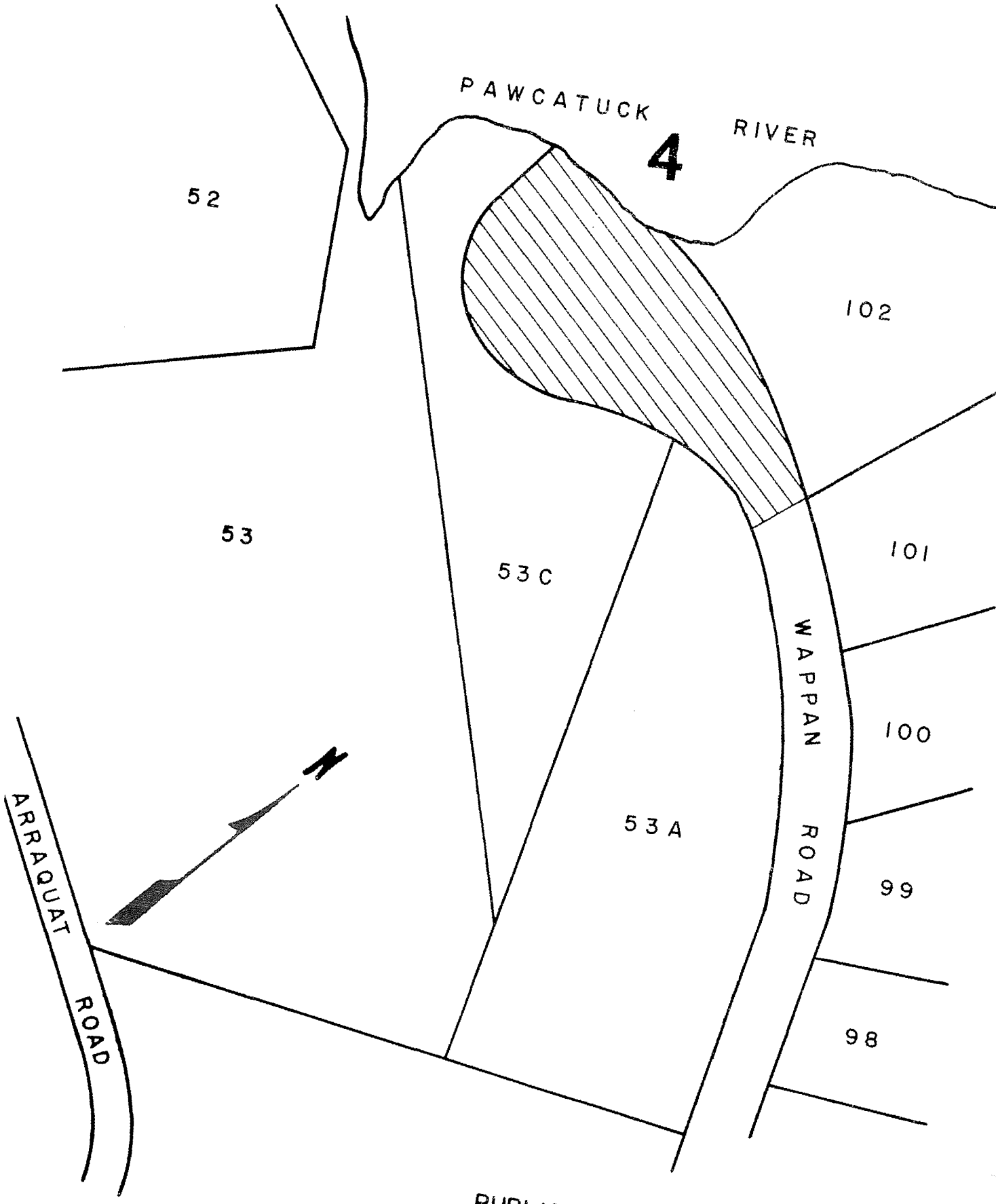

PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WESTERLY

PLAT 16

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 4

Town of Westerly

Location:

This right-of-way is located at the end of Wapan Road north of the intersection of Wapan Road and Arraquat Road.

Approximate Area: 24,040 square feet

Existing Conditions and Land Uses:

This area has been zoned for low density residential development. There are vacant lots on both sides of the right-of-way which opens onto the Pawcatuck River.

Recommendations:

The possibility of acquiring vacant land for parking facilities should be considered as well as development of the public way as a recreation facility.

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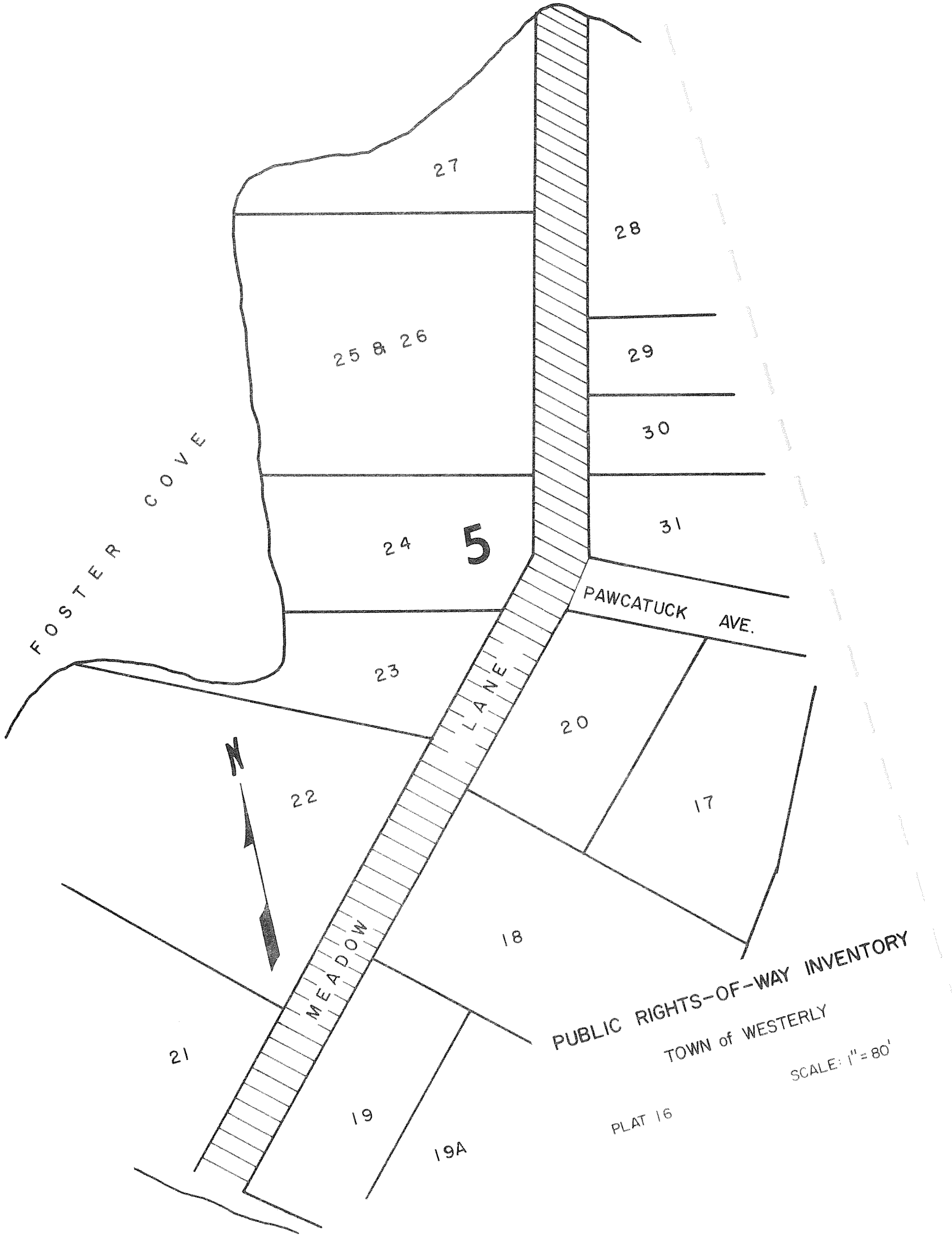
4


FOSTER COVE
27
28
25 & 26
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PAWCATUCK AVE.
23
LANE
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18
MEADOW
21
19
19A
PUBLIC RIGHTS-OF-WAY INVENTORY
TOWN of WESTERLY
SCALE: 1" = 80'
PLAT 16

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 5

Town of Westerly

Location:

This public right-of-way runs the length of Meadow Lane which intersects with Pawcatuck Avenue. It is bounded by Foster Cove (northside) and Watch Hill Cove (southside).

Approximate Dimensions: Width: 40 feet
Length: 960 feet
Area: 38,400 square feet

Existing Conditions and Land Uses:

This area is zoned for low density residential development. There are private homes at either end of the public way. There is no vacant land in the immediate area.

Recommendations:

At the present time this right-of-way provides access to the adjacent developed parcels. There does not appear to be the land available for further development of this area. No further action is recommended at this time.

5
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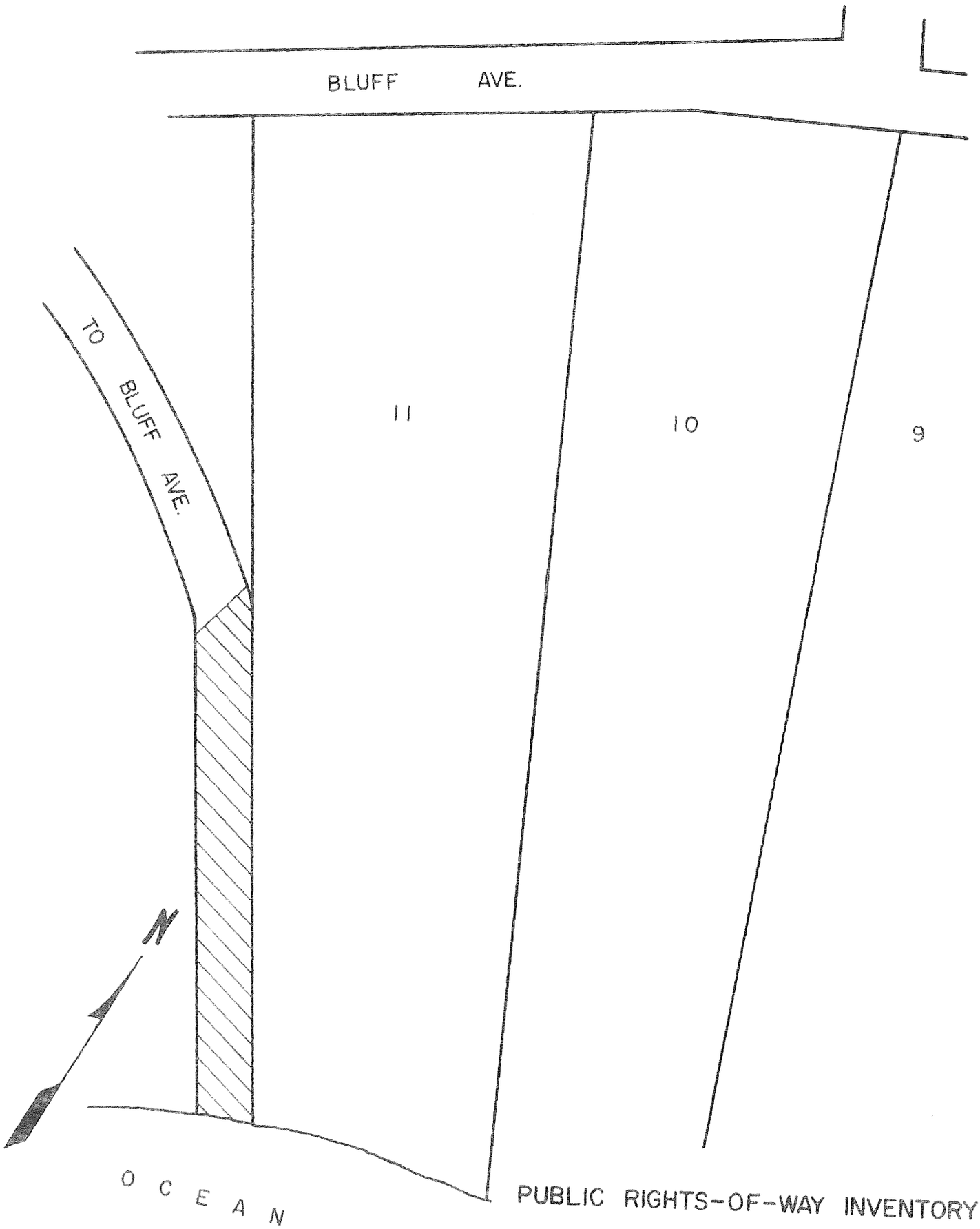


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WESTERLY

PLAT 13

SCALE: 1"=80'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 6

Town of Westerly

Location:

This public way is located south of Bluff Avenue in the Watch Hill section of Westerly and appears to be an extension of a secondary road with no name running off Bluff Avenue.

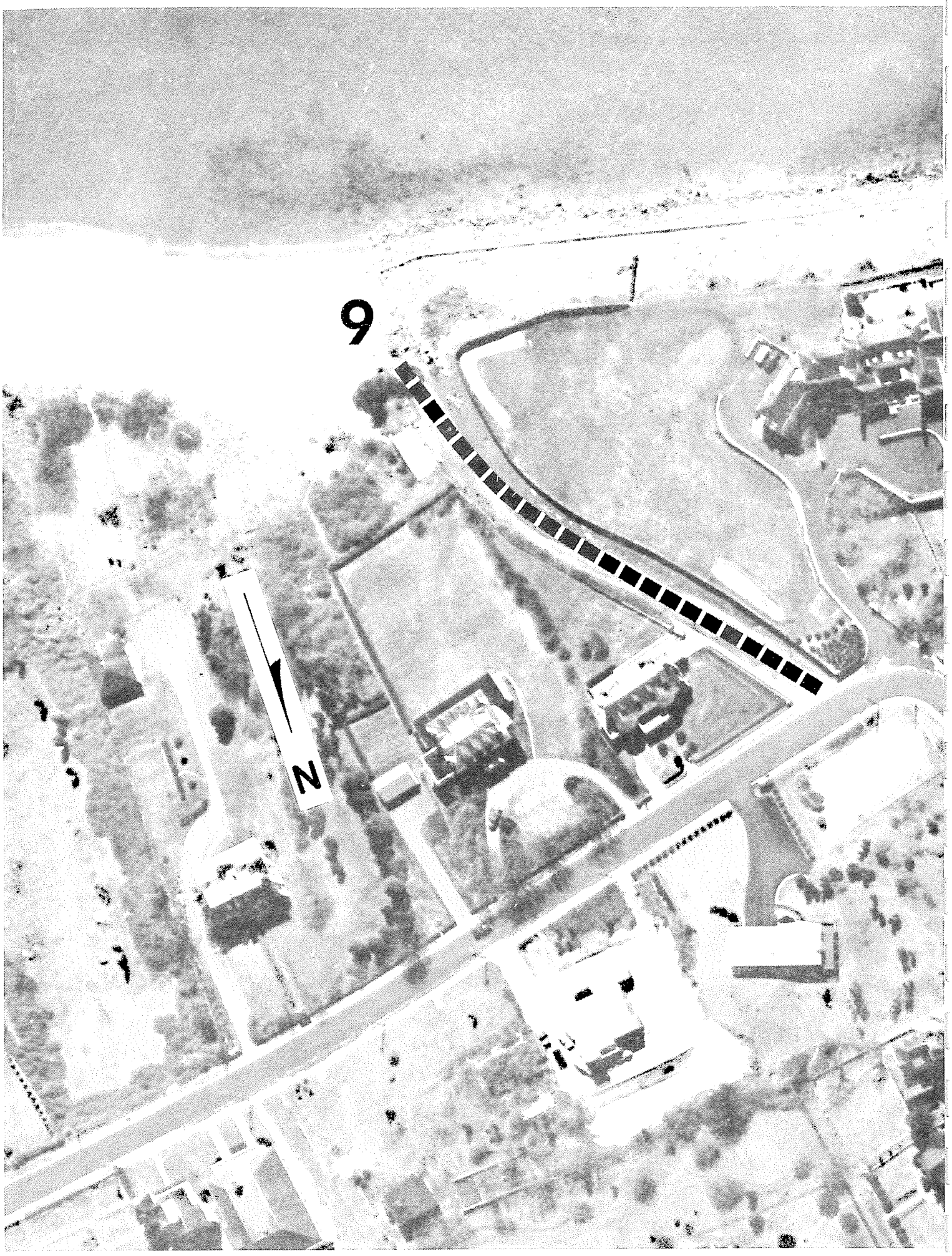
Approximate Area: Width: 40 feet
Length: 300 feet
Area: 12,000 square feet

Existing Conditions and Land Uses:

There is no sign posted locating the public way. The area is zoned for low density residential development. This public right-of-way opens onto a stretch of Sandy Beach, with residential dwellings occupying both sides of the area.

Recommendations:

This public way does not appear to be in an area which could easily be developed. This area should be signed, maintained and policed.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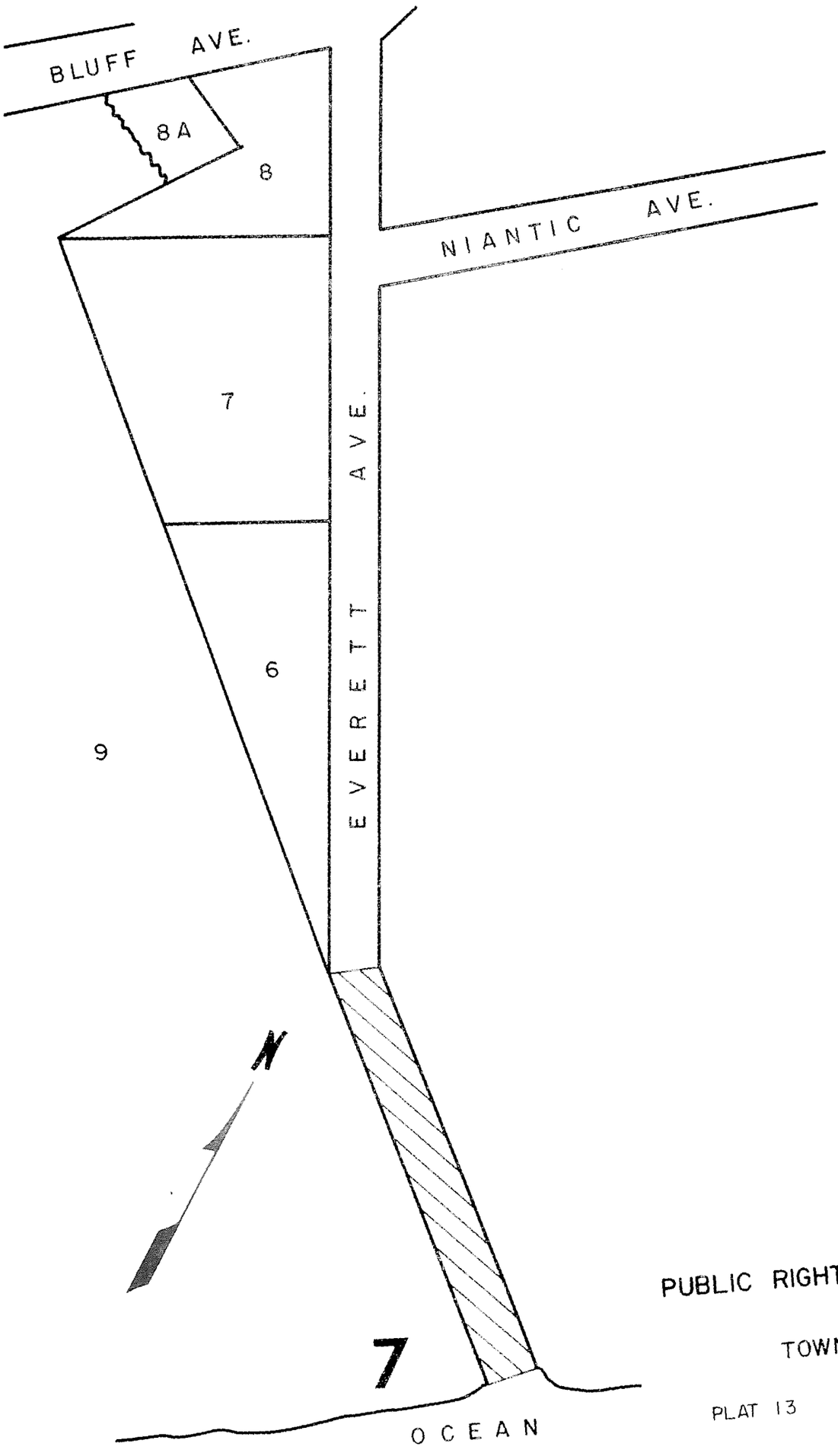


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WESTERLY

PLAT 13

SCALE: 1"=80'

PUBLIC RIGHTS-OF-WAY EVALUATION

Municipality — Number: 7

Town of Westerly

Location:

This public way is located off Everett Avenue which joins Bluff Avenue, in the Watch Hill Section of Westerly.

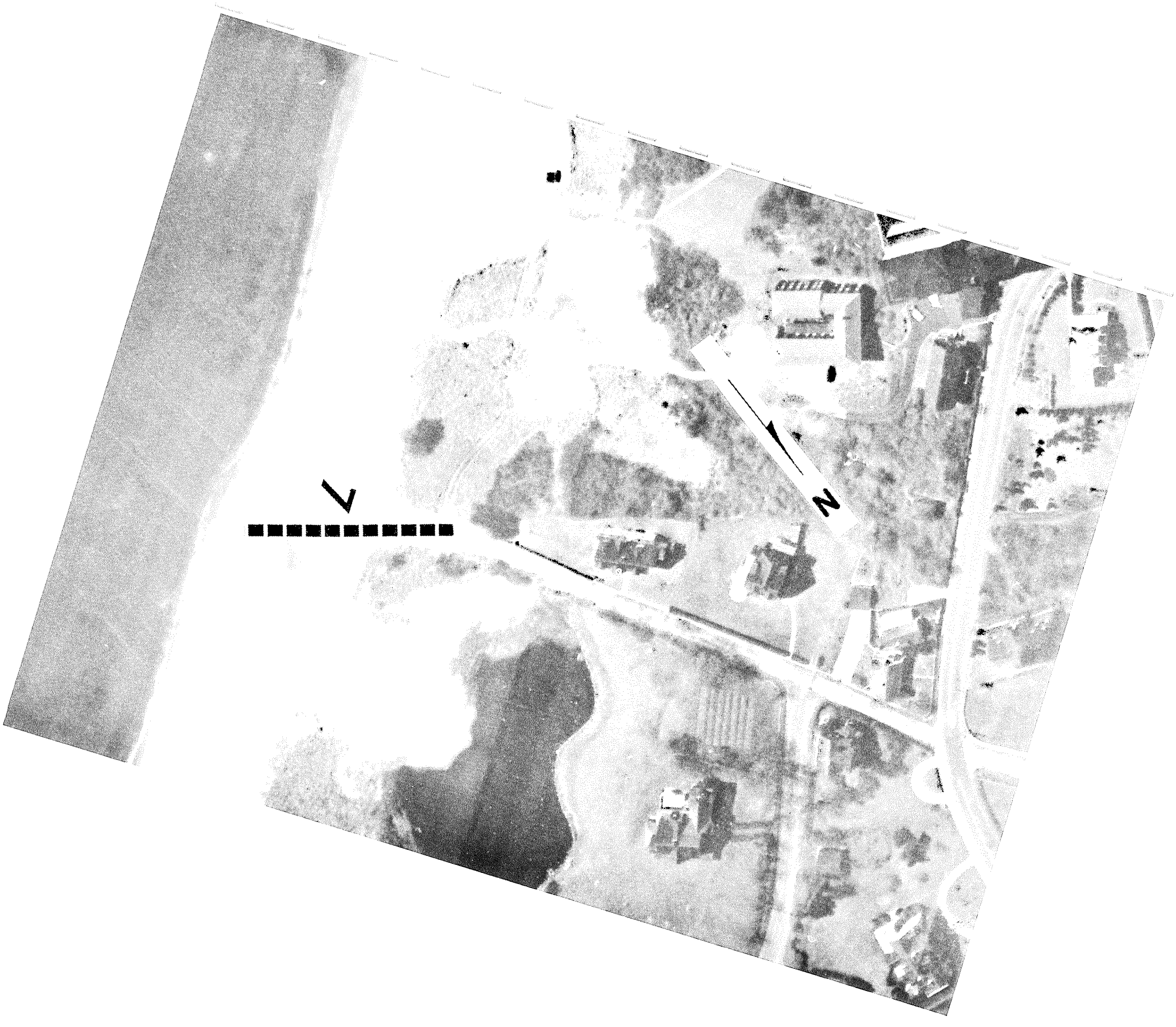
Approximate Dimensions: Width: 30 Feet
Length: 260 Feet
Area: 7,800 Square Feet

Existing Conditions and Land Uses:

The area is zoned for low density residential use. Dwellings occupy both sides of the public way which opens onto a sandy beach. There is no sign designating the right-of-way location.

Recommendations:

This public way does not appear to be in an area suitable for development. The right-of-way should be posted, maintained and policed.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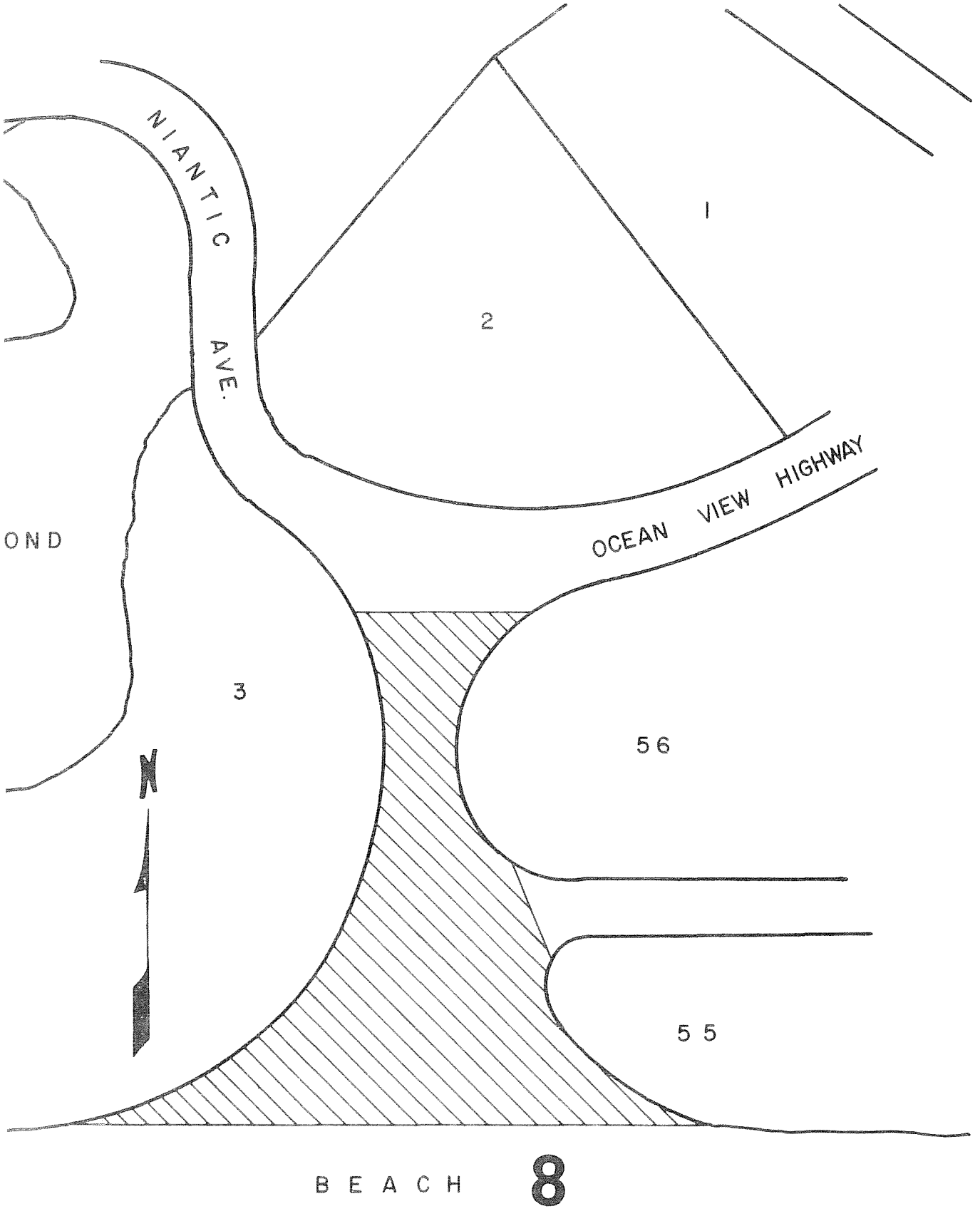


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WESTERLY

PLAT 13 SCALE: 1" = 80'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 8

Town of Westerly

Location:

This right-of-way is located south of the intersection of Ocean View Highway and Niantic Avenue and is bounded on the south by the Block Island sound.

Approximate Area: 35,520 square feet

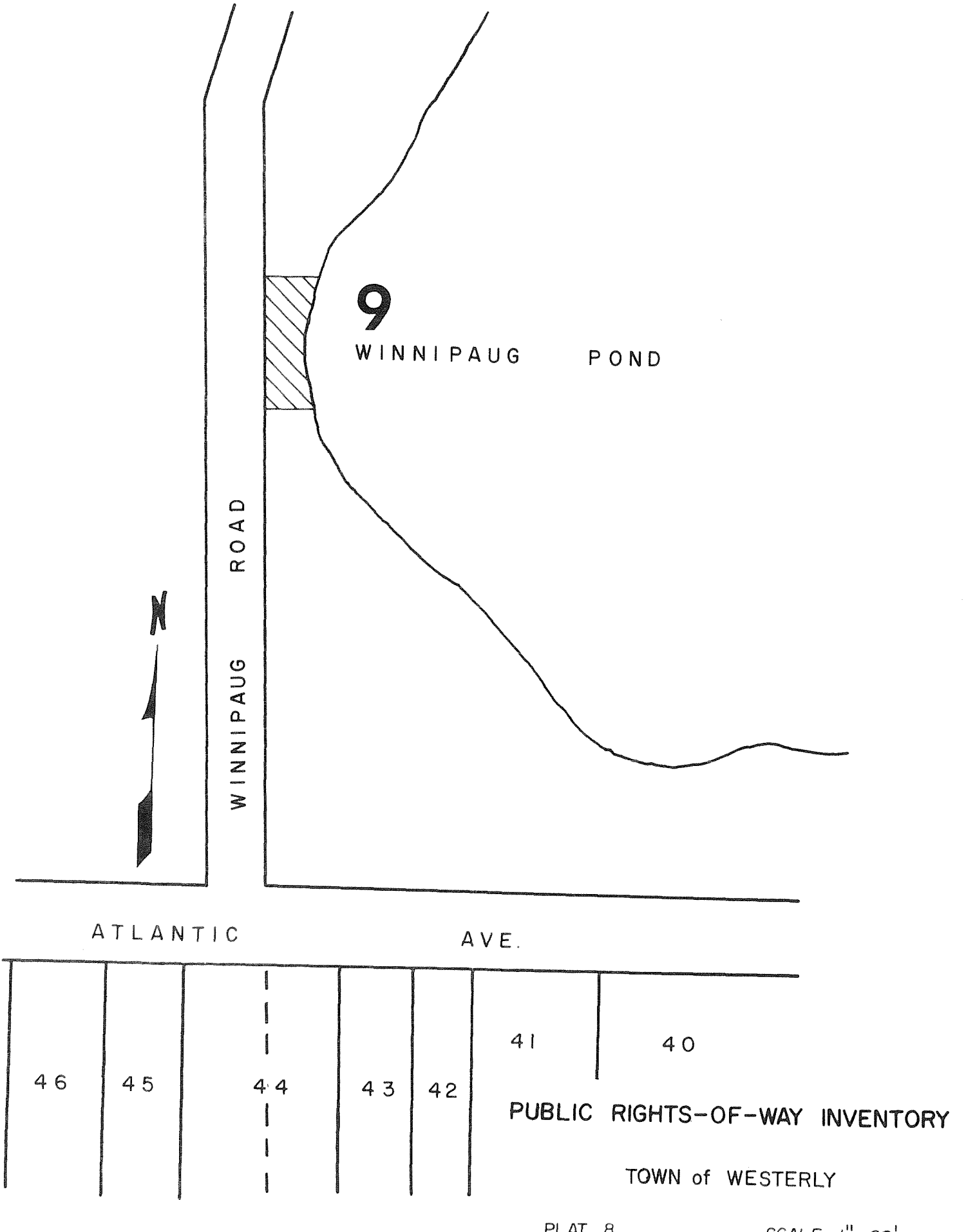
Existing Conditions and Land Uses:

This right-of-way has no sign posted indicating its existence. There are vacant lots on both sides of the way. It opens onto a wide sandy beach front and is zoned by the town for low density residential development.

Recommendations:

This way should be considered as a potential area for recreational development. A marker should be erected to indicate the location of the right-of-way and the area should be maintained and policed.

8
N



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WESTERLY

PLAT 8

SCALE: 1" = 80'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 9

Town of Westerly

Location:

This right-of-way, situated between Winnipaug Road and Winnipaug Pond. This right-of-way appears to be part of the highway right-of-way.

Approximate Dimensions: Width: 40 feet
Length: 80 feet
Area: 3200 square feet

Existing Conditions and Land Uses:

This right-of-way is situated just north of an area which has been zoned for business and the area surrounding the public way has been zoned for waterfront business. There is no sign posted. Several vacant lots border Winnipaug Road. This right-of-way is within close proximity to the Misquamicut beach area.

Recommendations:

Since the area is so close to a major recreation facility, no development or further action is recommended at this time.

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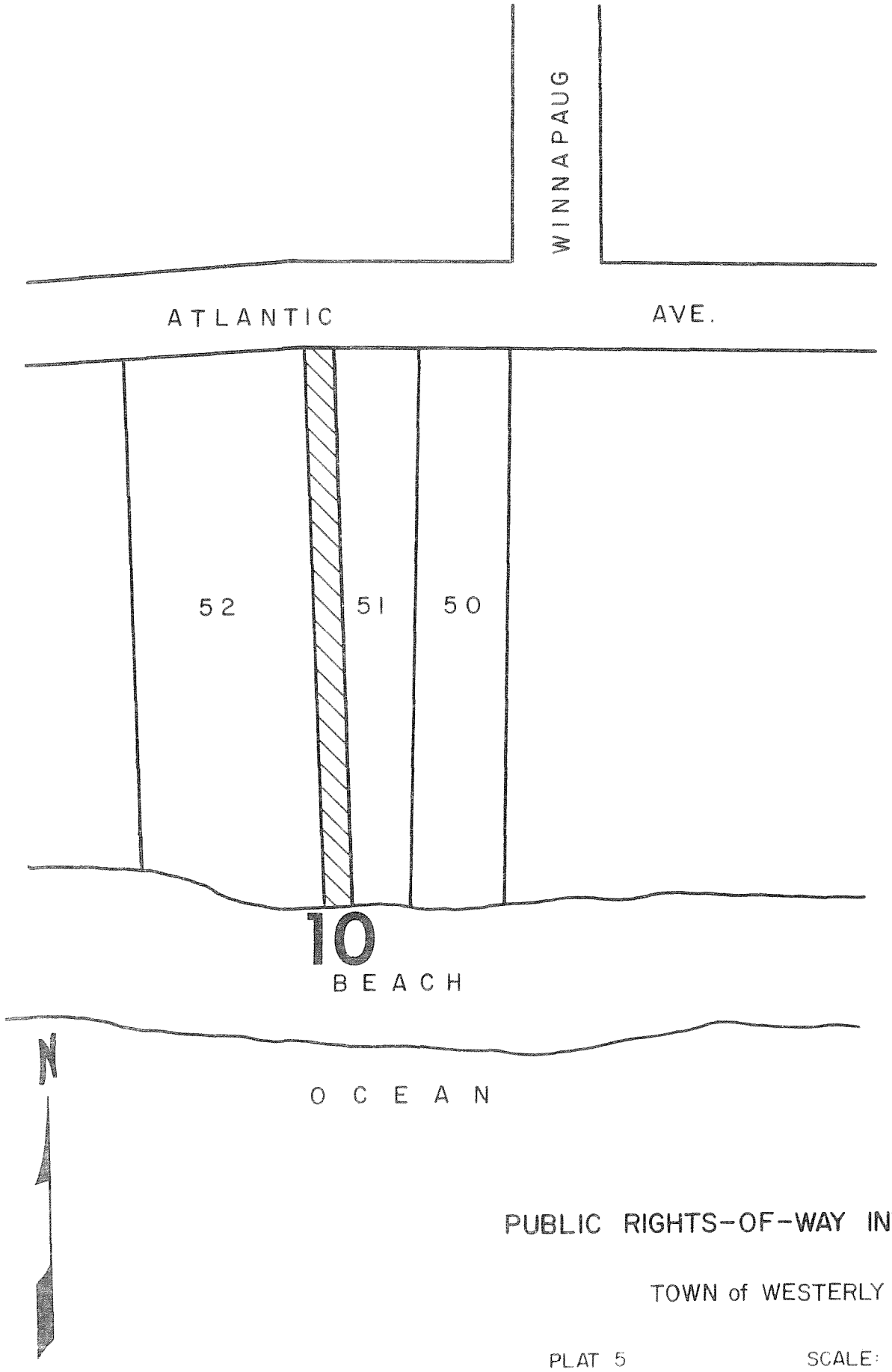

PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WESTERLY

PLAT 5

SCALE: 1" = 80'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 10

Town of Westerly

Location:

This public way is situated just to the west of the intersection of Winnapaug Road and Atlantic Avenue, and fronts on Block Island Sound.

Approximate Dimensions: Width: 20 feet
Length: 370 feet
Area: 7,400 square feet

Existing Condition and Land Uses:

This area is zoned for waterfront development. The right-of-way is situated between private homes. The open areas to either side are parking lots. This public way is located within a short distance of Misquamicut State Beach.

Recommendations:

Since this public way is located within close proximity to the Misquamicut beach area it should remain in its present use. No further action is recommended at this time.

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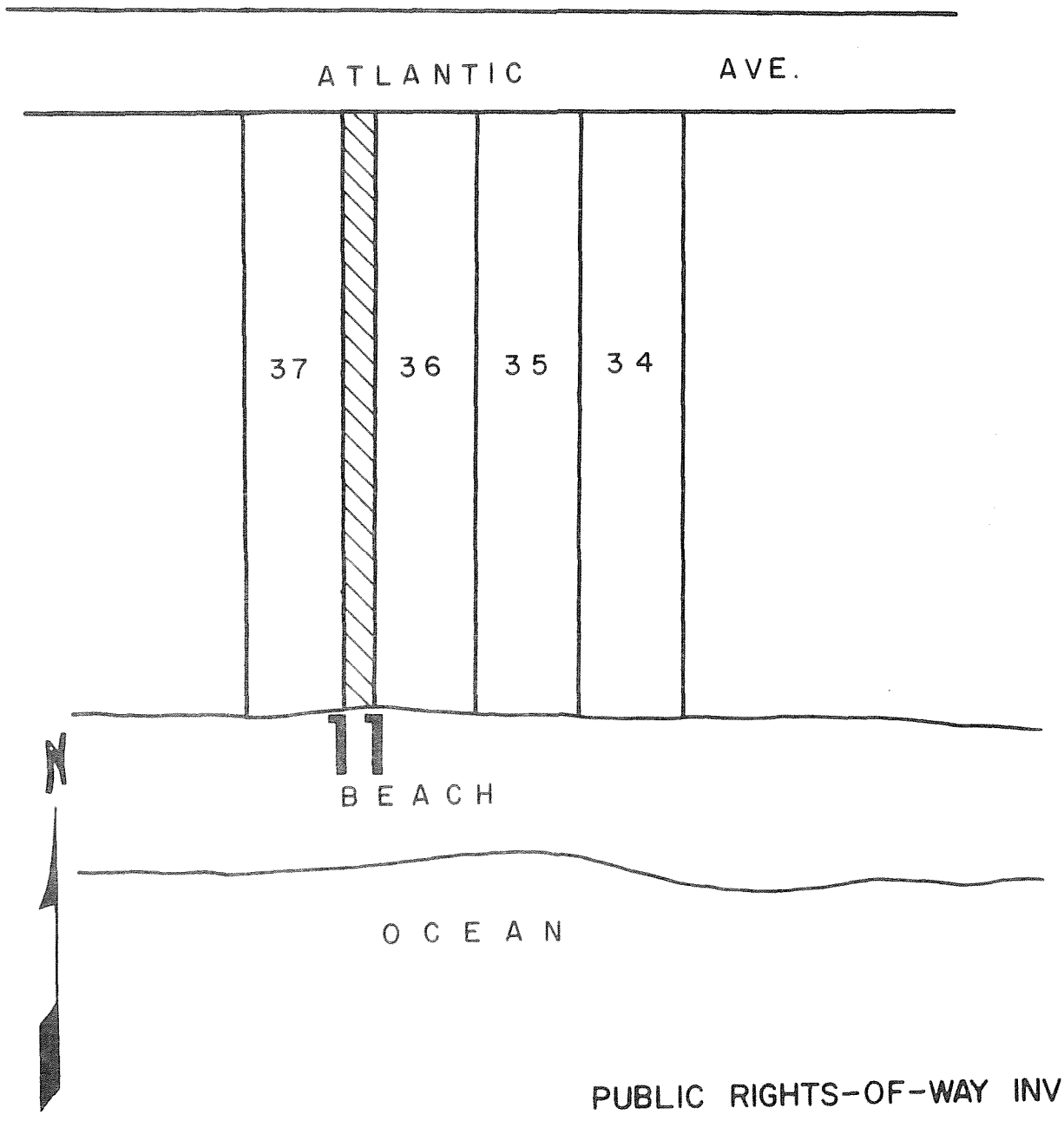
10



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WESTERLY

PLAT 5

SCALE: 1" = 80'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 11-18

Town of Westerly

Location:

These eight public rights-of-way, located along Atlantic Avenue in Westerly are relatively close together. They all front on Block Island Sound, and are near Misquamicut beach.

Approximate Dimensions:

11.	Width:	20 feet	12.	Width:	20 feet
	Length:	290 feet		Length:	250 feet
	Area:	5,800 square feet		Area:	5,000 square feet
13.	Width:	20 feet	14.	Width:	20 feet
	Length:	250 feet		Length:	240 feet
	Area:	5,000 square feet		Area:	4,800 square feet
15.	Width:	20 feet	16.	Width:	15 feet
	Length:	305 feet		Length:	215 feet
	Area:	6,100 square feet		Area:	3,225 square feet
17.	Width:	20 feet	18.	Width:	20 feet
	Length:	240 feet		Length:	240 feet
	Area:	4,800 square feet		Area:	4,800 square feet

Existing Conditions and Land Uses:

Summer homes are situated on both sides of these public rights-of-way. There are no signs posted indicating their location. The area has been zoned for waterfront business. Vacant land area is located on the north side of Atlantic Avenue opposite each right-of-way.

Recommendations:

These public ways have been the center of a great deal of litigation regarding their legal ownership and right of use. The several rights-of-way are narrow and close to existing structures and offer little chance for further development. No further action is recommended at this time.

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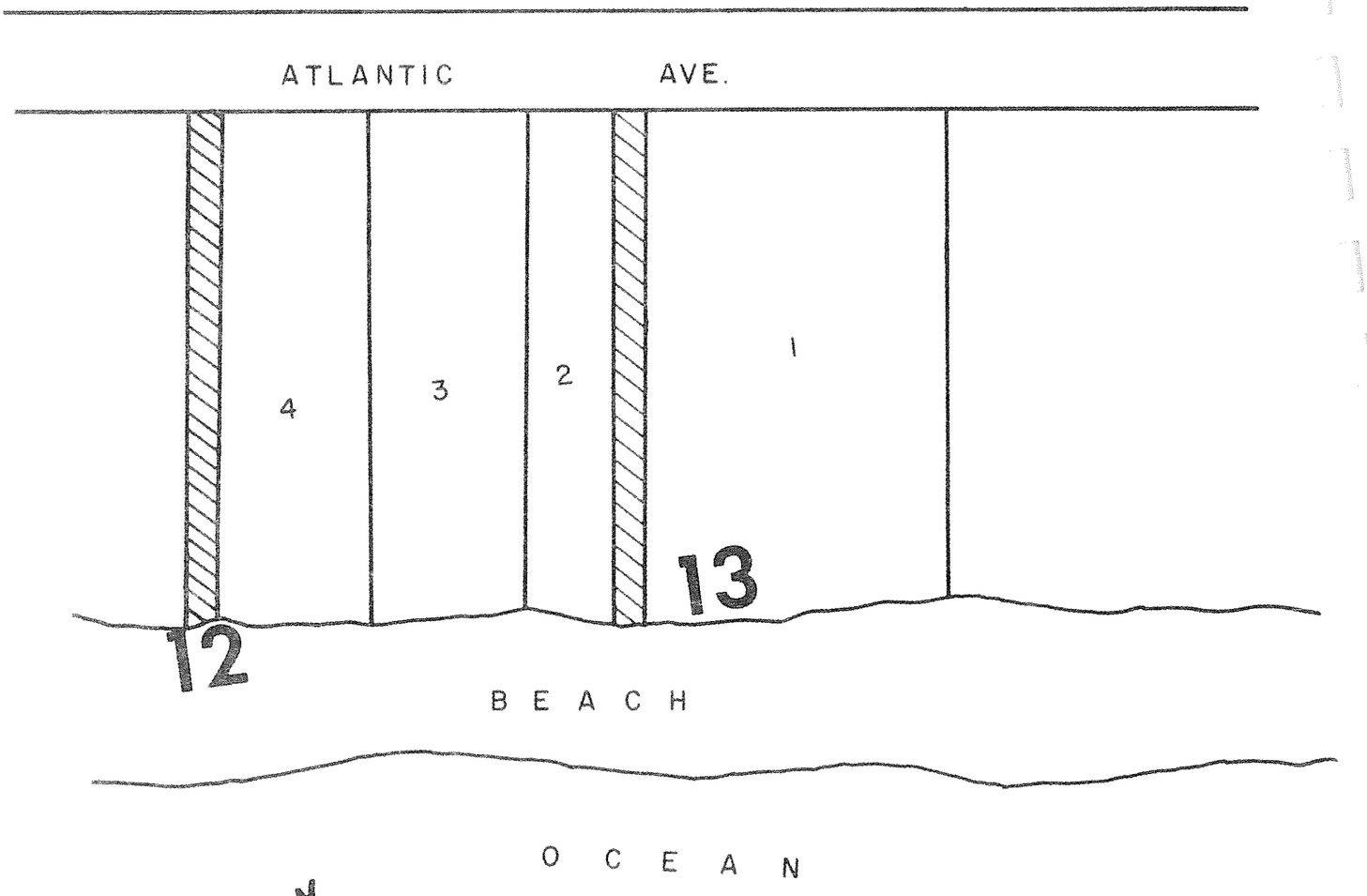

PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WESTERLY

SCALE: 1" = 80'

PLAT 5

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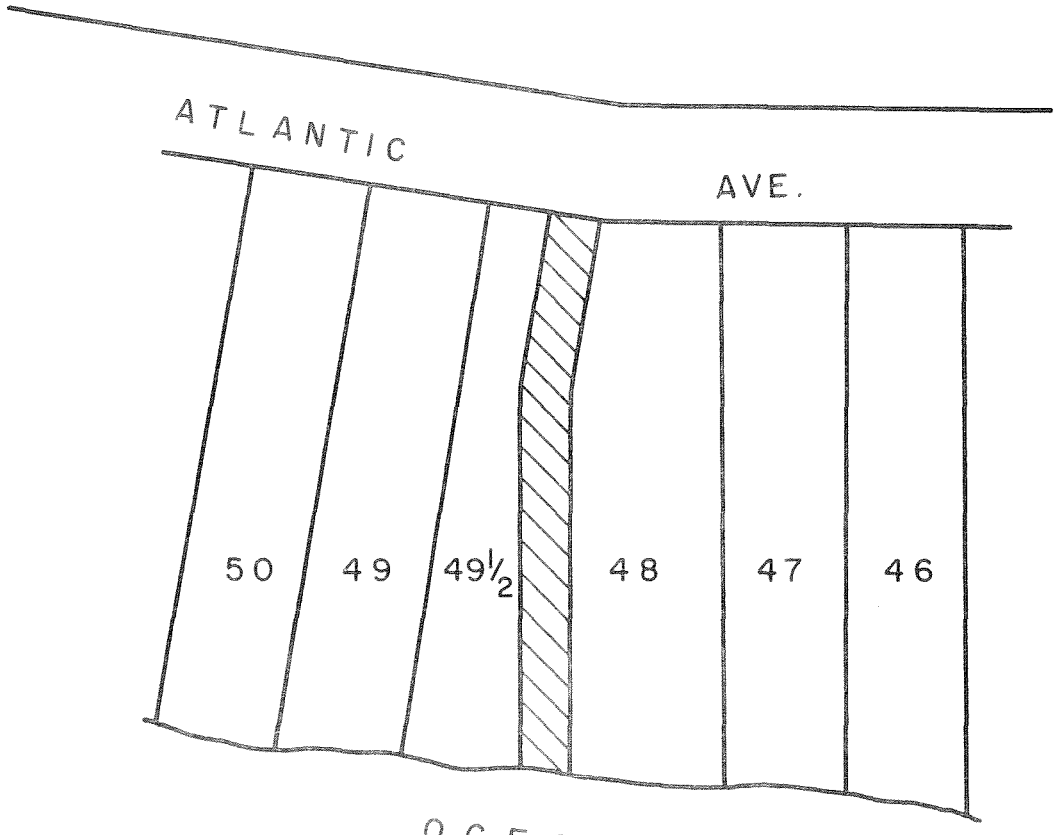
12
13



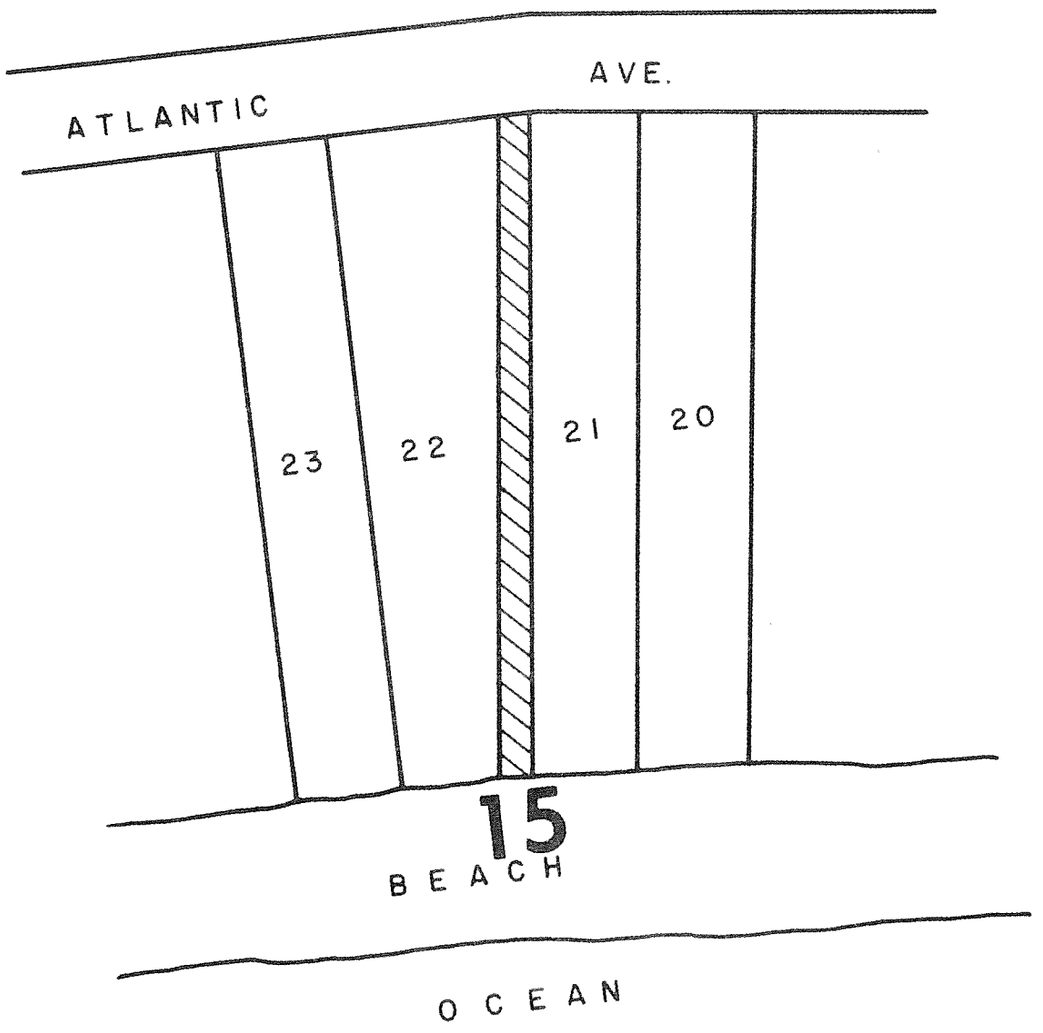
PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WESTERLY

PLAT 6

SCALE: 1" = 80'

14



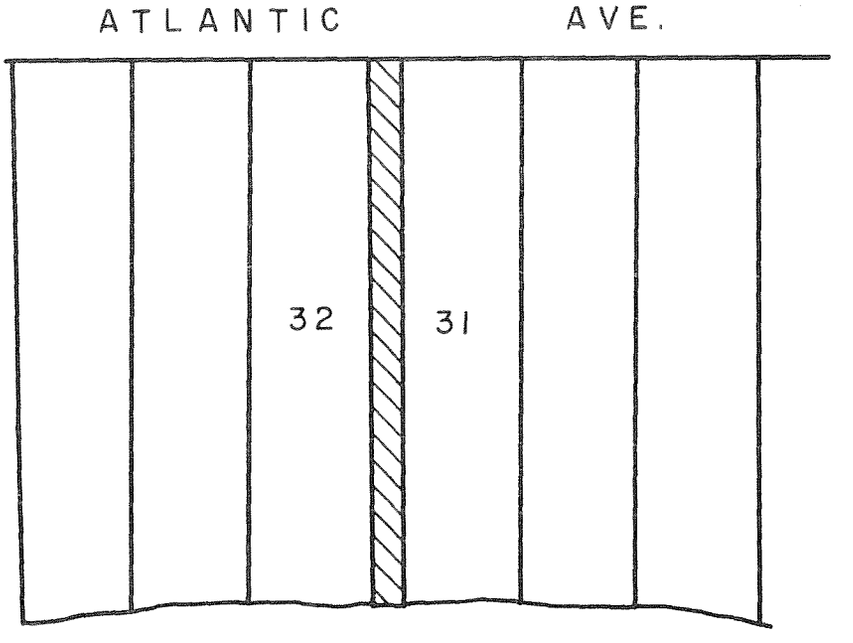
PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WESTERLY

SCALE: 1" = 80'

PLAT 5

15



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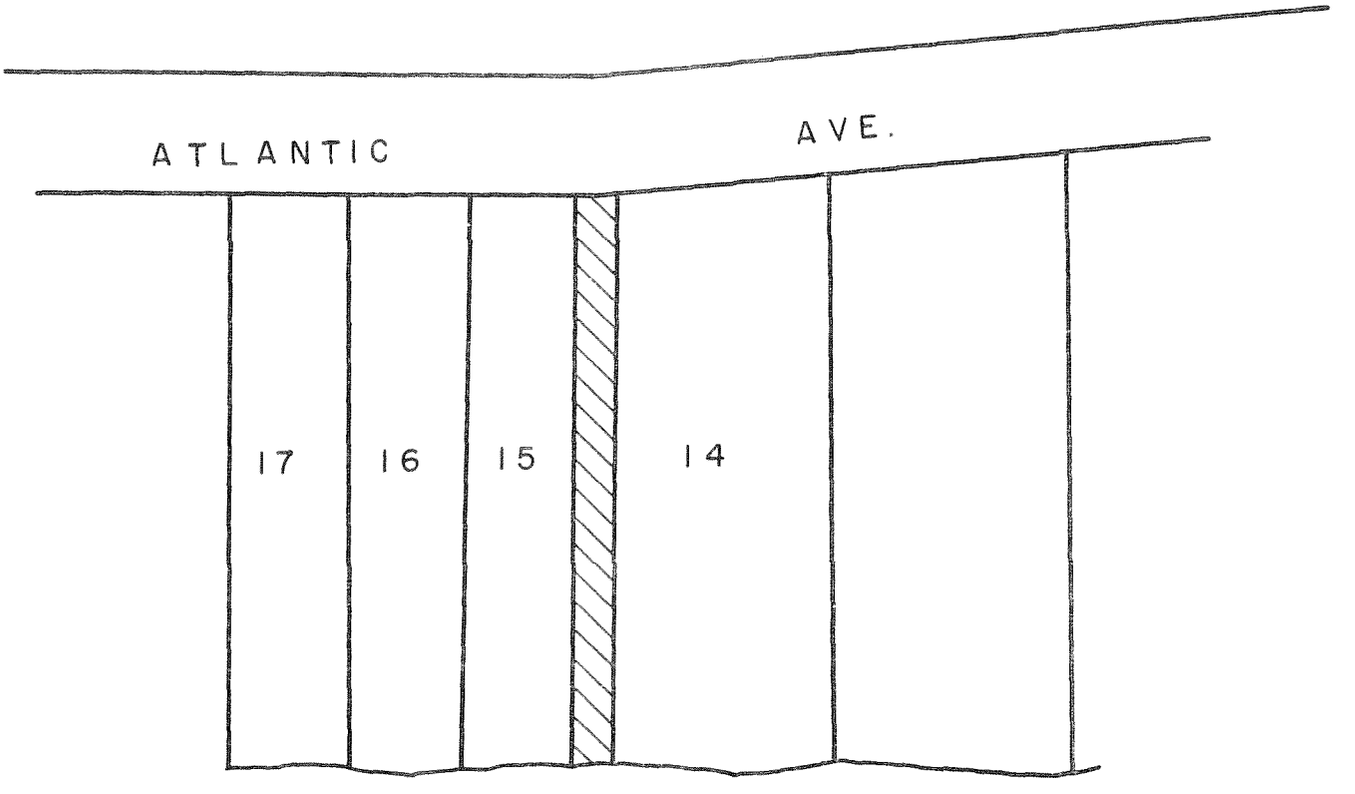
PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WESTERLY

PLAT 6

SCALE: 1" = 80'

N
16



17

N

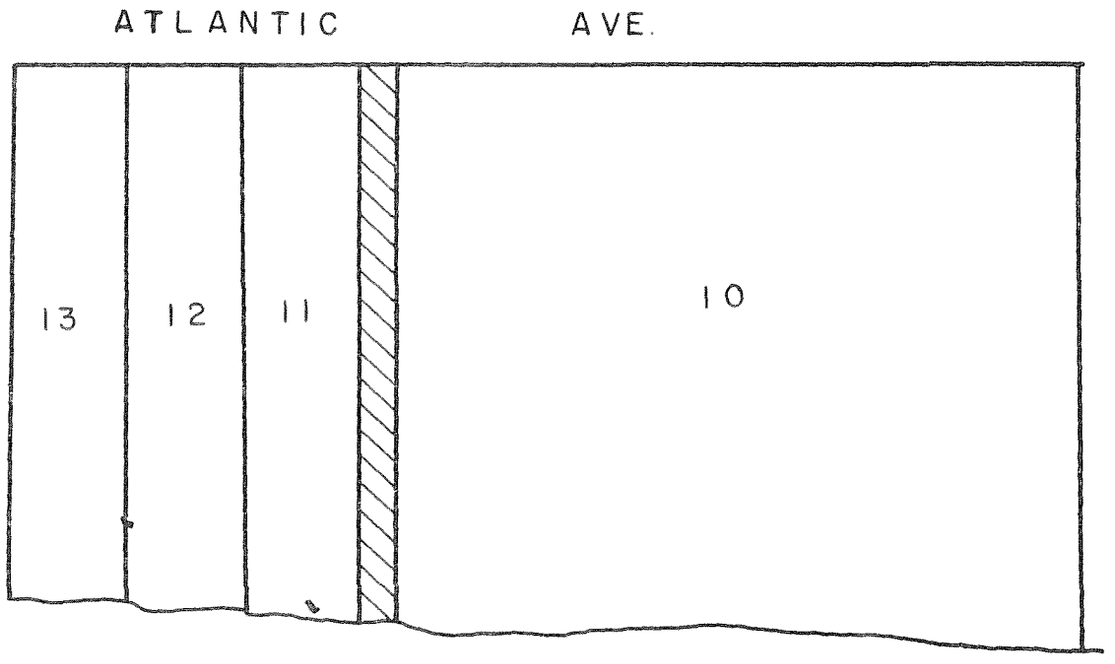
PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WESTERLY

PLAT 4

SCALE: 1" = 80'

17



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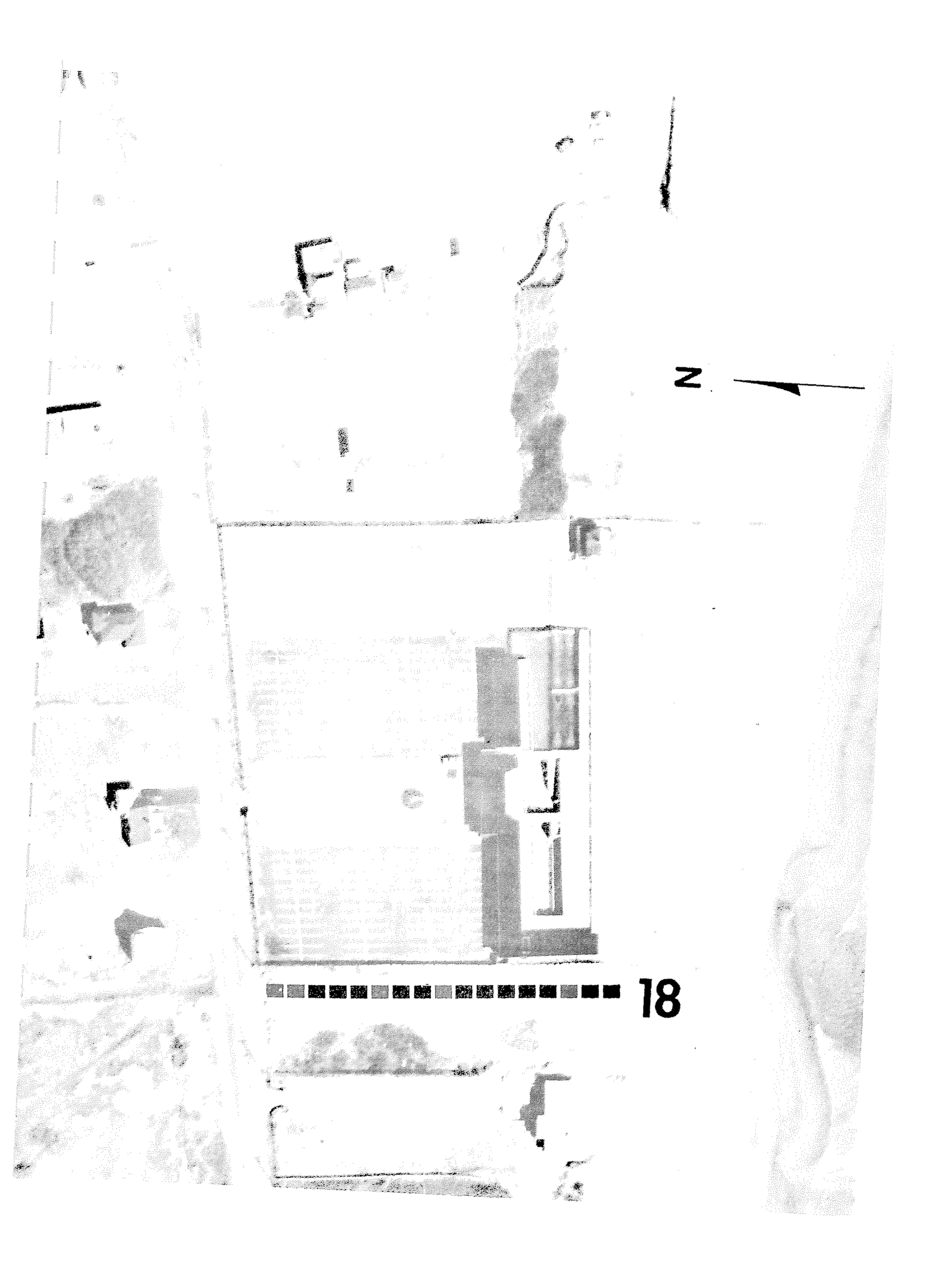
18

PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WESTERLY

PLAT 7

SCALE: 1"=80'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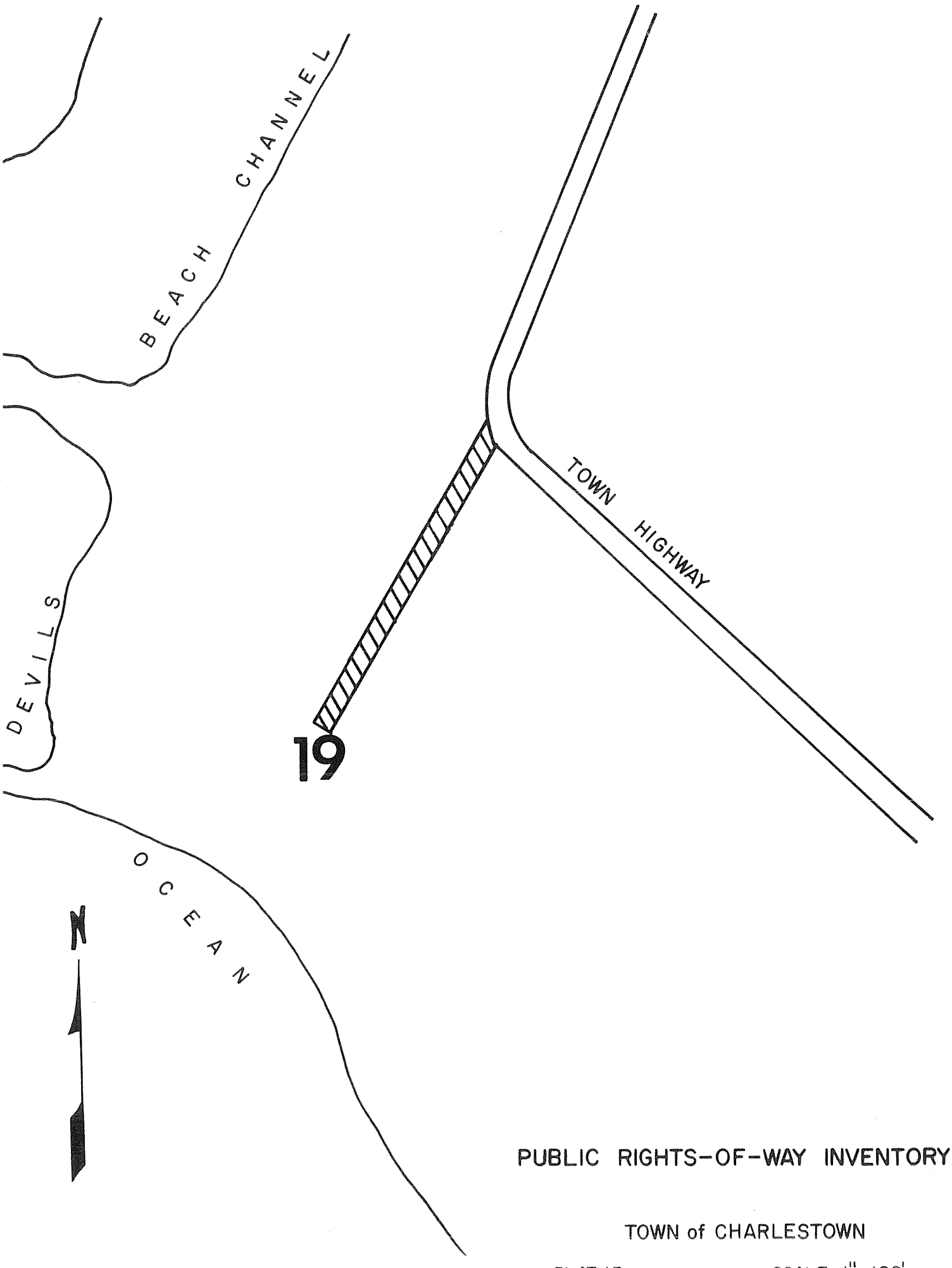


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of CHARLESTOWN

PLAT 13

SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 19

Town of Charlestown

Location:

This public way is located on Block Island Sound off the Town highway. It is at the tip of Devils Beach Channel (Quonochontaug Breachway).

Approximate Dimensions: Width: 20 feet
Length: 270 feet
Area: 5,400 square feet

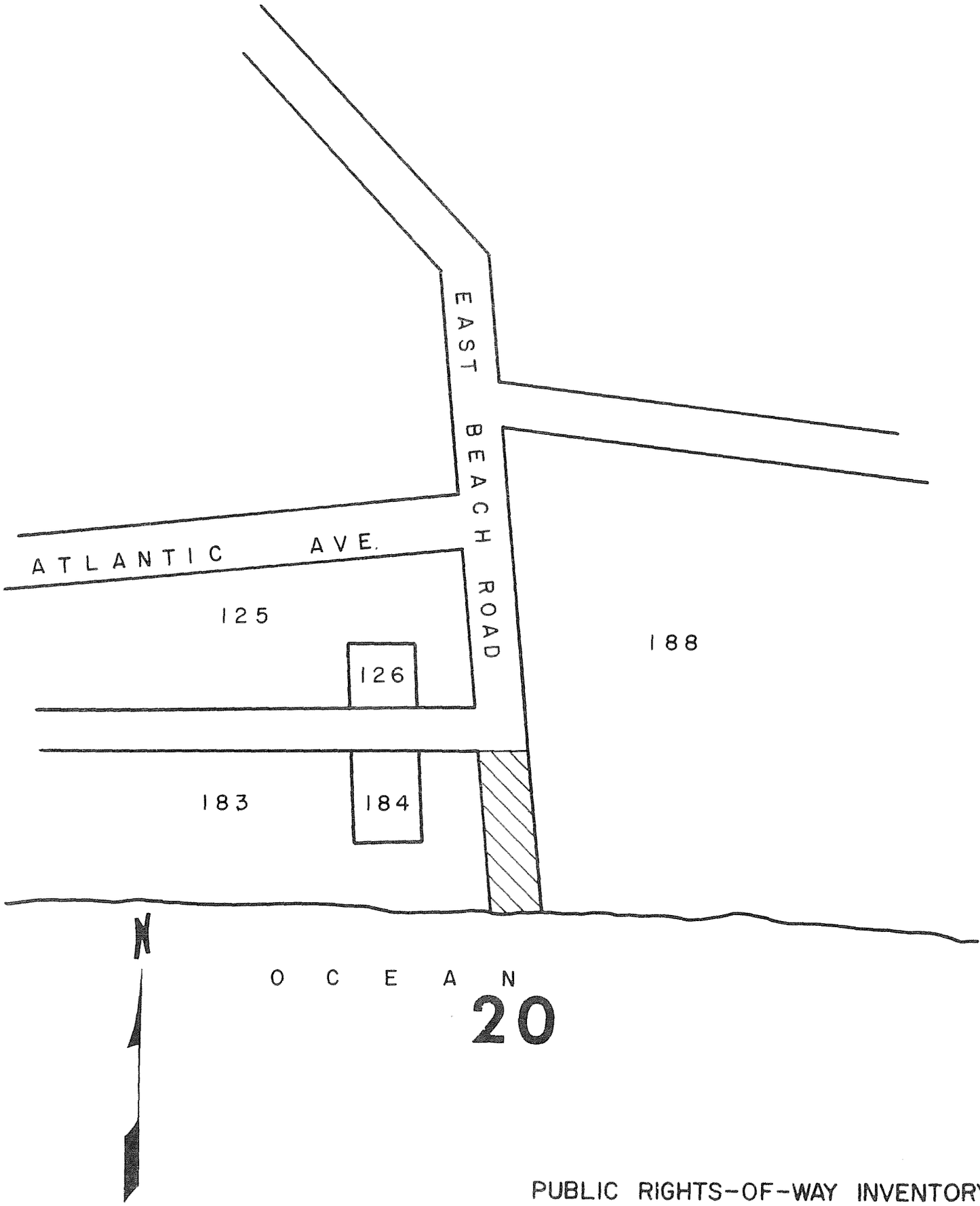
Existing Conditions and Land Uses:

The area surrounding this public way consists mostly of summer homes. There is limited vacant land adjacent to the public way. It affords good access to a beach front.

Recommendations:

The State provides access to the water from an area north of this right-of-way at a point where the Breachway opens into Quonochontaug Pond. No further action is recommended at this time.

N
19



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of CHARLESTOWN

PLAT 1

SCALE: 1"= 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 20

Town of Charlestown

Location:

This public way is located at the end of East Beach Road in the vicinity of a commercial beach area known as the Blue Shutters.

Approximate Dimensions: Width: 30 feet
Length: 125 feet
Area: 3,750 square feet

Existing Conditions and Land Uses:

There are summer homes located adjacent to this public way. Some vacant property exists in the vicinity. The newly acquired state owned Ninigret Conservation Area (East Beach) is located to the east. The State plans to construct a parking lot to provide access to the conservation area.

Recommendations:

No further action is recommended at this time.

20
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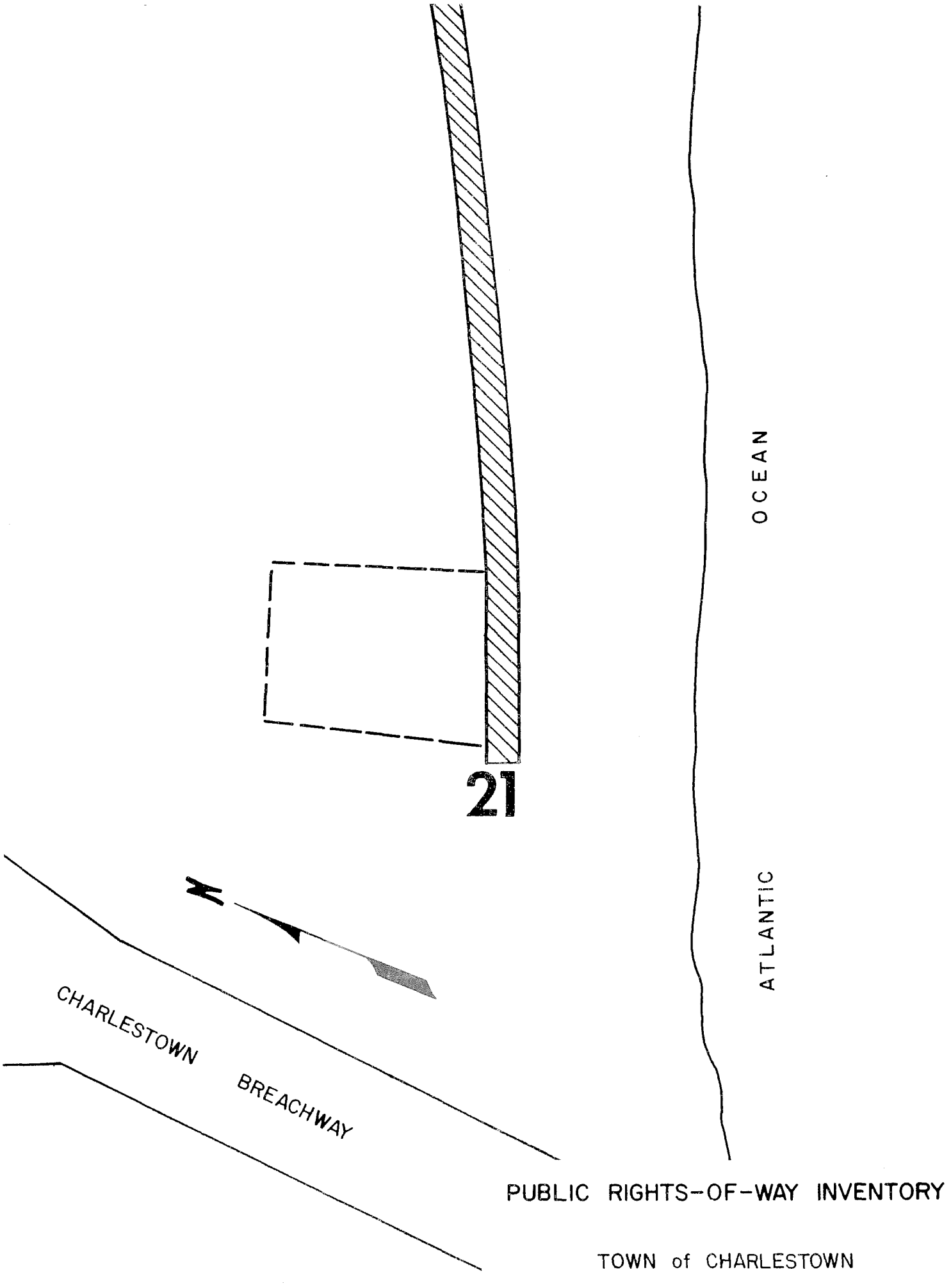


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of CHARLESTOWN

PLAT 1

SCALE: 1"=100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 21

Town of Charlestown

Location:

This public way runs off an unnamed road leading to the Charlestown Breachway.

Approximate Dimensions: Width: 25 feet
Length: 575 feet
Area: 14,375 square feet

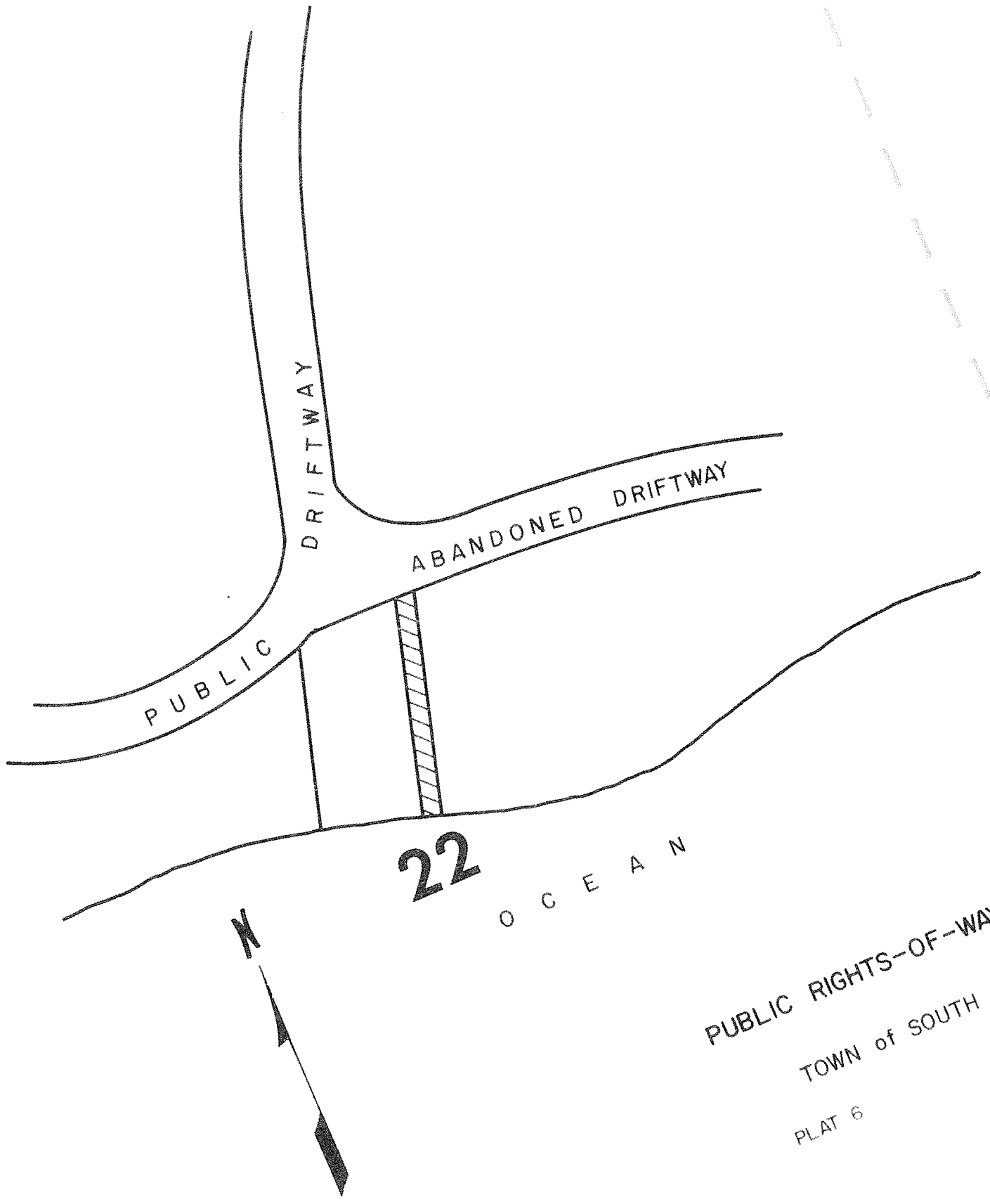
Existing Conditions and Land Uses:

This public way provides access to state owned property at the Breachway. At the present time construction is underway including a parking lot, sanitary facilities and a control station.

Recommendations:

This public way should be posted maintained and policed for publice use.

21



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of SOUTH KINGSTOWN

SCALE: 1" = 100'

PLAT 6

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality — Number: 22

Town of South Kingstown

Location:

This public way is located on Matunuck Point running off an abandoned driftway at the end of Matunuck Point Road.

Approximate Dimensions: Width: 15 feet
Length: 175 feet
Area: 2,625 square feet

Existing Conditions and Land Uses:

This area has been zoned for high density residential development. The area to the east of the residential section is primarily vacant land.

Recommendations:

This area presents a possible site for development of various types of recreational facilities. Consideration should be given to the possibility of acquiring additional land area to be developed for recreation purposes. A sign should be erected to indicate the right-of-way location and the area should be maintained and policed.

22
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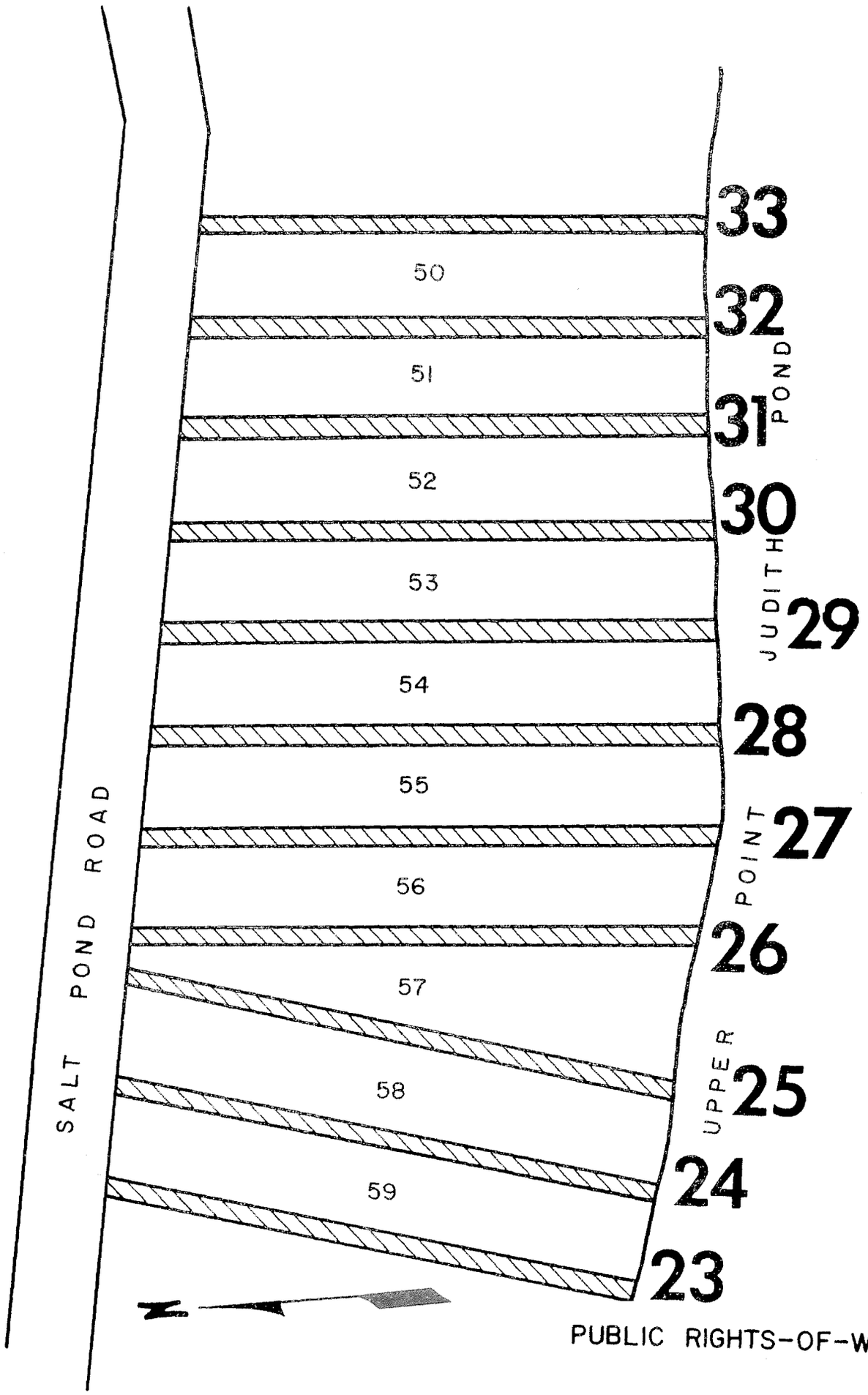


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of SOUTH KINGSTOWN

NOTE: PLAT OF BOATHOUSE LOTS

PLAT-SEE NOTE SCALE: 1"=30'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 23-33

Town of South Kingstown

Location:

These eleven public rights-of-way are situated at the northern end of Upper Point Judith Pond running off Salt Pond Road.

Approximate Dimensions:

23. Width: 5 feet
Length: 117 feet
Area: 585 square feet

24. Width: 5 feet
Length: 119 feet
Area: 595 square feet

25. Width: 5 feet
Length: 122 feet
Area: 610 square feet

26. Width: 5 feet
Length: 123 feet
Area: 615 square feet

27. Width: 5 feet
Length: 126 feet
Area: 630 square feet

28. Width: 5 feet
Length: 124 feet
Area: 626 square feet

29. Width: 5 feet
Length: 122 feet
Area: 610 square feet

30. Width: 5 feet
Length: 119 feet
Area: 595 square feet

31. Width: 5 feet
Length: 115 feet
Area: 575 feet

32. Width: 5 feet
Length: 113 feet
Area: 565 square feet

33. Width: 5 feet
Length: 110 feet
Area: 550 square feet

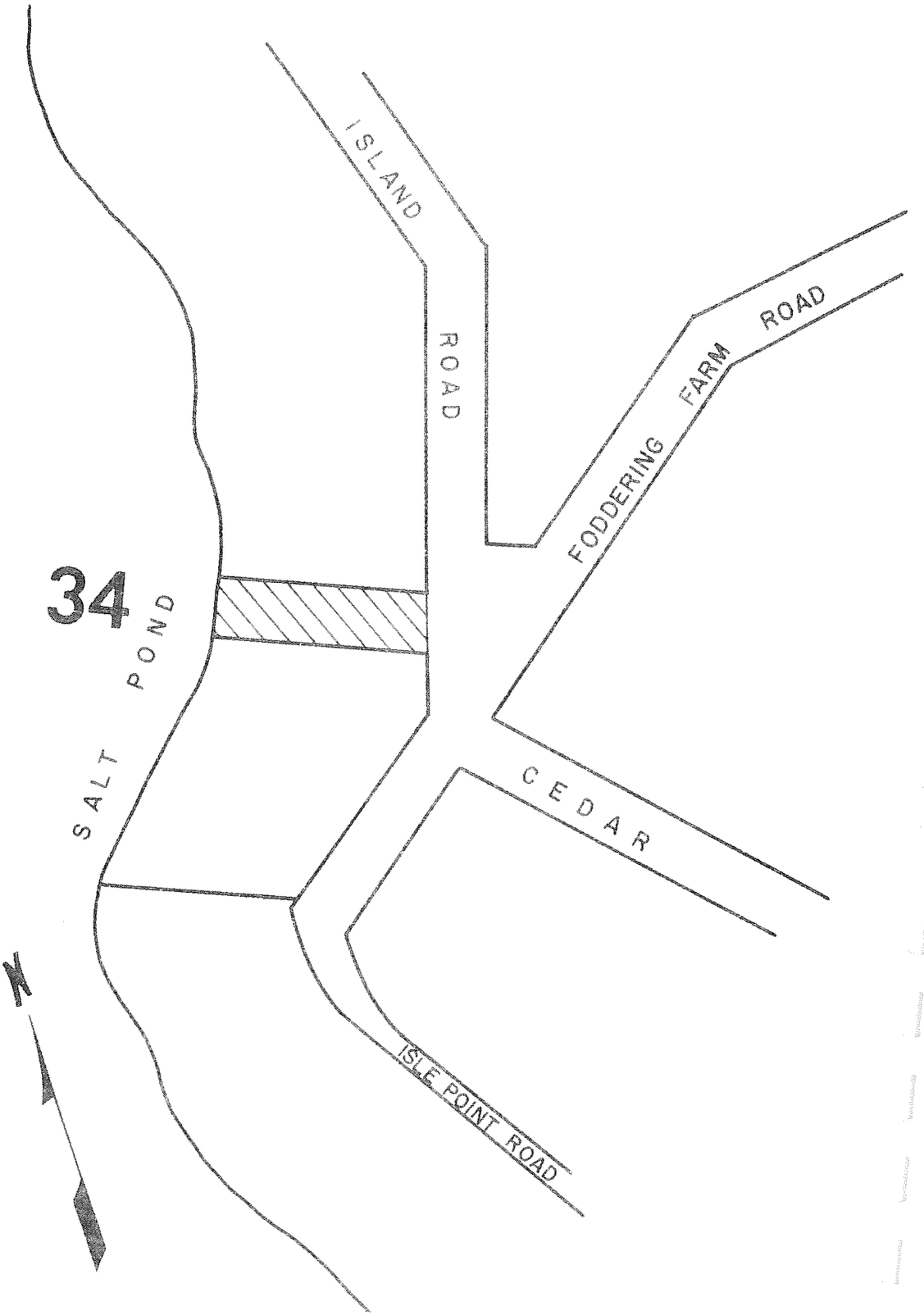
Existing Conditions and Land Uses:

The area in which the public ways are located has been zoned for industrial development and the area immediately north of the rights-of-way has been zoned for medium density residential use. The public ways are relatively close together and are situated close to several marinas. Considerable vacant land is located across Salt Pond Road north of the rights-of-way.

Recommendations

Consideration should be given to acquire adjacent land to consolidate these rights-of-way into a usable parcel and prevent development of the inadequately sized lots between these rights-of-way.

N
23-33



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of NARRAGANSETT

PLAT Y-1

SCALE: 1"=100'

PUBLIC RIGHTS-OF-WAY EVALUATION

Municipality: Number: 34

Town of Narragansett

Location:

This public right-ofway is situated just west of the intersection of Foddering Farm Road and Island Road on Upper Point Judith Pond.

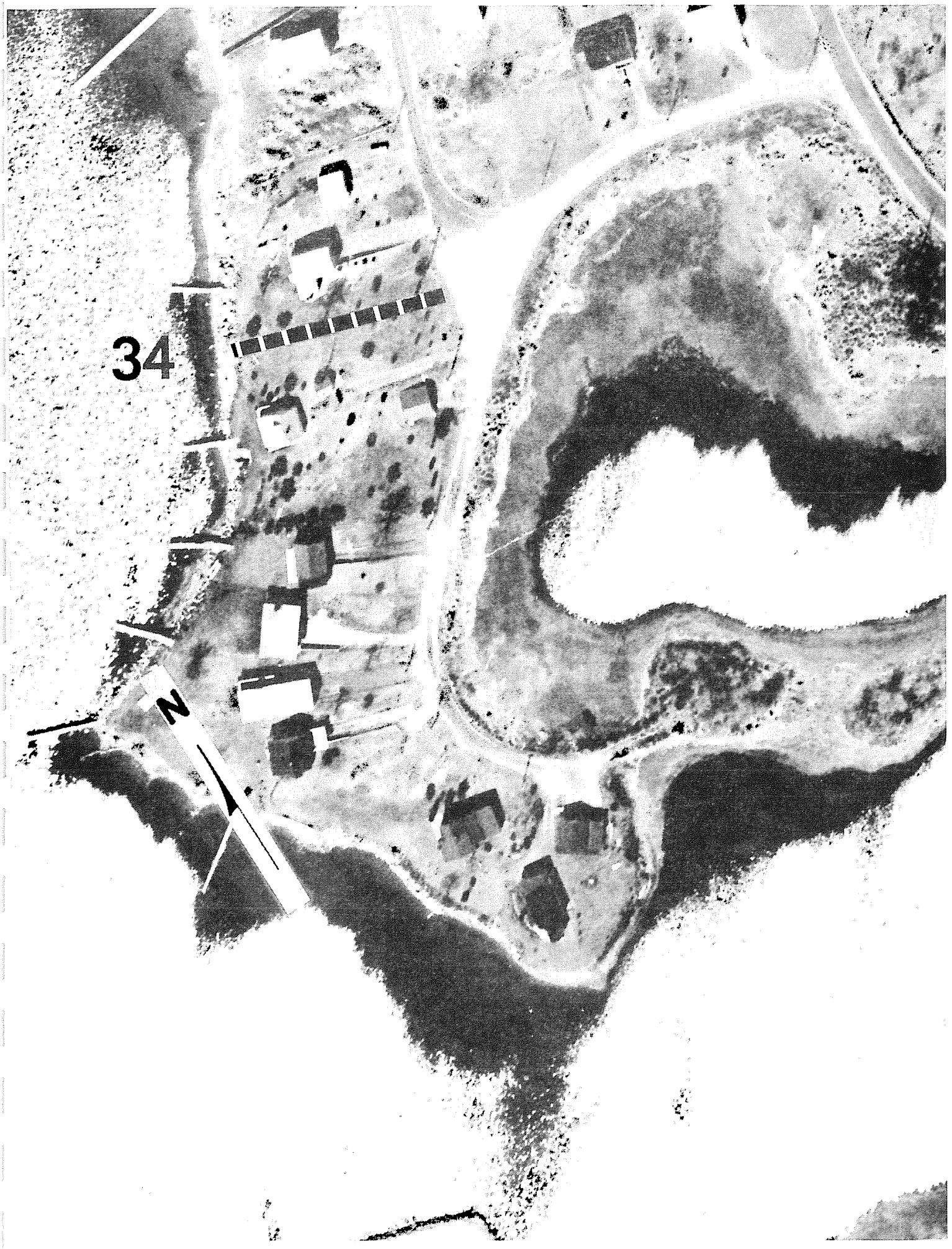
Approximate Dimensions: Width: 40 feet
Length: 150 feet
Area: 6,000 square feet

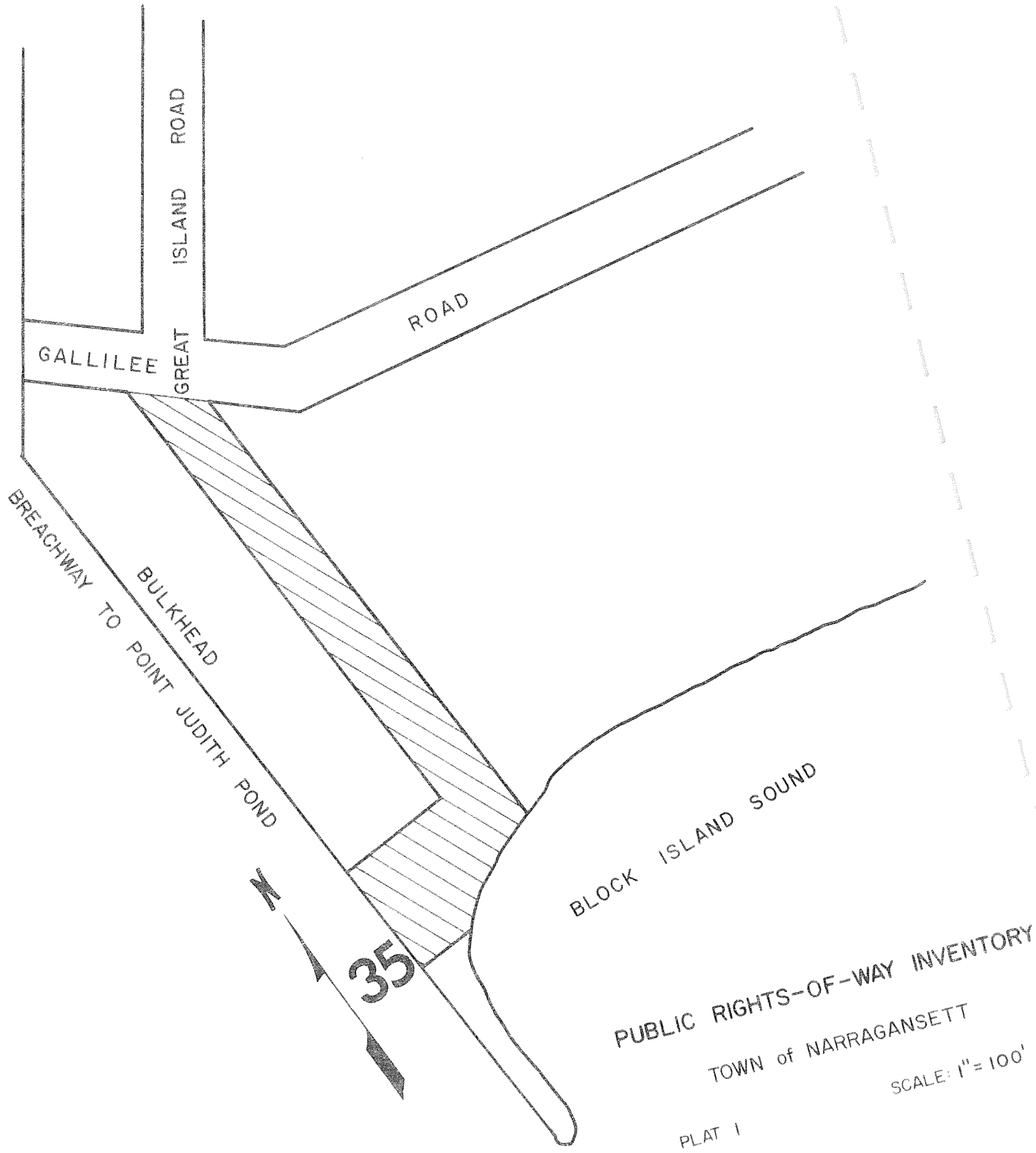
Existing Conditions and Land Uses:

There is a sign indicating the location of this public way. The area is zoned for medium high density residential development. The way is bounded on either side by dwellings. There are no vacant lots in the immediate vicinity. However, just east of the public way there appears to be several parcels of vacant land.

Recommendations:

No further action is recommended at this time.


34
N


GALLILEE
GREAT ISLAND ROAD
ROAD
BREACHWAY TO POINT JUDITH POND
BULKHEAD
BLOCK ISLAND SOUND
35
PUBLIC RIGHTS-OF-WAY INVENTORY
TOWN of NARRAGANSETT
SCALE: 1" = 100'
PLAT 1

PUBLIC RIGHTS-OF-WAY EVALUATION

Municipality: Number: 35

Town of Narragansett

Location:

This public way is located along the east side of the Galilee Breachway at the end of Great Island Road.

Approximate Area: 33,000 square feet

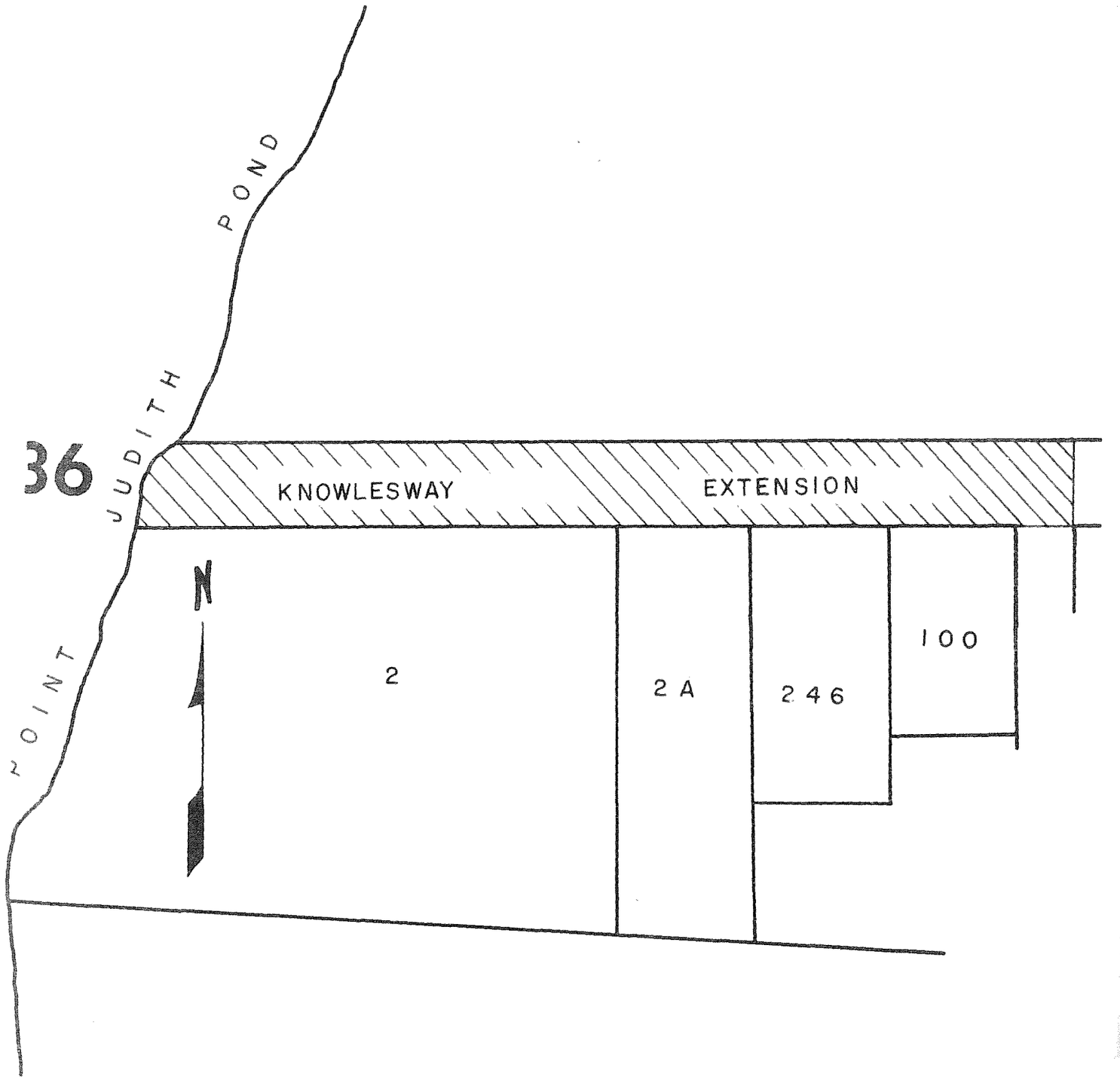
Existing Conditions and Land Uses:

This public way opens onto a sandy beach area and provides access to a state-owned parking area. The public way is bounded by zoned business and zoned high density residential areas. There is a sign indicating the location of the public way.

Recommendations:

This public way should be maintained in its present use.

N
35



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of NARRAGANSETT

PLAT R-1

SCALE: 1"=100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 36

Town of Narragansett

Location:

This public way is located at the end of Knowlesway Extension and is bounded on the west by Point Judith Pond.

Approximate Dimensions: Width: 60 feet
Length: 670 feet
Area: 40,200 square feet

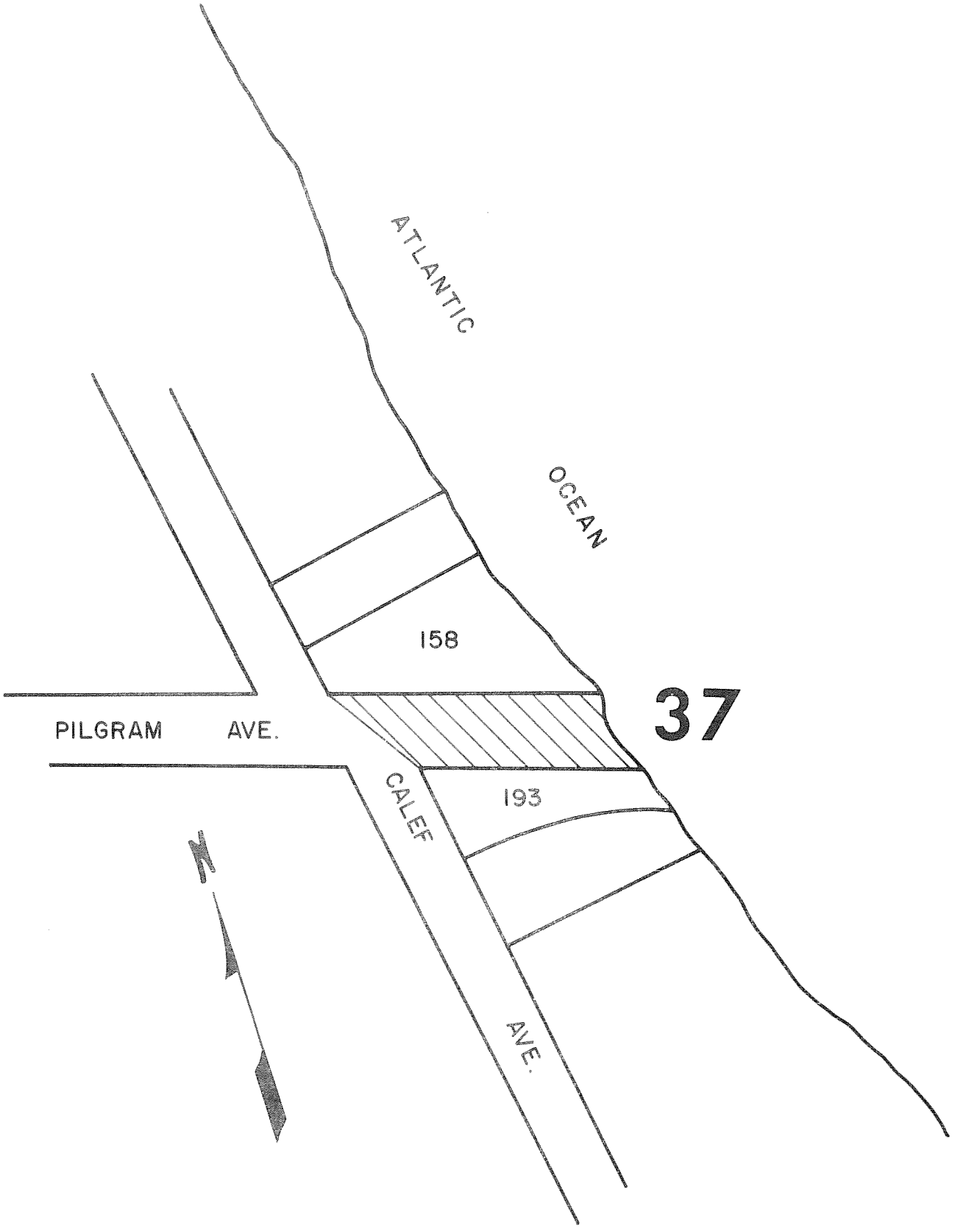
Existing Conditions and Land Uses:

This area has been zoned for high density residential development. There are vacant lots adjacent to the public way. There is a sign indicating the existence of a public way.

Recommendations:

This way is an ideal location for development of recreational facilities. The feasibility of acquiring additional land for parking and other facilities should be investigated.

N
36



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of NARRAGANSETT

PLAT M

SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 37

Town of Narragansett

Location:

This right-of-way is located at the end of Pilgram Avenue east of Calef Avenue and is bounded on the east by the Rhode Island Sound.

Approximate Dimensions: Width: 50 feet
Length: 160 feet
Area: 8,000 square feet

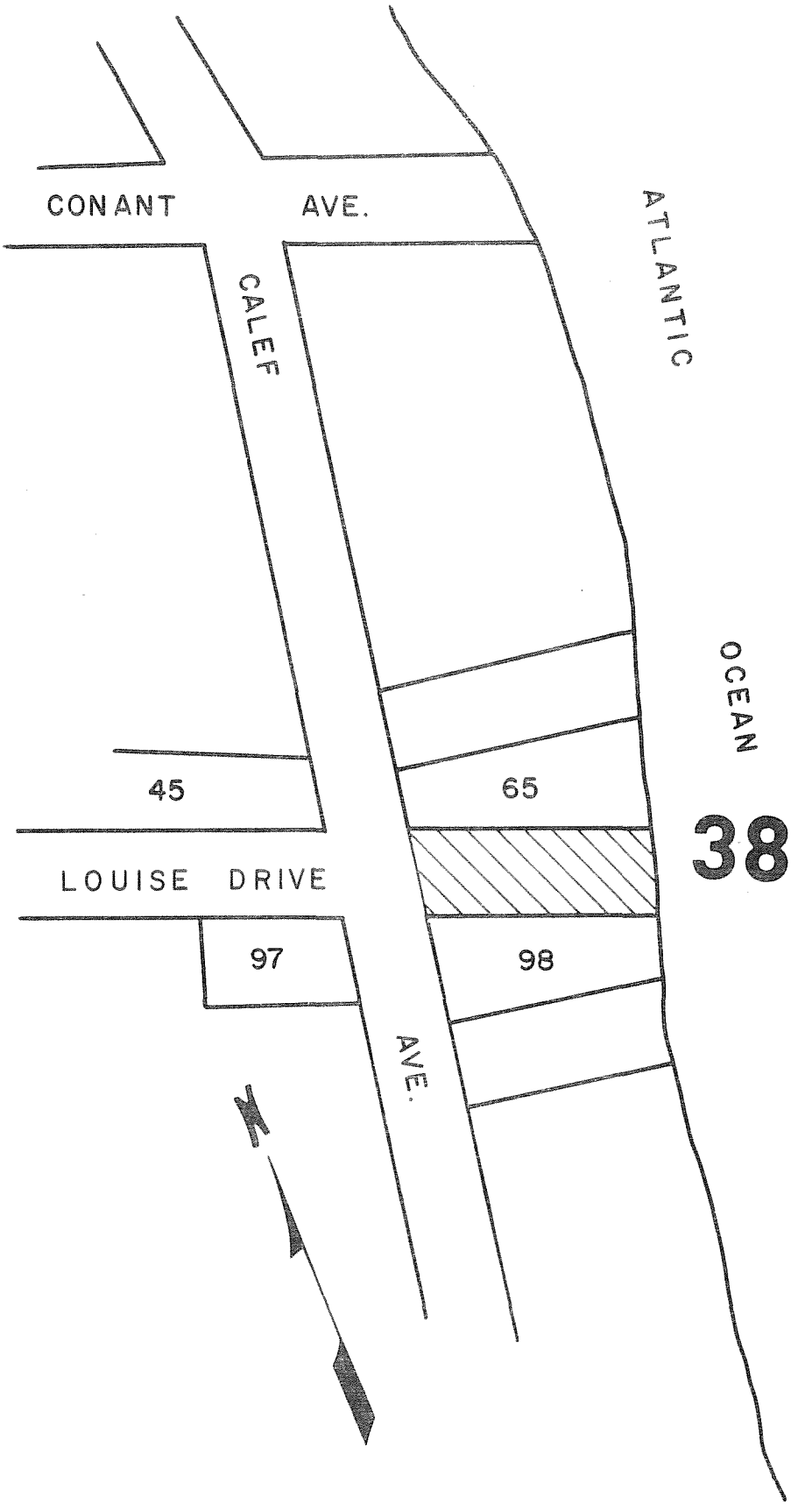
Existing Conditions and Land Uses:

The area west of this public way is for the most part vacant, and has been zoned for high density residential development. There is no sign posted indicating the existence of a public way.

Recommendations:

A sign should be posted and investigation should be conducted on the feasibility of acquiring additional land to be developed for a parking area.

N
37



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of NARRAGANSETT

PLAT M

SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 38

Town of Narragansett

Location:

This public way is located at the end of Louise Drive east of the intersection of Louise Drive and Calef Avenue bounded by the Rhode Island Sound.

Approximate Dimensions: Width: 50 feet
Length: 145 feet
Area: 7,250 square feet

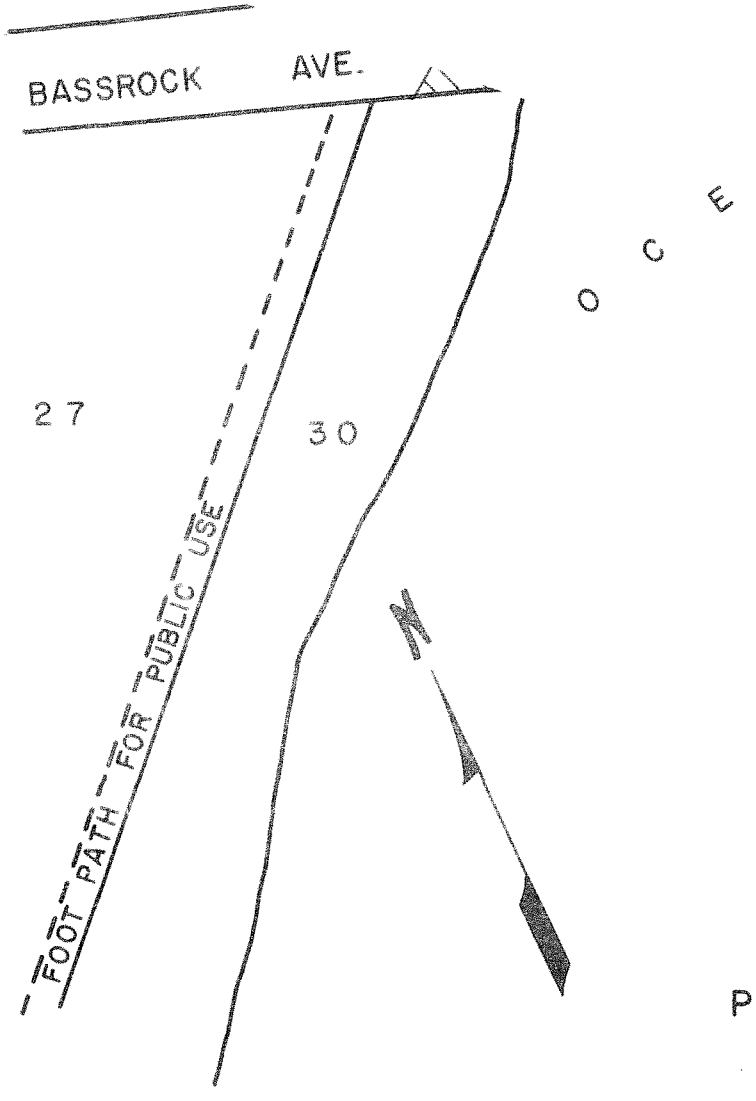
Existing Conditions and Land Uses:

There is a sign designating the area as a public way. Private dwellings are located on either side of the way. The area has been zoned for low density residential use. The way opens onto a rocky beach area.

Recommendations:

There does not appear to be space available for further development. No further action is recommended at this time.

38
N



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of NARRAGANSETT

A
N

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 39

Town of Narragansett

Location:

This public way is located at the tip of Bassrock Avenue and is bounded by the Rhode Island Sound.

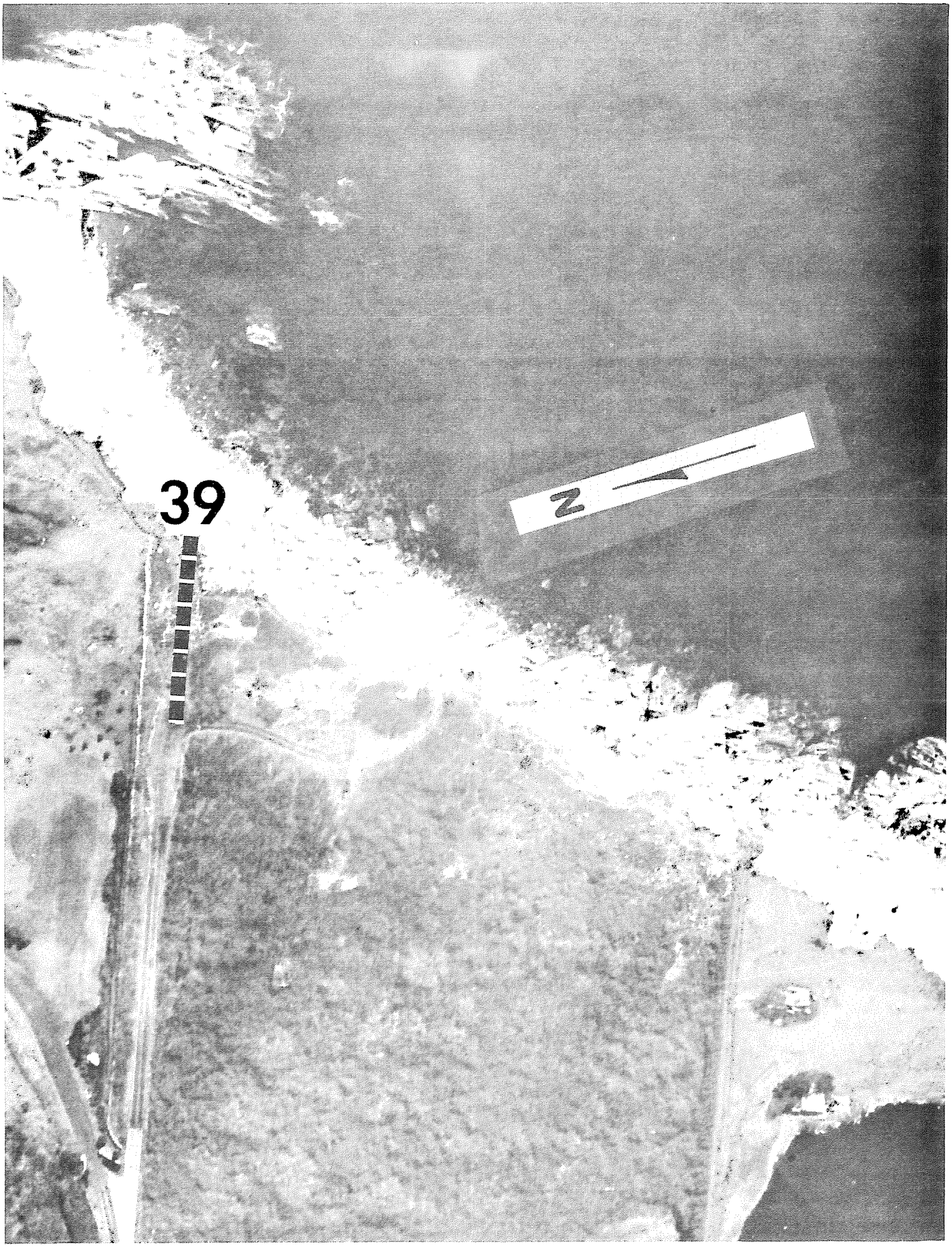
Approximate Dimensions: Width: 70 feet
Length: 60 feet
Area: 4,200 square feet

Existing Conditions and Land Uses:

The areas surrounding the public way are parts of private estates. The way has a sign posted indicating its location. The area is zoned for low density residential use.

Recommendations:

No further action is recommended at this time.


39
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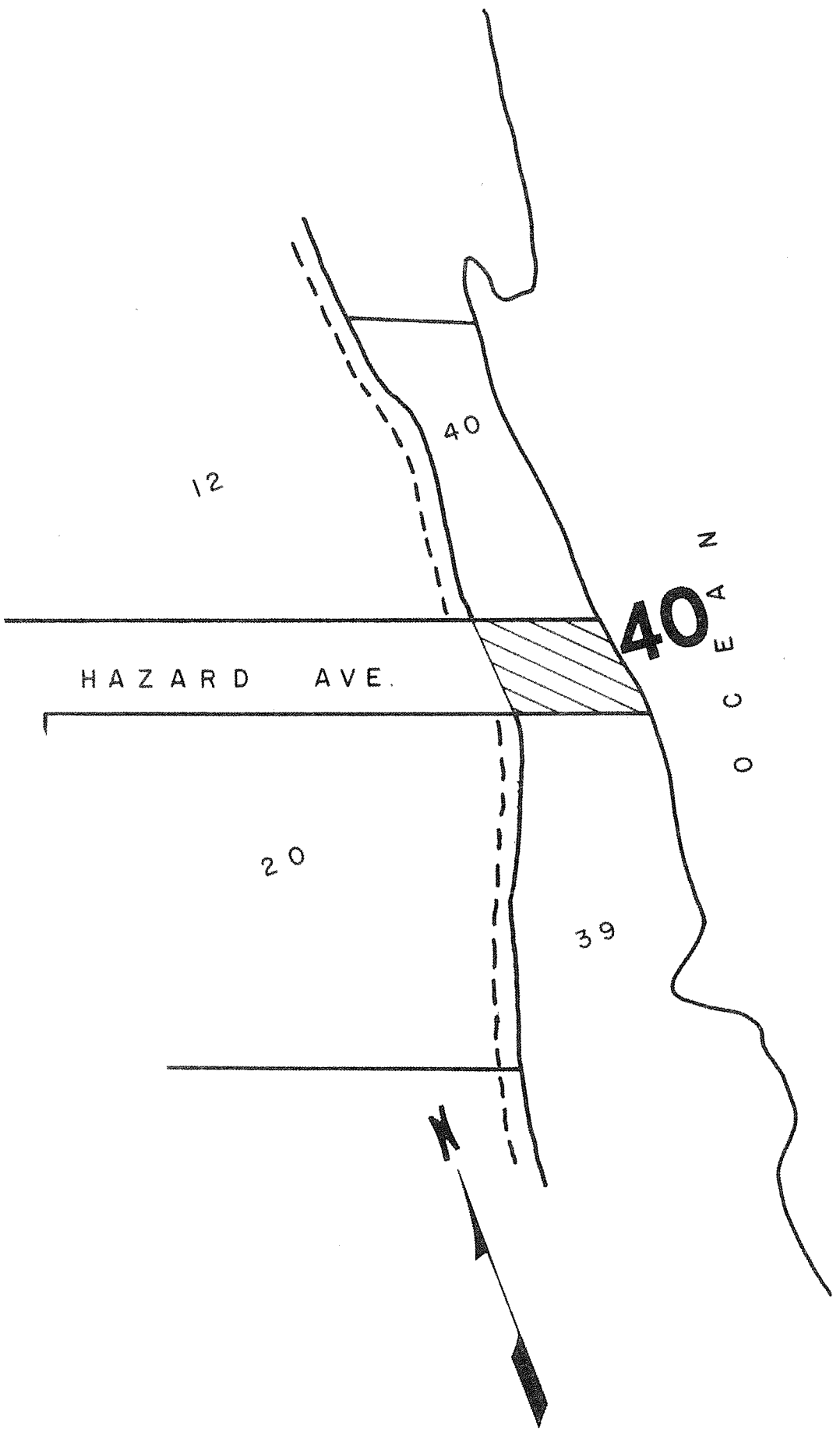


PUBLIC RIGHTS-OF-WAY IN

TOWN of NARRAGAN

SC

PLAT F

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 40

Town of Narragansett

Location:

This public way is situated at the tip of Hazard Avenue and is bounded on the east by the Rhode Island Sound.

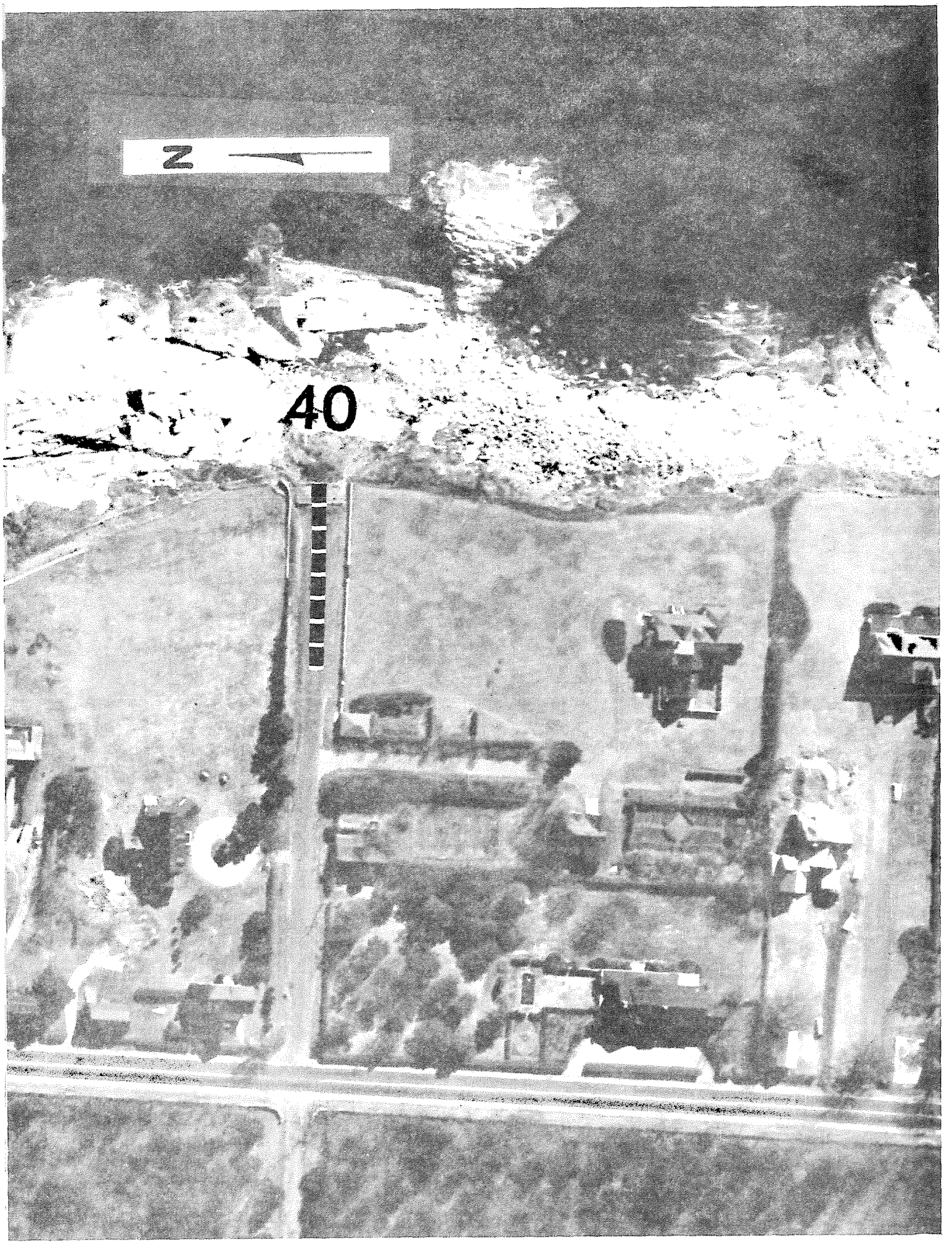
Approximate Dimensions: Width: 60 feet
Length: 70 feet
Area: 4,200 square feet

Existing Conditions and Land Uses:

This area is similar in character to that located at the Bass-rock public way (39). It is zoned for low density residential use. The way is located next to vacant area which appears to be part of the adjoining estates. There is a sign indicating the location of the public way.

Recommendations:

No further action is recommended at this time.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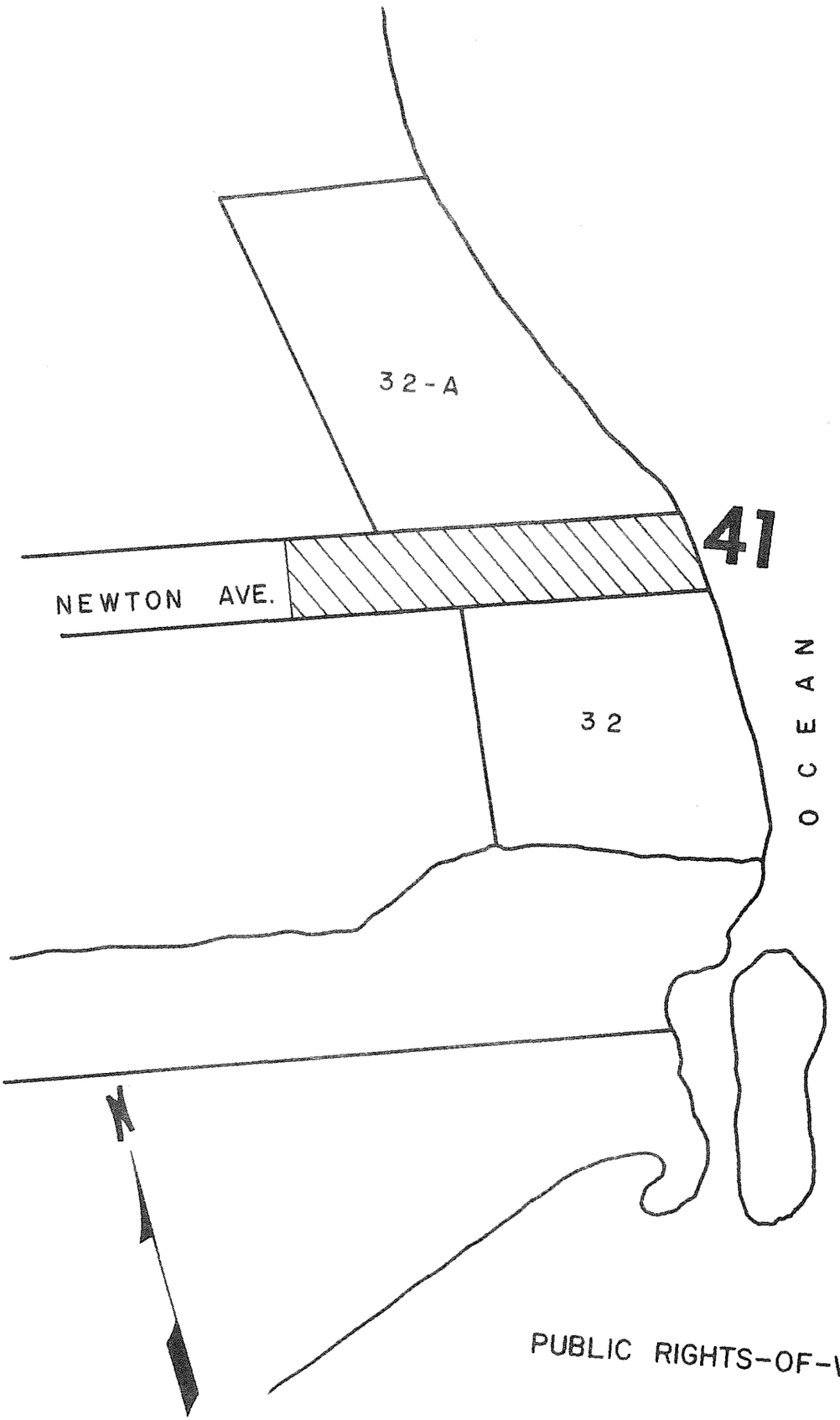
40



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of NARRAGANSETT

PLAT G

SCALE: 1"=100'

PUBLIC RIGHTS-OF-WAY EVALUATION

Municipality: Number: 41

Town of Narragansett

Location:

This public way is situated at the end of Newton Avenue bounded by the Rhode Island Sound on the east.

Approximate Dimensions: Width: 50 feet
Length: 275 feet
Area: 13,750 square feet

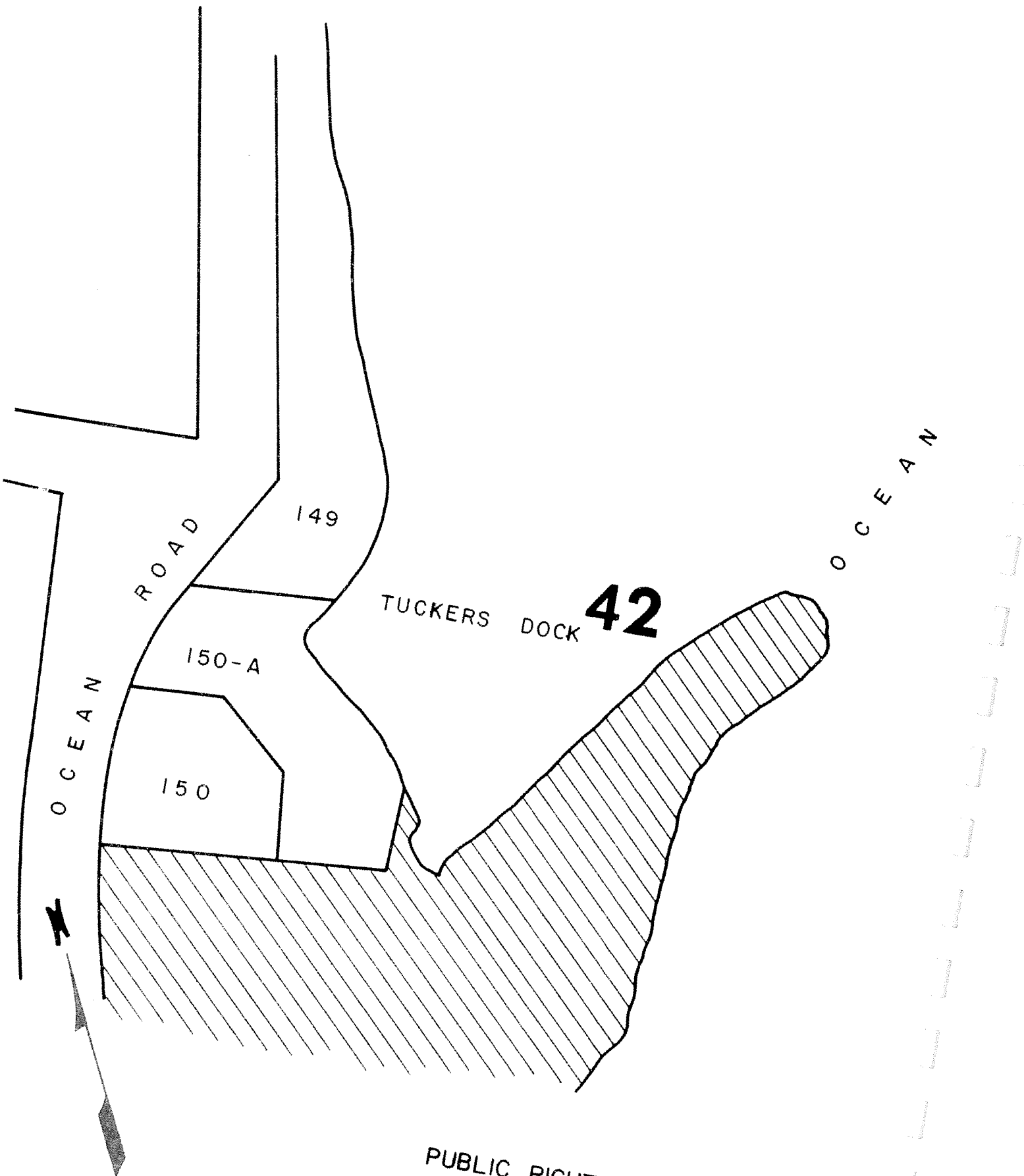
Existing Conditions and Land Uses:

This area is zoned for medium density residential development. There is a sign designating the location of a public way. The right-of-way is adjacent to existing large lot residential use.

Recommendations:

No further action is recommended at this time.

41
2



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of NARRAGANSETT

PLAT E

SCALE: 1"=80'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 42

Town of Narragansett

Location:

This right-of-way is part of Tucker's Dock off Ocean Road bordering on the Rhode Island Sound.

Approximate Area: 61,696 square feet

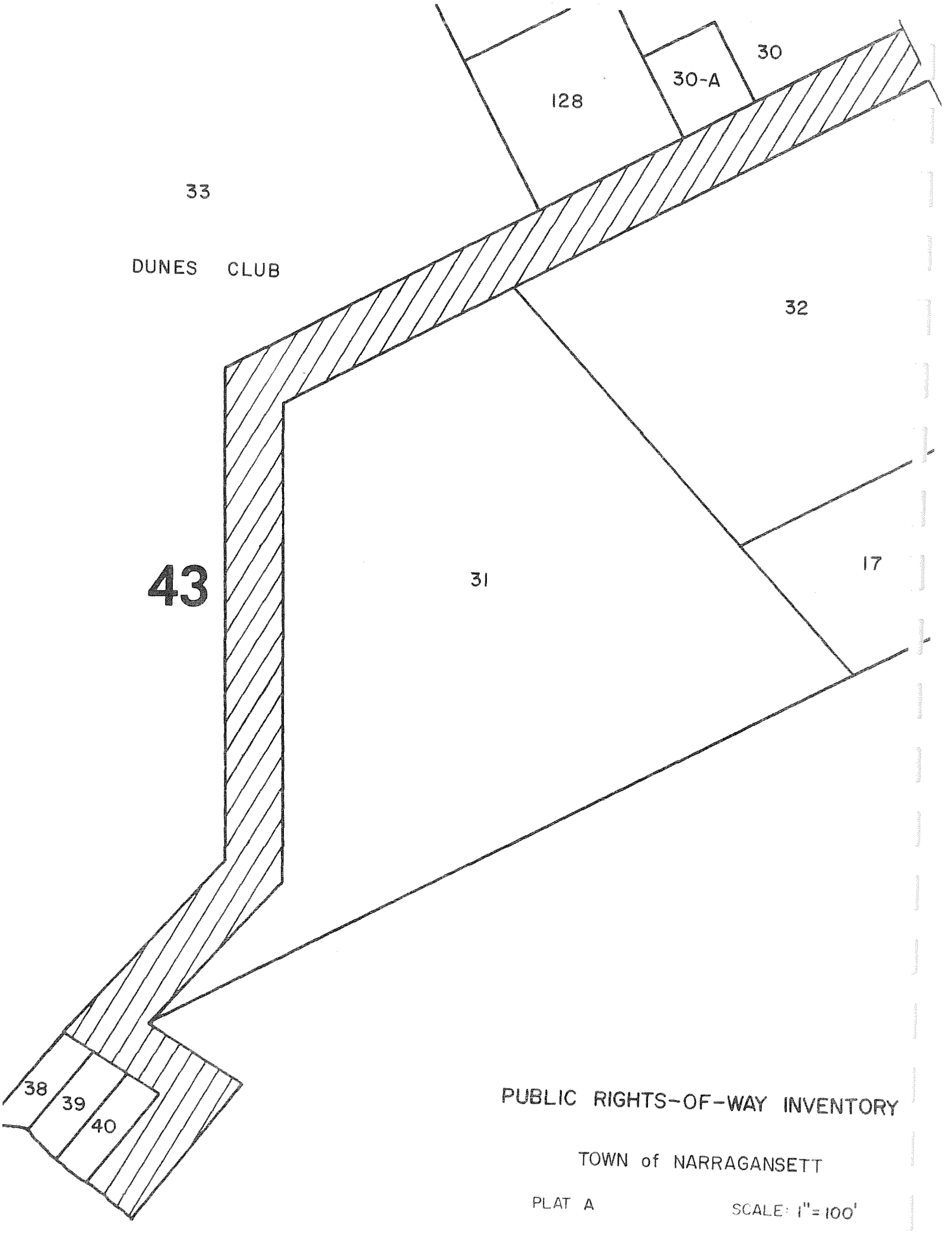
Existing Conditions and Land Uses:

This public way has a sign indicating its location. The area is zoned for business use. There is some vacant land opposite the site. The way affords easy access to the Rhode Island Sound.

Recommendations:

Consideration should be given to acquiring additional land for parking to serve this area which is suitable for boat launching and fishing.

42
N



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of NARRAGANSETT

PLAT A

SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 43

Town of Narragansett

Location:

This public way is located off Post Road running east of the Dunes Club.

Approximate Dimensions: Width: 50 feet
Length: 1,535 feet
Area: 76,750 square feet

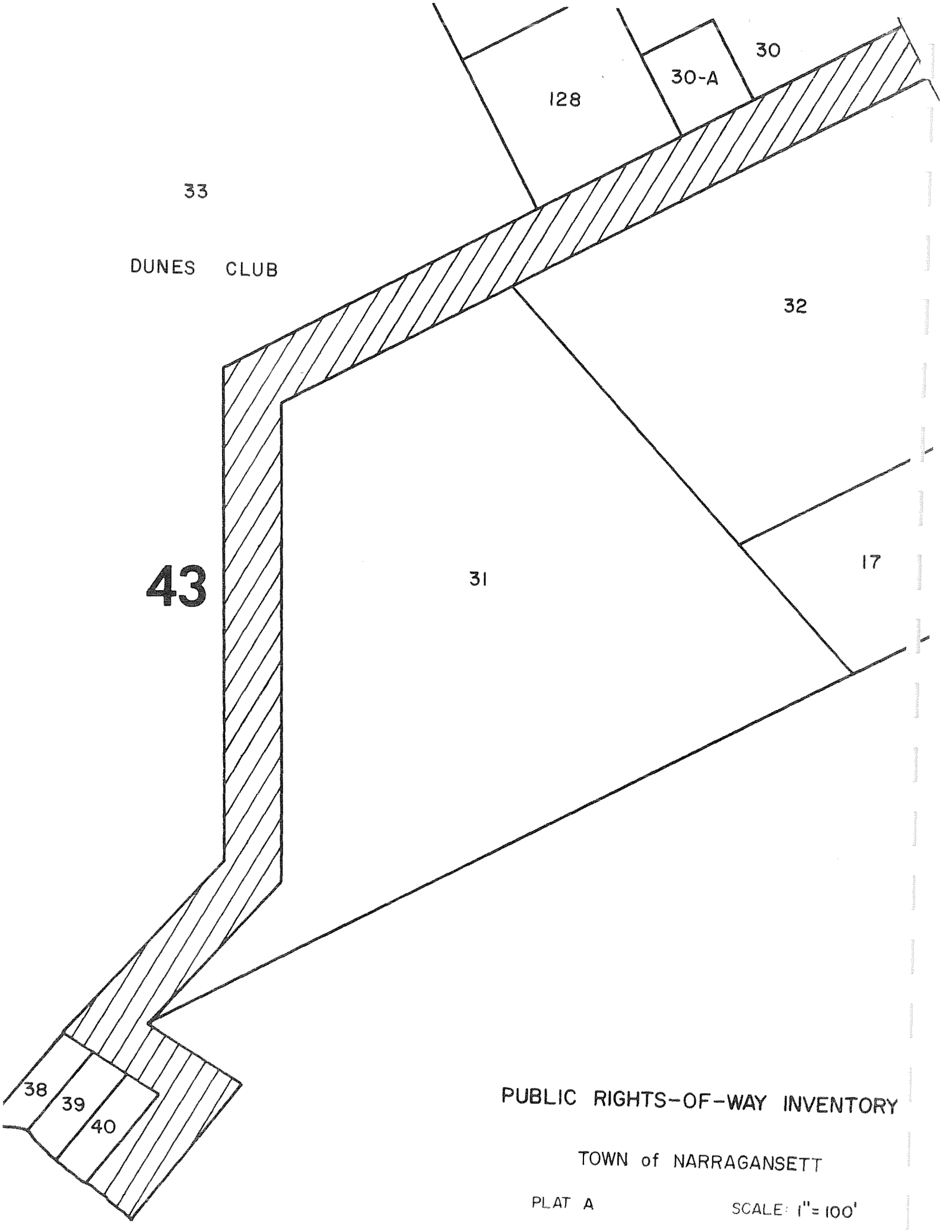
Existing Conditions and Land Uses:

This public way runs adjacent to several large estates and along the eastern edge of the Dunes Club parking lot and parallel to the breachway which opens onto the Pettaquamscutt River. There is considerable vacant land in the vicinity of the public way.

Recommendations:

Part of this public way should be considered for recreational development. The right-of-way should be signed, maintained and policed.

N
43



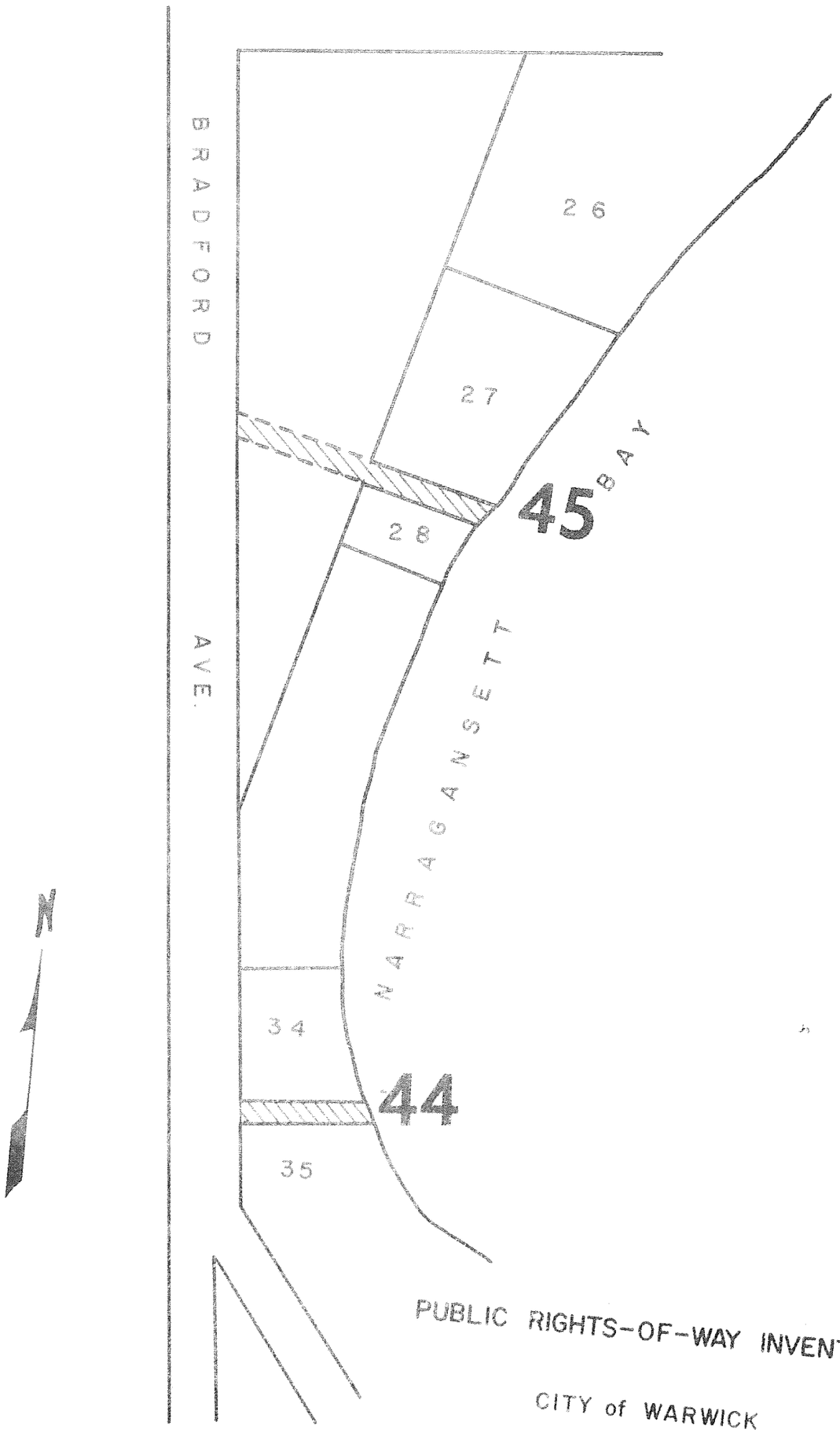
PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of NARRAGANSETT

PLAT A

SCALE: 1" = 100'

43
N



PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 202

SCALE: 1"=100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 44-45

City of Warwick (Potowomut)

Location:

These public rights-of-ways are situated off the eastern side of Bradford Avenue and are bounded on the east by Narragansett Bay.

Approximate Dimensions: 44. Width: 15 feet
Length: 100 feet
Area: 1,500 square feet

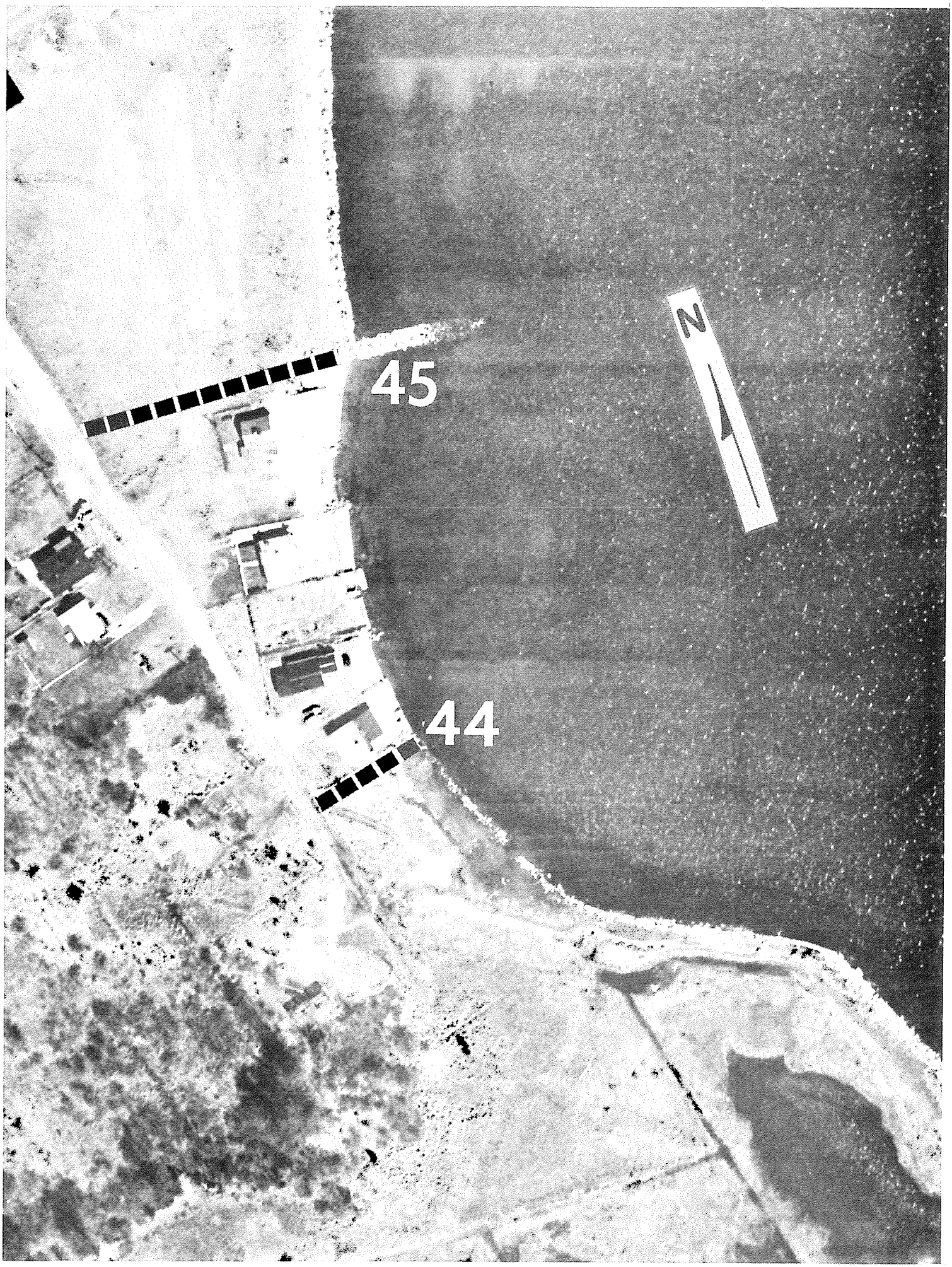
45. Width: 15 feet
Length: 190 feet
Area: 2,850 square feet

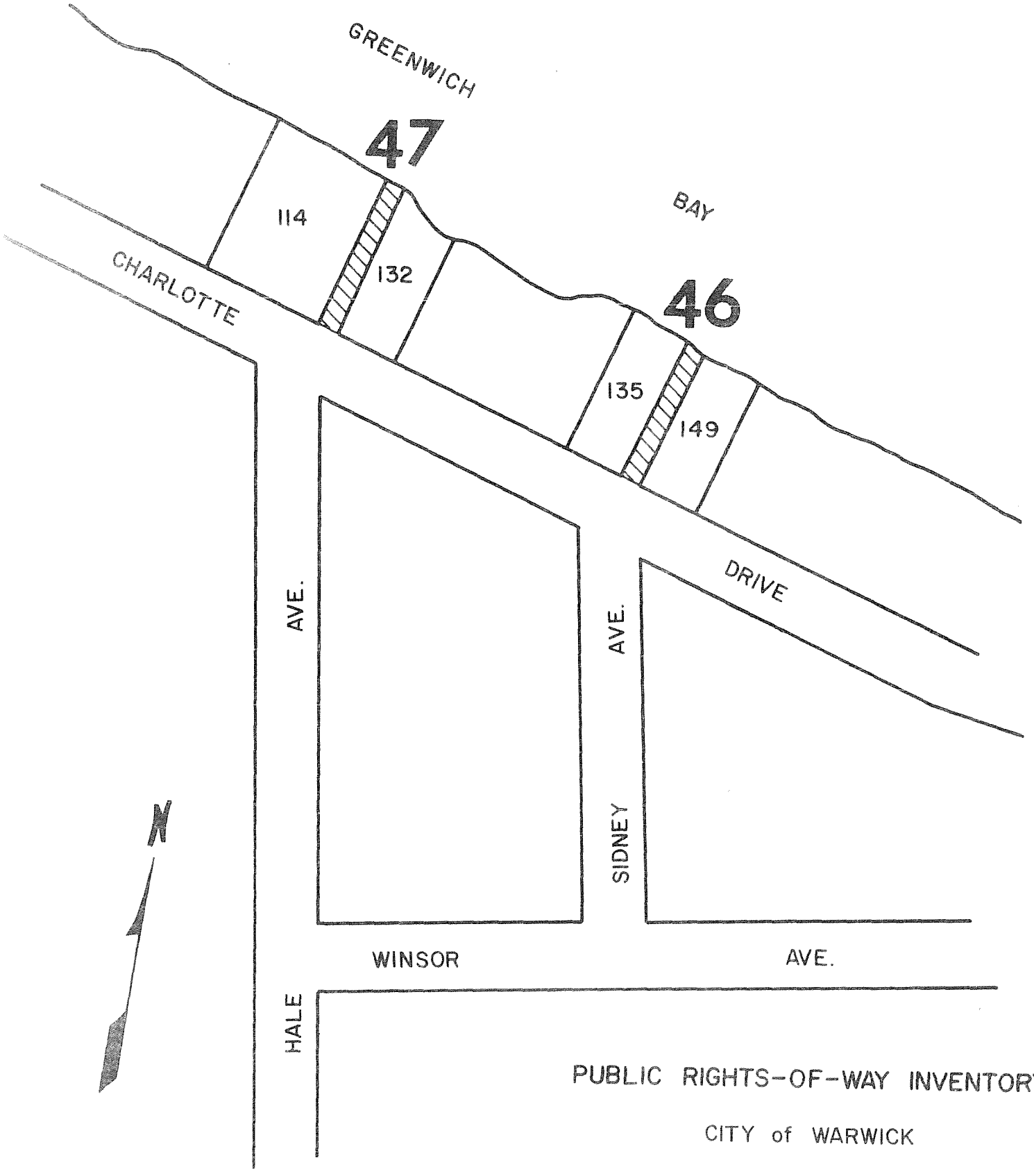
Existing Conditions and Land Uses:

The two public ways are not posted to indicate their location. It appears that the public way located to the south (44) has been used as a boat launch site. However, there are no parking facilities provided. The public way located to the north (45) is situated next to a privately owned recreation area. There is open space adjacent to each public way which could be converted to parking facilities. This area is zoned for low density residential development. The Department of Natural Resources has posted signs indicating regulations on the taking of shellfish from the area.

Recommendations:

Of the two rights-of-ways the one located to the south (44) appears to be better suited for recreational purposes. Adjacent land could be used for parking facilities. A sign should be posted to indicate this area as a public way. The public way located to the north (45) should be left in its present use. No further action is recommended at this time.


45
44
N



PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 201

SCALE: 1"=100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 46-47

City of Warwick (Potowomut)

Location:

These public rights-of-way are situated opposite the intersections of Hale Avenue and Charlotte Drive (47) and Sidney Avenue and Charlotte Drive (46). Greenwich Bay bounds these rights-of-way to the north.

Approximate Dimensions:

46. Width: 15 feet
Length: 110 feet
Area: 1,650 square feet

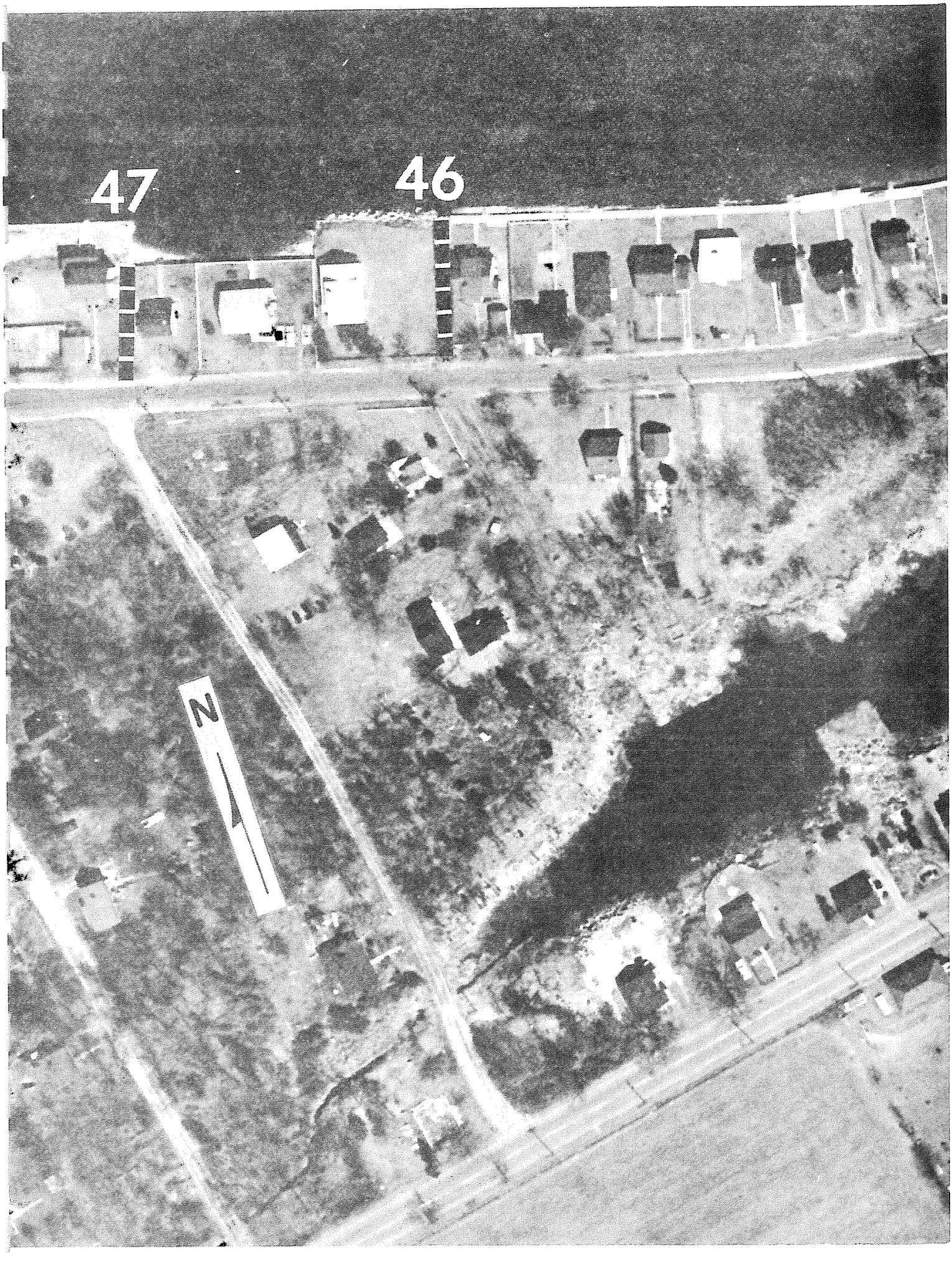
47. Width: 15 feet
Length: 120 feet
Area: 1,800 square feet

Existing Conditions and Land Uses:

There are dwellings situated to either side of these rights-of-way and to the south of Charlotte Drive. There are no signs posted to designate the public ways. Open space for parking facilities is lacking. The surrounding area has been zoned A-10, medium density residential development. Goddard State Park is located nearby.

Recommendations:

Because of the heavily built-up character of this area and the close proximity of Goddard State Park, no further action is recommended at this time.


47
46
N

HOPKINS AVE.

COLLINS AVE.

DRIVE

ROBERT AVE.

PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 201

SCALE: 1"= 100'

GREENWICH
49
BAY
48

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 48-49

City of Warwick (Potowomut)

Location:

These public rights-of-way are situated opposite the intersections of Collins Avenue and Charlotte Drive (48) and Hopkins Avenue and Charlotte Drive (49). Greenwich Bay bounds these public ways on to the north.

Approximate Dimensions:

48.
Width: 15 feet
Length: 130 feet
Area: 1,950 square feet

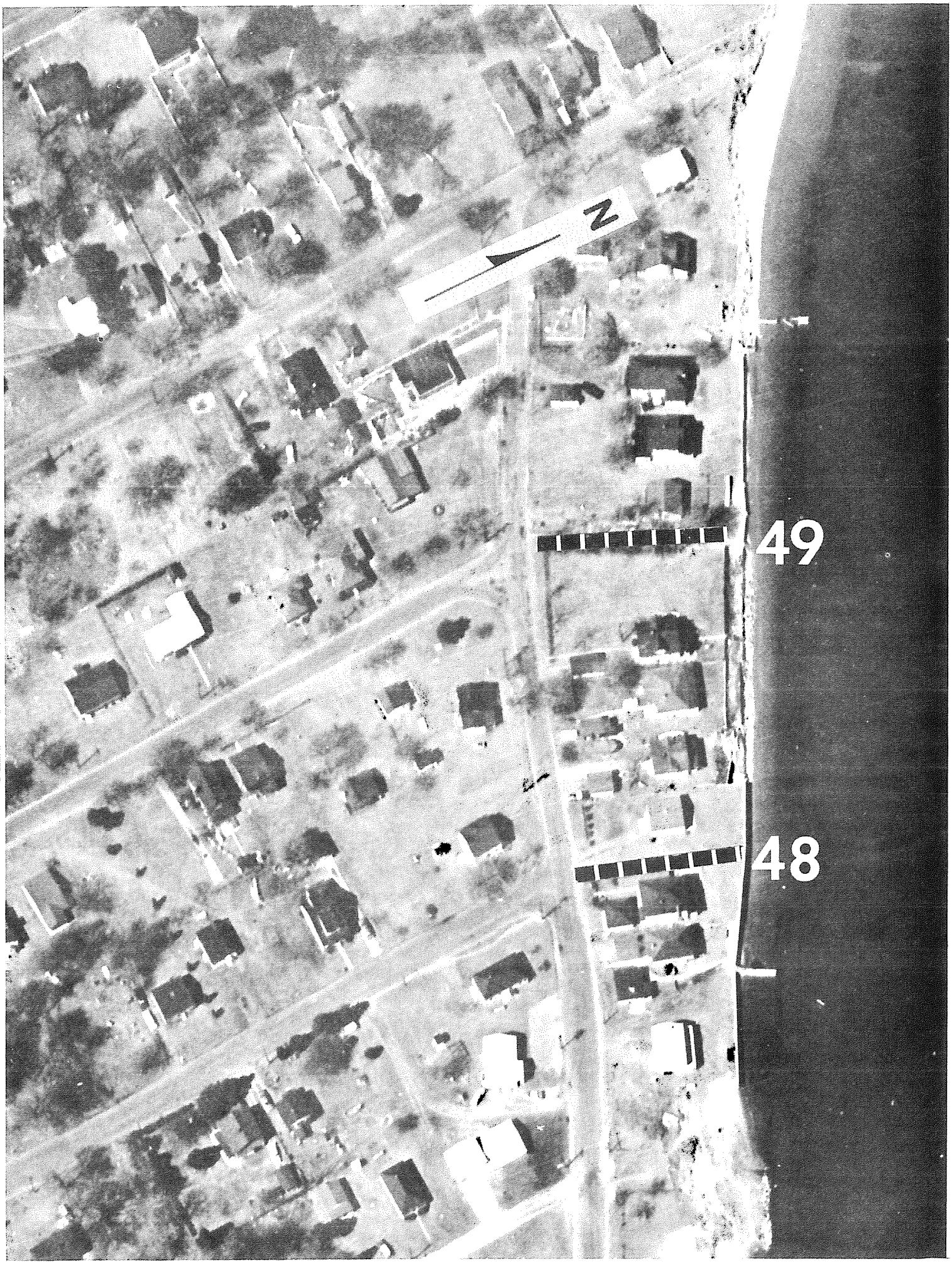
49.
Width: 15 feet
Length: 170 feet
Area: 2,550 square feet

Existing Conditions and Land Uses:

There are private homes situated to either side of these rights-of-way and to the south of Charlotte Drive. There are no signs posted to designate the public ways. Open space for parking facilities is lacking. The area surrounding the ways has been zoned A-10 medium density residential development. Goddard State Park is located nearby.

Recommendations:

Because of the heavily built-up character of this area and the close proximity of Goddard State Park, no further action is recommended at this time.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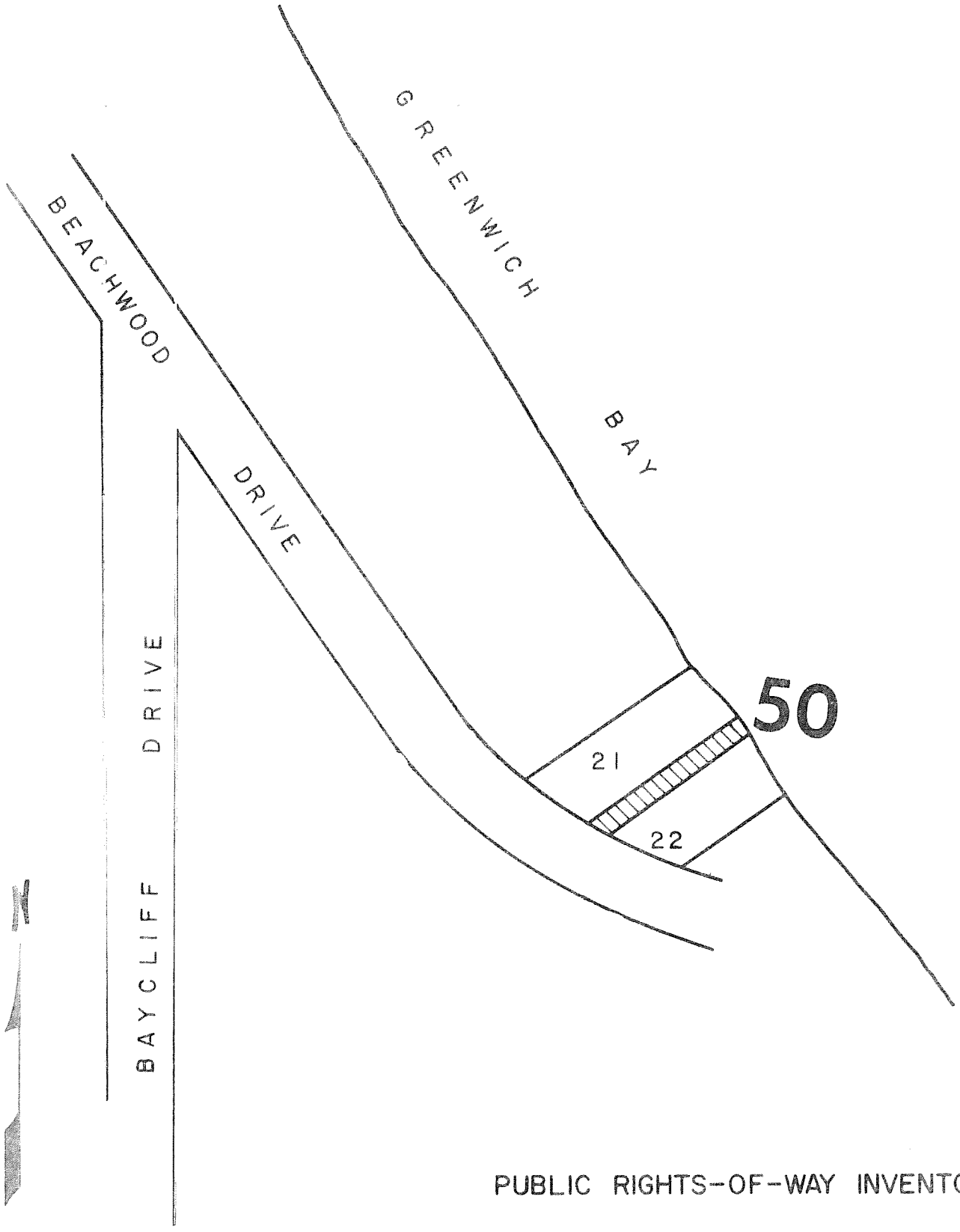
48



PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 203 SCALE: 1"=100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 50

City of Warwick (Potowomut)

Location:

This public right-of-way is located just south of the intersection of Baycliff Drive and Beachwood Drive and is bounded on the east by Greenwich Bay.

Approximate Dimensions: Width: 15 feet
Length: 120 feet
Area: 1,800 square feet

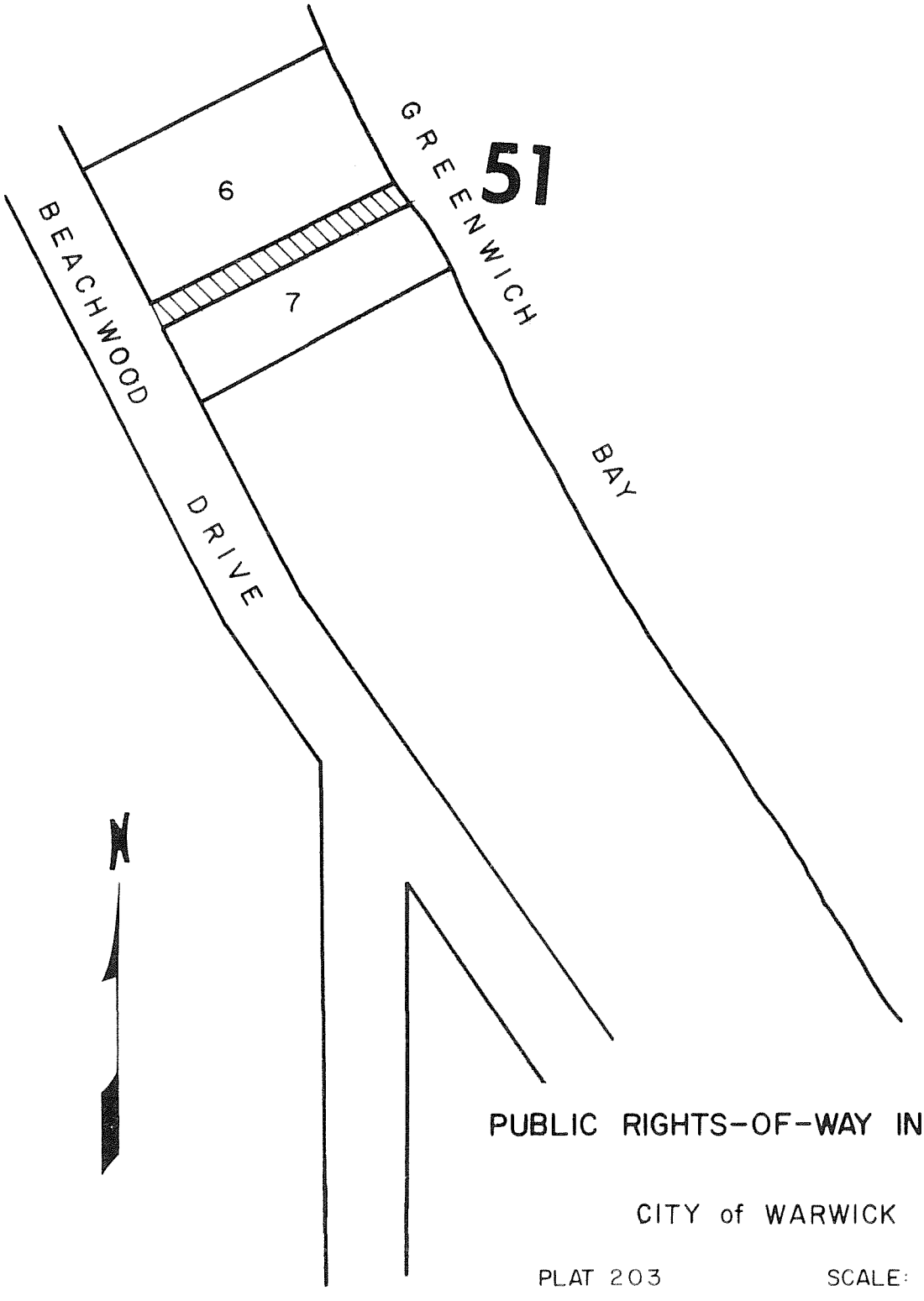
Existing Conditions and Land Uses:

This area has been zoned for medium density residential use. The public way is located in an area of private homes with no vacant land in the immediate vicinity. At the present time the public way is used by local residents. There is no sign posted indicating the location of the right-of-way. Goddard State Park is located nearby.

Recommendations:

Because of the heavily built-up character of this area and the close proximity of Goddard State Park, no further action is recommended at this time.

N
50



PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 203

SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 51

City of Warwick (Potowomut)

Location:

This public right-of-way is situated north of the intersection of Beachwood Drive and Baycliff Drive and is bounded on the east by Greenwich Bay.

Approximate Dimensions: Width: 20 feet
Length: 175 feet
Area: 3,500 square feet

Existing Conditions and Land Uses:

This area has been zoned for medium density residential development. The public way is located in an area of private homes with no vacant land in the immediate vicinity. At the present time the public way is used by local residents. There is no sign posted indicating the location of the right-of-way. Goddard State Park is located nearby.

Recommendations:

Because of the heavily built-up character of this area and the close proximity of Goddard State Park, no further action is recommended at this time.

51
N
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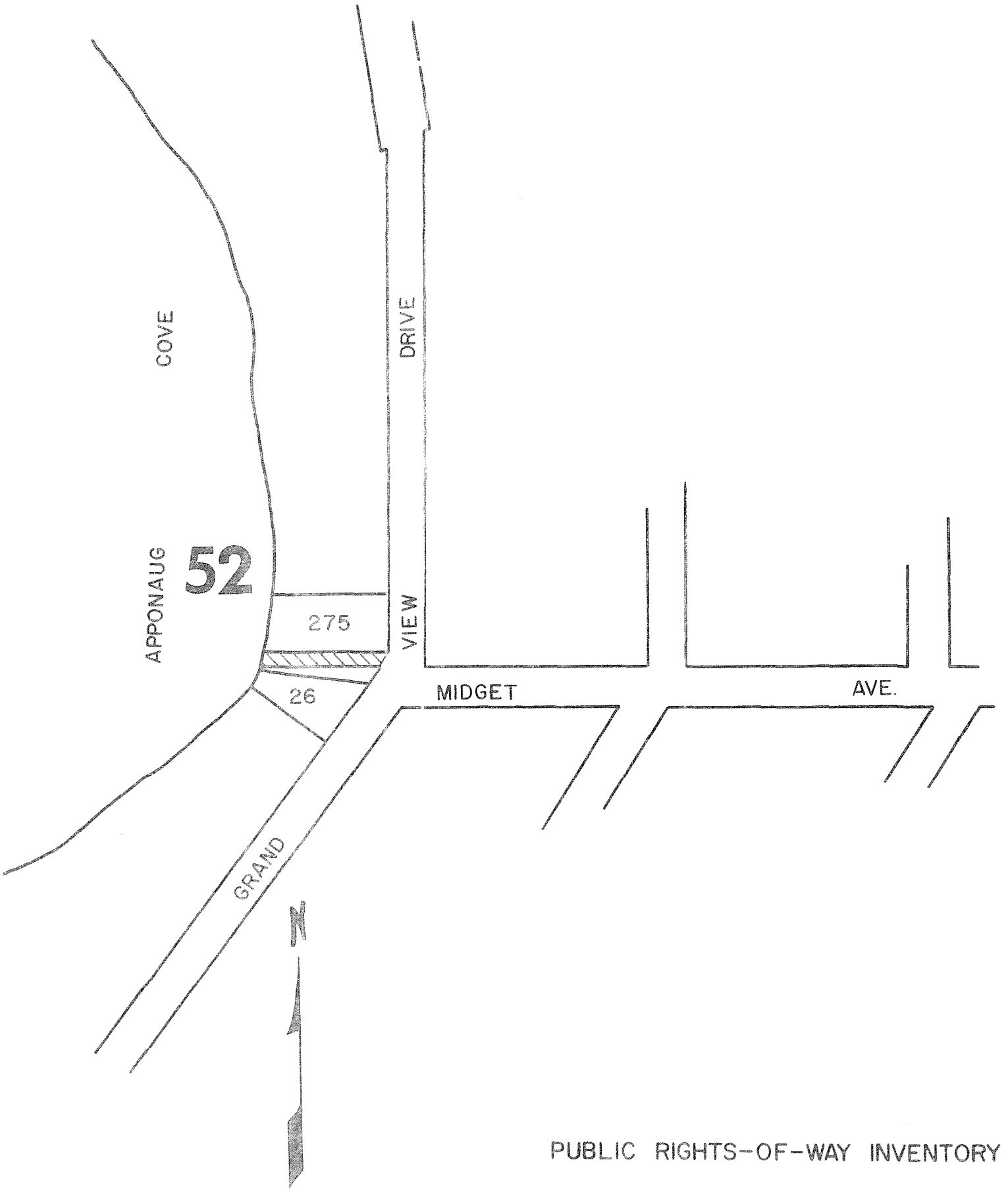


PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 367

SCALE: 1"=100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 52

City of Warwick

Location:

This public way is situated west of the intersection of Midget Avenue and Grand View Drive on Apponaug Cove.

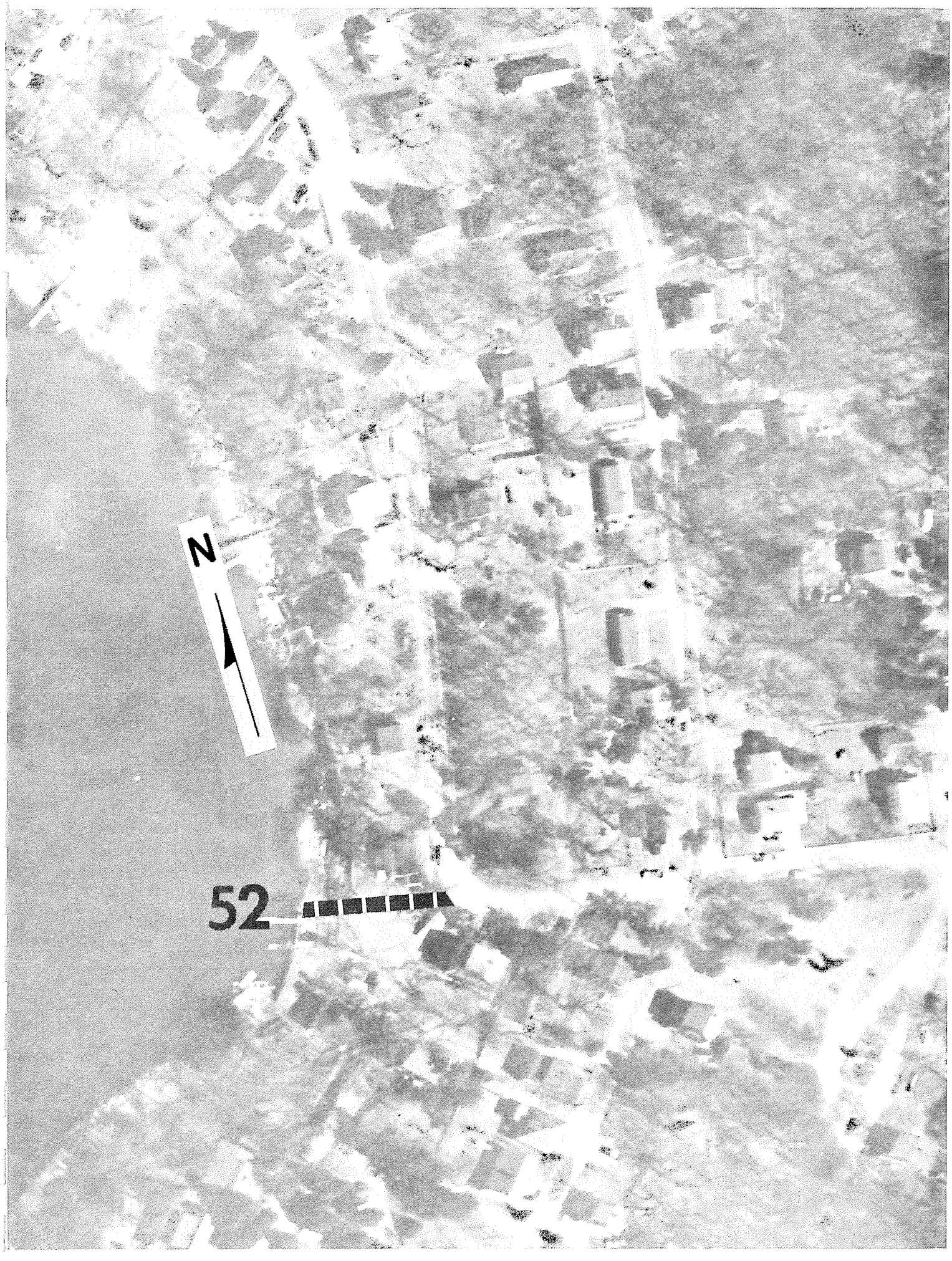
Approximate Dimensions: Width: 10 feet
Length: 95 feet
Area: 950 square feet

Existing Conditions and Land Uses:

There is no sign designating the public right-of-way location. The terrain is very hilly and there are homes located on both sides of the public way. The area is zoned for low density residential use.

Recommendations:

This area does not lend itself to any type of development because of the extent of present land uses, and the poor terrain. No further action is recommended at this time.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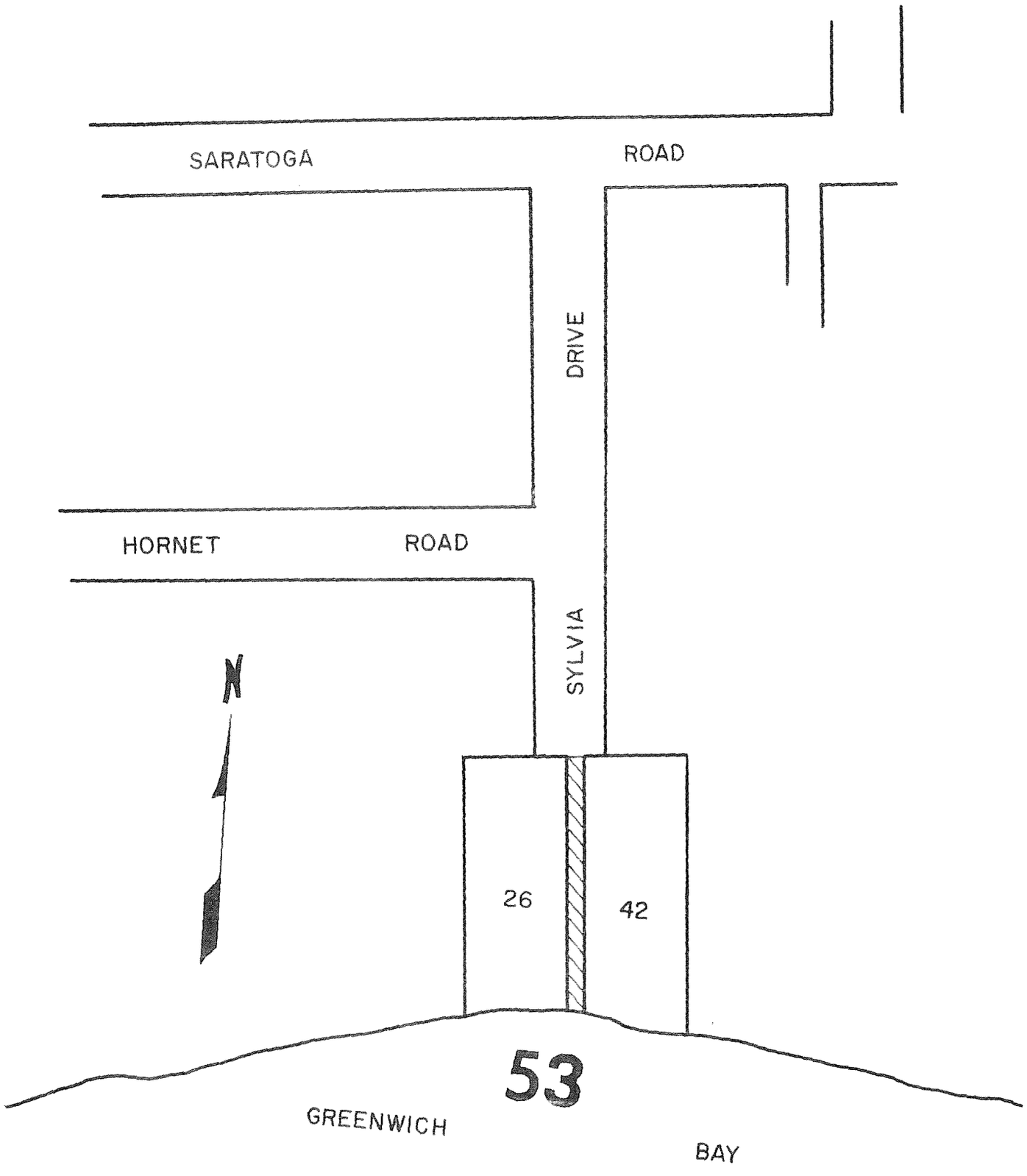
52



PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 369

SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 53

City of Warwick

Location:

This public right-of-way is situated at the end of Sylvia Drive south of the intersection of Hornet Road, and runs into Greenwich Bay.

Approximate Dimensions: Width: 10 feet
Length: 185 feet
Area: 1,850 square feet

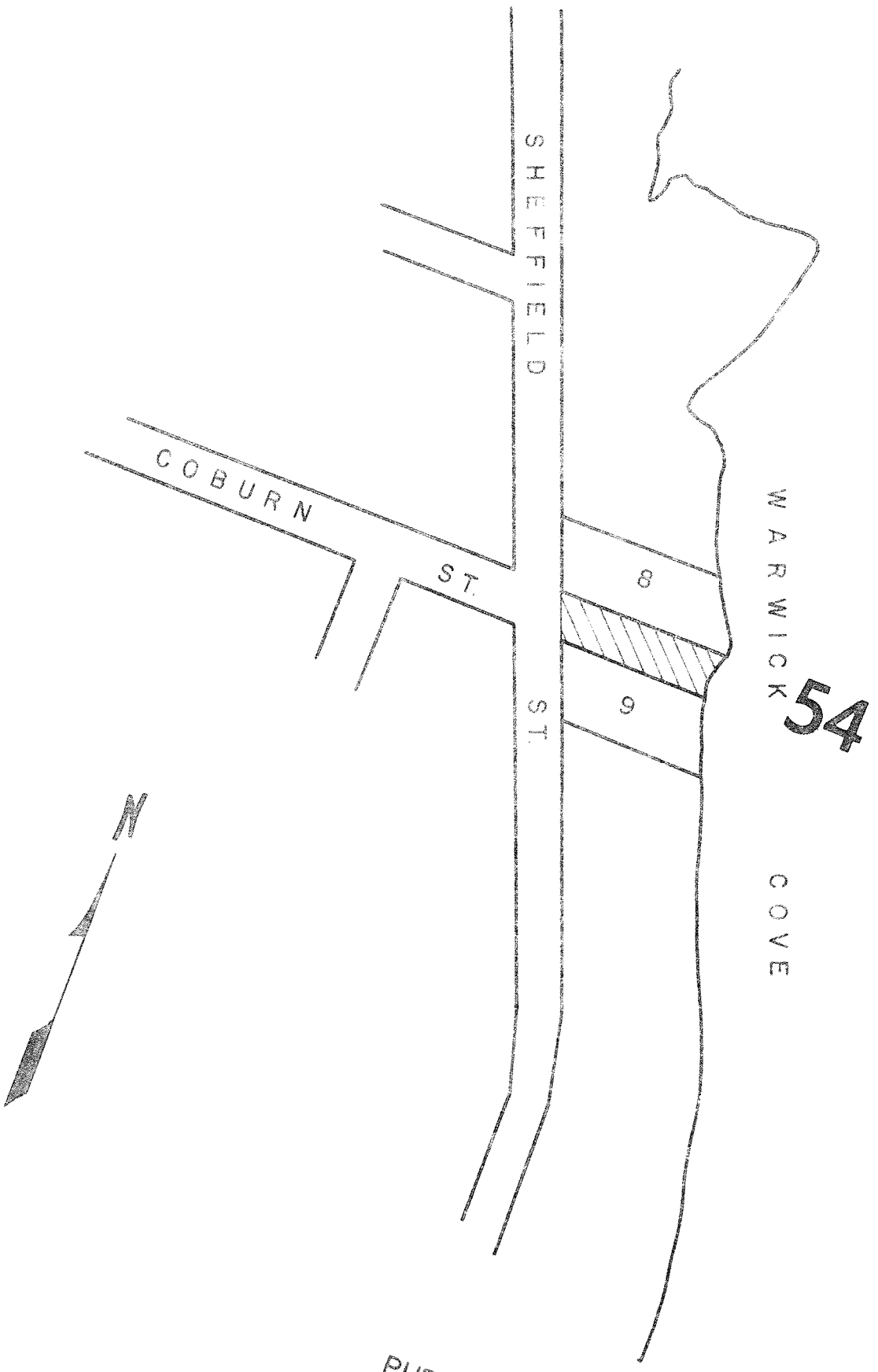
Existing Conditions and Land Uses:

This public right-of-way is not designated by a sign. The way gives access to an ideal sandy beach. Although it is bounded by homes on either side there is some vacant land in the area. This area is zoned for low density residential use.

Recommendations:

Further development of this public way is restricted by surrounding development. The site should be posted, maintained and policed.

53
N



PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 376

SCALE: 1"=100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 54

City of Warwick

Location:

This public way is situated east of the junction of Coburn Street and Sheffield Street and is bound on the east by Warwick Cove.

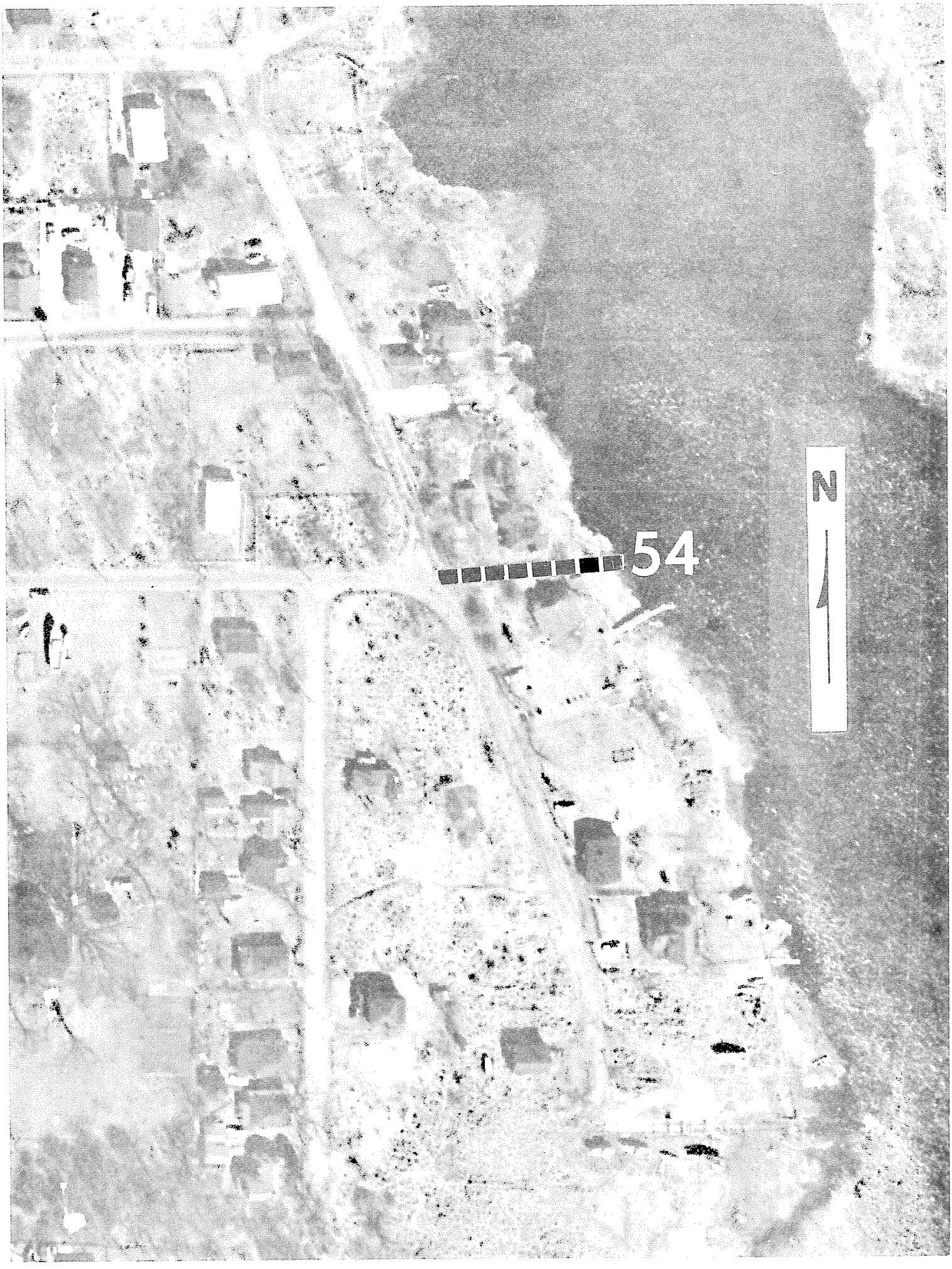
Approximate Dimensions: Width: 30 feet
Length: 100 feet
Area: 3,000 square feet

Existing Conditions and Land Uses:

This public way runs between two adjoining residential structures.

Recommendations:

This public way should remain in its present use and be signed, maintained and policed.


54
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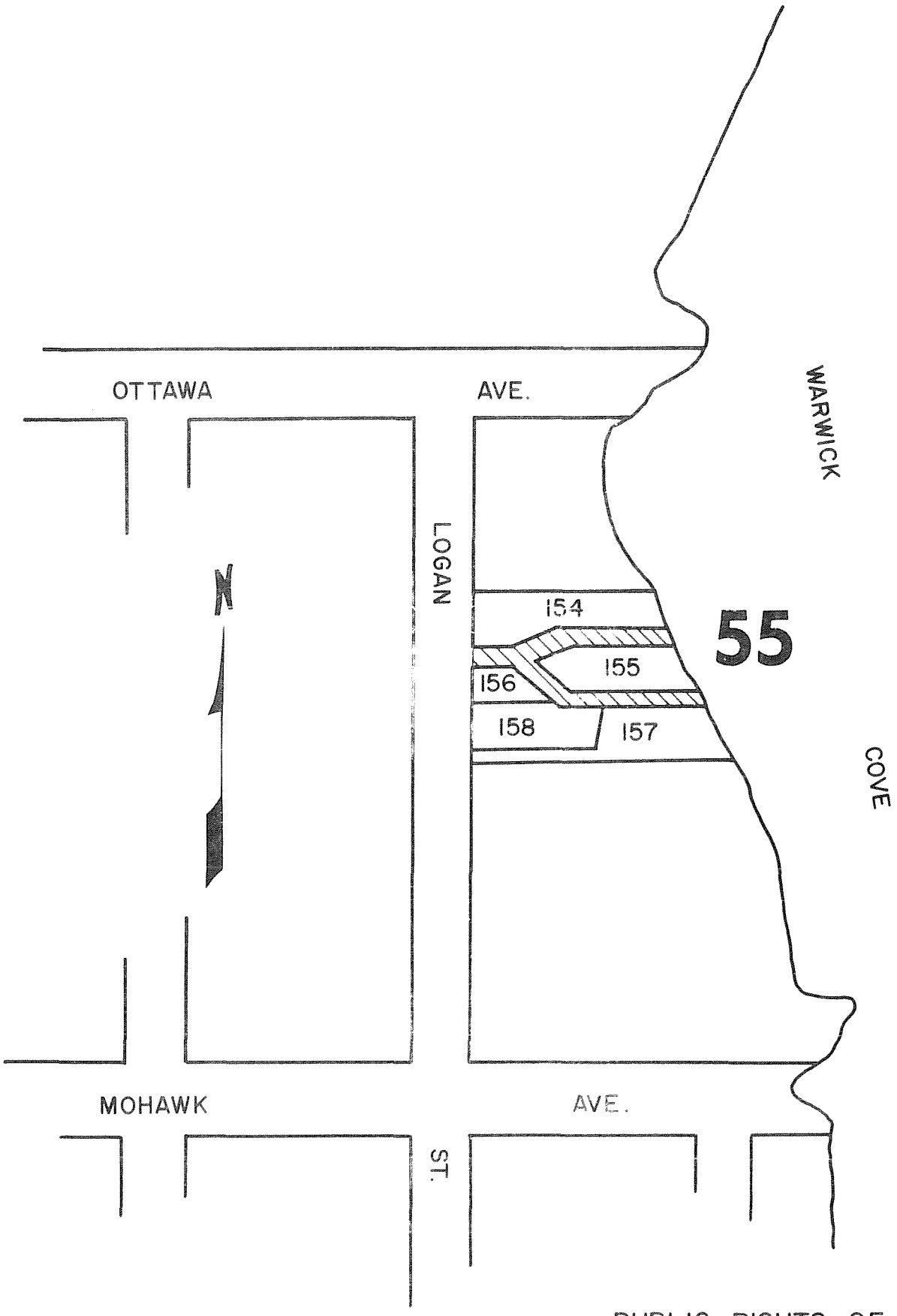

PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 376

SCALE: 1"=100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 55

City of Warwick

Location:

This public way is situated off Logan Street and bounded on the east by Warwick Cove.

Approximate Area: 3,300 square feet

Existing Conditions and Land Uses:

This public way is shaped in the form of a "y" and has private homes on three sides. The area has been zoned for high density residential use. There is no vacant developable land in the vicinity. The public way is not posted.

Recommendations:

Since the area is heavily developed and there are no potential sites for recreational facilities, further development does not appear to be feasible. No further action is recommended at this time.

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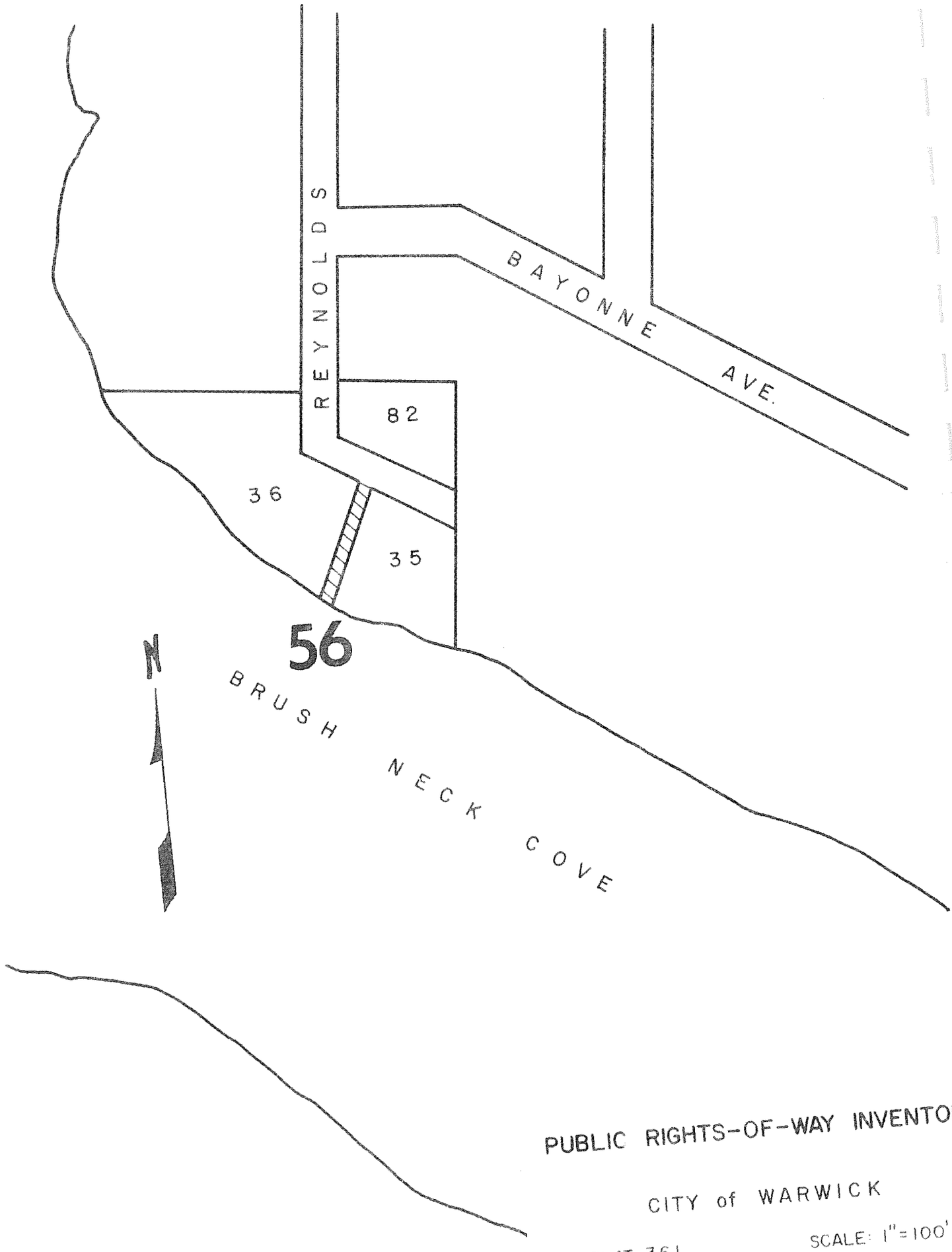


PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 361

SCALE: 1"=100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 56

City of Warwick

Location:

This public way is located just south of the junction of Reynolds Avenue and Bayonne Avenue and is bounded on the south by Brush Neck Cove.

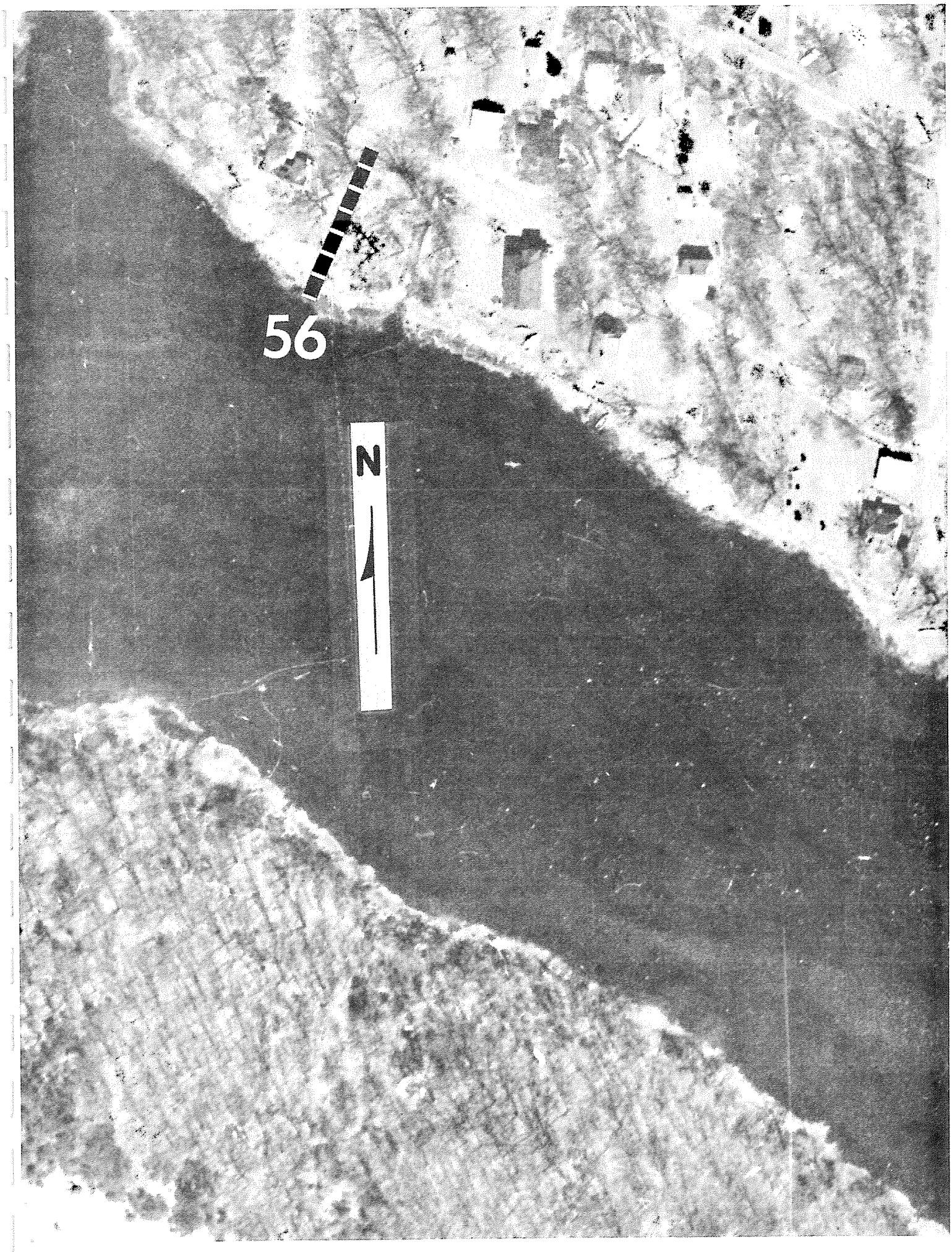
Approximate Dimensions: Width: 10 feet
Length: 100 feet
Area: 1,000 square feet

Existing Conditions and Land Uses:

The area has been zoned high density residential. There appears to be vacant land close by but the streets in the area are signed for no parking. There is no sign indicating the location of the public way.

Recommendations:

There are five public rights-of-way (numbers 56,57, 58, 59, 60) in this general area of Warwick Cove. These areas show some potential for future development for fishing use. They should be reviewed as a unit to determine the most feasible areas for development.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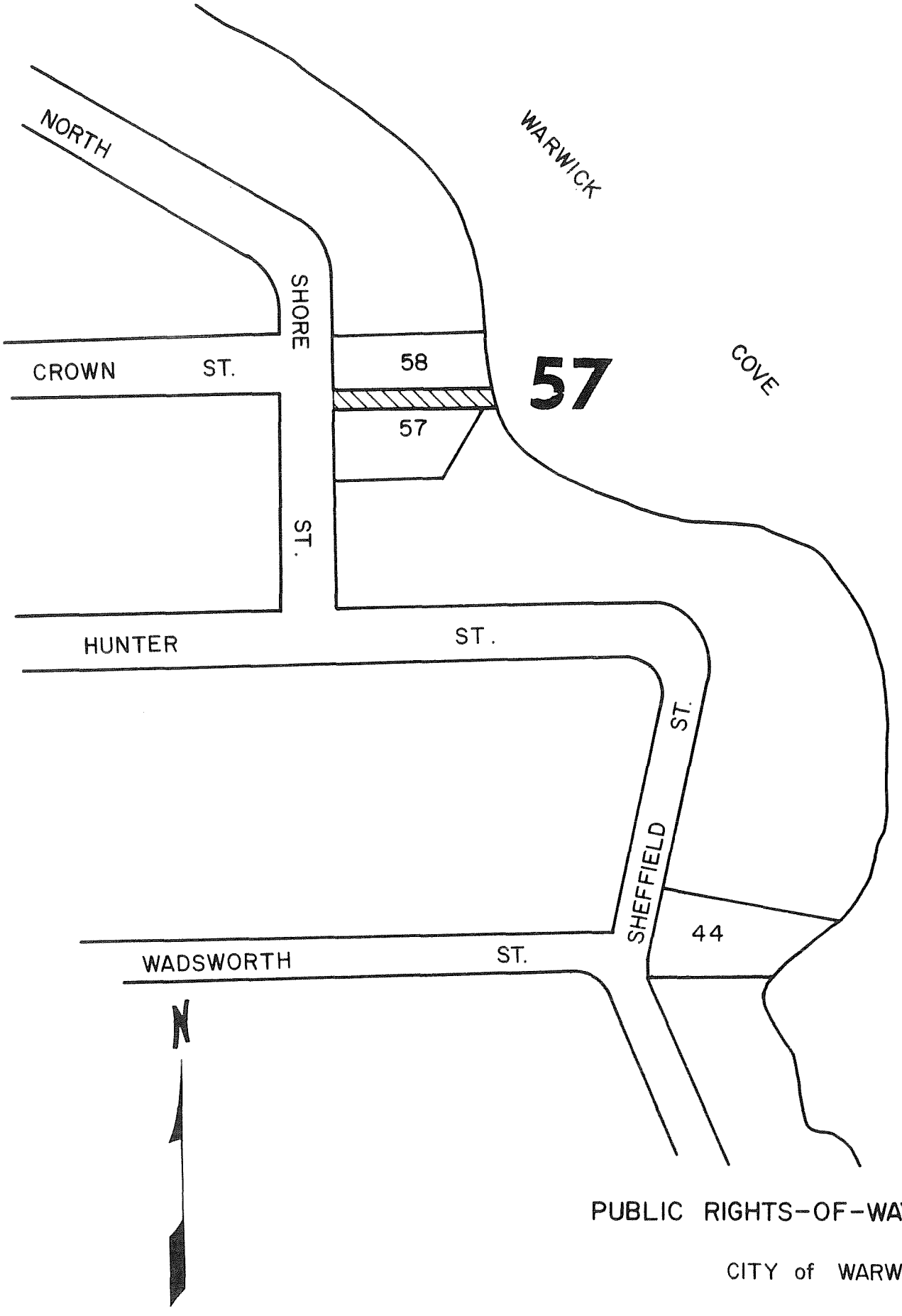

PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 359

SCALE: 1"=100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 57

City of Warwick

Location:

This public way is situated just east of the intersection of North Shore Street and Crown Street and bordered on the west by Warwick Cove.

Approximate Dimensions: Width: 15 feet
Length: 120 feet
Area: 1,800 square feet

Existing Conditions and Land Uses:

There is no sign indicating the existence of this public way. The surrounding area is primarily salt marsh. The area is sparsely developed.

Recommendations:

This public way should be evaluated for future development in relation to other areas in the general vicinity. (see number 56)

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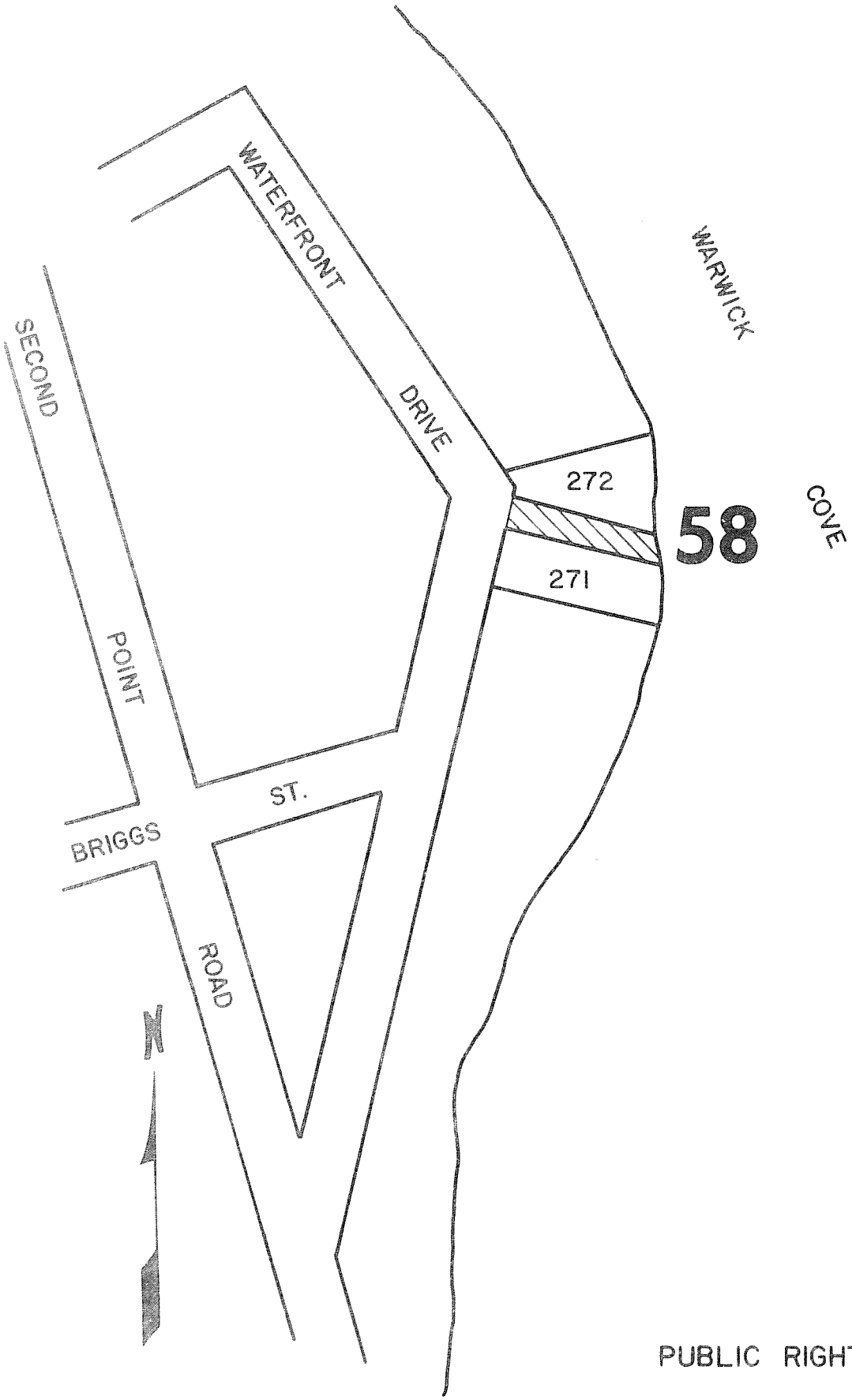

PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 359

SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 58

City of Warwick

Location:

This public right-of-way is located just to the north of the intersection of Briggs Street and Waterfront Drive. It is bounded on the east by Warwick Cove.

Approximate Dimensions: Width: 20 feet
Length: 105 feet
Area: 2,100 square feet

Existing Conditions and Land Uses:

There is no sign indicating the location of the public way. A private marine sales and service business is located near the public way. The area has been zoned for waterfront business use. There is vacant land adjacent to the public way.

Recommendations:

This public way should be evaluated for future development in relation to other areas in the general vicinity (see number 56).

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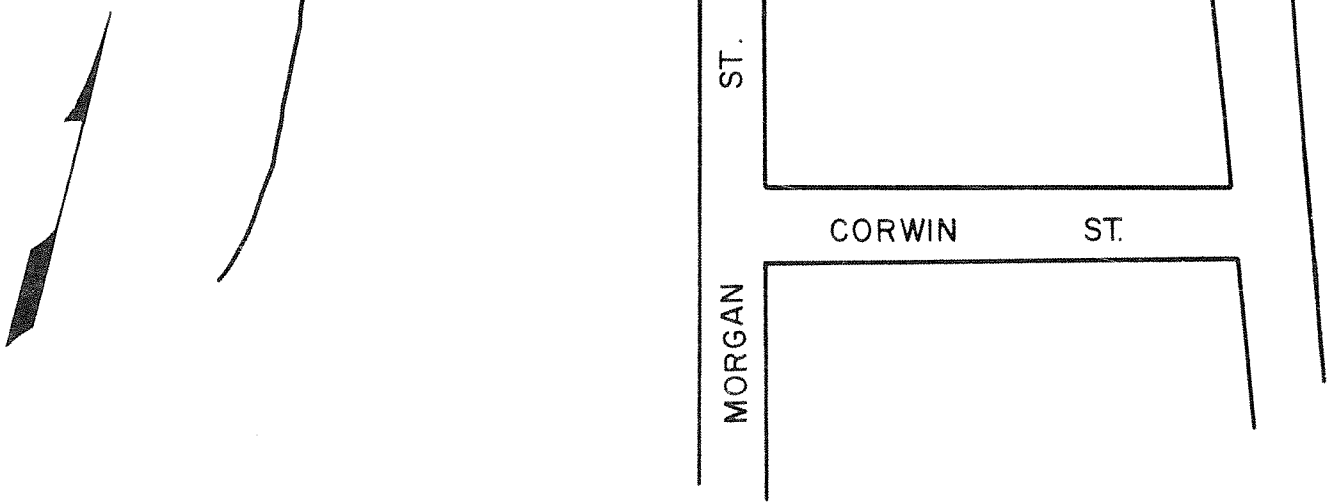
58

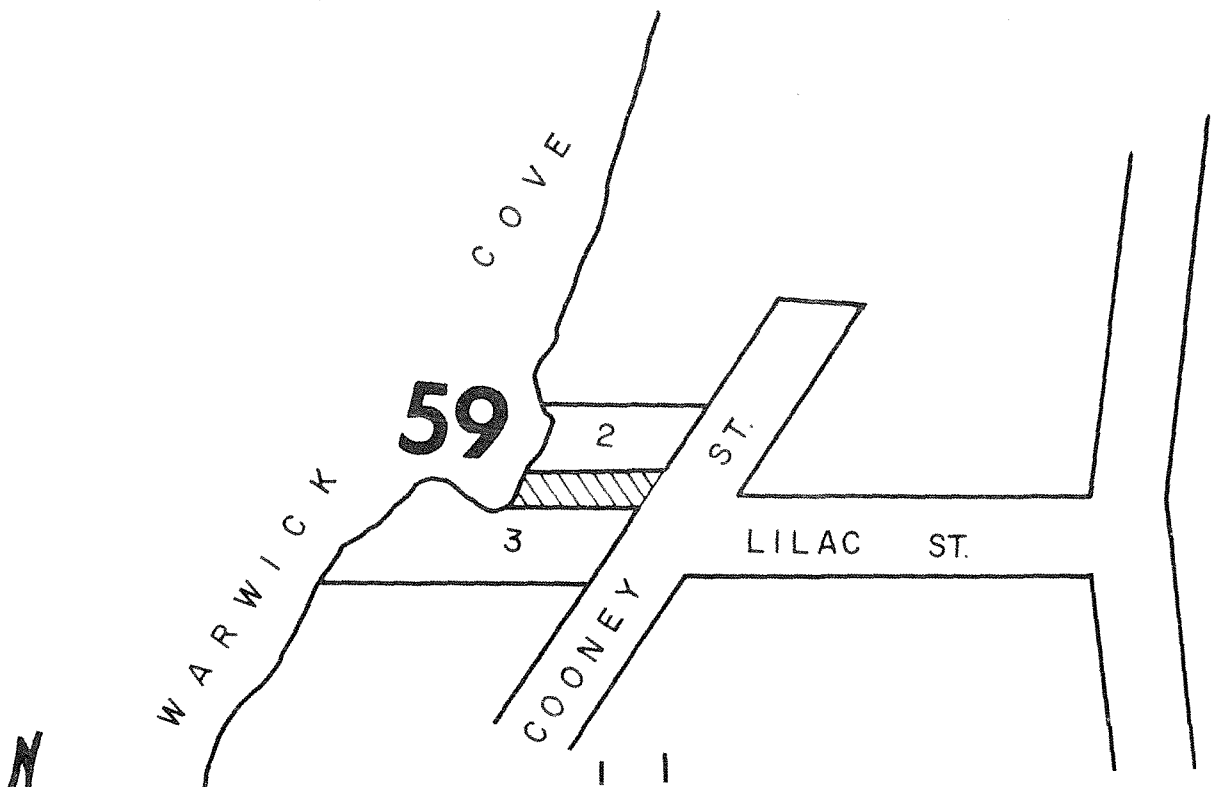


PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 377

SCALE: 1" = 100'


WARWICK COVE
59
2
3
COONEY ST.
LILAC ST.
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PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 59

City of Warwick

Location:

This right-of-way is located west of the intersection of Lilac Street and Cooney Street and is bordered on the east by Warwick Cove.

Approximate Dimensions: Width: 20 feet
Length: 70 feet
Area: 1,400 square feet

Existing Conditions and Land Uses:

The site is overgrown by brush and trees, and surrounded by homes. There is no sign designating the area as a public way. The area has been designated as a high density residential development zone.

Recommendations:

This public way should be evaluated for future development in relation to other areas in the general vicinity. (see number 56).

59
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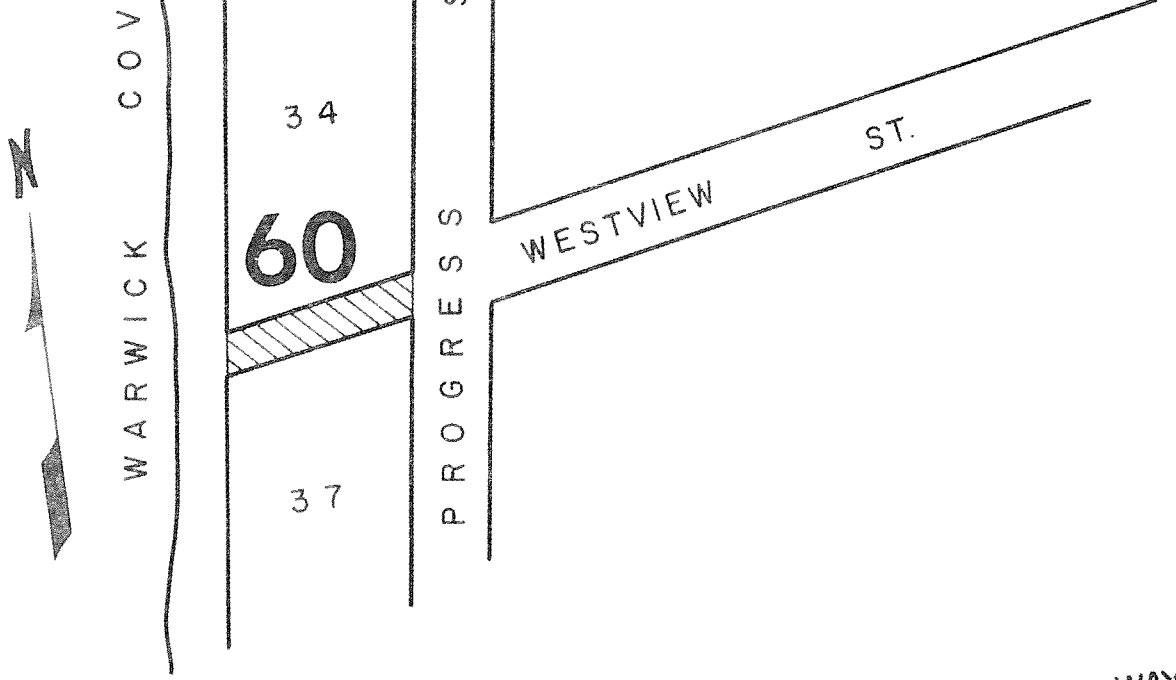

PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 377

SCALE: 1" = 100'

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PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 60

City of Warwick

Location:

This site is located directly east of the intersection of West View Street and Progress Street and is bounded on the east by Warwick Cove.

Approximate Dimensions: Width: 20 feet
Length: 100 feet
Area: 2,000 square feet

Existing Conditons and Land Uses:

There is a sign posted designating this site as a public way. It is adjoined on either side by vacant area and is zoned for a residential use. Shell fishing is prohibited in this area. A marina is located in the vicinity.

Recommendations:

This public way should be evaluated for future development in relation to other areas in the general vicinity. (see number 56)

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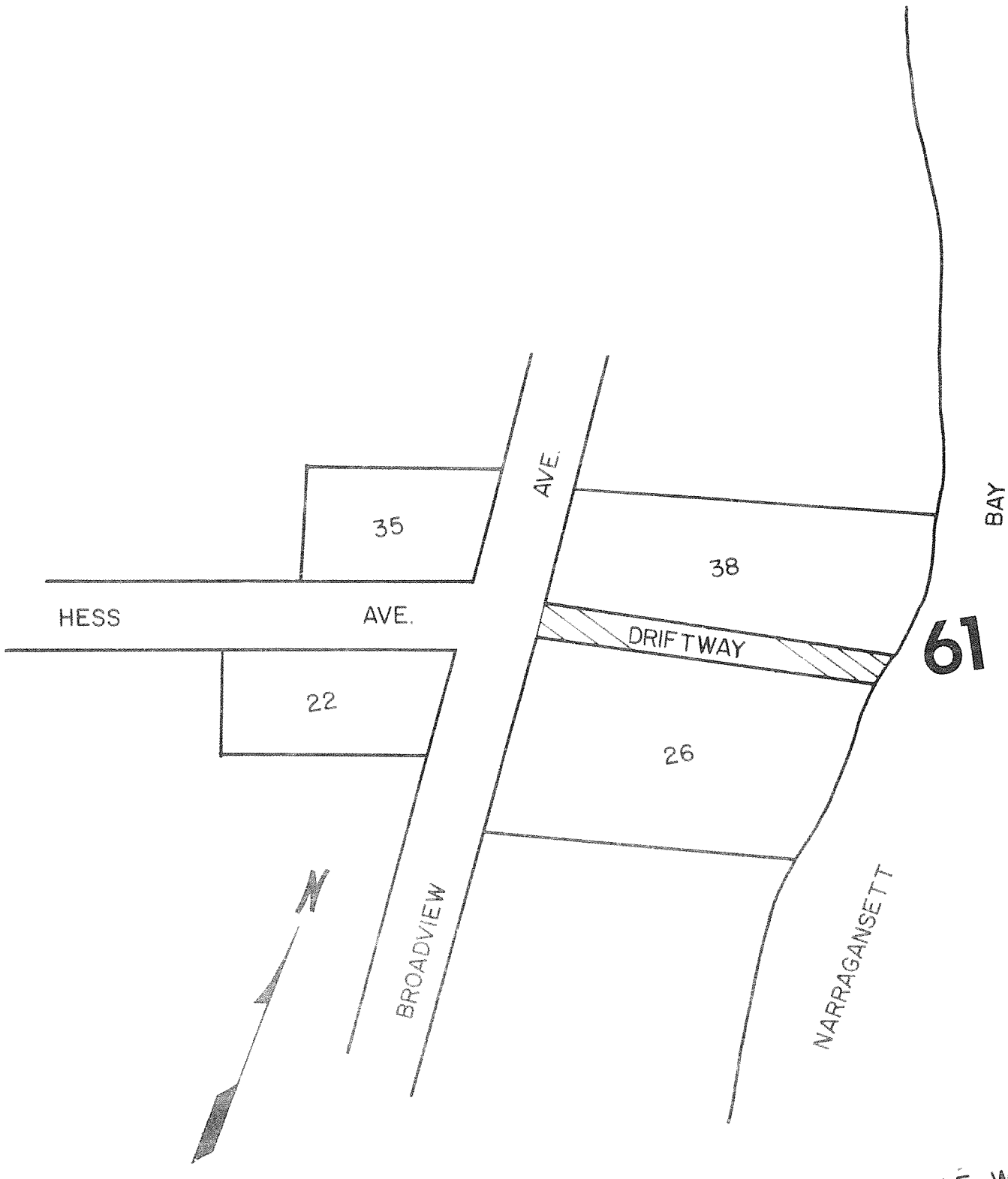


PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

SCALE: 1"=100'

PLAT 385

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 61

City of Warwick

Location:

This public way is located at the end of Hess Avenue east of the intersection with Broadview Avenue and enters into Narragansett Bay.

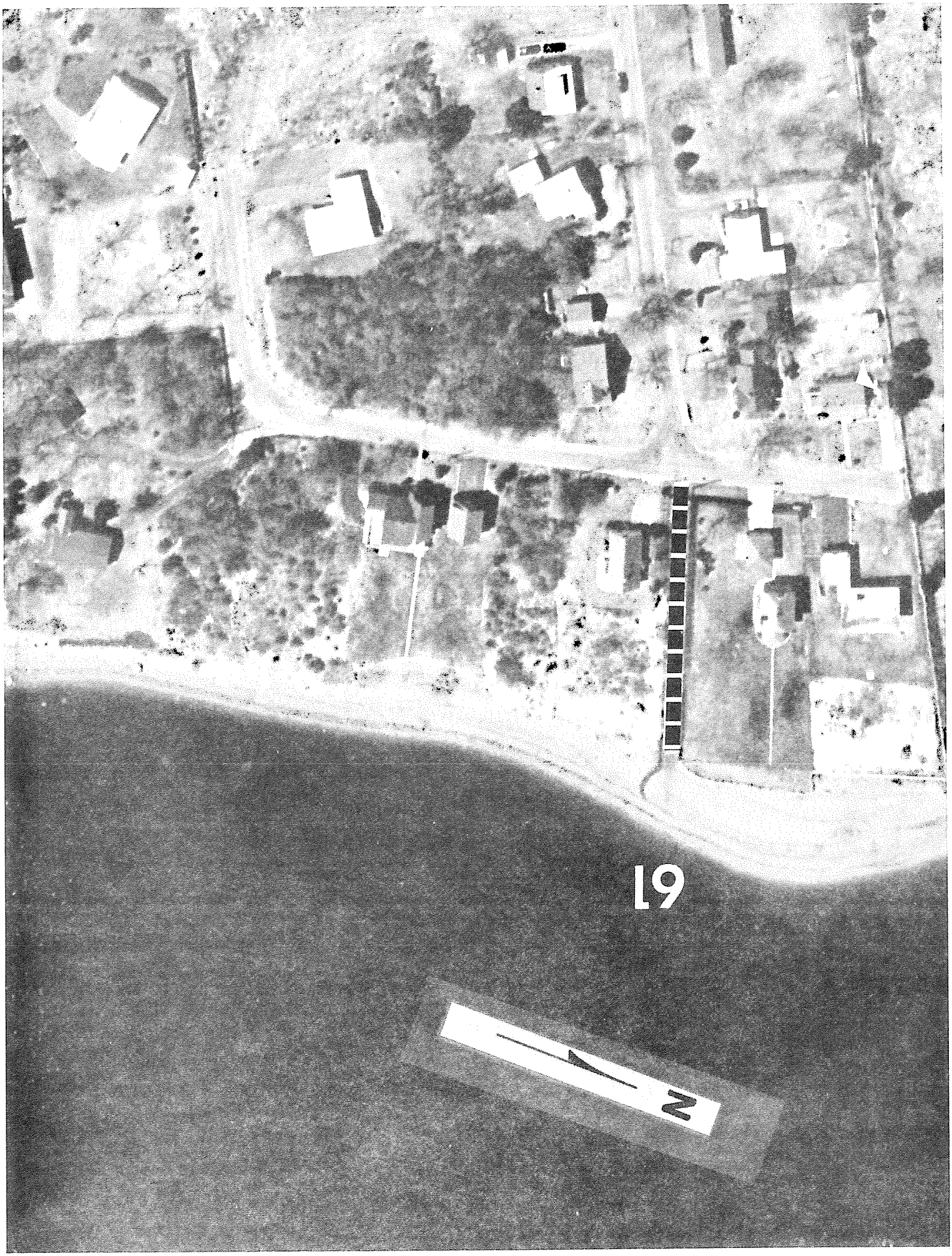
Approximate Dimensions: Width: 25 feet
Length: 240 feet
Area: 6,000 square feet

Existing Conditions and Land Uses:

This public way is not signed to indicate its location. The area has been zoned for high density residential development. There does not appear to be any vacant land nearby. The public way is located between private homes.

Recommendations:

Due to lack of available land for further development this public way should remain in its present use. The area should be posted, maintained and policed.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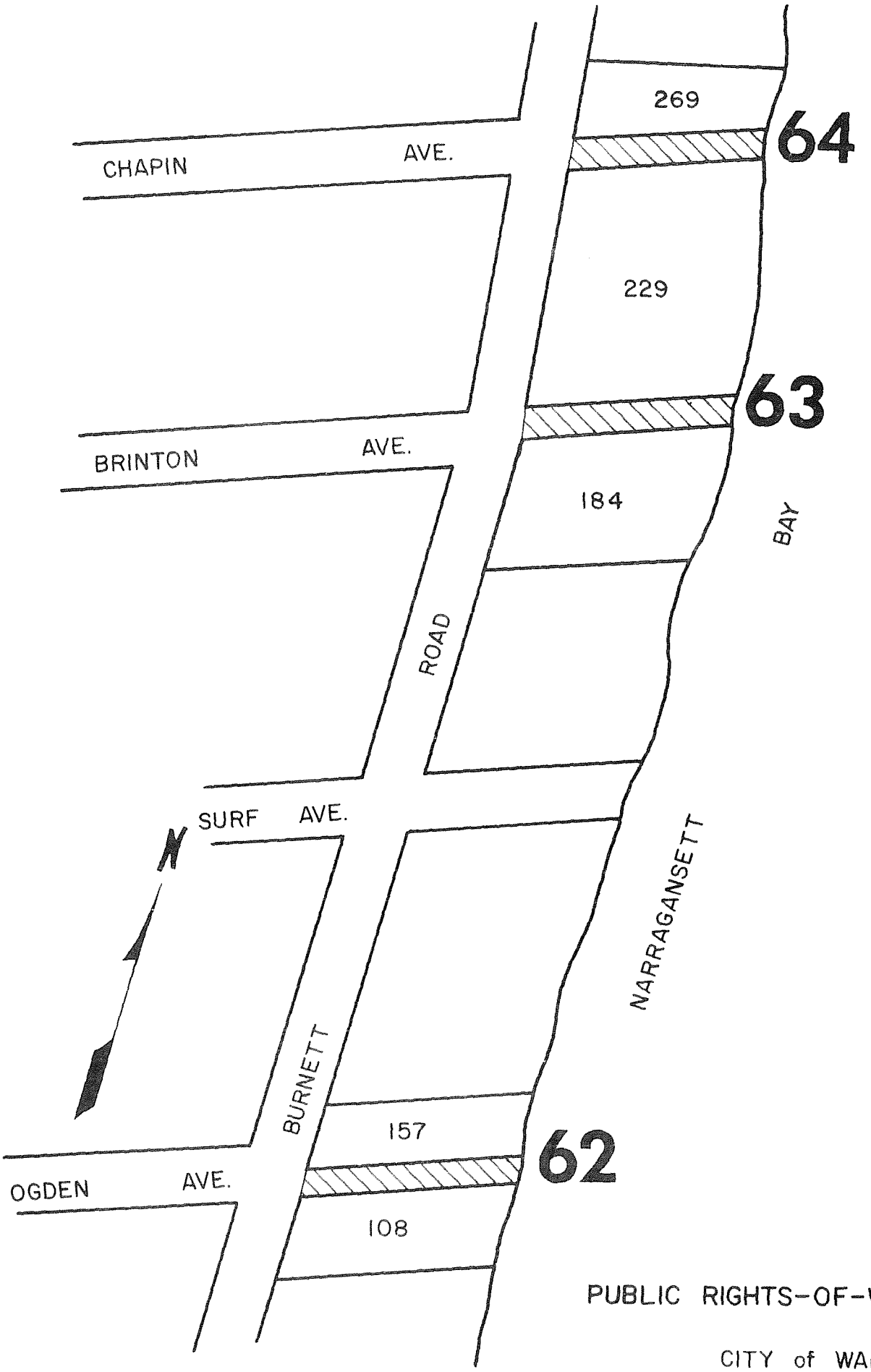


PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 380

SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 62-63-64

City of Warwick

Location:

There are three public ways located off Burnett Road. One is at the end of Chapin Avenue (64); one at the end of Brinton Avenue (63), and one at the end of Ogden Avenue (62). All open onto Narragansett Bay.

Approximate Dimensions:

62. Width: 20 feet
Length: 155 feet
Area: 3,100 square feet

63. Width: 20 feet
Length: 150 feet
Area: 3,000 square feet

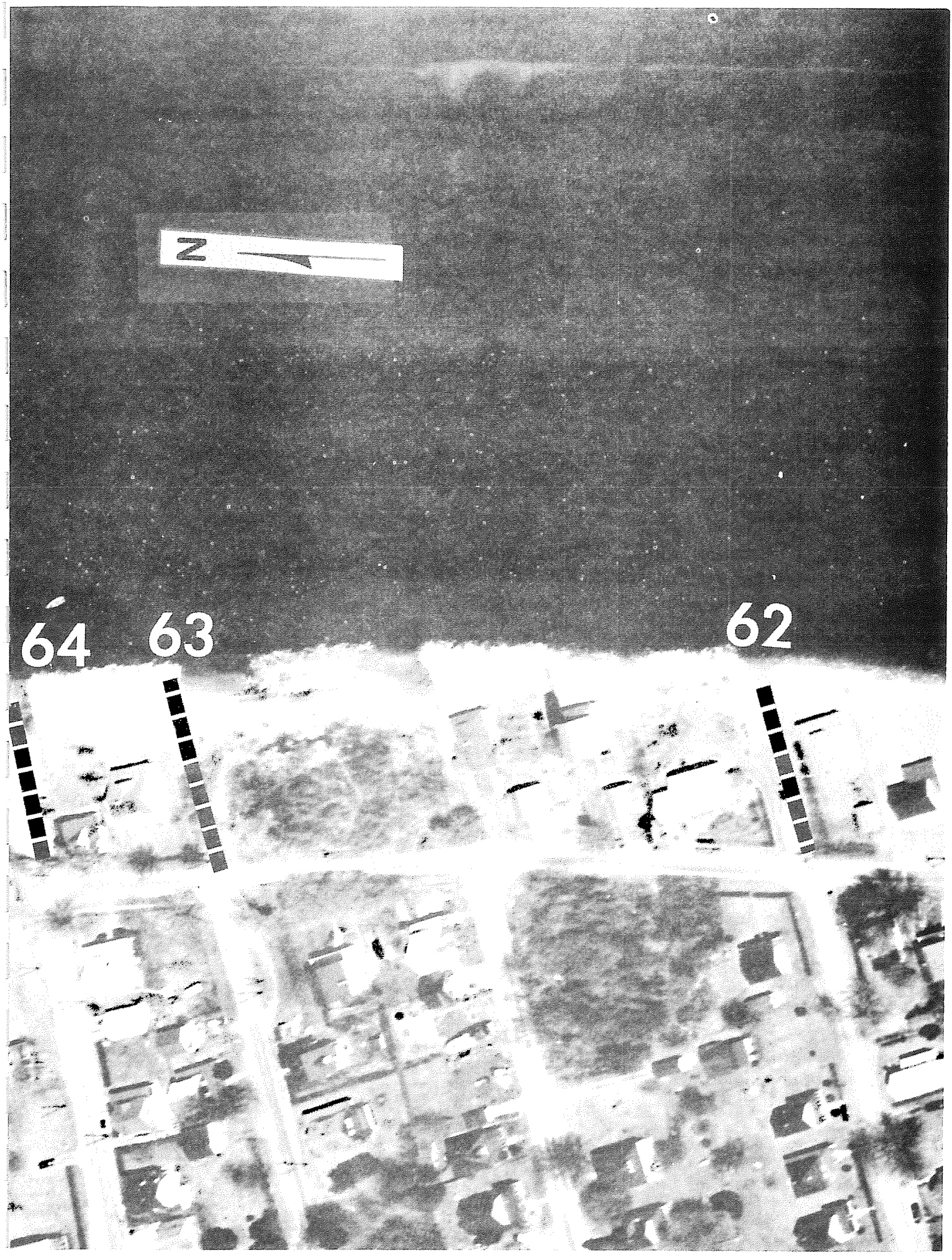
64. Width: 20 feet
Length: 145 feet
Area: 2,900 square feet

Existing Conditions:

The public way at the end of Ogden Avenue (62), has a sign posted and is paved down to the water's edge. The public ways at Brinton Avenue (63) and Chapin Avenue (64) are situated adjacent to vacant land. There are no signs indicating their existence. The area in which the three public ways are located is zoned for low density residential use.

Recommendations:

Consideration should be given to developing a parking area to serve these public ways.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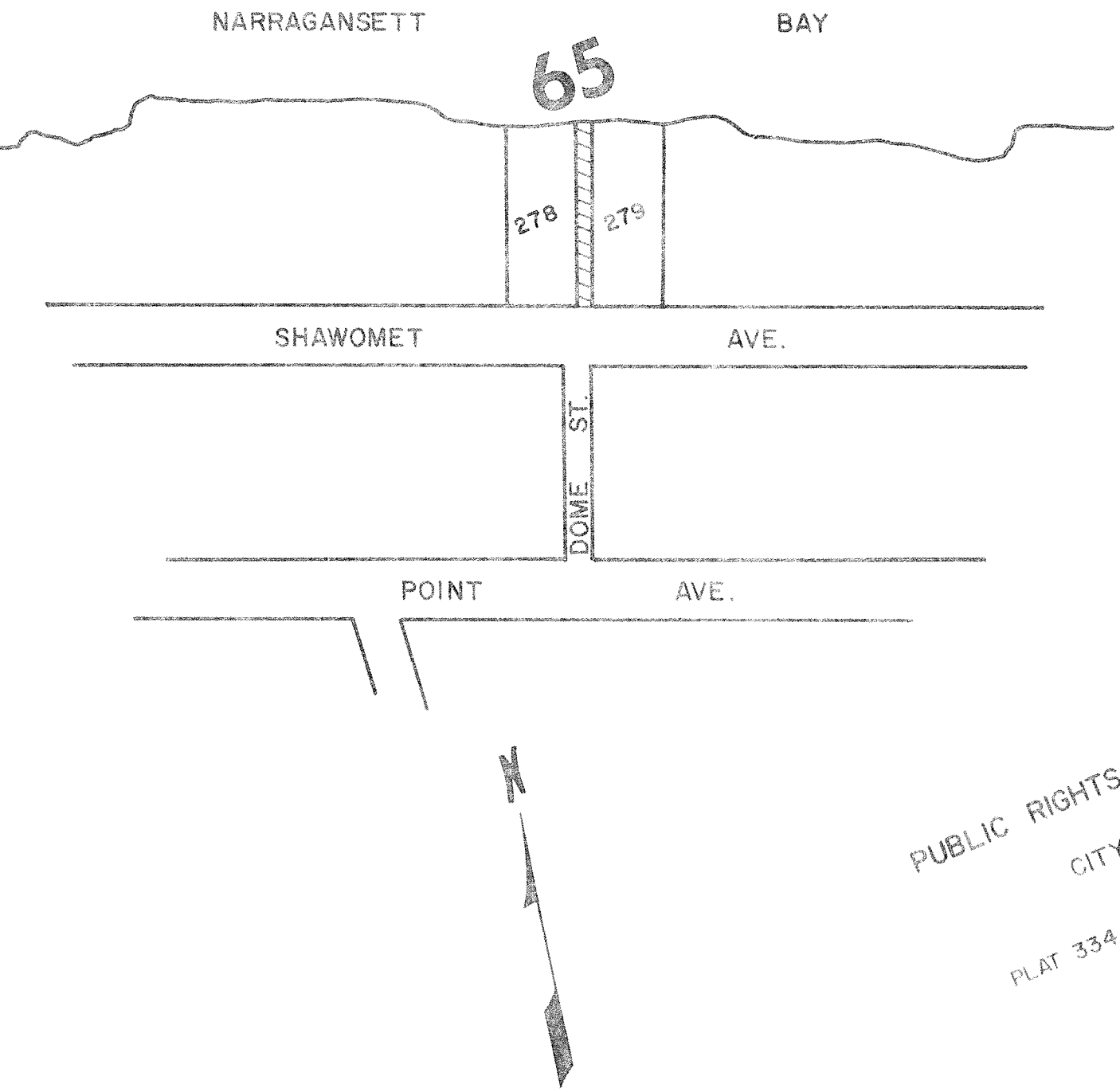


PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

SCALE: 1" = 100'

PLAT 334

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 65

City of Warwick

Location:

This public way is situated north of the intersection of Dome Street and Shawomet Avenue and bounded on the north by Narragansett Bay.

Approximate Dimensions: Width: 10 feet
Length: 120 feet
Area: 1,200 square feet

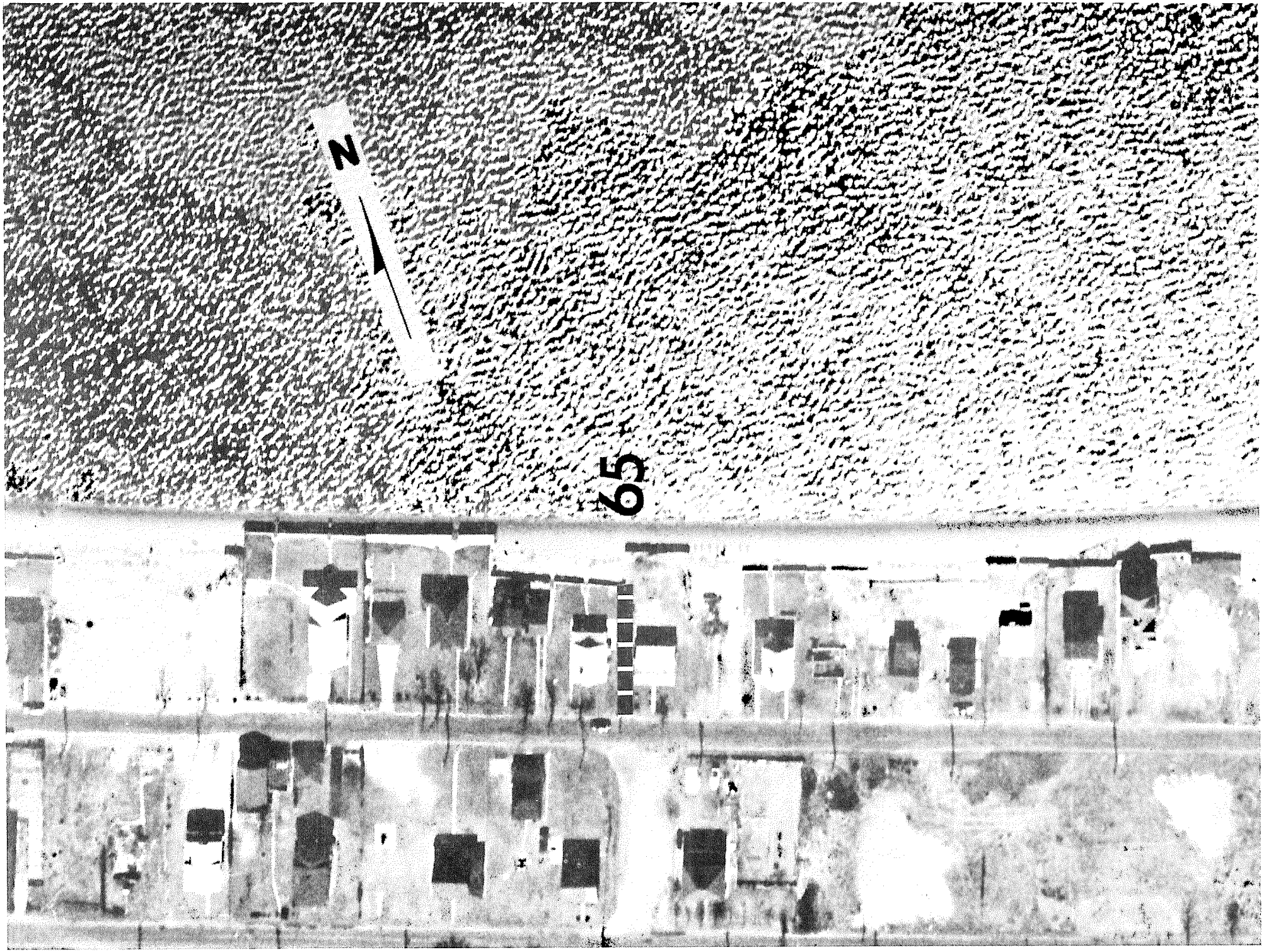
Existing Conditions and Land Uses:

The adjacent landowner has placed his driveway either directly alongside or on the public way alignment. There are homes on either side of the way. The area is zoned for low density residential use. A city park is located a short distance from this public right-of-way.

Recommendations:

Since this 10 foot wide public way is directly adjacent to existing homes, further development is not feasible.

No further action is recommended at this time.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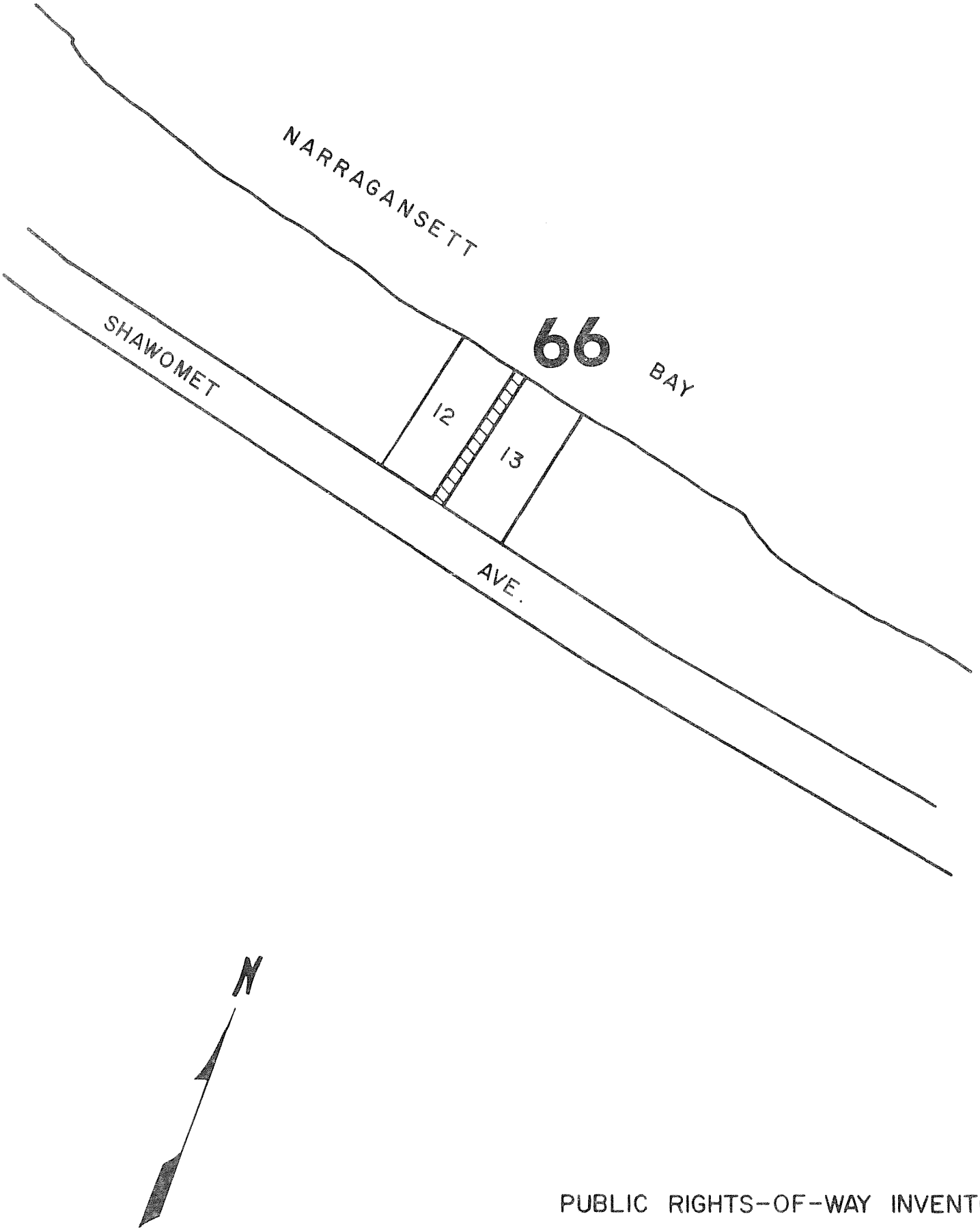


PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 334

SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 66

City of Warwick

Location:

This public way is located off Shawomet Avenue and is bounded on the north by Narragansett Bay.

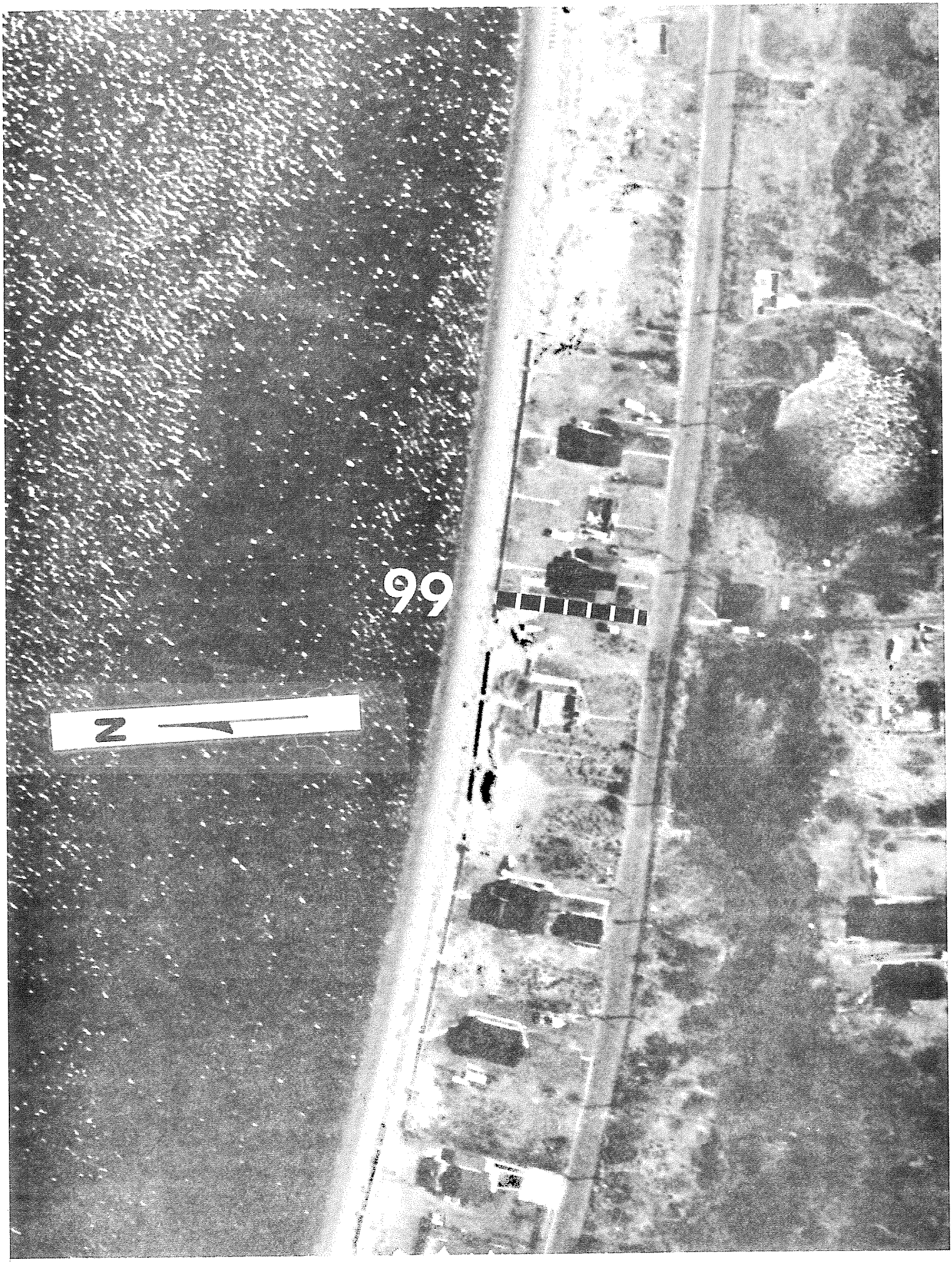
Approximate Dimensions: Width: 10 feet
Length: 115 feet
Area: 1,150 square feet

Existing Conditions and Land Uses:

This area has been zoned for low density residential development. The public way is situated next to a vacant lot and afford's access to an open beach front.

Recommendations:

This narrow (10 foot wide) public way is bordered by vacant land on one side. An evaluation of development possibilities should be undertaken. The right-of-way should be posted and maintained.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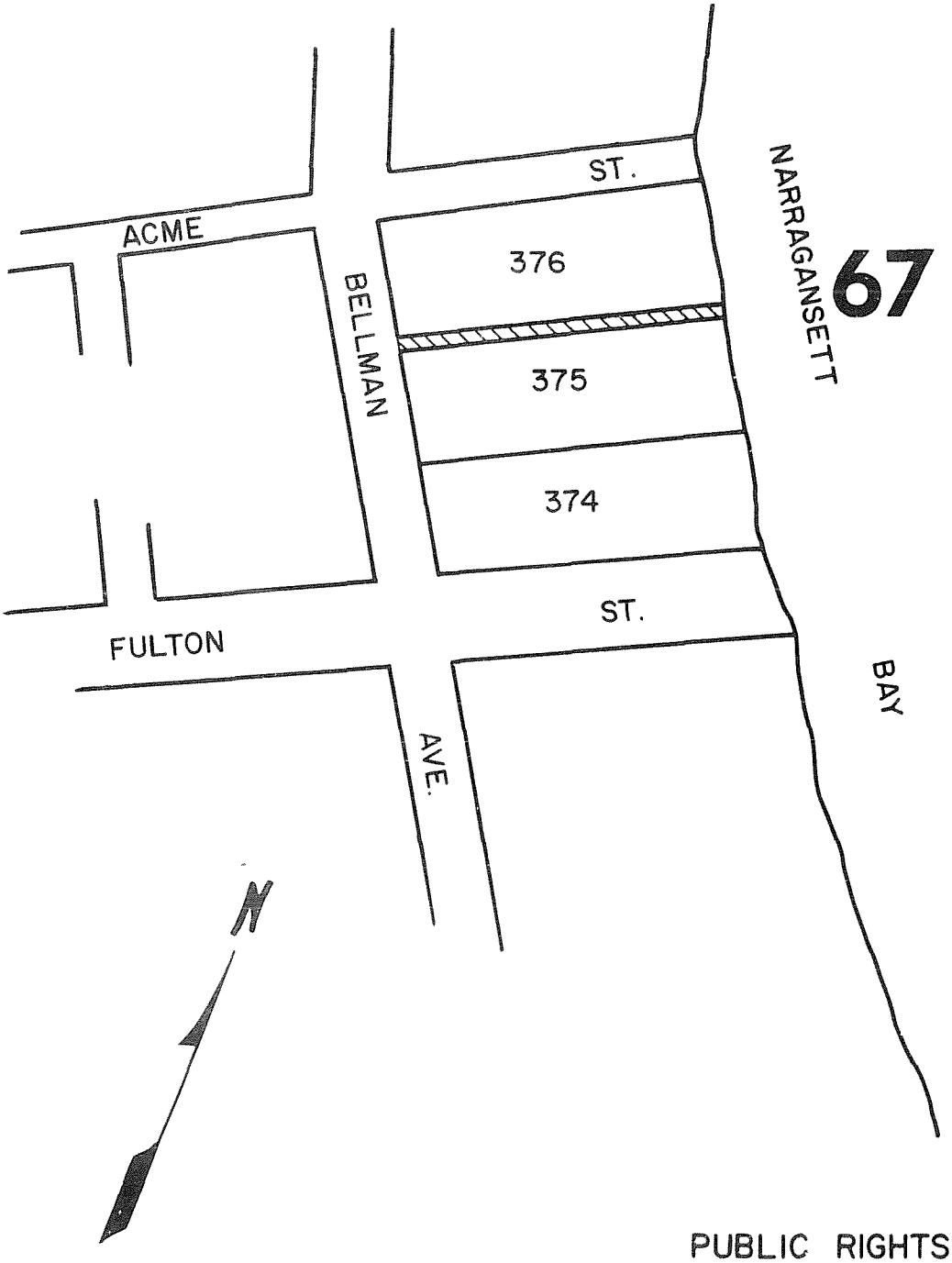

PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 333

SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 67

City of Warwick

Location:

This way is situated next to Bellman Avenue between Acme Street and Fulton Street. It is bounded on the east by Narragansett Bay.

Approximate Dimensions: Width: 5 feet
Length: 185 feet
Area: 925 square feet

Existing Conditions and Land Uses:

This public way is situated in a medium density residential area and has private homes on either side. The area on to which the way opens has a steep decline to the water. There is no sign indicating the location of the public way.

Recommendations:

This very narrow right-of-way provides inadequate access to the water.

No further action is recommended at this time.

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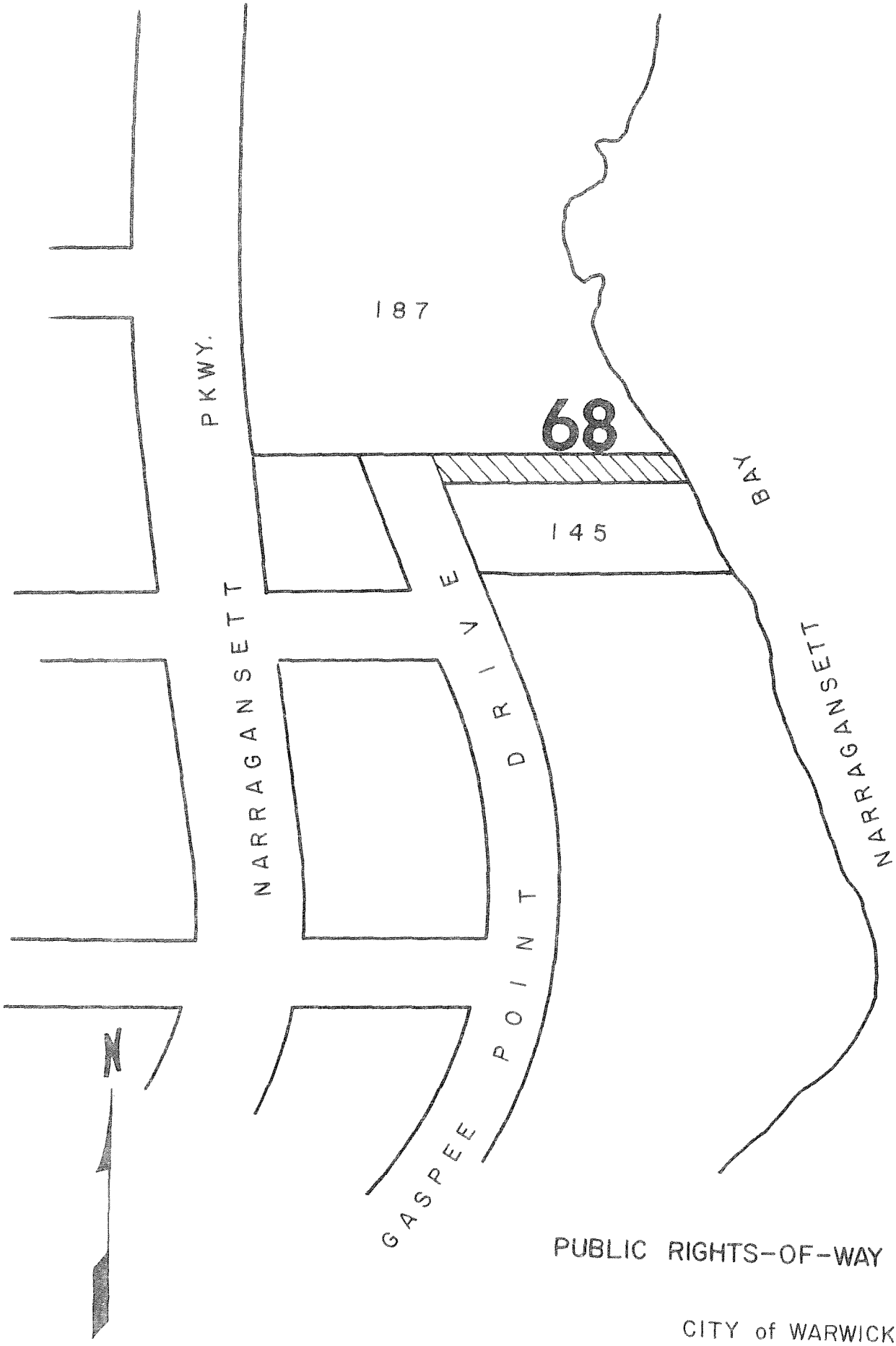

PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 304

SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 68

City of Warwick

Location:

This public way is situated adjacent to Gaspee Point Drive on Narragansett Bay.

Approximate Dimensions: Width: 20 feet
Length: 180 feet
Area: 3,600 square feet

Existing Conditions and Land Uses:

This right-of-way has no sign indicating its existence and is adjacent to a vacant land area. The area has been zoned for low density residential development.

Recommendations:

The possibility of acquiring the adjacent vacant land for the development of recreational facilities should be considered. The area should be identified, maintained, and policed.

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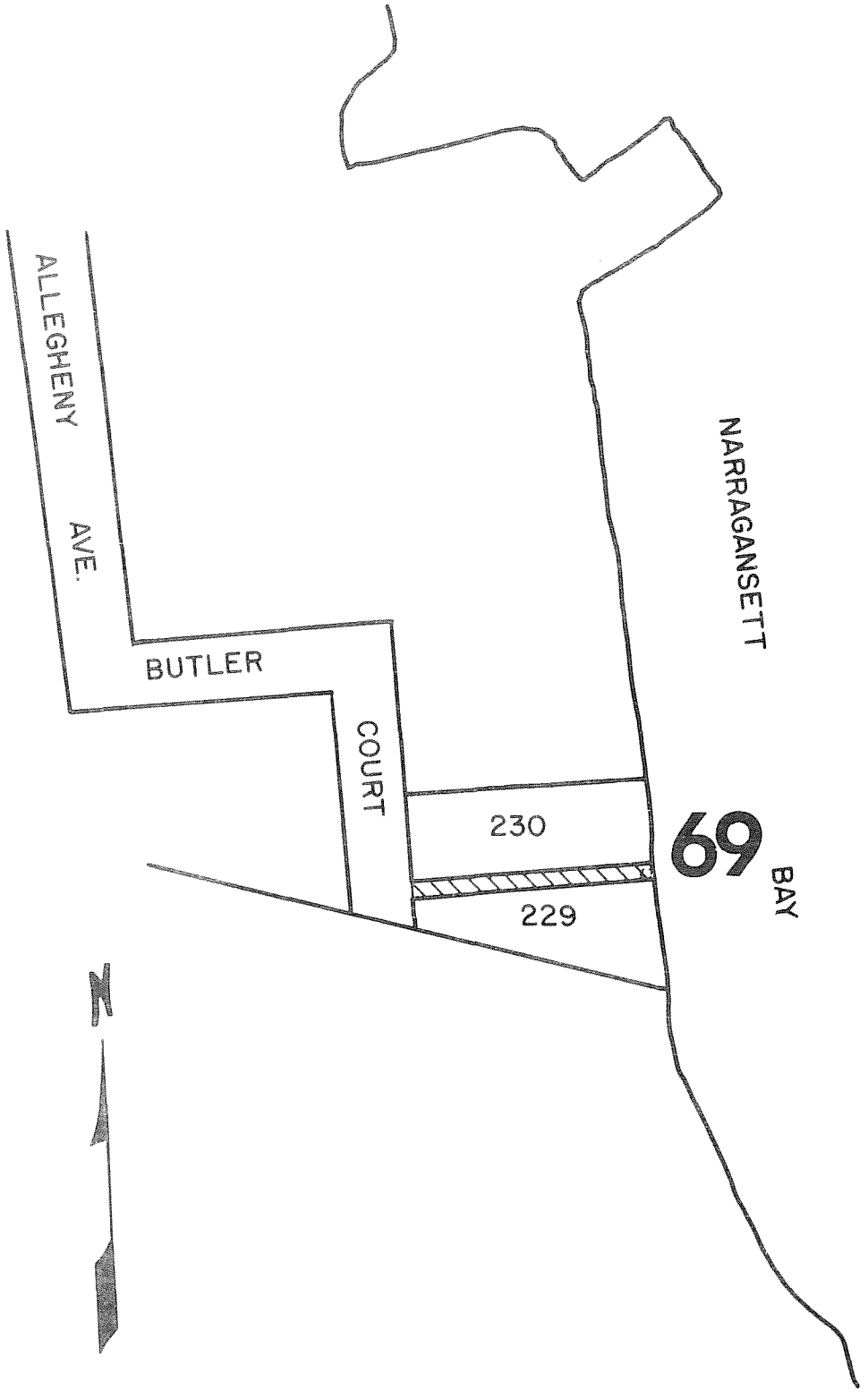


PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 292 SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 69

City of Warwick

Location:

This public way is located off Butler Court and is bounded by Narragansett Bay on the east.

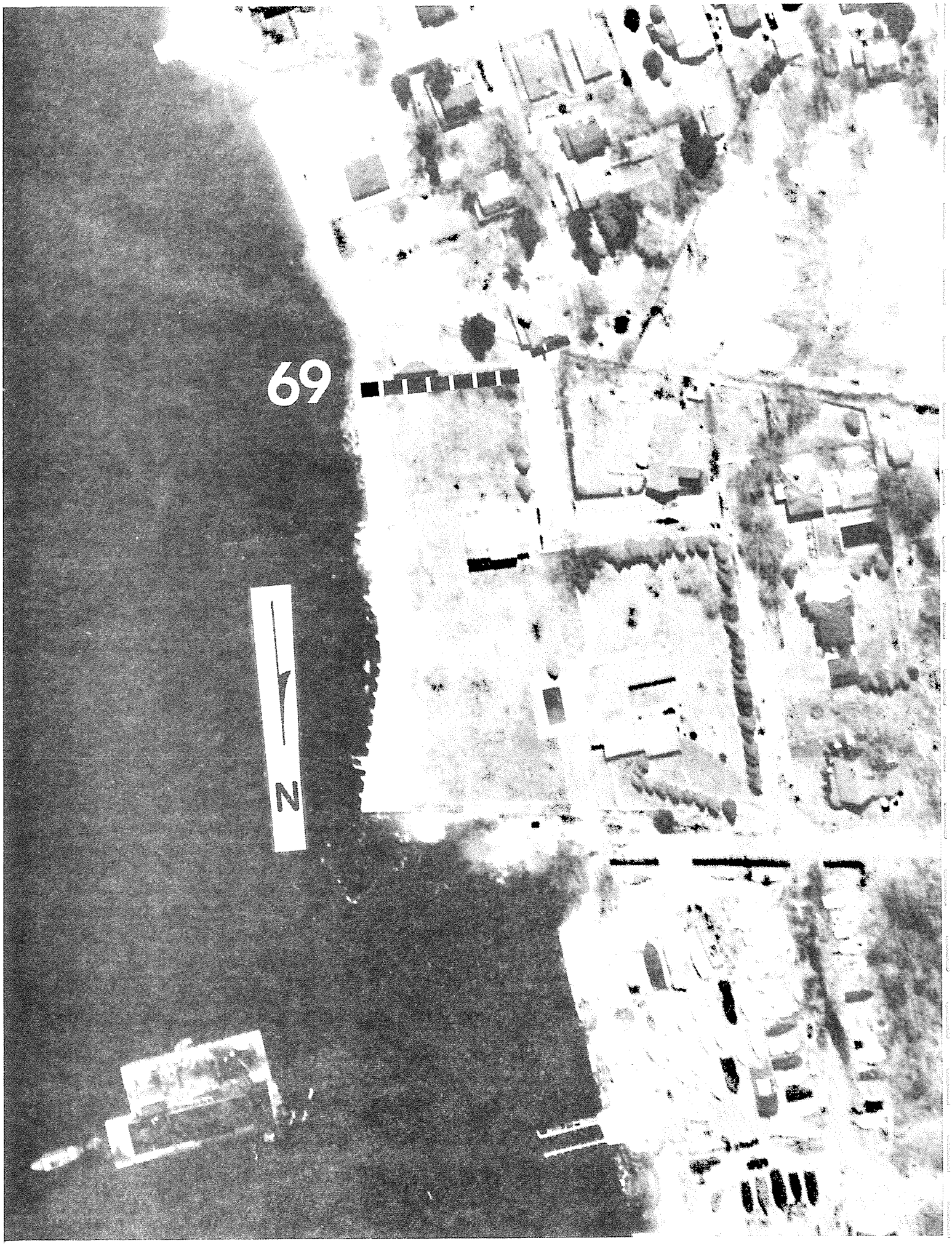
Approximate Dimensions: Width: 10 feet
Length: 140 feet
Area: 1,400 square feet

Existing Conditions and Land Uses:

This area is in a built-up residential development. The public way is a foot path down to the beach. The zoning is for medium density residential use.

Recommendations:

No further action is recommended at this time.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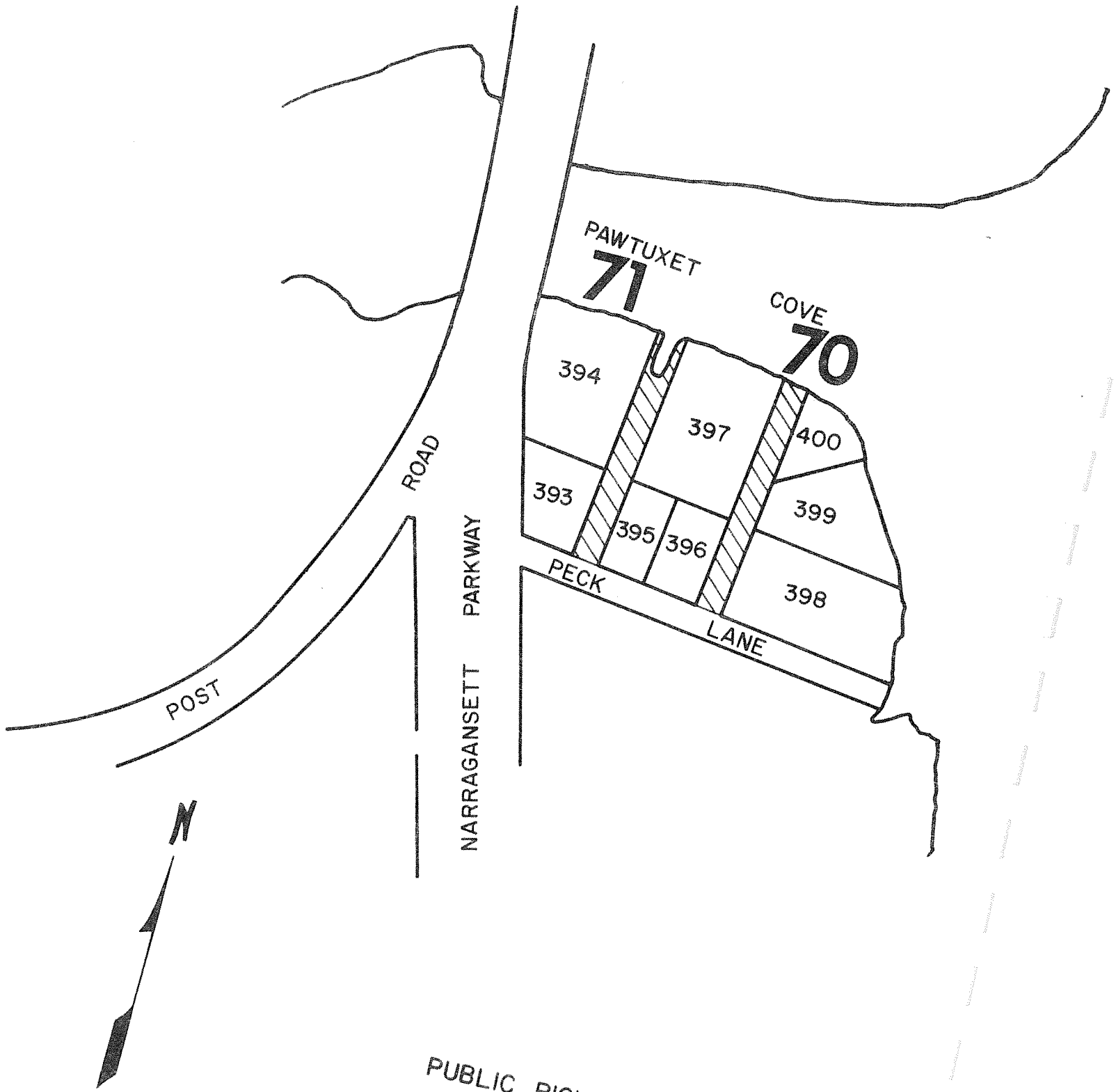

PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of WARWICK

PLAT 292

SCALE: 1"=100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 70-71

City of Warwick

Location:

There are two public rights-of-ways located off Peck Lane, east of the intersection of Narragansett Parkway, and extending to Pawtuxet Cove.

Approximate Dimensions:

70.	Width:	20 feet
	Length:	180 feet
	Area:	3,600 square feet
71.	Width:	20 feet
	Length:	180 feet
	Area:	3,600 square feet

Existing Conditions and Land Uses:

At present both rights-of-way are fenced off from Peck Lane and are well kept by adjacent property owners. The areas has been zoned as limited business. There are no signs posted indicating the existence of the ways. There is a private marina in the vicinity. Public way number 71 is used as a boat landing.

Recommendations:

No further action is recommended at this time.

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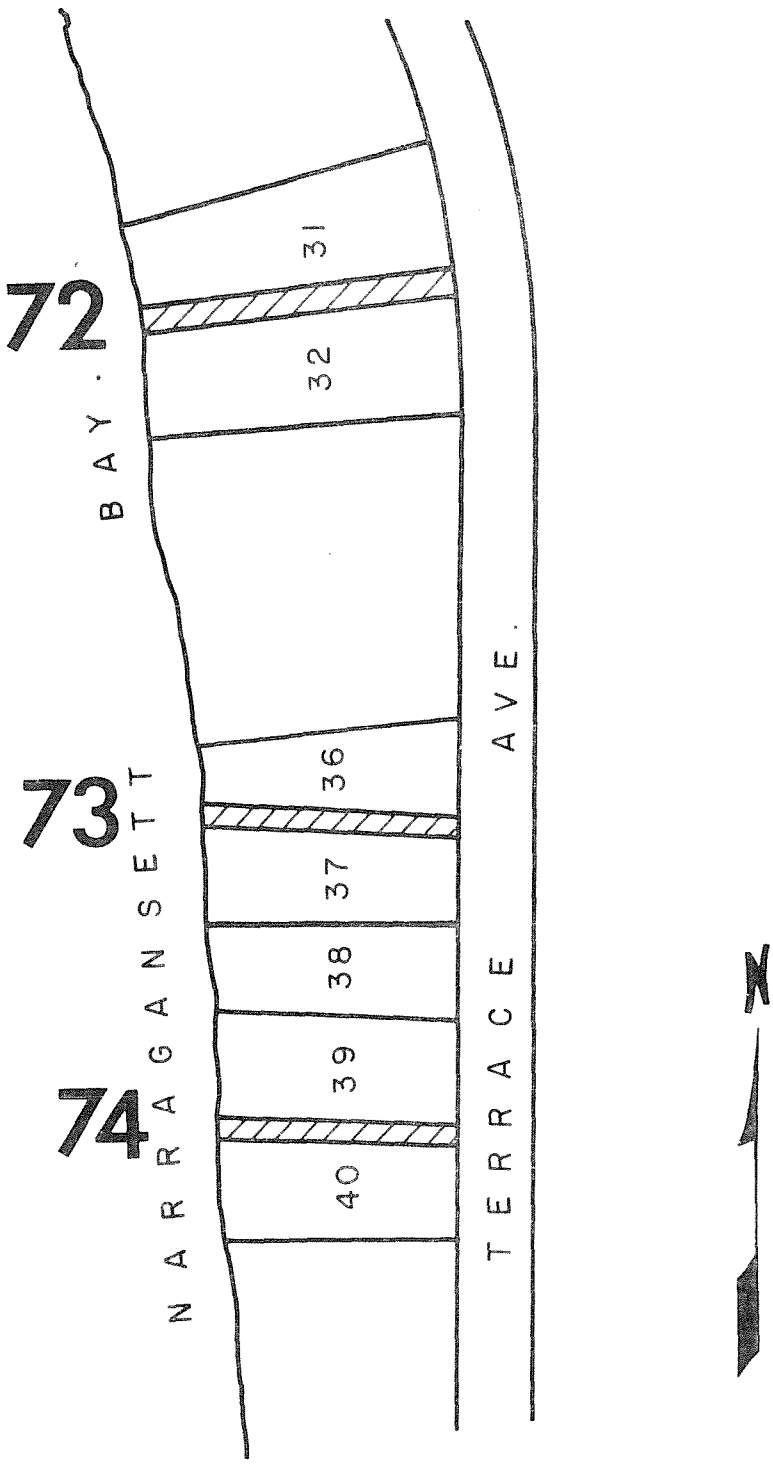


PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of EAST PROVIDENCE

PLAT 68

SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 72-73-74

City of East Providence

Location:

These three rights-of-way are located to the west of Terrace Avenue and open onto Narragansett Bay.

Approximate Dimensions:

72. Width: 15 feet
Length: 165 feet
Area: 2,475 square feet

73. Width: 10 feet
Length: 135 feet
Area: 1,350 square feet

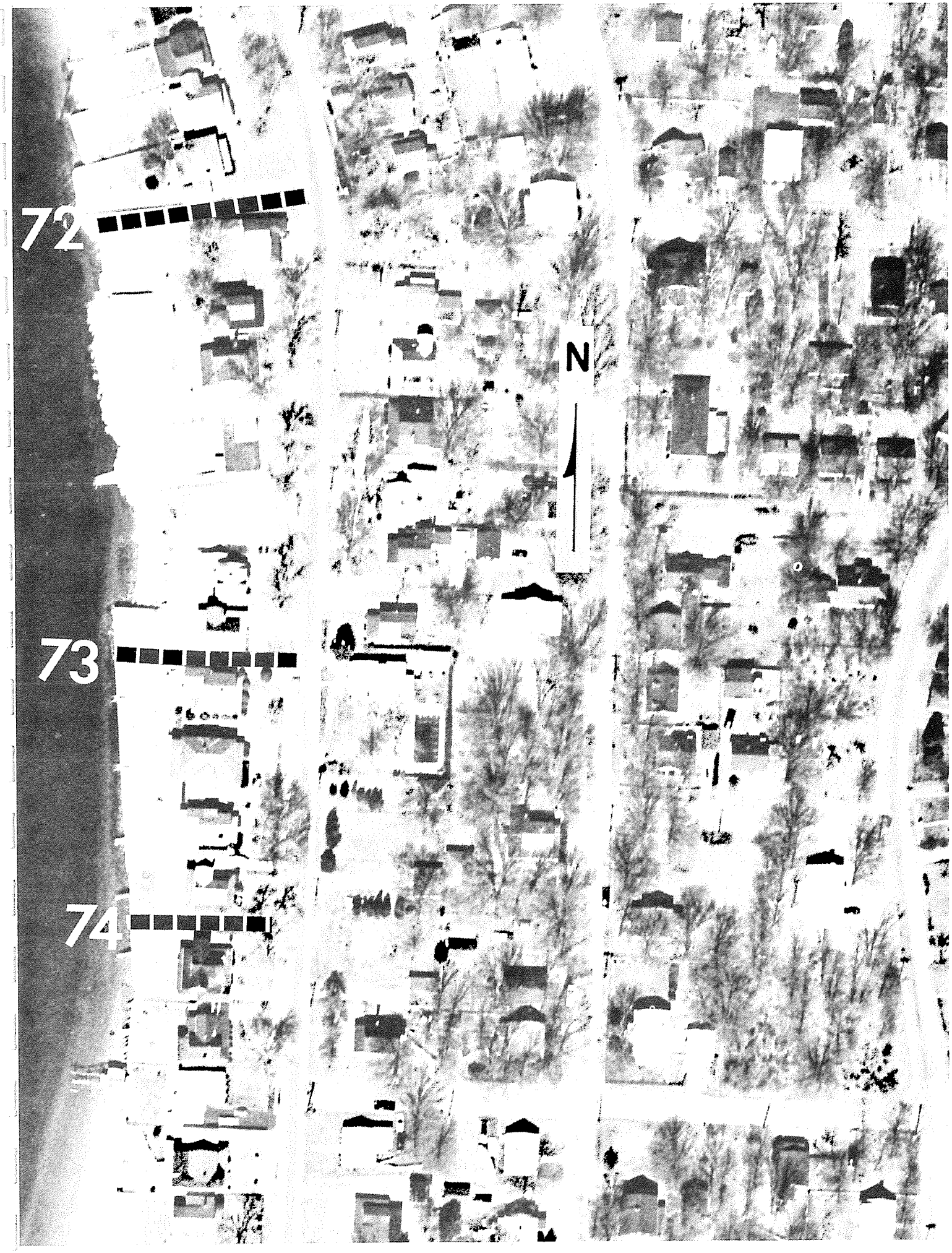
74. Width: 10 feet
Length: 125 feet
Area: 1,250 square feet

Existing Conditions and Land Uses:

There are no signs indicating the locations of these rights-of-way. They are primarily walk ways and have private homes on either side. The area is densely developed with residential structures.

Recommendations:

These narrow public rights-of-way should remain in their present use. No further action is recommended at this time.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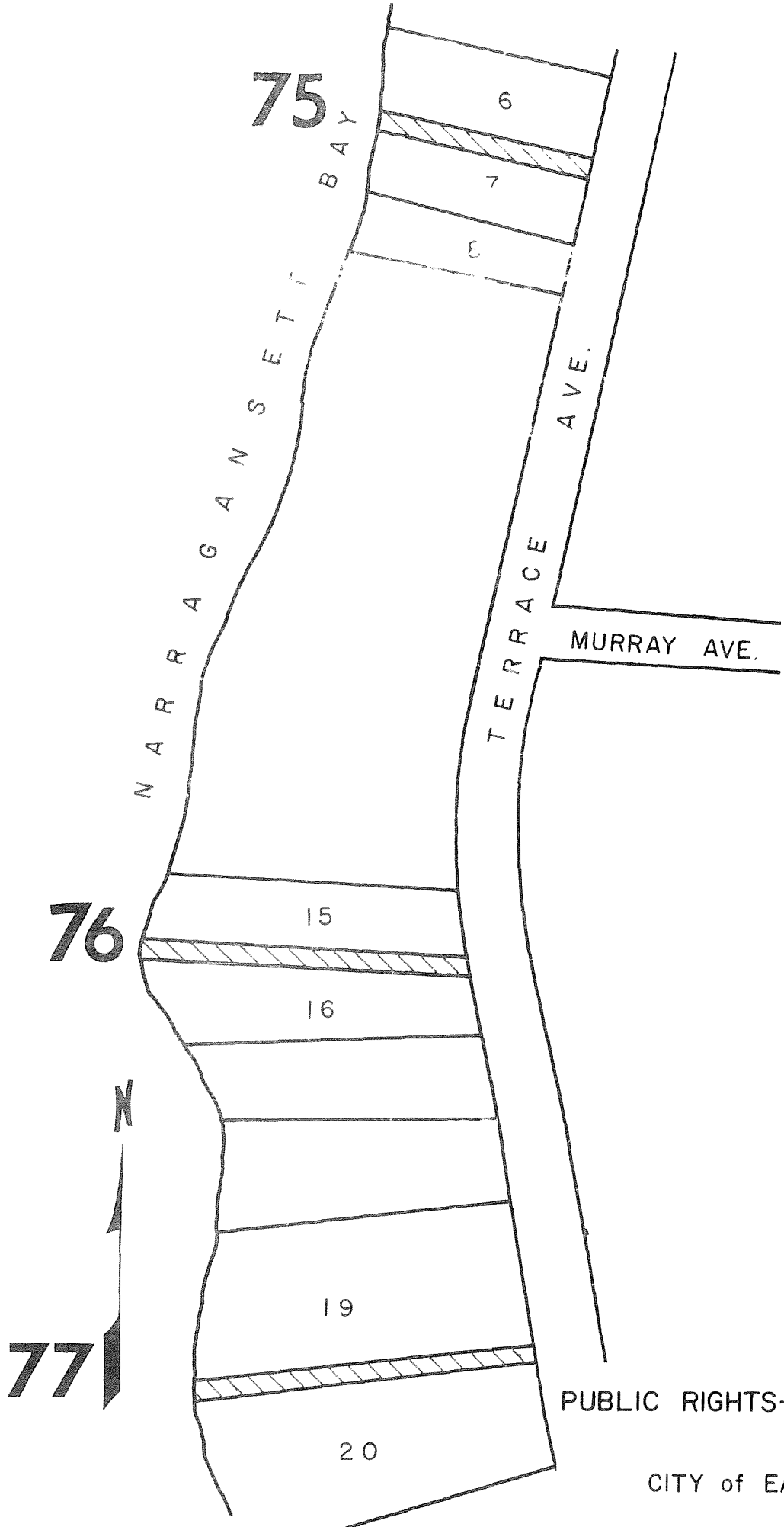

PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of EAST PROVIDENCE

PLAT 68 SCALE: 1"=100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 75-76-77

City of East Providence

Location:

These rights-of-way are located off Terrace Avenue and are bounded on the west by Narragansett Bay. One is located to the north of the Murray Avenue intersection with Terrace Avenue (75). Two are located to the south of the Murray Avenue intersection (76,77).

Approximate Dimensions:

75. Width: 15 feet
Length: 150 feet
Area: 2,250 square feet

76. Width: 15 feet
Length: 225 feet
Area: 3,375 square feet

77. Width: 15 feet
Length: 235 feet
Area: 3,525 square feet

Existing Conditions and Land Uses:

There are no signs indicating the locations of these rights-of-way. They appear to be foot paths between private homes. The area is known as Narragansett Terrace and is zoned for residential use.

Recommendations:

These narrow public ways should remain in their present use. No further action is recommended at this time.

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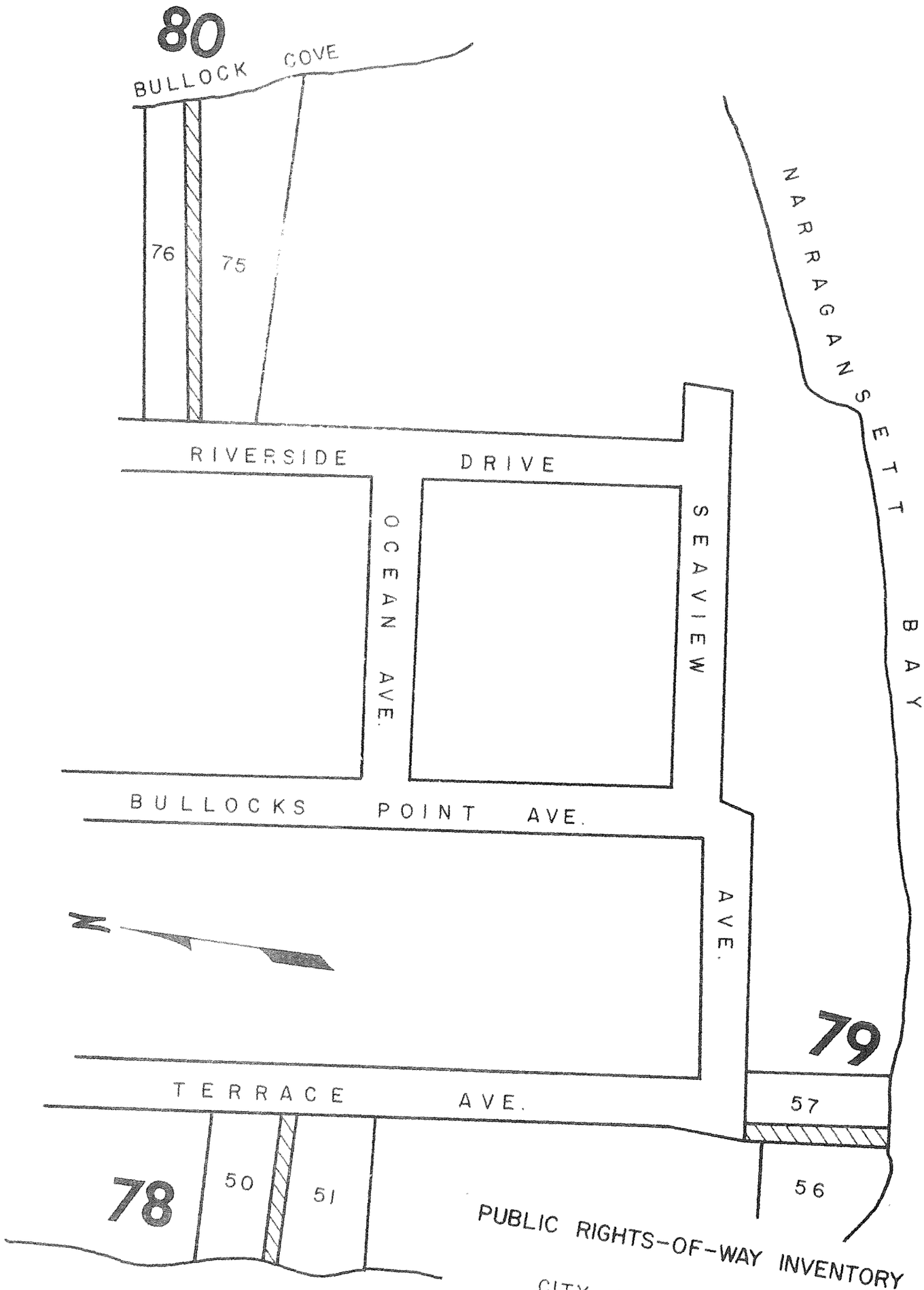


PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of EAST PROVIDENCE

PLAT 68

SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 78-79-80

City of East Providence

Location:

These rights-of-way are located off Terrace Avenue (78), Seaview Avenue (79), and Riverside Drive (80).

Approximate Dimensions:

78. Width: 10 feet
Length: 120 feet
Area: 1,200 square feet

79. Width: 15 feet
Length: 120 feet
Area: 1,800 square feet

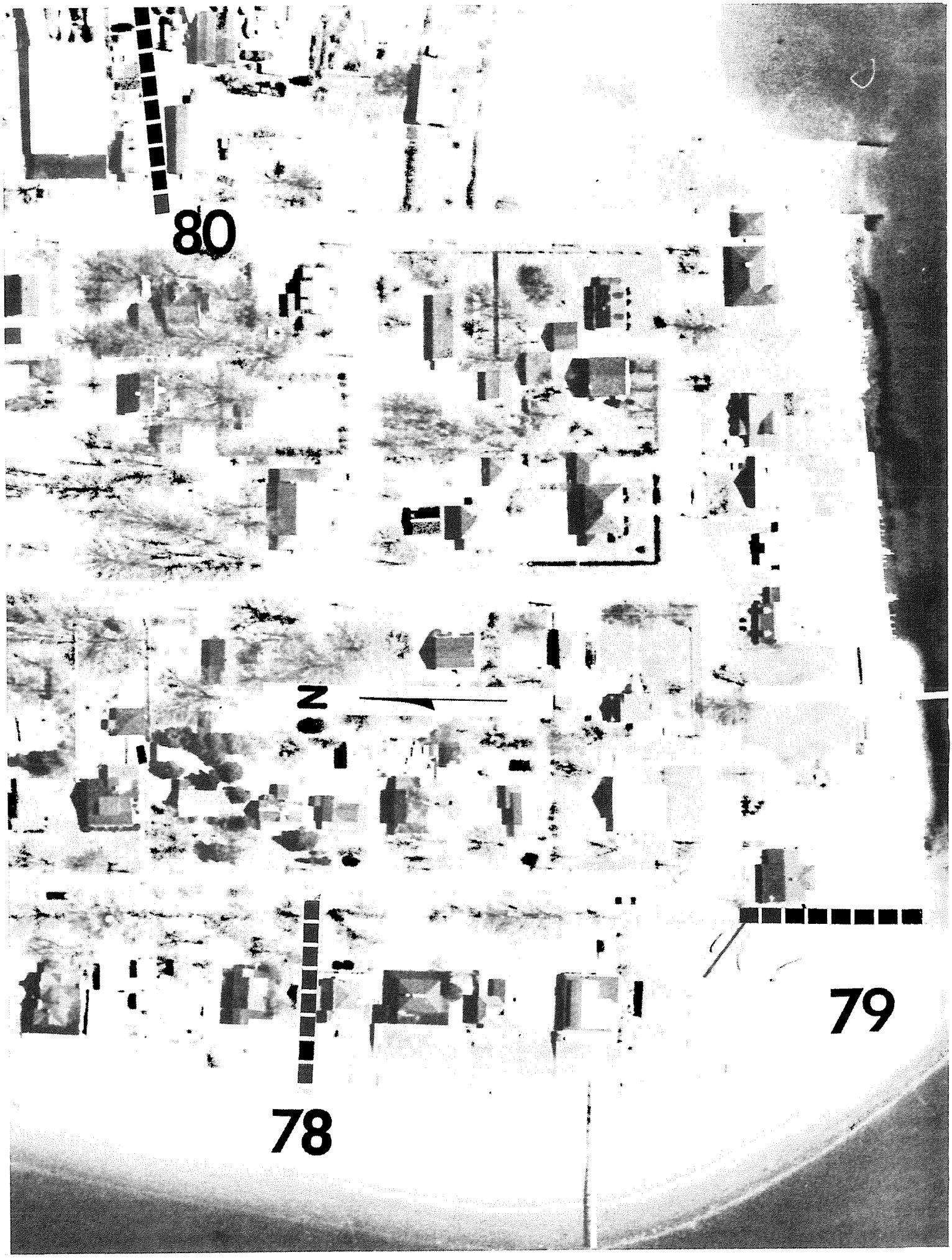
80. Width: 10 feet
Length: 265 feet
Area: 2,650 square feet

Existing Conditions and Land Uses:

These rights-of-way have no signs indicating their location. They are no more than walk ways and have private homes on either side of them. The area in which they are located is called Narragansett Terrace and has been zoned for residential development.

Recommendations:

These narrow public ways should remain in their present use. No further action is recommended at this time.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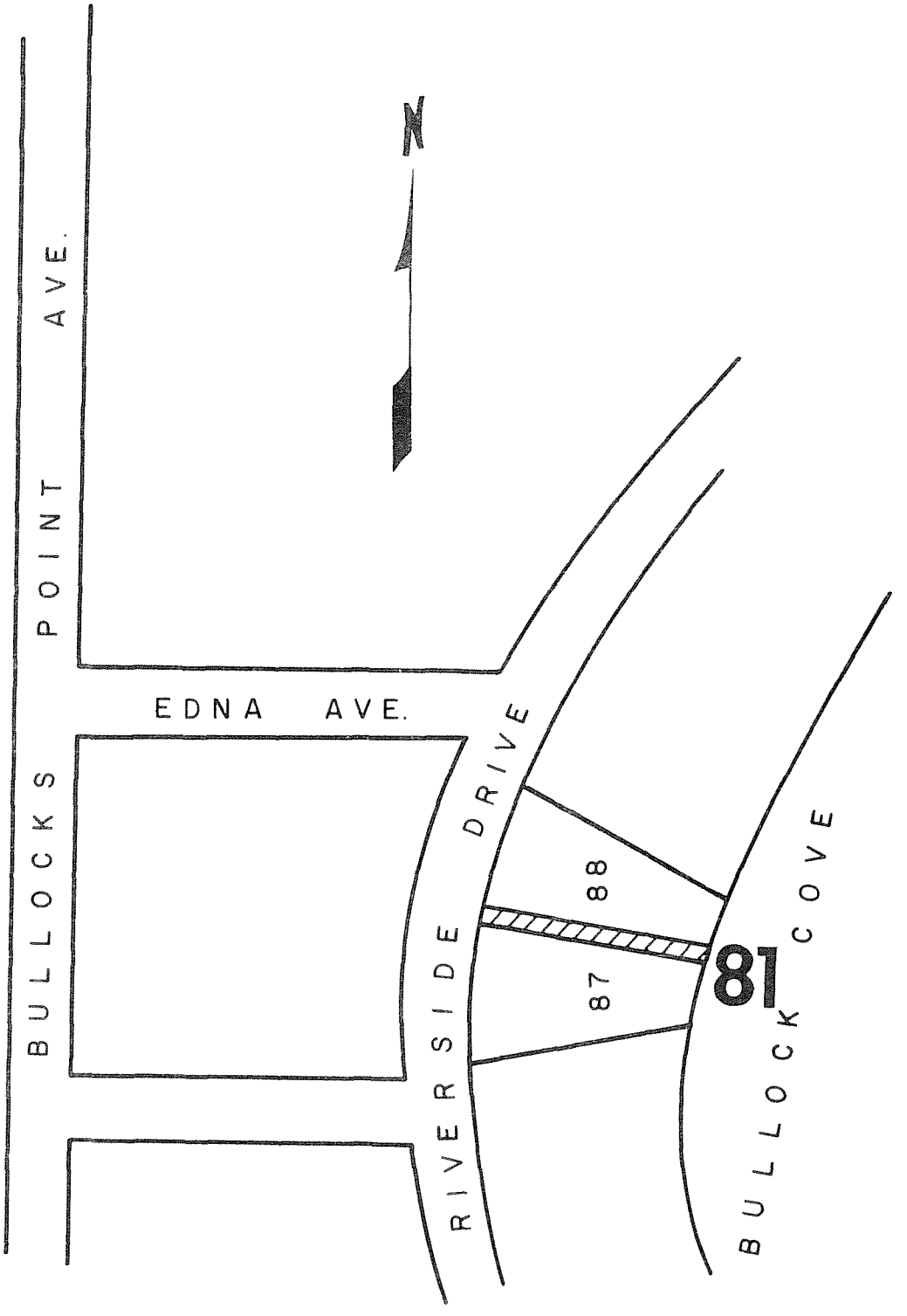


PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of EAST PROVIDENCE

PLAT 68 SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 81

City of East Providence

Location:

This right-of-way is located off Riverside Drive, south of the Edna Avenue, Riverside Drive intersection and is bounded on the east by Bullock Cove.

Approximate Dimensions:

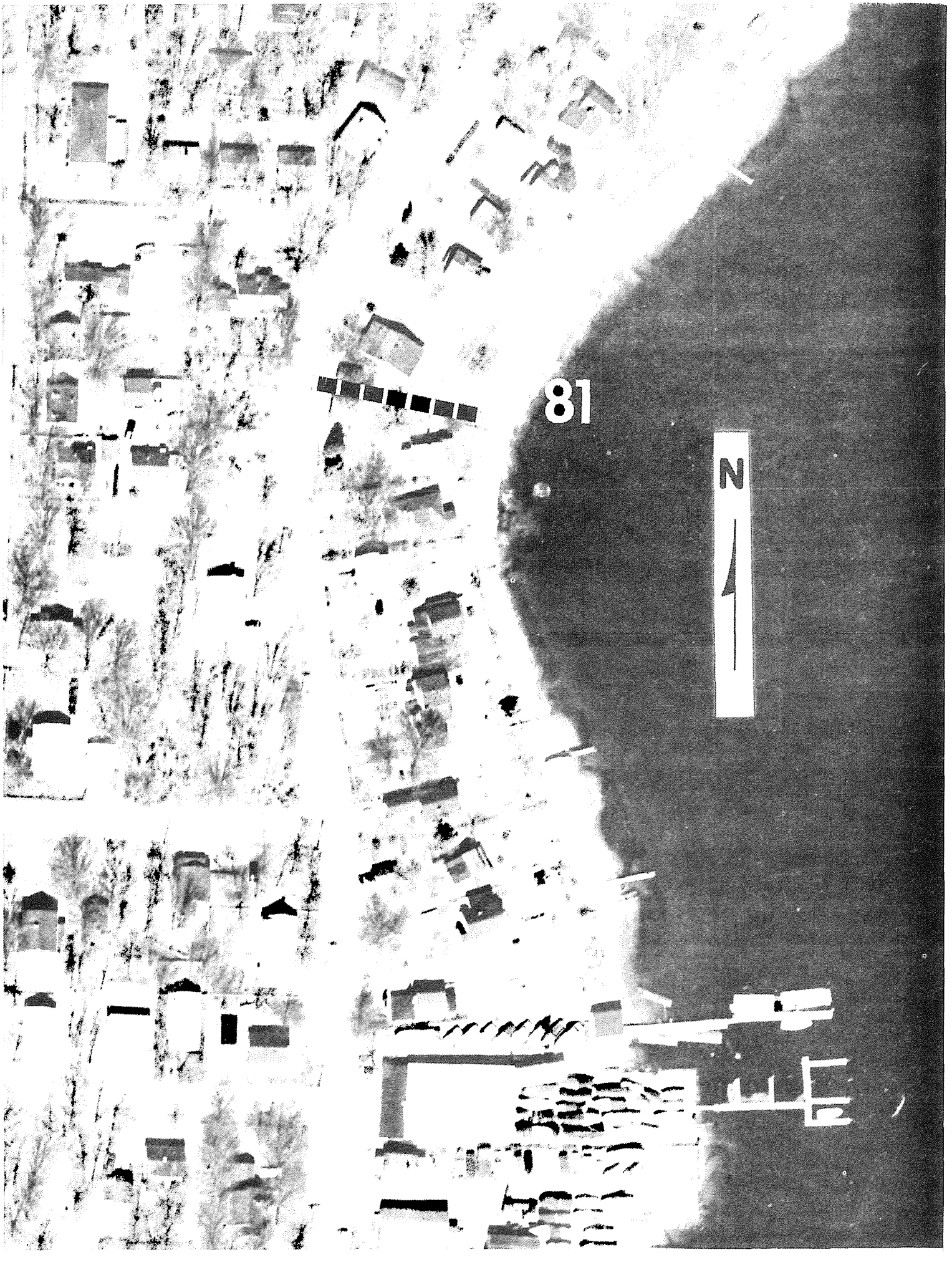
81. Width: 10 feet
Length: 135 feet
Area: 1,350 square feet

Existing Conditions and Land Uses:

This public way is located in a densely developed residential area. There is no sign posted locating the right-of-way. Very little vacant land exists in the vicinity.

Recommendations:

This public right-of-way should remain in its present use. No further action is recommended at this time.


81
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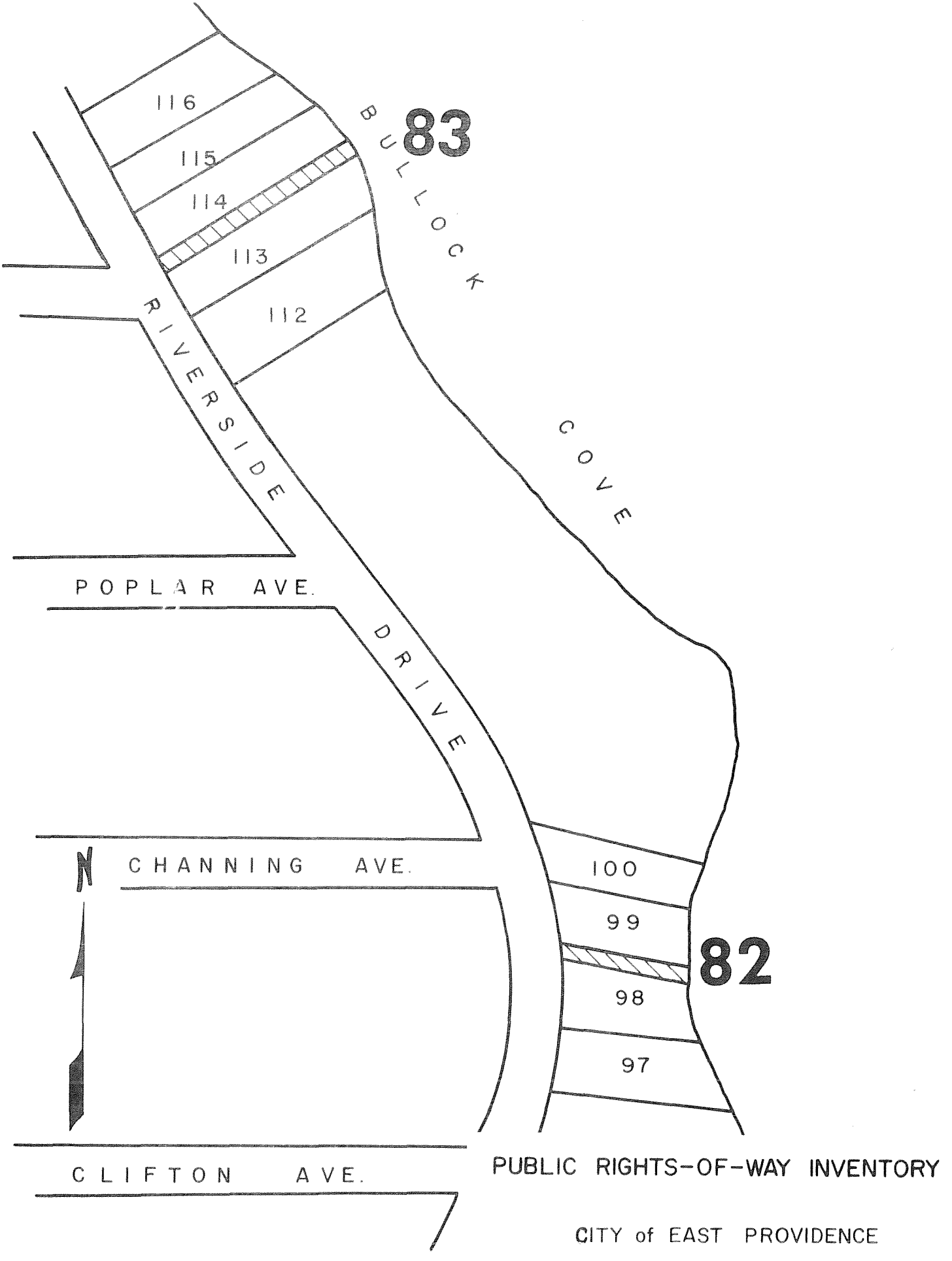


PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of EAST PROVIDENCE

PLAT 68

SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 82-83

City of East Providence

Location:

These public rights-of-way are located off Riverside Drive and are bounded on the east by Bullock Cove. One is at the end of Myrtle Avenue (83), and the other is between Channing Avenue and Clifton Avenue (82).

Approximate Dimensions:

82. Width: 15 feet
Length: 100 feet
Area: 1,500 square feet

83. Width: 15 feet
Length: 180 feet
Area: 2,700 square feet

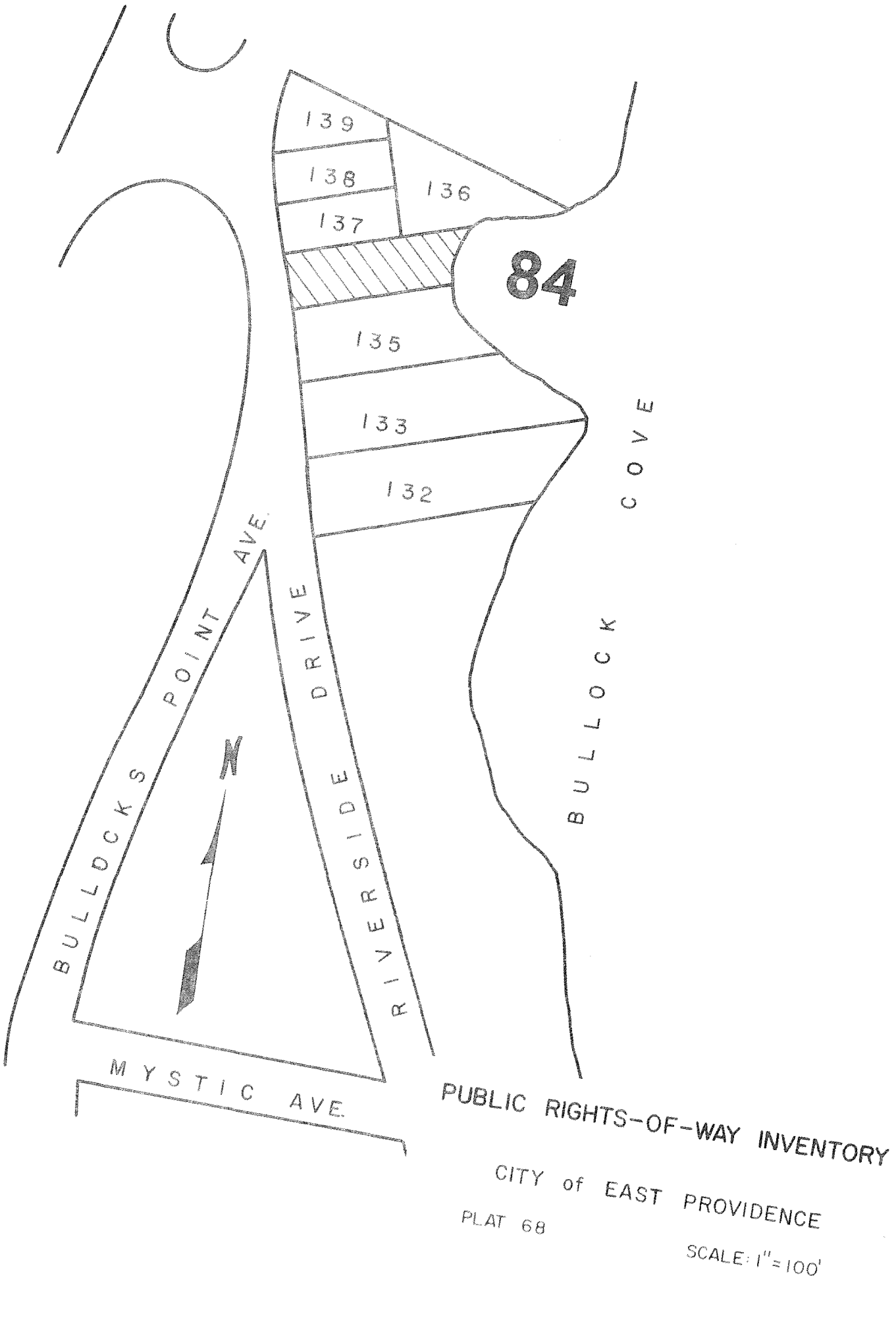
Existing Conditions and Land Uses:

These rights-of-ways have no signs indicating their location. They are no more than walk ways and have private homes on either side of them. The area in which they are located is called Narragansett Terrace and has been zoned for residential development.

Recommendations:

These public ways should remain in their present use. No further action is recommended at this time.

82
N
83



PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of EAST PROVIDENCE

PLAT 68

SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 84

City of East Providence

Location:

This right-of-way is located just north of the intersection of Bullocks Point Avenue and Riverside Drive and is bounded on the east by Bullock Cove.

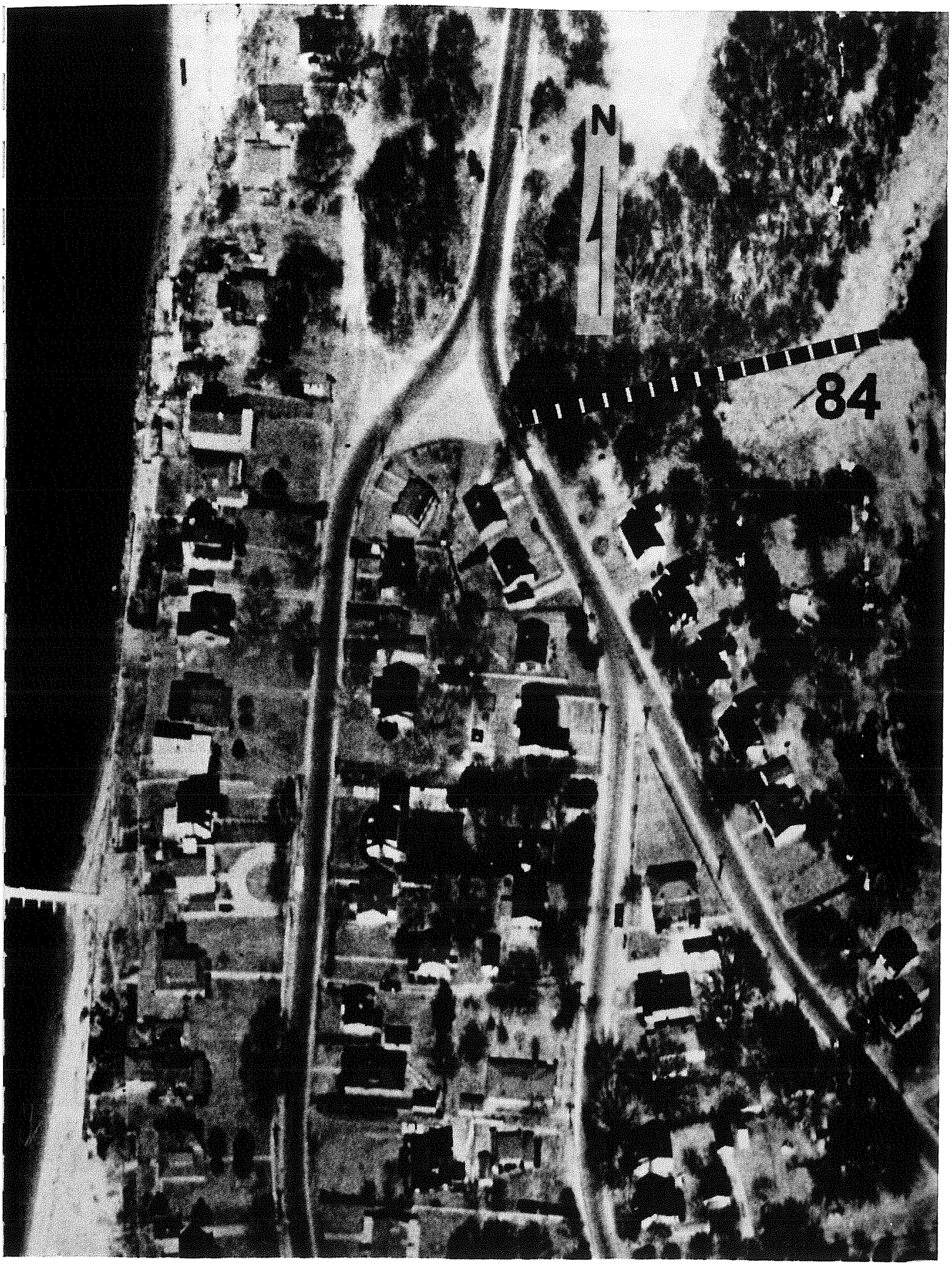
Approximate Dimensions: Width: 45 feet
Length: 130 feet
Area: 5,850 square feet

Existing Conditions and Land Uses:

There is no sign indicating the location of this public way. Considerable vacant land surrounds the area. This public way is just south of the Crescent Park Amusement center. The area is zoned for residential development.

Recommendations:

This right-of-way should be considered for development of recreation facilities. A sign should also be posted indicating its location and the area should be maintained and policed.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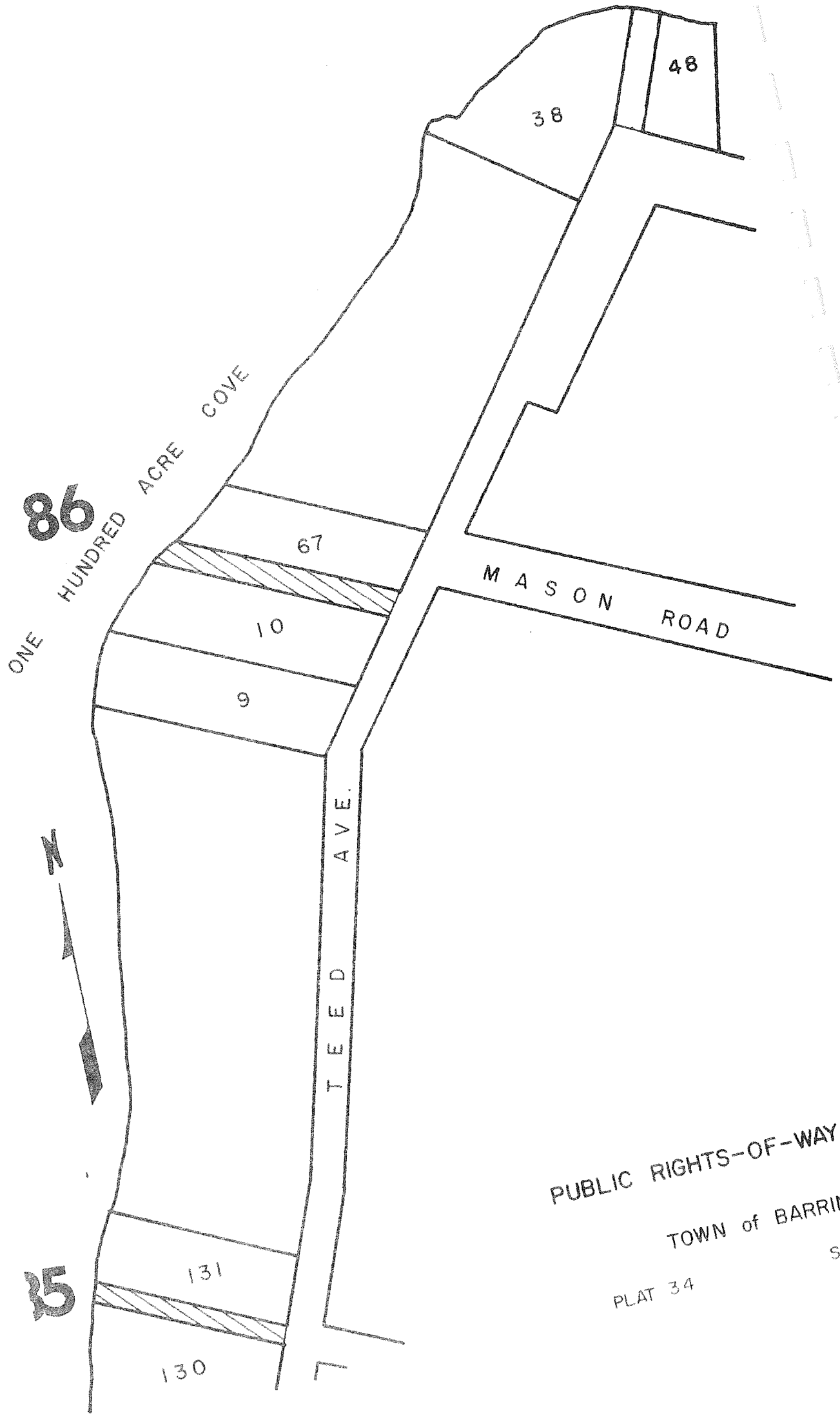
84



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of BARRINGTON

SCALE: 1" = 80'

PLAT 34

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 85-86

Town of Barrington

Location:

These two rights-of-way are located off Teed Avenue bounded on the west by One Hundred Acre Cove. One is at the end of Hanson Road (85), and the other at the end of Mason Road (86).

Approximate Dimensions:

85. Width: 12 feet
Length: 125 feet
Area: 1,500 square feet

86. Width: 20 feet
Length: 155 feet
Area: 3,100 square feet

Existing Conditions and Land Uses:

For the most part these public rights-of-way are situated in large lot residential areas with little or no vacant area available for development. There are no signs posted indicating the existence of the public ways. It appears that the local residents have been utilizing the public ways as boat launch sites.

Recommendations:

These public ways should be left for the use of the local residents. No further action is recommended at this time.

G8
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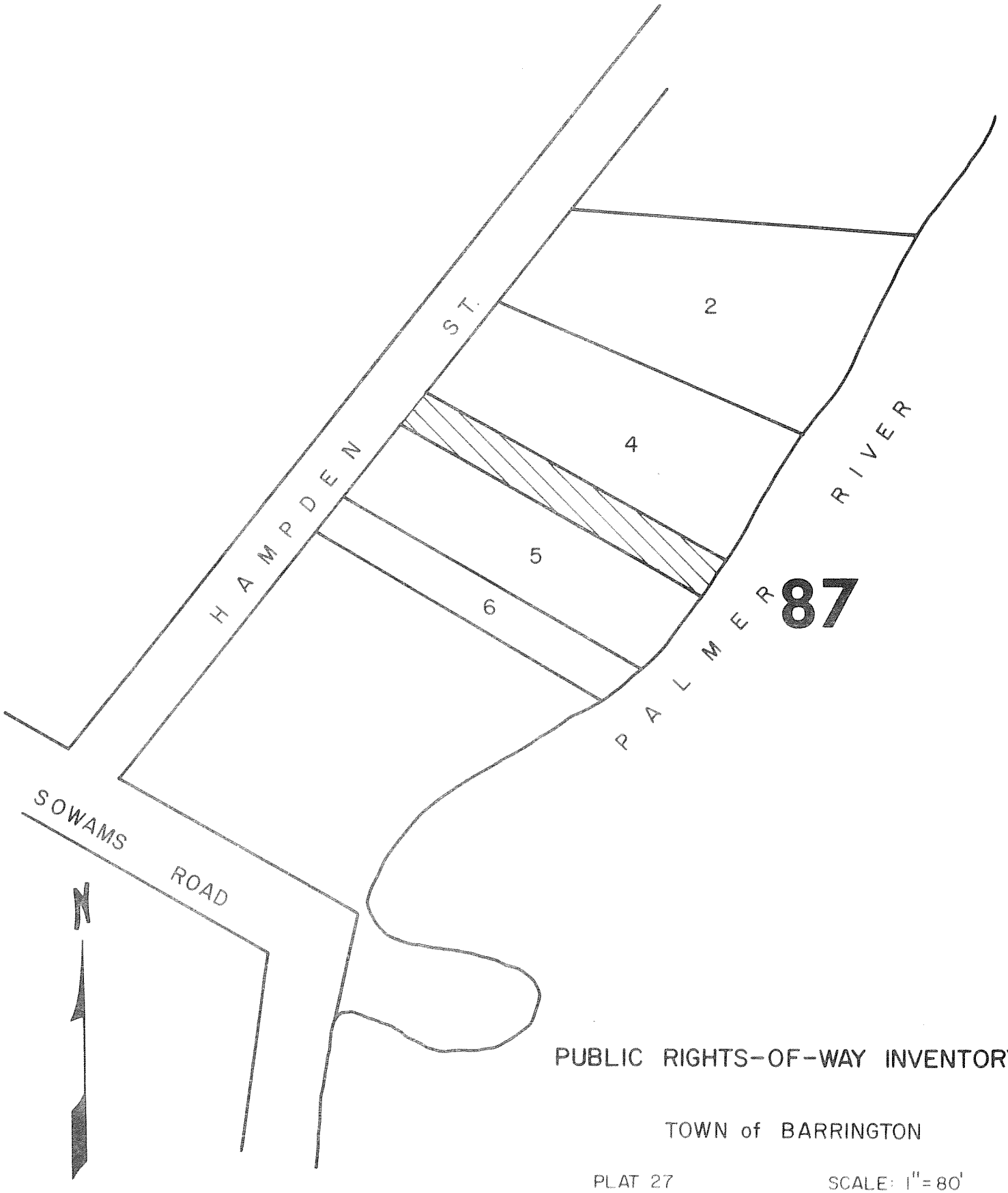
98



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of BARRINGTON

PLAT 27 SCALE: 1" = 80'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 87

Town of Barrington

Location:

This public way is situated just north of the intersection of Sowams Road and Hampden Street bounded on the east by the Palmer River.

Approximate Dimensions: Width: 24 feet
Length: 210 feet
Area: 5,040 square feet

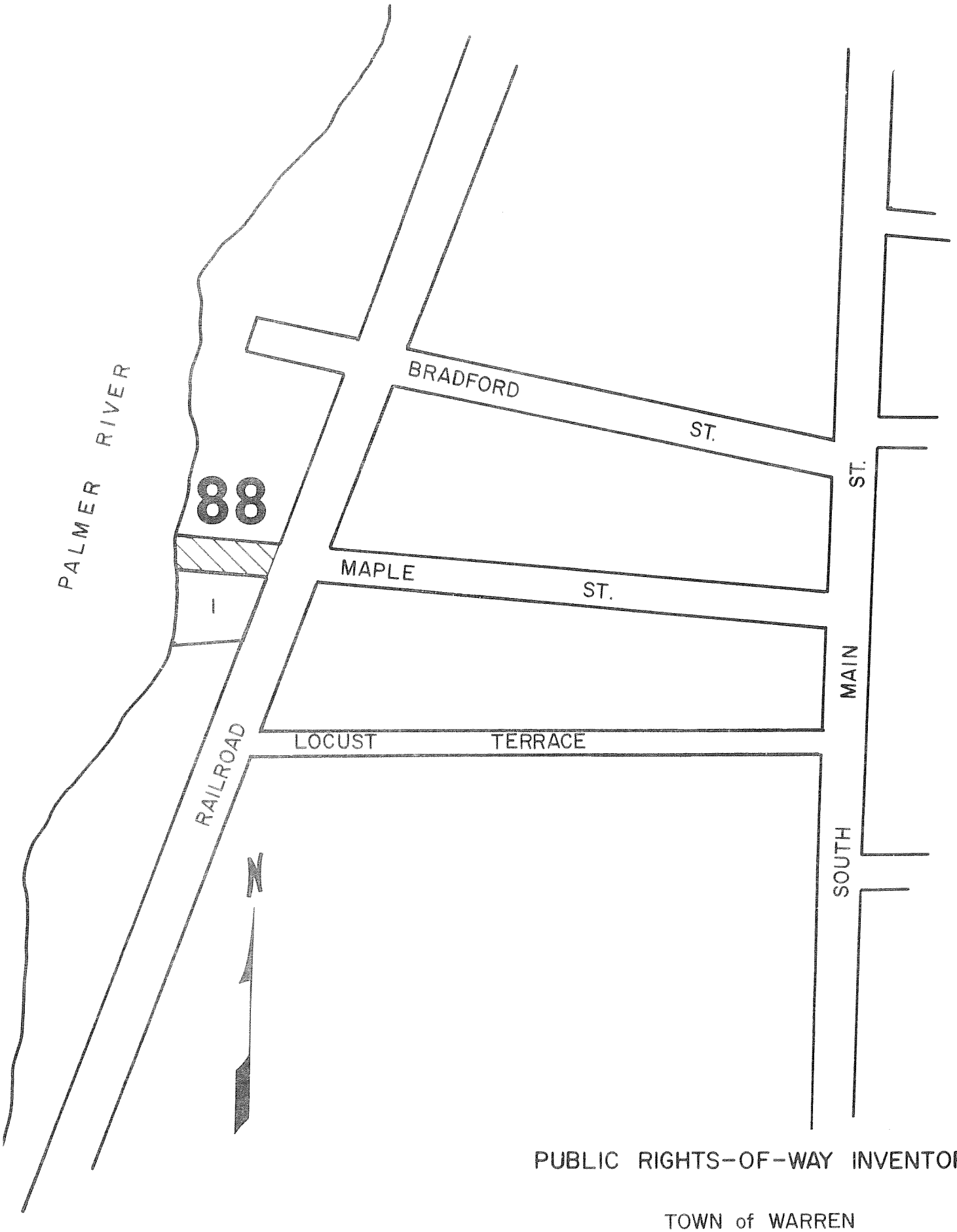
Existing Conditions and Land Uses:

This public right-of-way is situated in a large lot residential area with little or no vacant area available for development. There are no signs posted indicating the existence of the public way. It appears that the local residents have been utilyzing the public way as a boat launch site.

Recommendations:

This public way should be left for use of the local residents. A sign should be erected to indicate its location and the area should be maintained and policed.

87
N



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WARREN

PLAT 15

SCALE: 1" = 200'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 88

Town of Warren

Location:

This public way is situated off Maple Street just west of the railroad tracks bounded by the Palmer River.

Approximate Dimensions: Width: 50 feet
Length: 160 feet
Area: 8,000 square feet

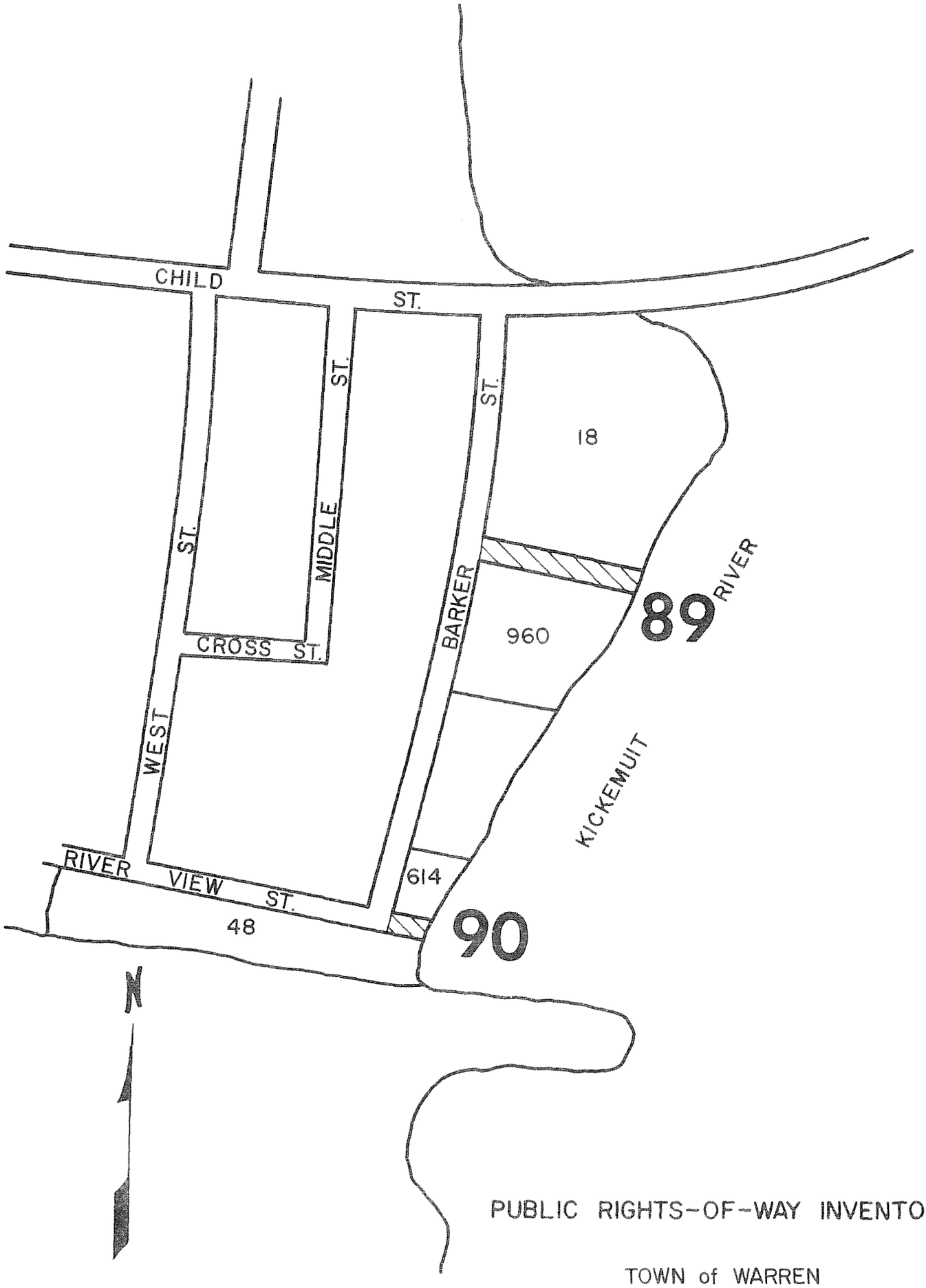
Existing Conditions and Land Uses:

This area has been zoned for low density residential use. The public way is flanked on either side by buildings. There is very little vacant land in the immediate area. There is no sign posted.

Recommendations:

This wide public way should be left for the use of local residents. A sign should be posted to indicate the public right-of-way location and the area should be maintained and policed.

N
88



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WARREN

PLAT 13

SCALE: 1" = 200'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 89-90

Town of Warren

Location:

There are two public ways located in this area. One is at the intersection of River View Street and Barker Street (90), and the other runs off Barker Street (89).

Approximate Dimensions:

89. Width: 40 feet
Length: 240 feet
Area: 9,600 square feet

90. Width: 30 feet
Length: 60 feet
Area: 1,800 square feet

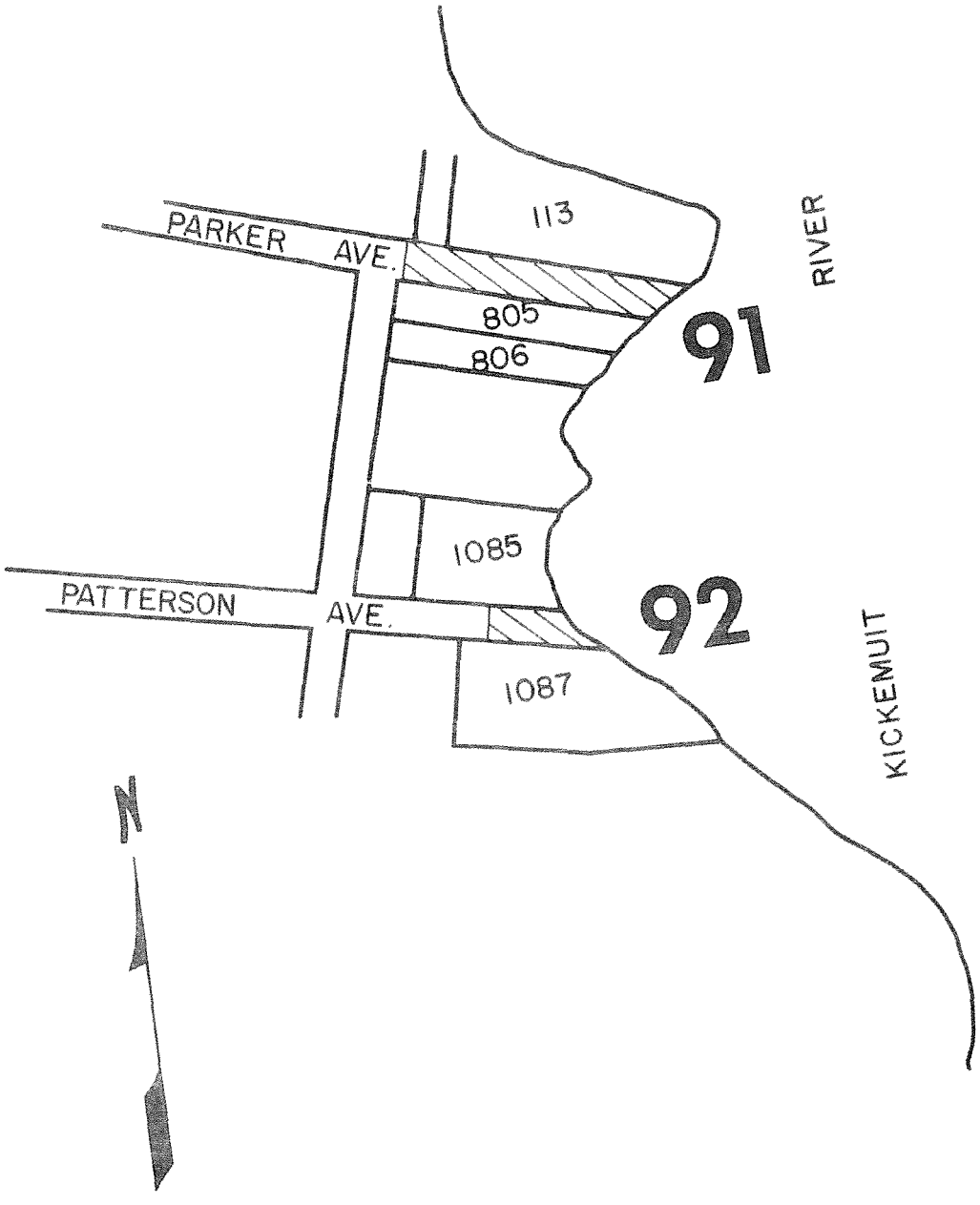
Existing Conditions and Land Uses:

The area is zoned for low density residential development. The rights-of-way open onto tidal flats, and the area is sparsely developed. There are no signs indicating the location of the public ways.

Recommendations:

These relatively wide public ways should be considered for additional development and use as recreational facilities. Signs should be posted indicating the location of public rights-of-way.

06
68
N



PUBLIC RIGHTS-OF-WAY

TOWN of WARRE

SC

PLAT 13

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 91-92

Town of Warren

Location:

There are two public ways located in this area. One is at the end of Parker Avenue (91), and the other at the end of Patterson Avenue (92). Both border the Kickemuit River.

Approximate Dimensions:

91. Width: 40 feet
Length: 300 feet
Area: 12,000 square feet

92. Width: 40 feet
Length: 100 feet
Area: 4,000 square feet

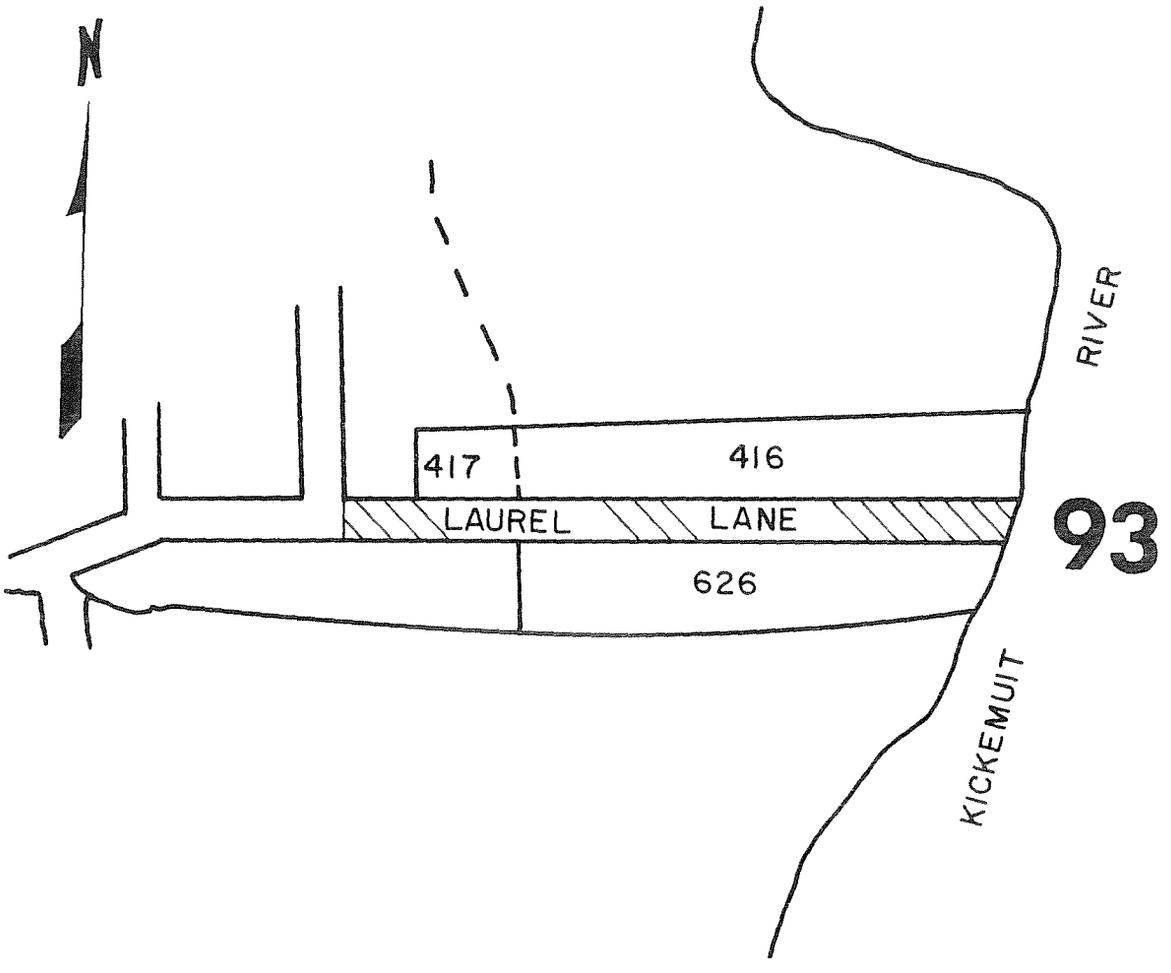
Existing Conditions and Land Uses:

This section is zoned for medium density residential use. Although there are homes to either side of the public ways, there is vacant land in the immediate area. There are no signs indicating the location of the public ways.

Recommendations:

These public ways should remain in their present use, a sign posted to indicate their location and the areas should be maintained and policed.

91
92
N



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WARREN

PLAT 13

SCALE: 1"=200'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 93

Town of Warren

Location:

This public way is situated at the end of Laurel Lane bounded by the Kickemuit River on the east.

Approximate Dimensions: Width: 50 feet
Length: 710 feet
Area: 35,500 square feet

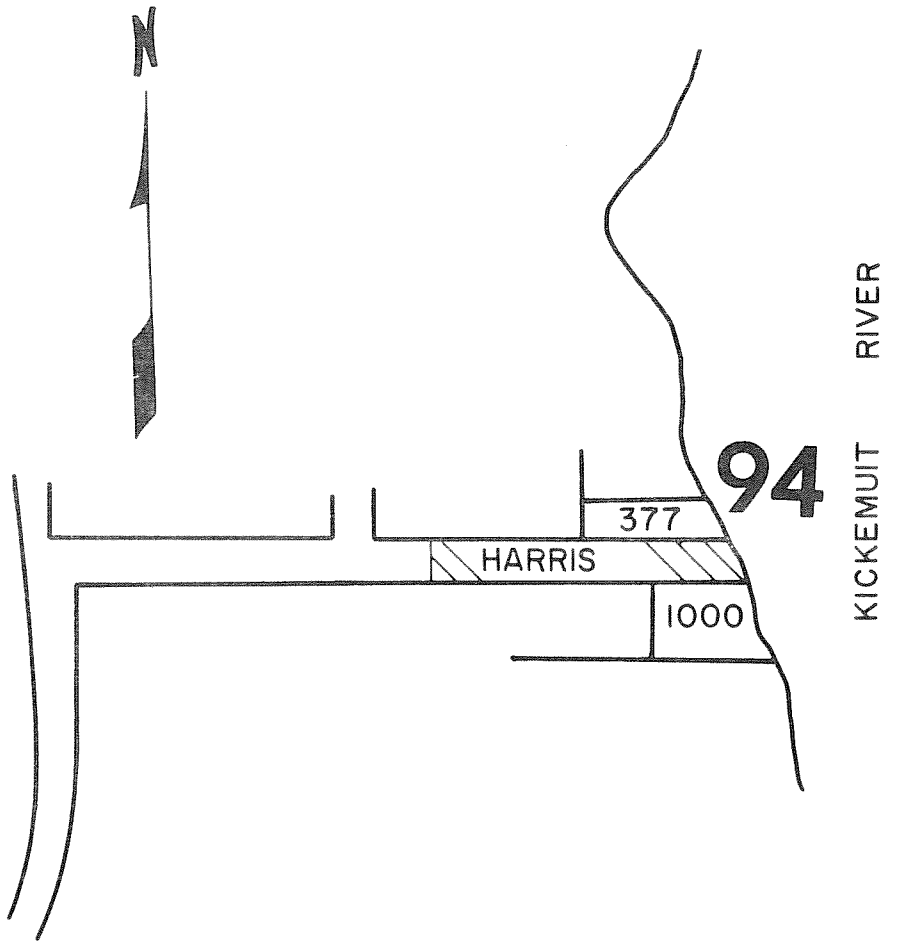
Existing Conditions and Land Uses:

This area has been zoned for low density residential development. There is considerable vacant area on either side of the public way. The public way opens onto the tidal flats of the river. There is no sign posted to indicate the existence of the public way.

Recommendations:

This large public way should be considered for development as a recreational facility. A sign should be posted indicating the location of the public right-of-way and the area should be maintained and policed.

N
93



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WARREN

PLAT 13 SCALE: 1" = 200'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 94

Town of Warren

Location:

This public way is situated at the end of Harris Avenue and is bounded on the east by the Kickemuit River.

Approximate Diemensions: Width: 50 feet
Length: 330 feet
Area: 16,500 square feet

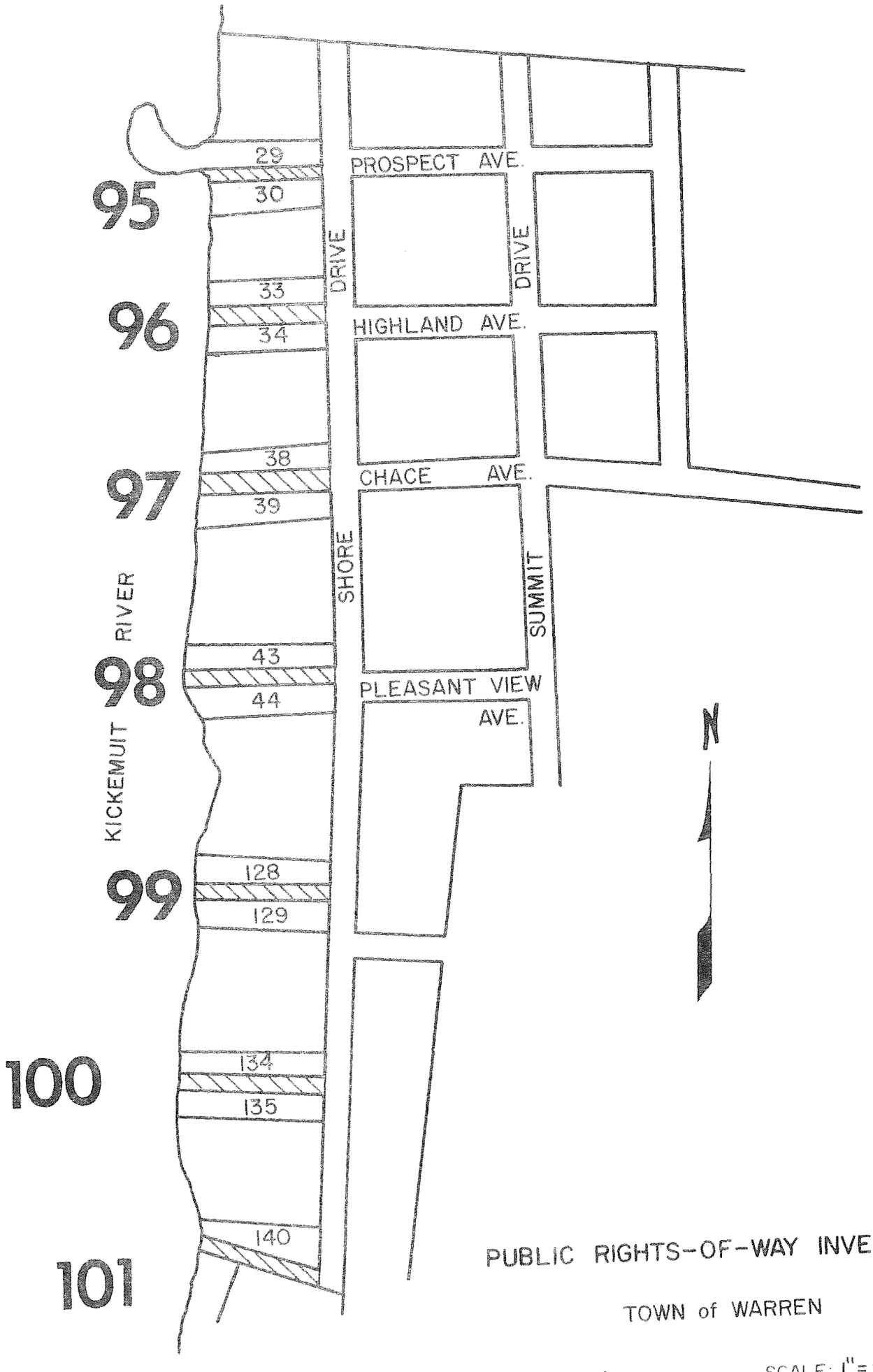
Existing Conditions and Land Uses:

This area has been zoned for low density residential use. The public way is bounded on either side by vacant lots. The public way provides an excellent access to the river. There is no sign designating the right-of-way.

Recommendations:

Consideration should be given to acquiring additional land adjacent to the right-of-way for the provision of recreation facilities. A sign should be posted to indicate the right-of-way location.

N
94



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WARREN

PLAT 17

SCALE: 1" = 200'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 95-101

Town of Warren

Location:

There are seven public ways located along Shore Drive and bounded on the west by the Kickemuit River. They are: Prospect Ave-Avenue (95); Highland Avenue (96); Chase Avenue (97); Pleasant View Avenue (98); Between lots 128-129 (99); Between lots 134-135 (100); Adjacent to lot 140 (101).

Approximate Dimensions:

95. Width: 20 feet
Length: 170 feet
Area: 3,400 square feet

96. Width: 30 feet
Length: 180 feet
Area: 5,400 square feet

97. Width: 30 feet
Length: 200 feet
Area: 6,000 square feet

98. Width: 24 feet
Length: 230 feet
Area: 5,520 square feet

99. Width: 20 feet
Length: 210 feet
Area: 4,200 square feet

100. Width: 24 feet
Length: 220 feet
Area: 5,280 square feet

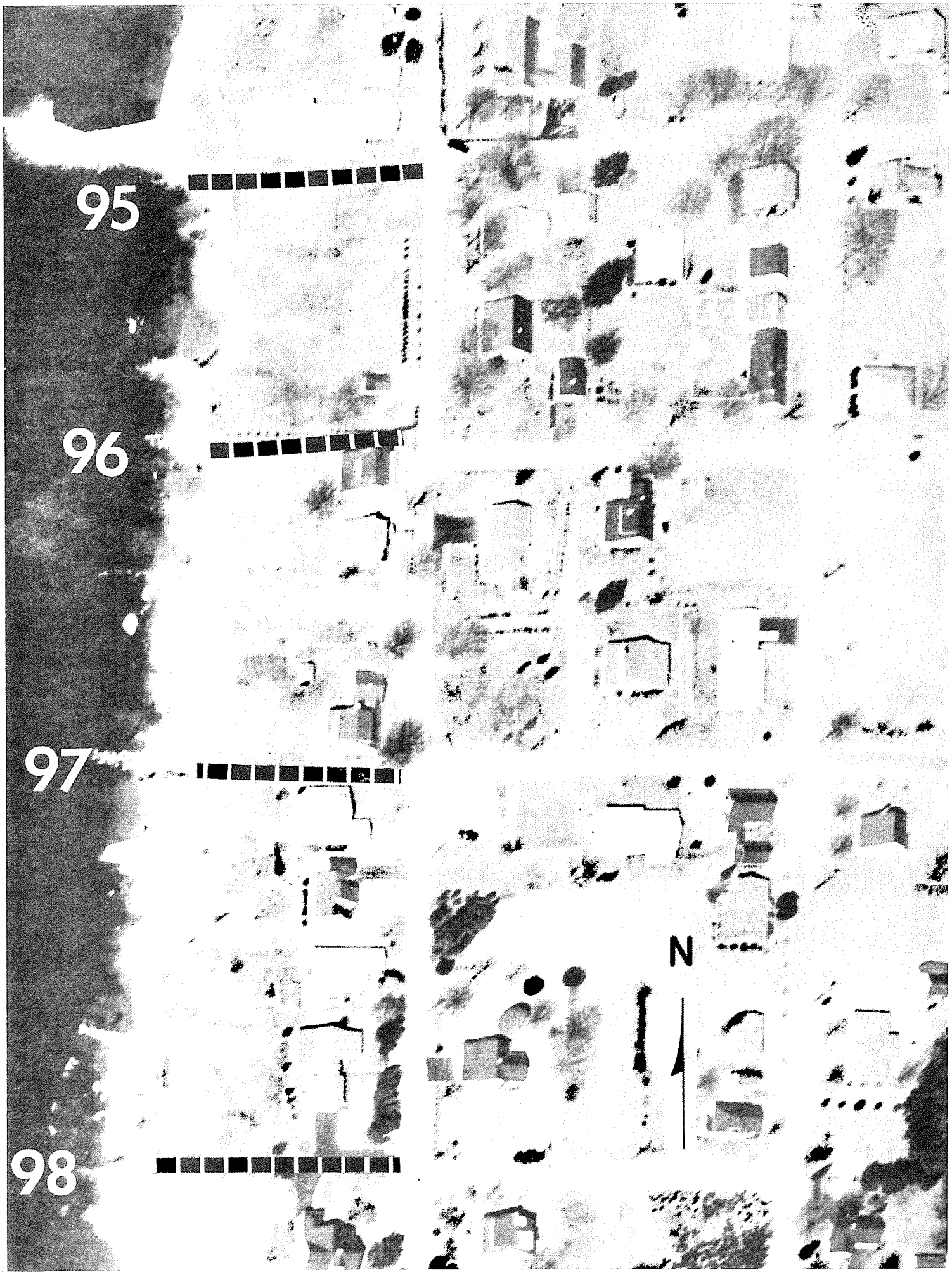
101. Width: 24 feet
Length: 190 feet
Area: 4,560 square feet

Existing Conditions and Land Uses:

This area has been zoned for low density residential development. There is limited vacant land available in the area. Each public way is flanked on either side by homes. None of the public ways have signs posted indicating their location.

Recommendations:

Signs should be posted indicating the public ways location. No further action is recommended at this time.


95
96
97
98
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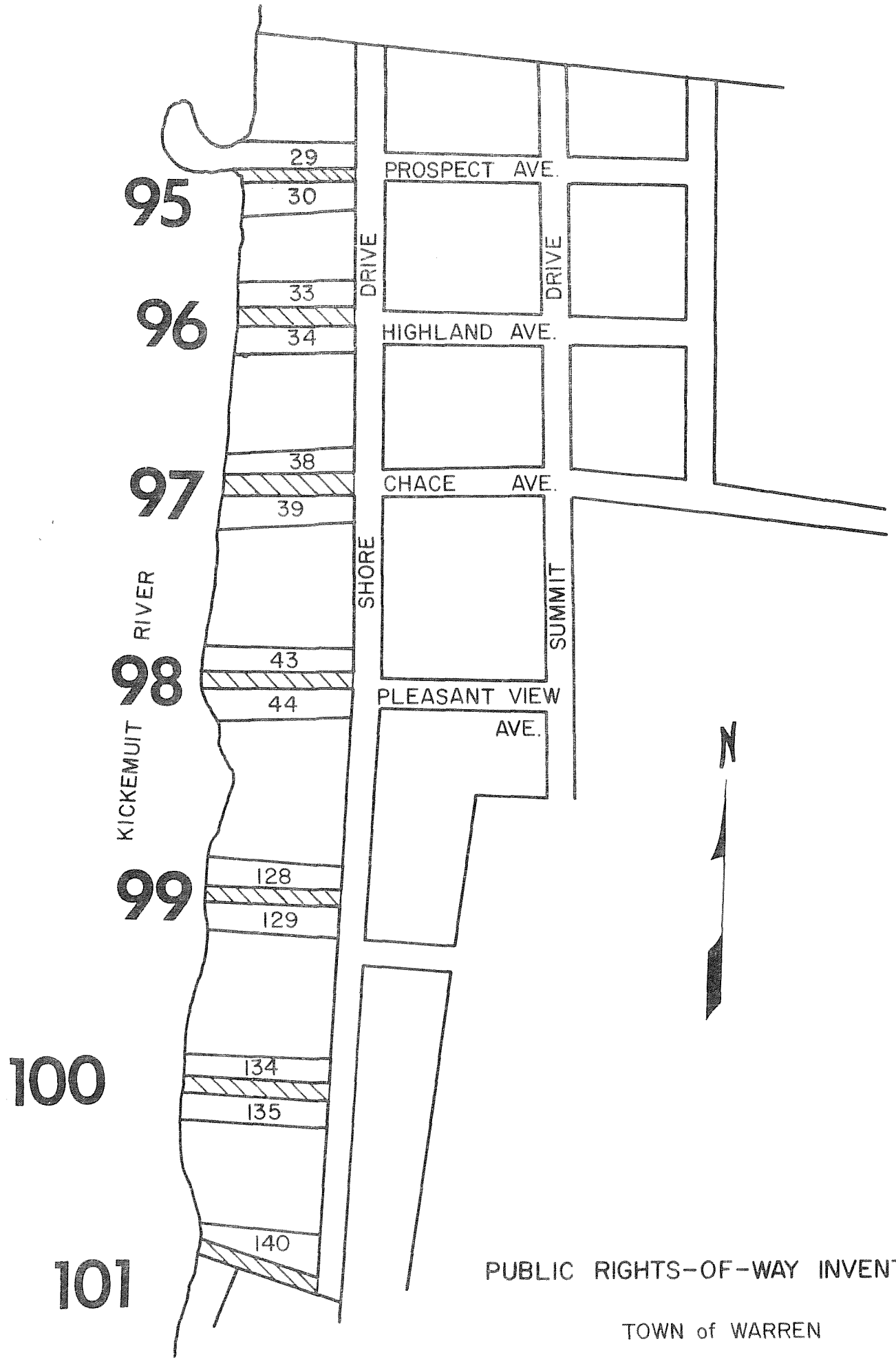


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WARREN

PLAT 17

SCALE: 1" = 200'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 101A,101B

Location:

These rights-of-way are located in a section of Warren called Touisett. Right-of-way 101A is situated at the westerly end of Touisett Road. Right-of-way 101B is located at the northern end of Emery Street.

Approximate Dimensions:

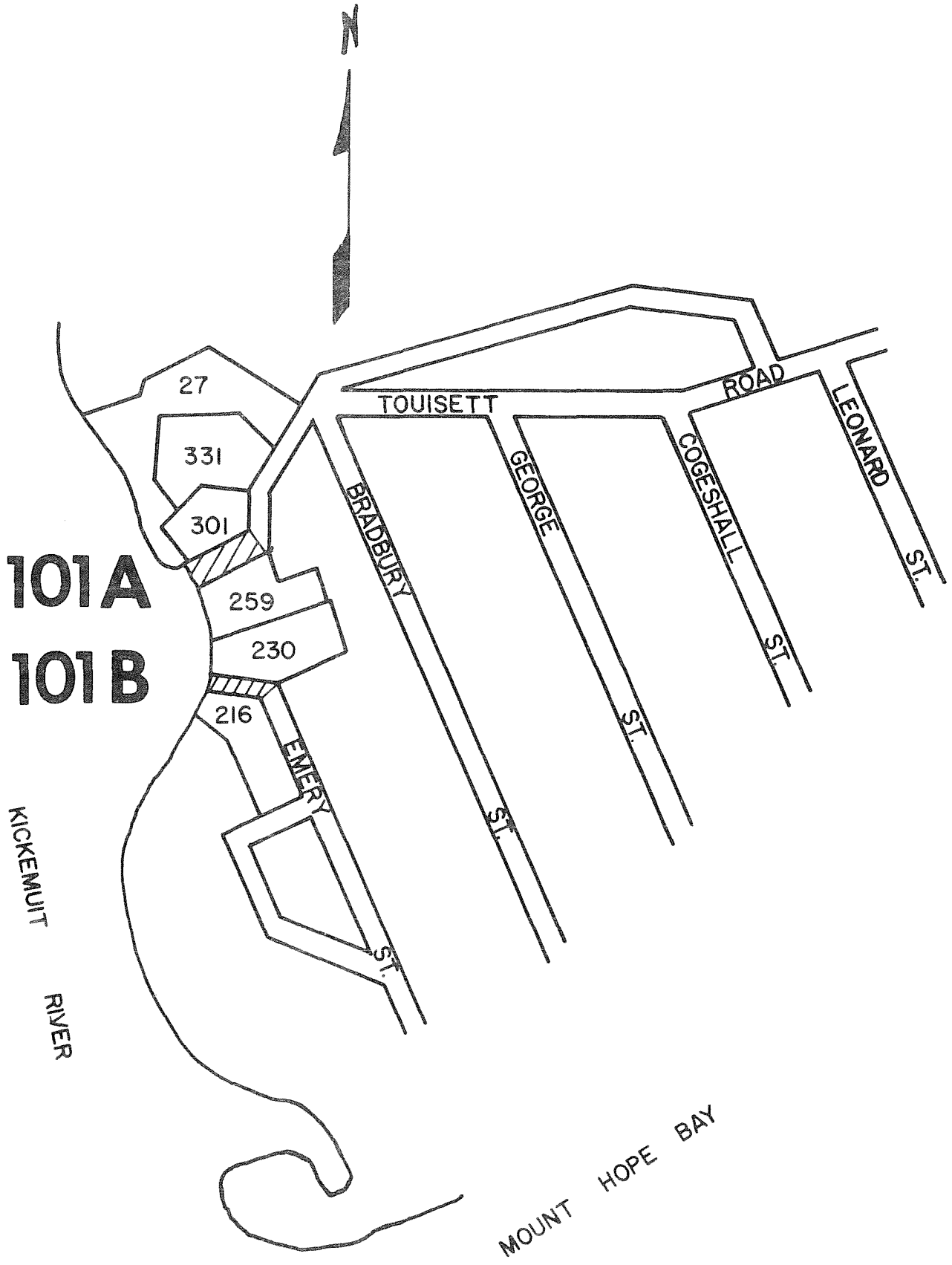
101A.	Width:	40 feet
	Length:	100 feet
	Area:	4,000 square feet
101B:	Width:	20 feet
	Length:	80 feet
	Area:	1,600 square feet

Existing Conditions and Land Uses:

This area has been zoned for low density residential development. Both rights-of-way are located in densely developed areas with little existing vacant land. There are no signs posted indicating the location of these public ways.

Recommendation:

Signs should be posted, and the public ways left for the use of local residents. No further action is recommended at this time.

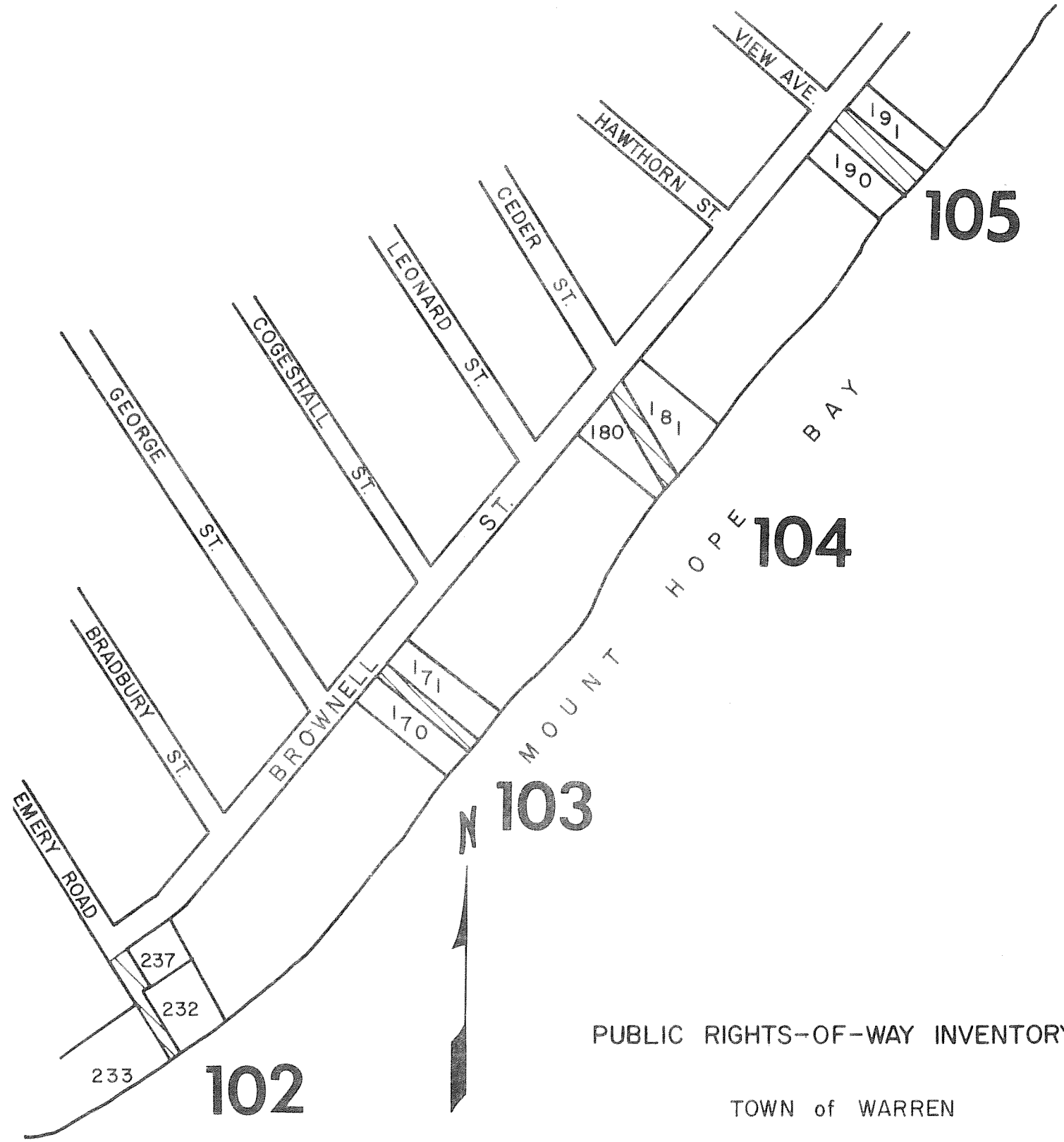


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WARREN

PLAT 16 SCALE: 1" = 200'

101
100
N
36



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WARREN

PLAT 16

SCALE: 1" = 200'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 102-105

Town of Warren

Location:

There are four public rights-of-way situated in this section of Warren called Touisset. They are located at the ends of Emery Road (102), George Street (103), Ceder Street (104), and View Avenue (105).

Approximate Dimensions:

102. Width: 24 feet
Length: 170 feet
Area: 4,080 square feet

103. Width: 20 feet
Length: 180 feet
Area: 3,600 square feet

104. Width: 20 feet
Length: 160 feet
Area: 3,200 square feet

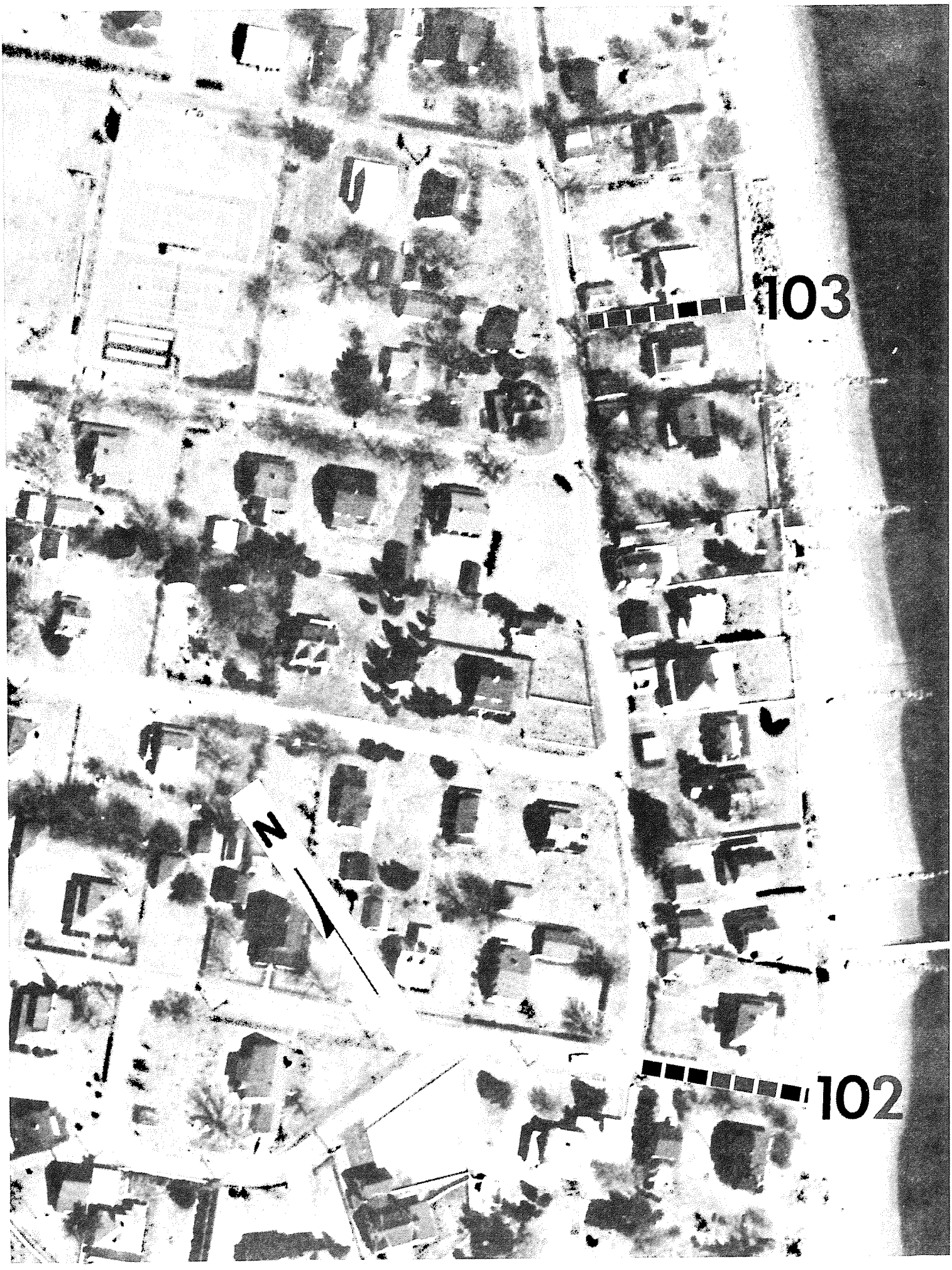
105. Width: 40 feet
Length: 150 feet
Area: 6,000 square feet

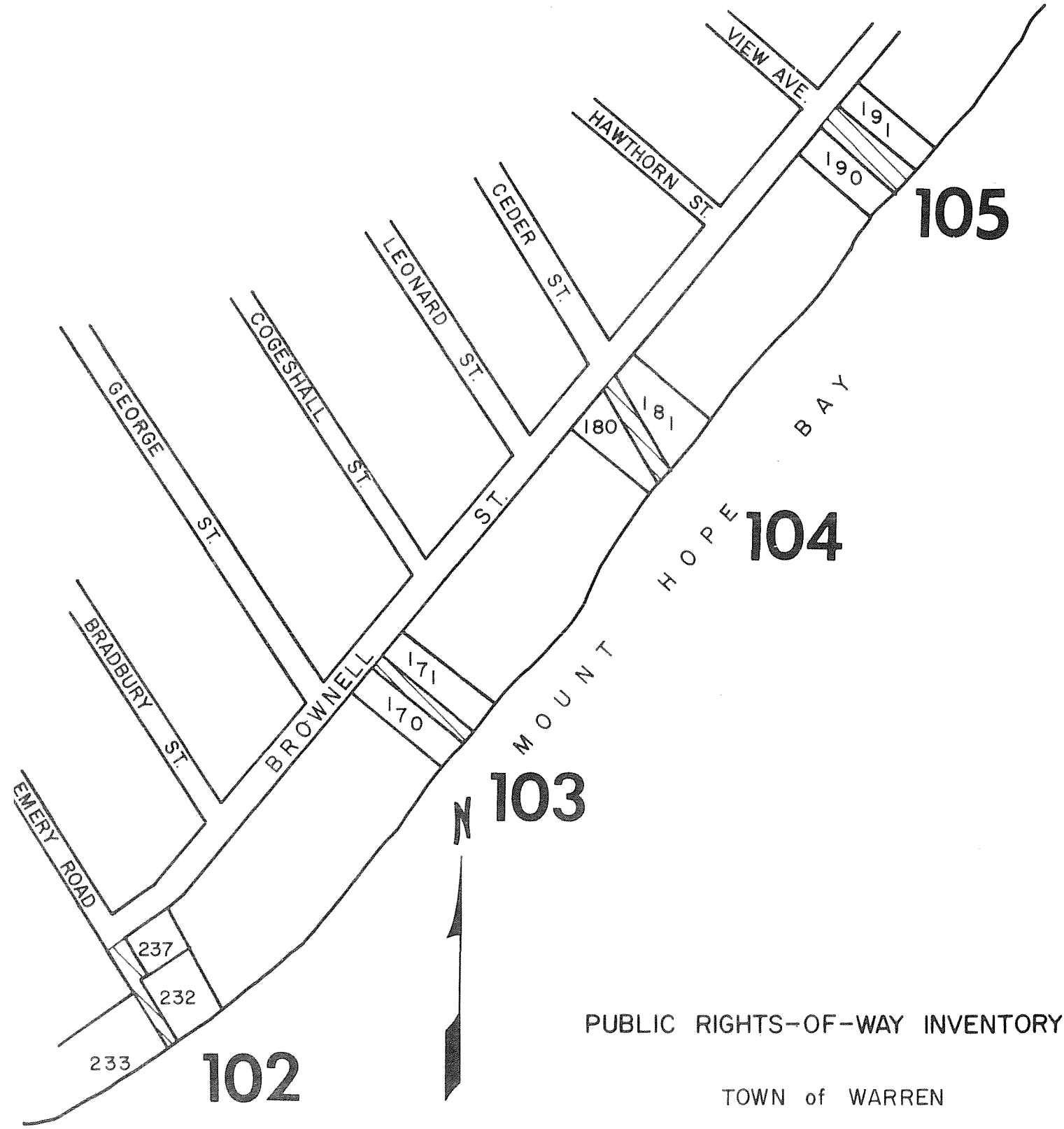
Existing Conditions and Land Uses:

This area has been zoned for low density residential use. The public ways have no signs posted. There is no vacant land in their immediate vicinity. Each public way is flanked on either side by private dwellings.

Recommendations:

Signs to indicate the existence of these public ways should be erected. Because of the lack of available land and the density of private homes these public ways should remain in their present use. No further action is recommended at this time.


103
N
102



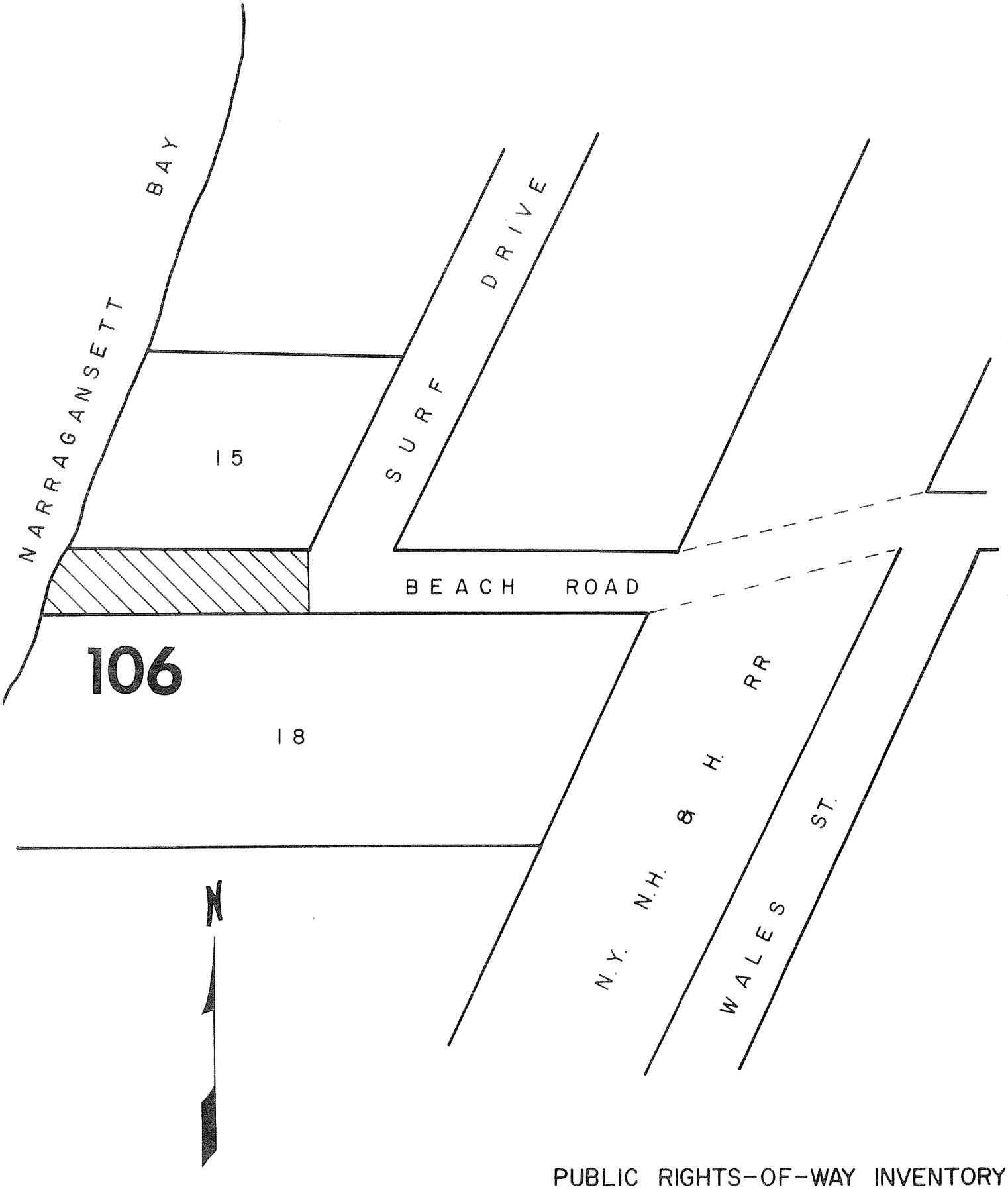
PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WARREN

PLAT 16

SCALE: 1"=200'

104
105
N



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of BRISTOL

PLAT 64 SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 106

Town of Bristol

Location:

This public way is situated at the tip of Beach Road west of the Surf Drive and Beach Road intersection.

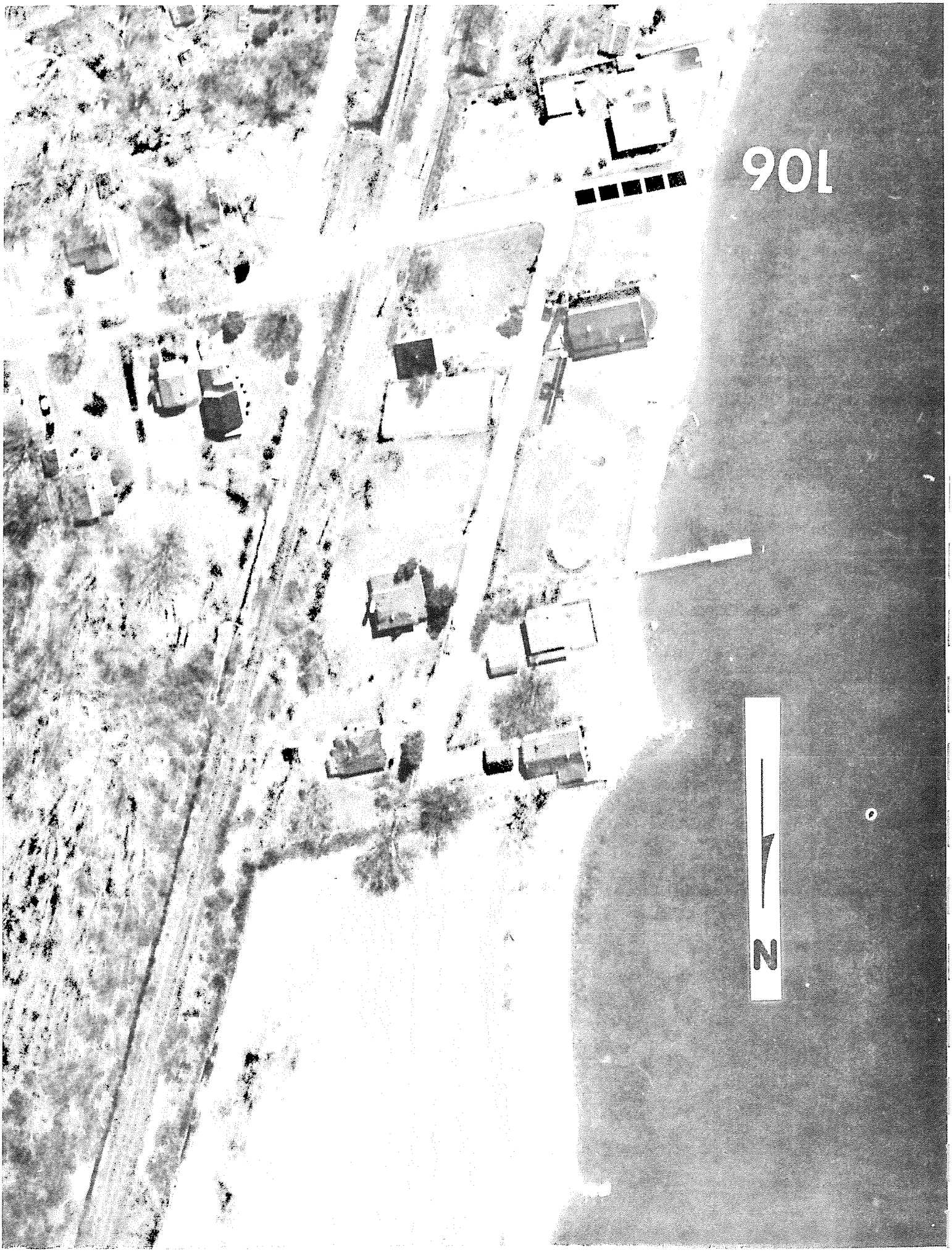
Approximate Dimensions: Width: 50 feet
Length: 210 feet
Area: 10,500 square feet

Existing Conditions and Land Uses:

This public way is situated in a area designated for medium density residential development. There are private homes on either side of the public way. The public way is close to the railroad and limited vacant land is available in the immediate vicinity.

Recommendations:

This public way should be left in its present use, posted, maintained and policed.


901
N

PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of BRISTOL

PLAT 69

SCALE: 1" = 50'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 107

Town of Bristol

Location:

This public way is located at the end of Gibson Road just to the east of the railroad and the intersection of Shore Road.

Approximate Dimensions: Width: 50 feet
Length: 160 feet
Area: 8,000 square feet

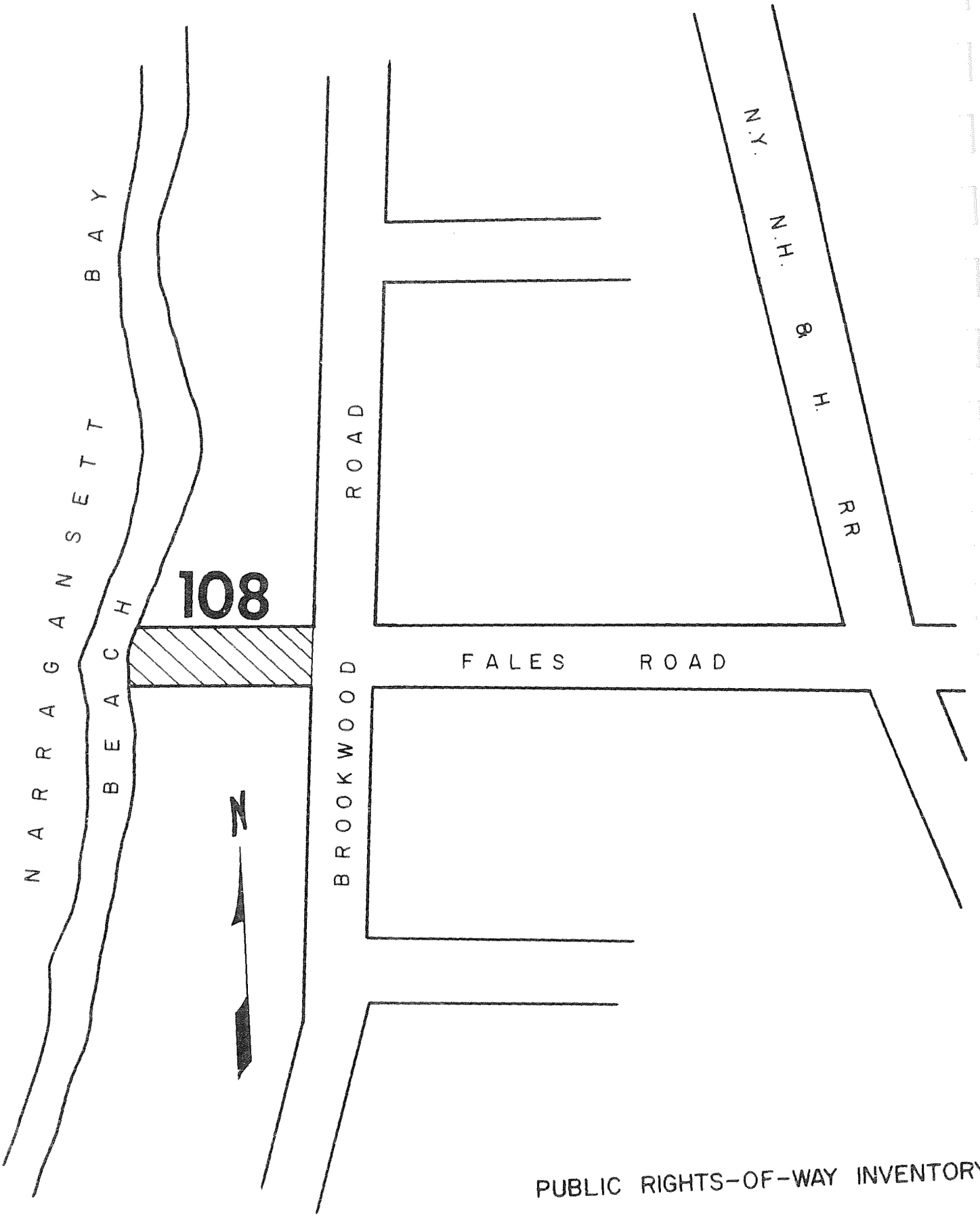
Existing Conditions and Land Uses:

This area has been zoned for low-medium residential development. The area is adjacent to the railroad tracks. There is vacant land to the south of the public way.

Recommendations:

A sign should be posted indicating the existence of the public way. The feasibility of acquiring some of the vacant lots in the area should be considered for use in the development of recreational facilities.

107
N



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of BRISTOL

PLAT 79

SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 108

Town of Bristol

Location:

This public way is situated next to the railroad and off Fales Road west of the Brookwood Road intersection.

Approximate Dimensions: Width: 45 feet
Length: 145 feet
Area: 6,525 square feet

Existing Conditions and Land Uses:

This area has been zoned for medium density residential development. The area on either side of the public way is occupied by homes. There is some vacant land on both sides of Brookwood Road and within a reasonable distance of the public way.

Recommendations:

A sign should be posted indicating the existence of the public way. The area should be maintained and policed.

80'
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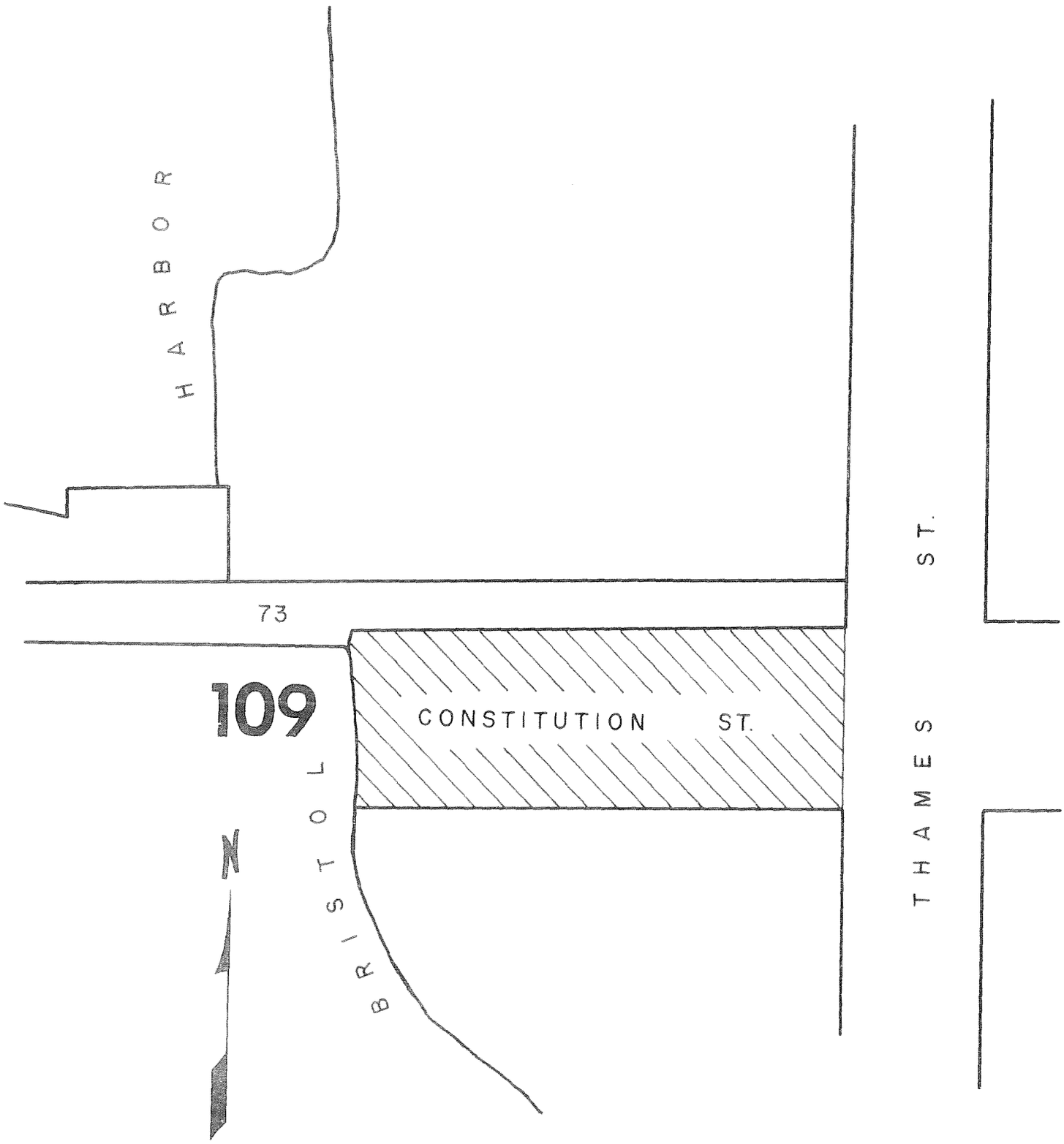


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of BRISTOL

PLAT 10

SCALE: 1" = 50'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 109

Town of Bristol

Location:

This right-of-way is located at the end of Constitution Street just west of the junction of Thames and Constitution Streets.

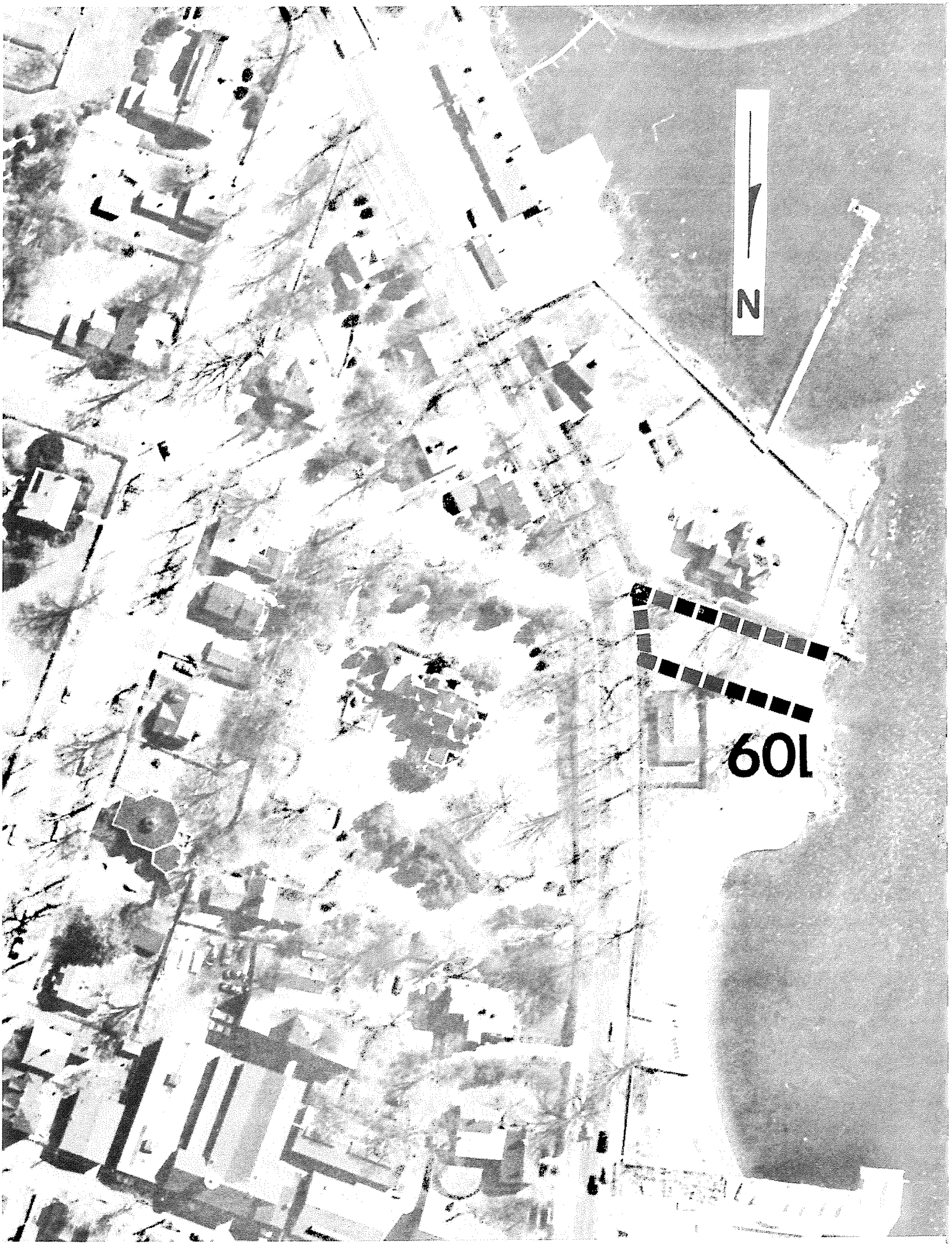
Approximate Dimensions: Width: 65 feet
Length: 175 feet
Area: 11,375 square feet

Existing Conditions and Land Uses:

This public way is situated in an area zoned for medium-high density residential development. There is very little vacant land in the immediate area and the public way is flanked on either side by private homes.

Recommendations:

This public way appears to be wide enough for limited development. A sign should be erected to indicate the public way location and the area should be maintained and policed.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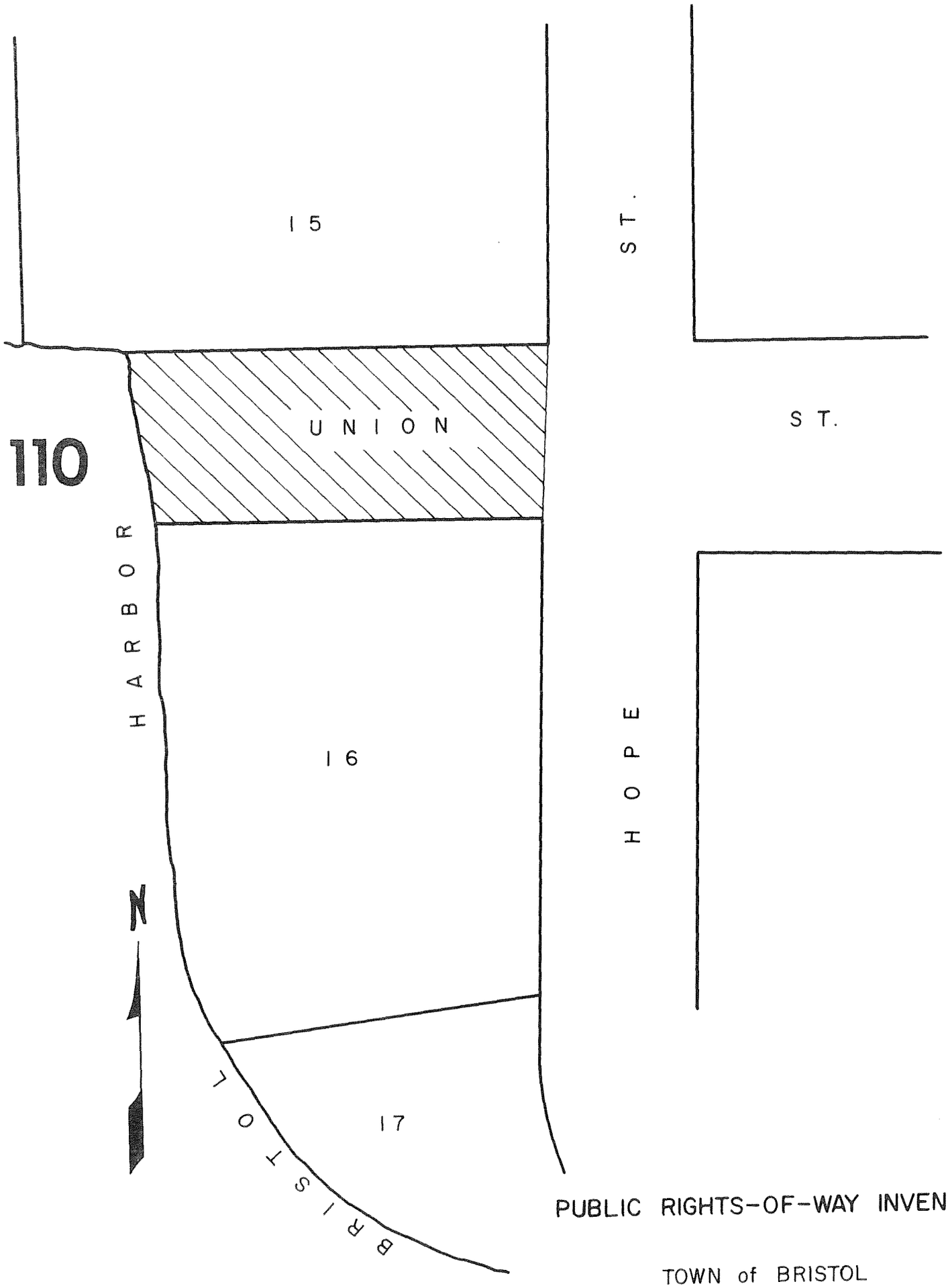
60'



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of BRISTOL

PLAT 11

SCALE: 1" = 50'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 110

Town of Bristol

Location:

This right-of-way is located at the end of Union Street west of the junction of Union and Hope Streets.

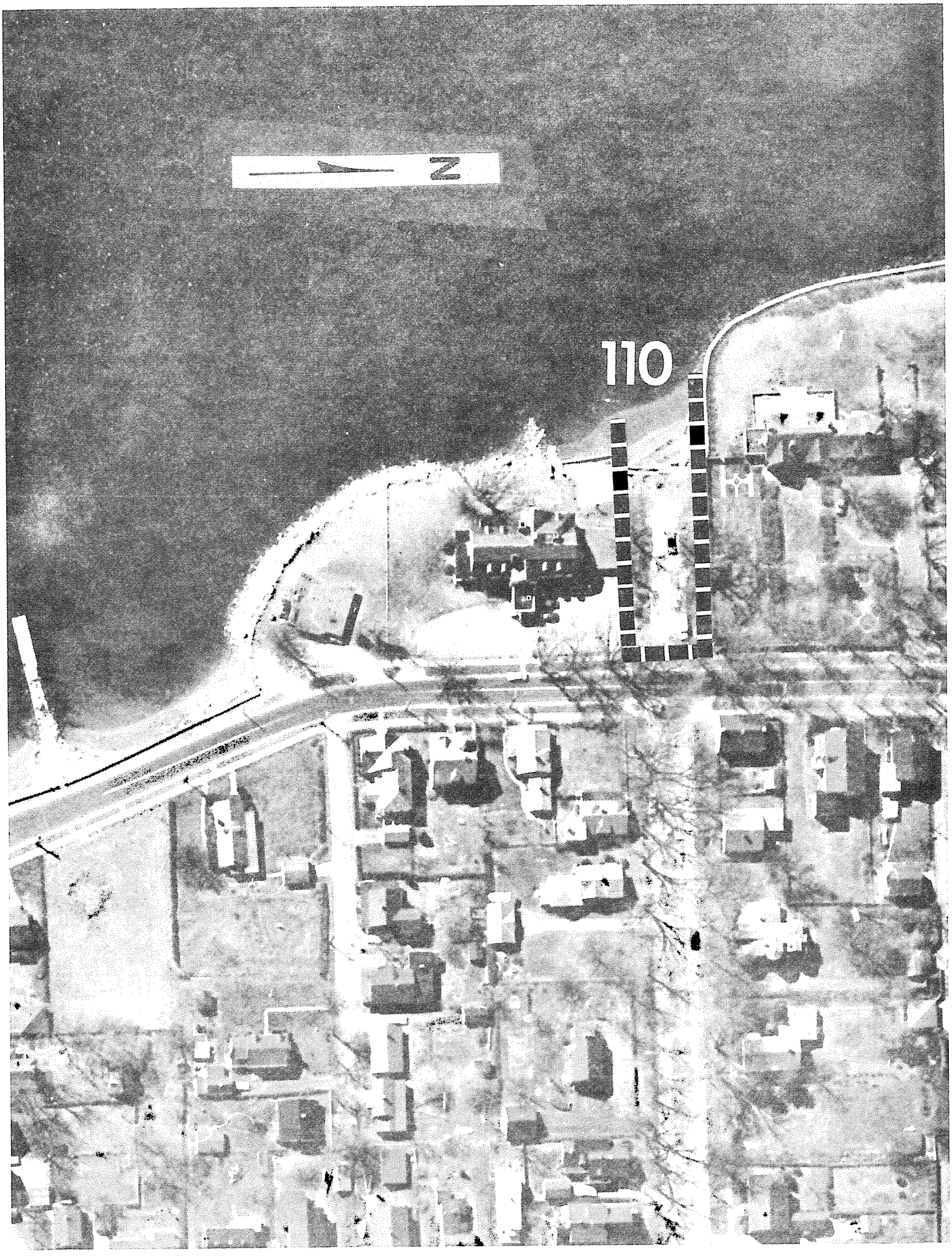
Approximate Dimensions: Width: 70 feet
Length: 160 feet
Area: 11,200 square feet

Existing Conditions and Land Uses:

This public way is situated in an area zoned for medium-high density residential development. There is very little vacant land in the immediate area and the public way is flanked on either side by private homes.

Recommendations:

This public way appears to be wide enough for limited development. A sign should be erected to indicate the public way location and the area maintained and policed.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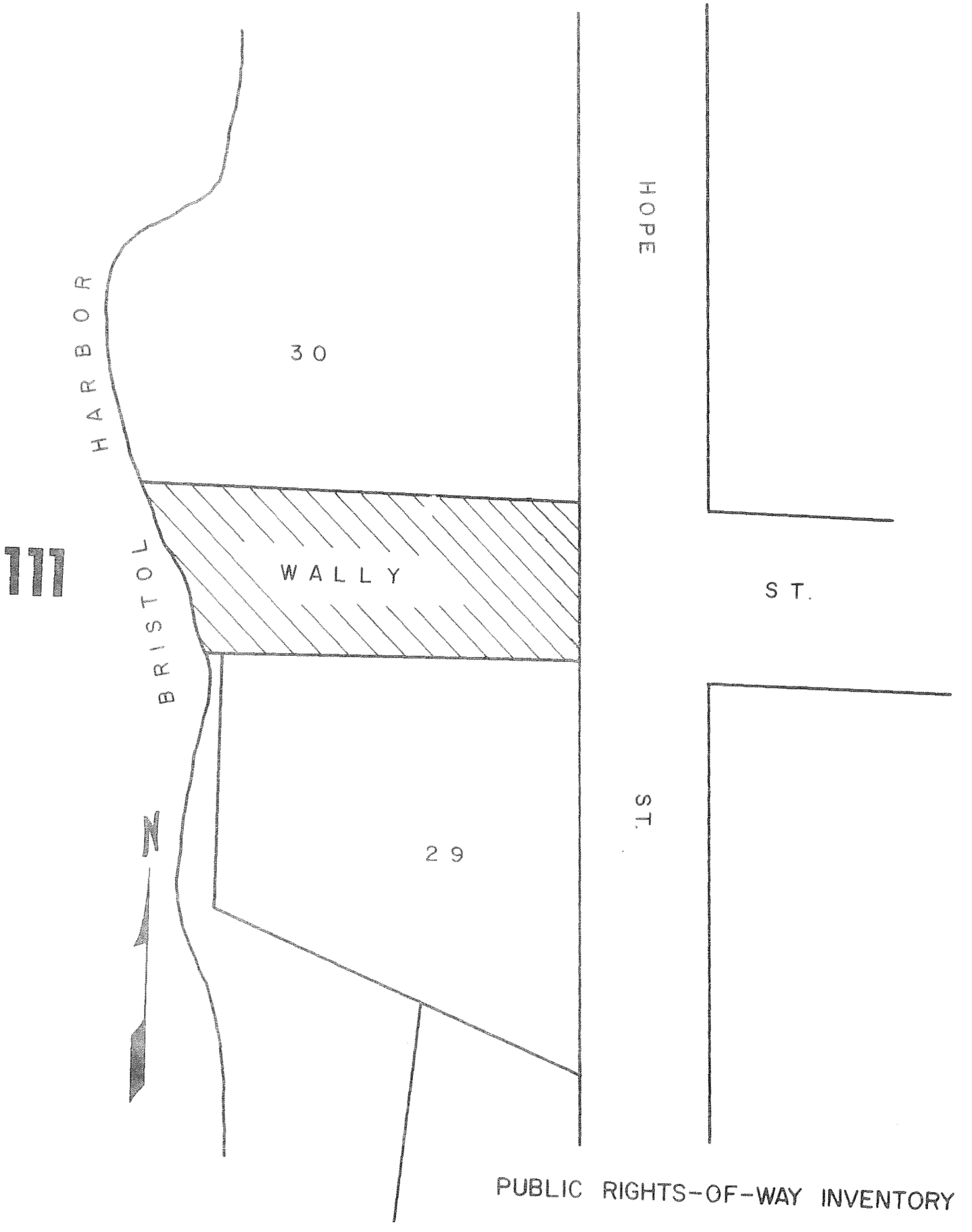
110



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of BRISTOL

PLAT 16

SCALE: 1" = 50'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 111

Town of Bristol

Location:

This right-of-way is located at the end of Wally Street west of the intersection of Hope and Wally Streets.

Approximate Dimensions: Width: 65 feet
Length: 160 feet
Area: 10,400 square feet

Existing Conditions and Land Uses:

This public way runs into a dock at the end of Wally Street. The area has been zoned for medium-high density residential development. There is no sign indicating the location of a public way. No vacant land is available in the vicinity.

Recommendations:

This public way should remain in its present use and be posted to indicate its location. No further action is recommended at this time.

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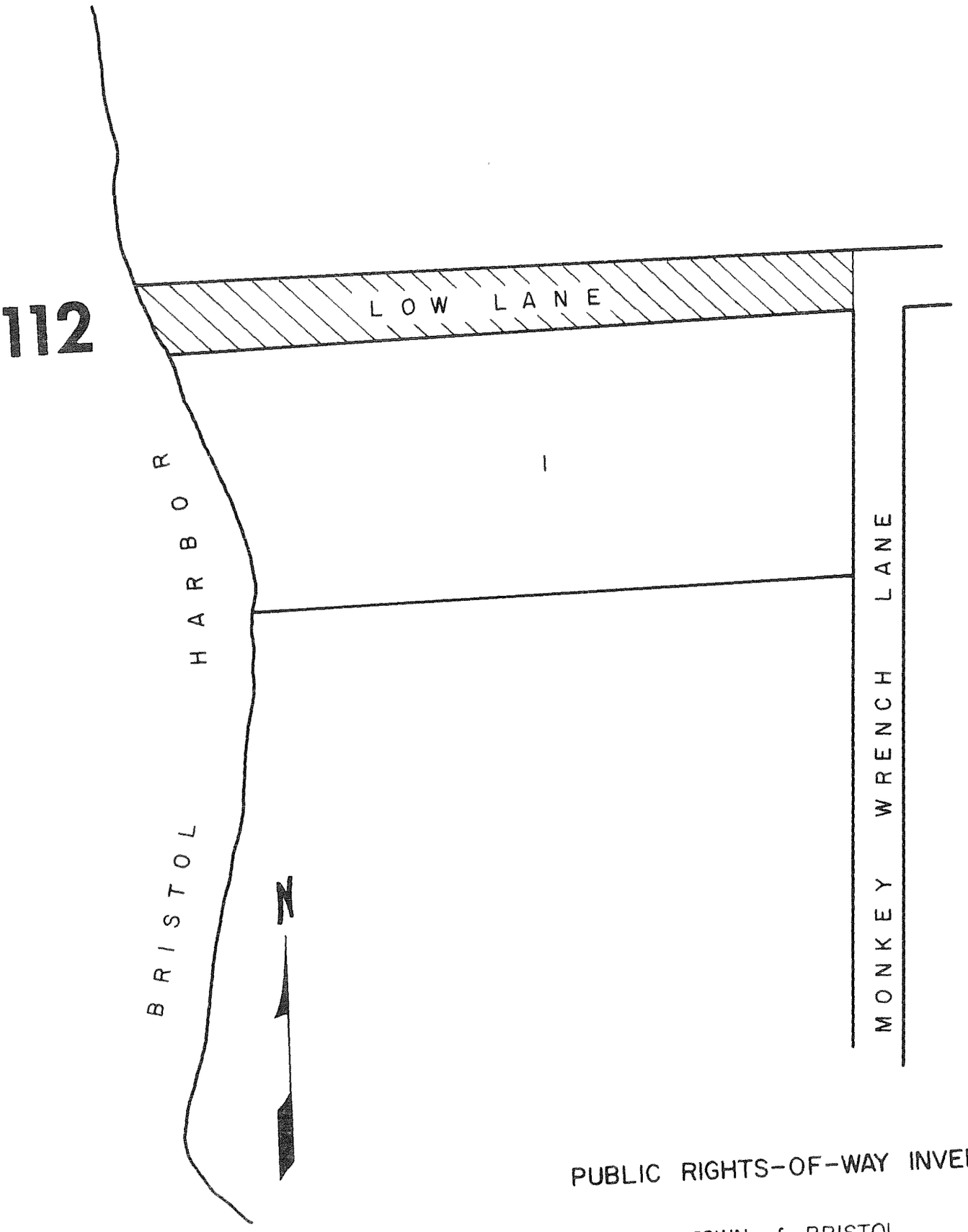


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of BRISTOL

PLAT 167

SCALE: 1" = 50'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 112

Town of Bristol

Location:

This public way is located off Low Lane west of the intersection of Monkey Wrench Lane.

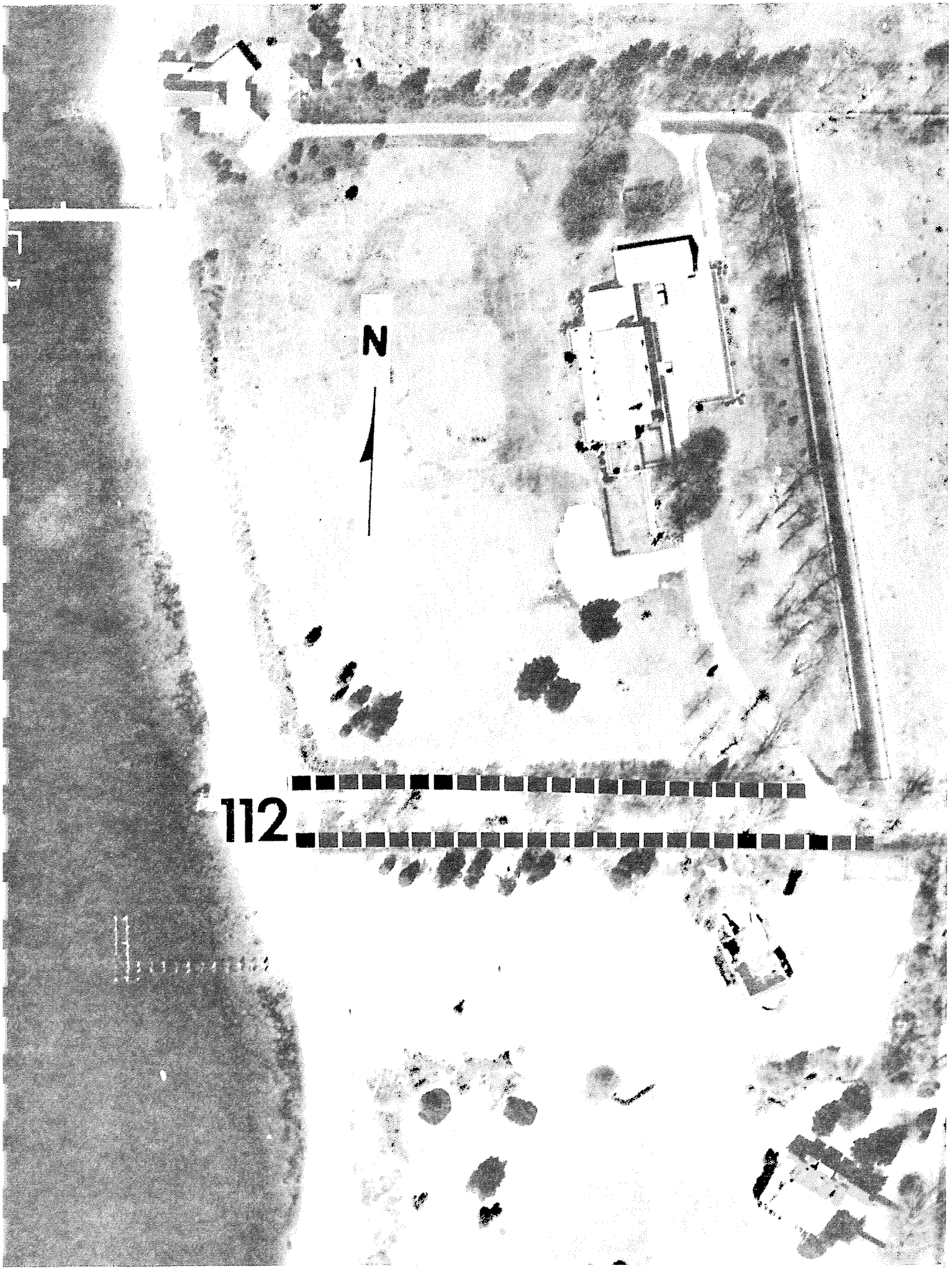
Approximate Dimensions: Width: 25 feet
Length: 265 feet
Area: 6,625 square feet

Existing Conditions and Land Uses:

This public way is situated in a relatively vacant undeveloped area. The public way itself is wide enough for an automobile to negotiate. There are private homes on either side. There is some vacant land in the immediate vicinity.

Recommendations:

A sign should be posted to indicate the public way location. No further action is recommended at this time.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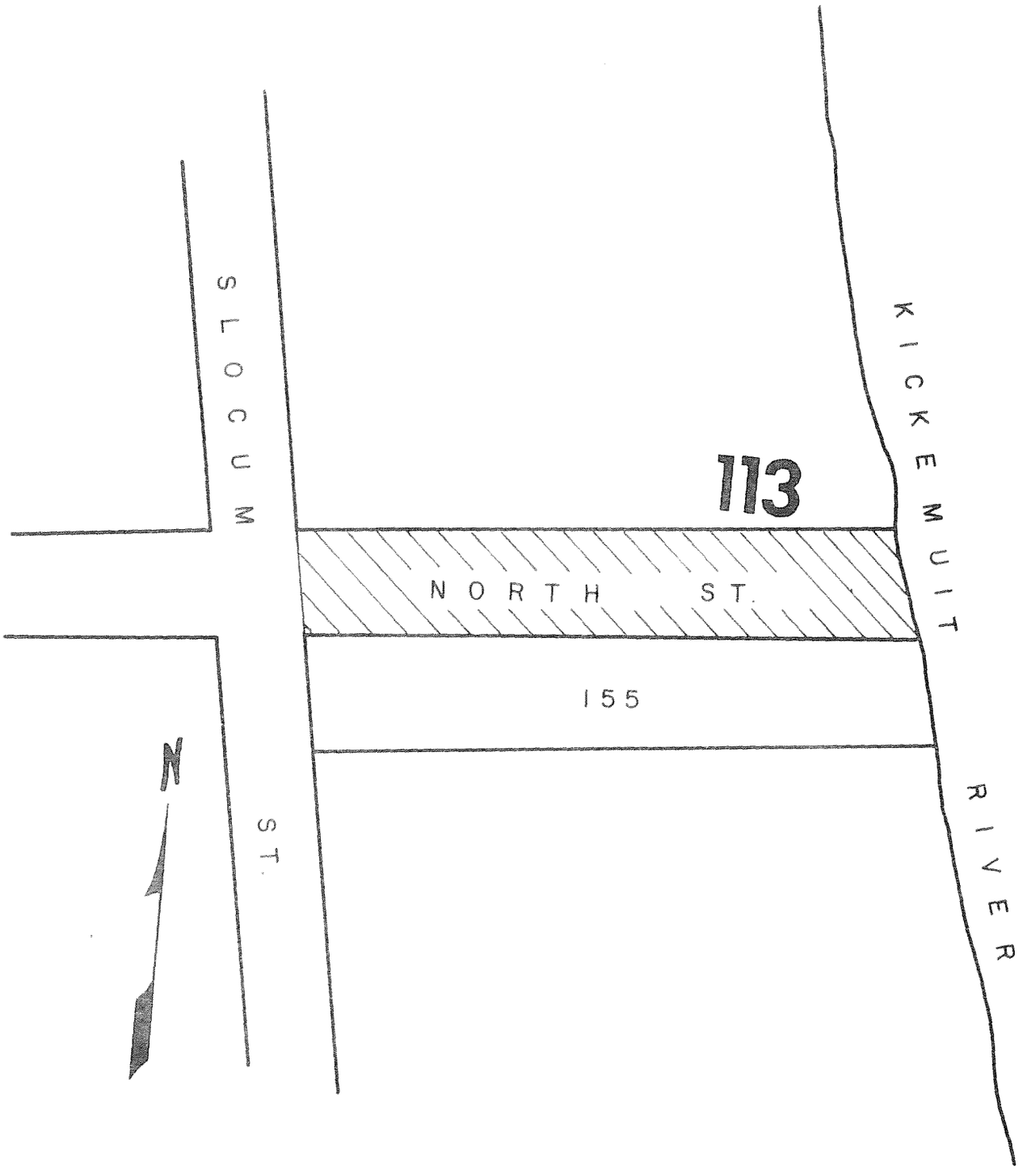


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of BRISTOL

PLAT 121

SCALE: 1"=50'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 113-114

Town of Bristol

Location:

There are two public ways located in this area. One is in the town at the end of North Street (113). The other public way is located at the end of Butterworth Avenue (114), just east of the Slocum Street-Butterworth intersection.

Approximate Dimensions:

113. Width: 35 feet
Length: 200 feet
Area: 7,000 square feet

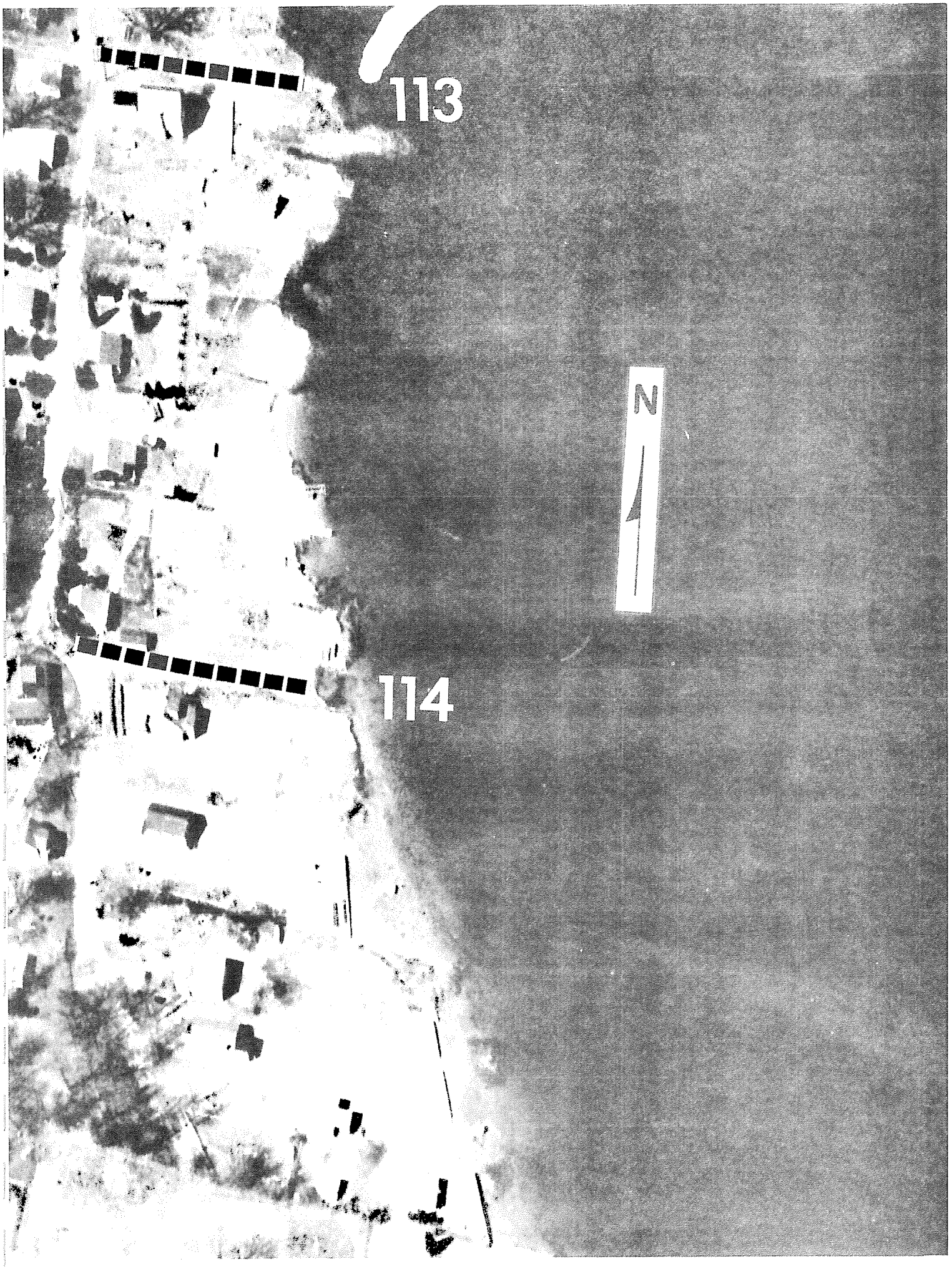
114. Width: 30 feet
Length: 200 feet
Area: 6,000 square feet

Existing Conditions and Land Uses:

Both public ways have some vacant land in the vicinity but much of the area is occupied by homes. The area has been zoned for low-medium density residential development. There are no signs indicating the public way locations.

Recommendations:

These public ways should remain in their present use and the areas should be signed, maintained and policed.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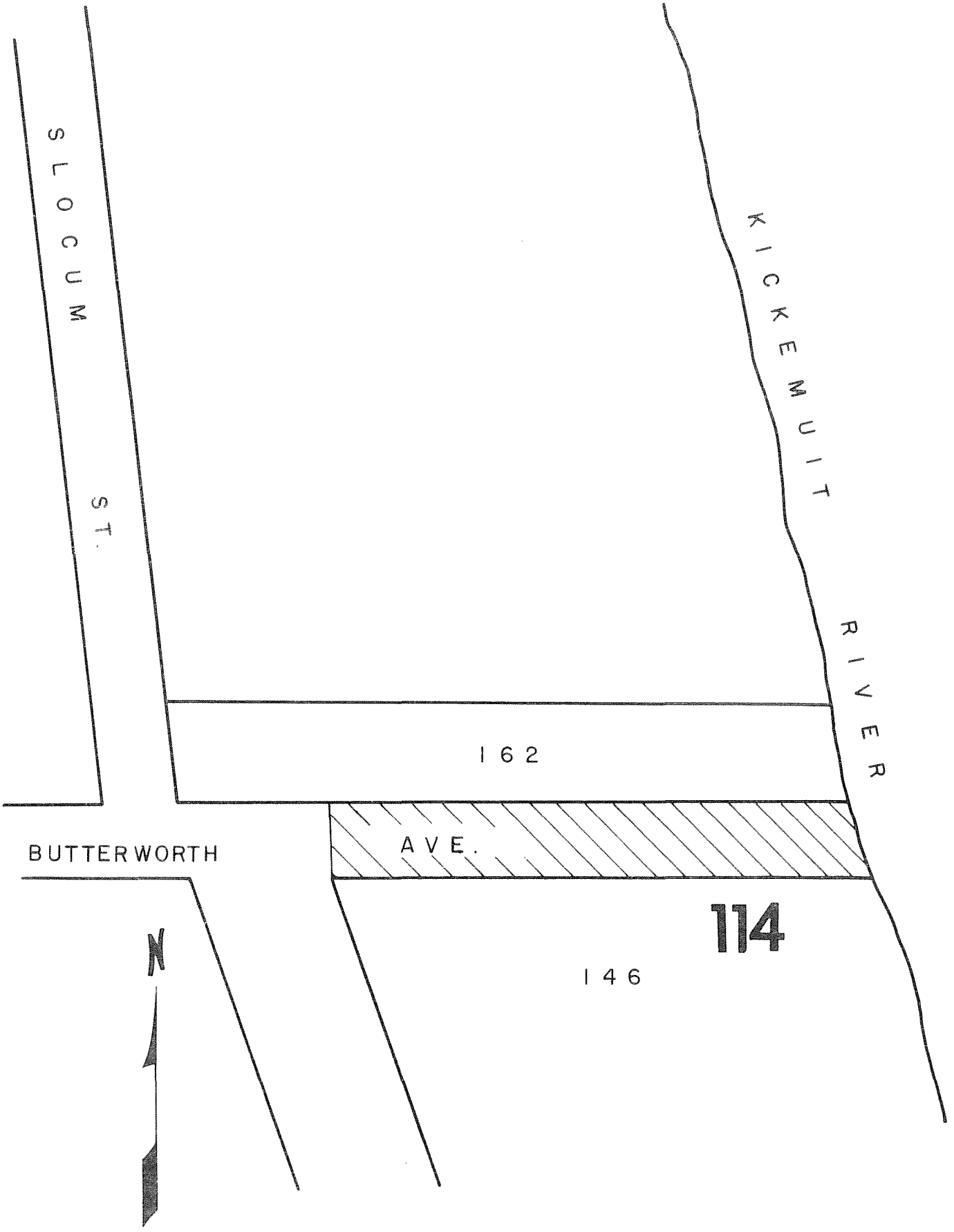
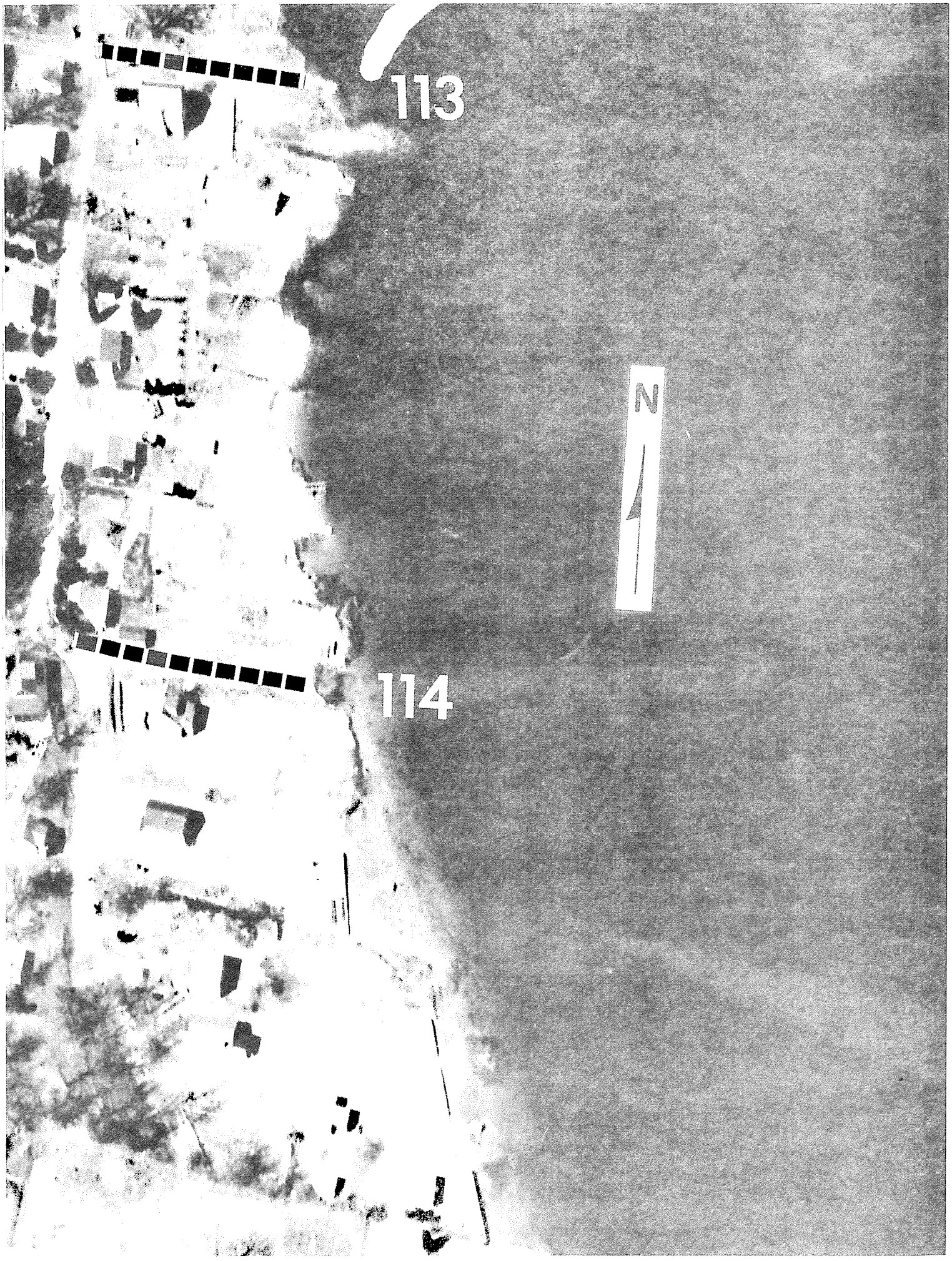


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of BRISTOL

PLAT 121 SCALE: 1" = 50'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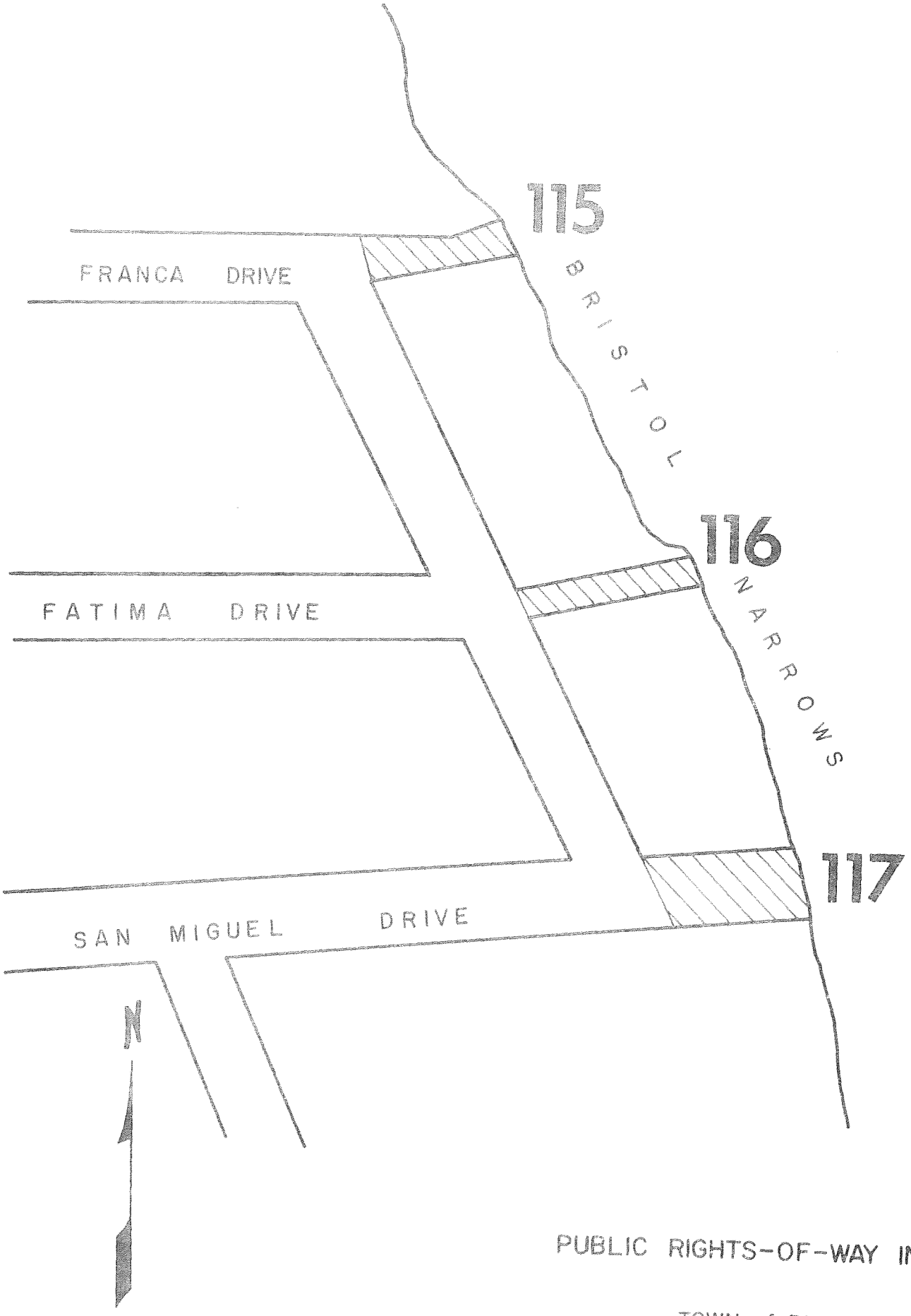


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of BRISTOL

PLAT 123

SCALE: 1"=100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 115-117

Town of Bristol

Location:

There are three public ways located off Everett Avenue bounded on the east by Bristol Narrows. They are: Franca Drive (115); Fatima Drive (116); and, San Miguel Drive (117).

Approximate Dimensions:

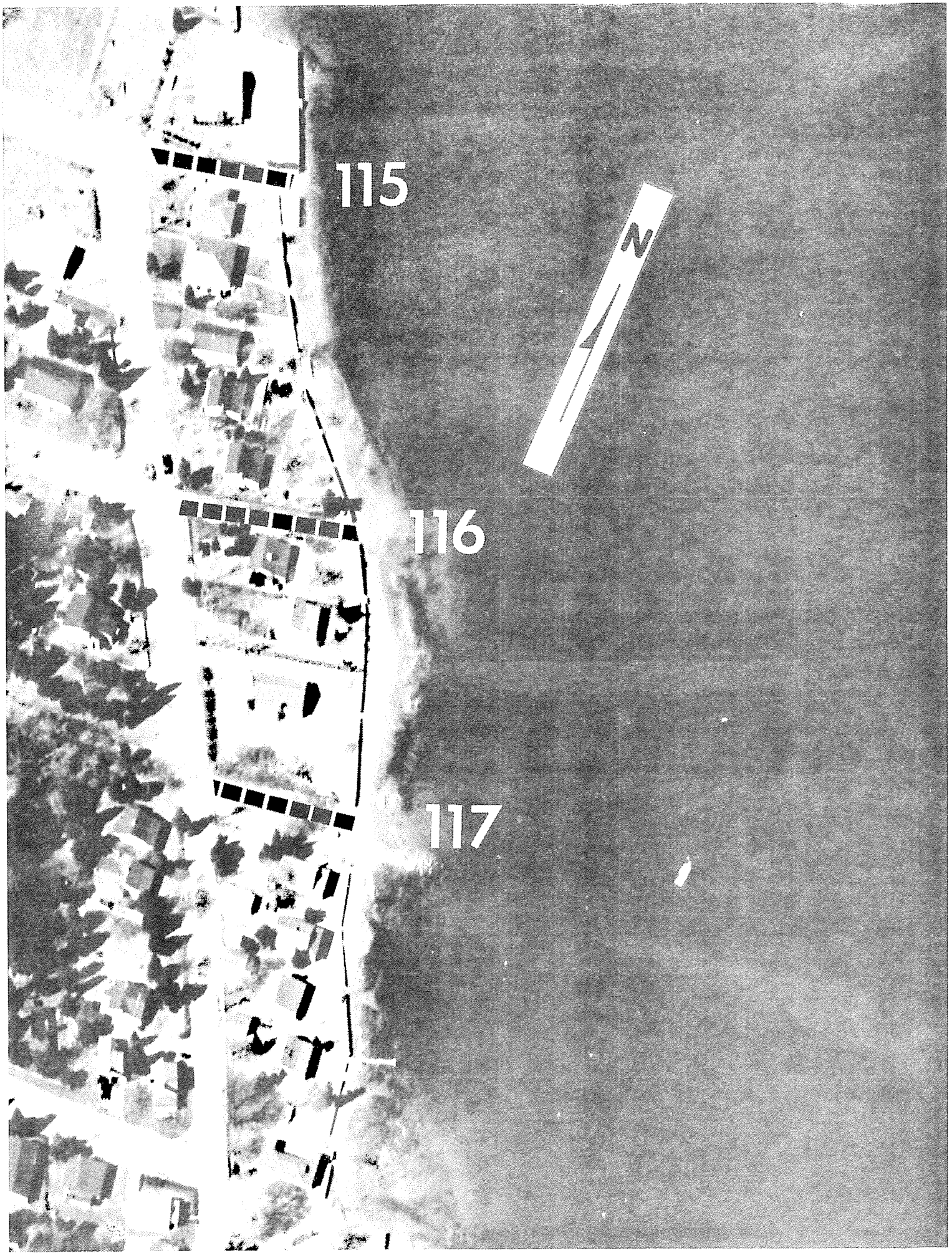
115.	Width:	35 feet
	Length:	110 feet
	Area:	3,850 square feet
116.	Width:	20 feet
	Length:	130 feet
	Area:	2,600 square feet
117.	Width:	55 feet
	Length:	110 feet
	Area:	6,050 square feet

Existing Conditions and Land Uses:

These public ways are located in an area zoned for medium-low residential development. The area on either side of the public ways is occupied by homes. There are no vacant lots surrounding these public ways.

Recommendations:

These public ways should be left to the use of local residents. A sign should be posted indicating their existence. The areas should be maintained and policed.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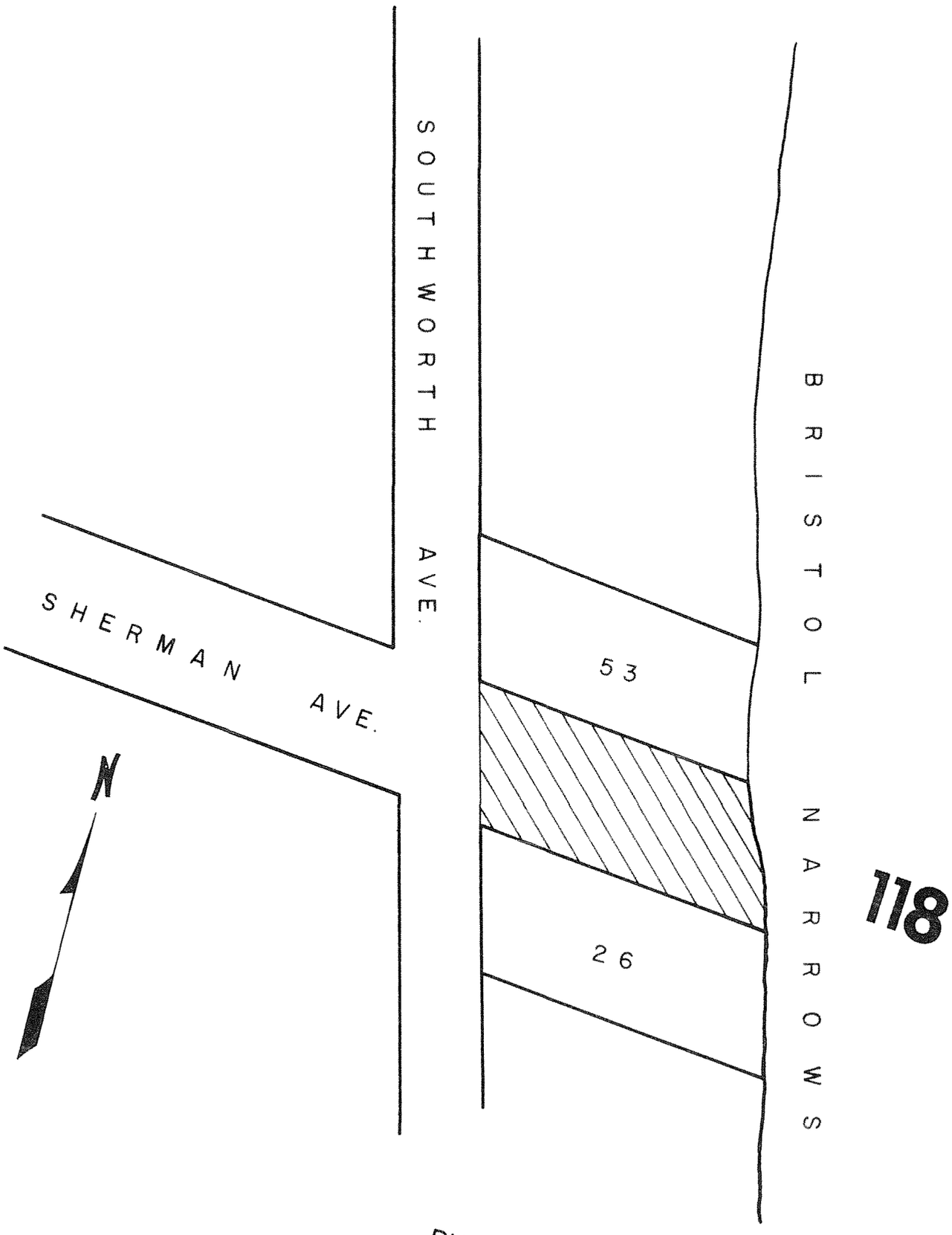

PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of BRISTOL

PLAT 122

SCALE: 1" = 50'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 118

Town of Bristol

Location:

This public right-of-way is located at the end of Sherman Avenue east of the Southworth Avenue intersection bordered by Bristol Narrows.

Approximate Dimensions: Width: 50 feet
Length: 105 feet
Area: 5,250 square feet

Existing Conditions and Land Uses:

This area is located in a low density residential zoned section of the town. Most of the lots in the area are occupied by private homes with little or no room for development.

Recommendations:

This area should remain in its present use and a sign posted. The area should be maintained and policed.

118
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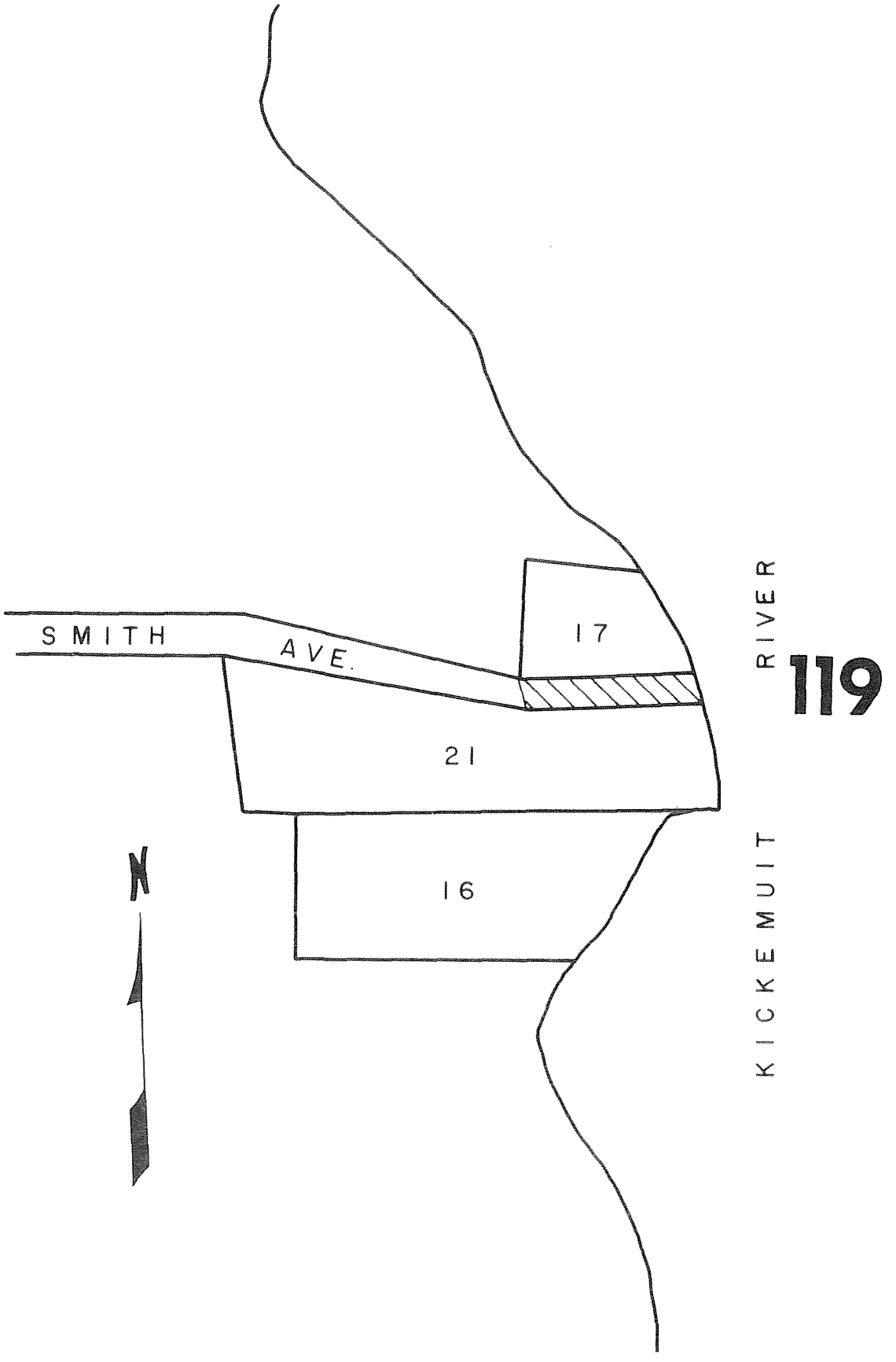


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of BRISTOL

PLAT 133

SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 119-120

Town of Bristol

Location:

There are two rights-of-way situated in this area. The first public way is just below the intersection of Wilcox Avenue and Kickamuit Avenue (120) and the second is just to the north off Smith Avenue (119).

Approximate Dimensions:

119.
- Width: 20 feet
- Length: 115 feet
- Area: 2,300 square feet

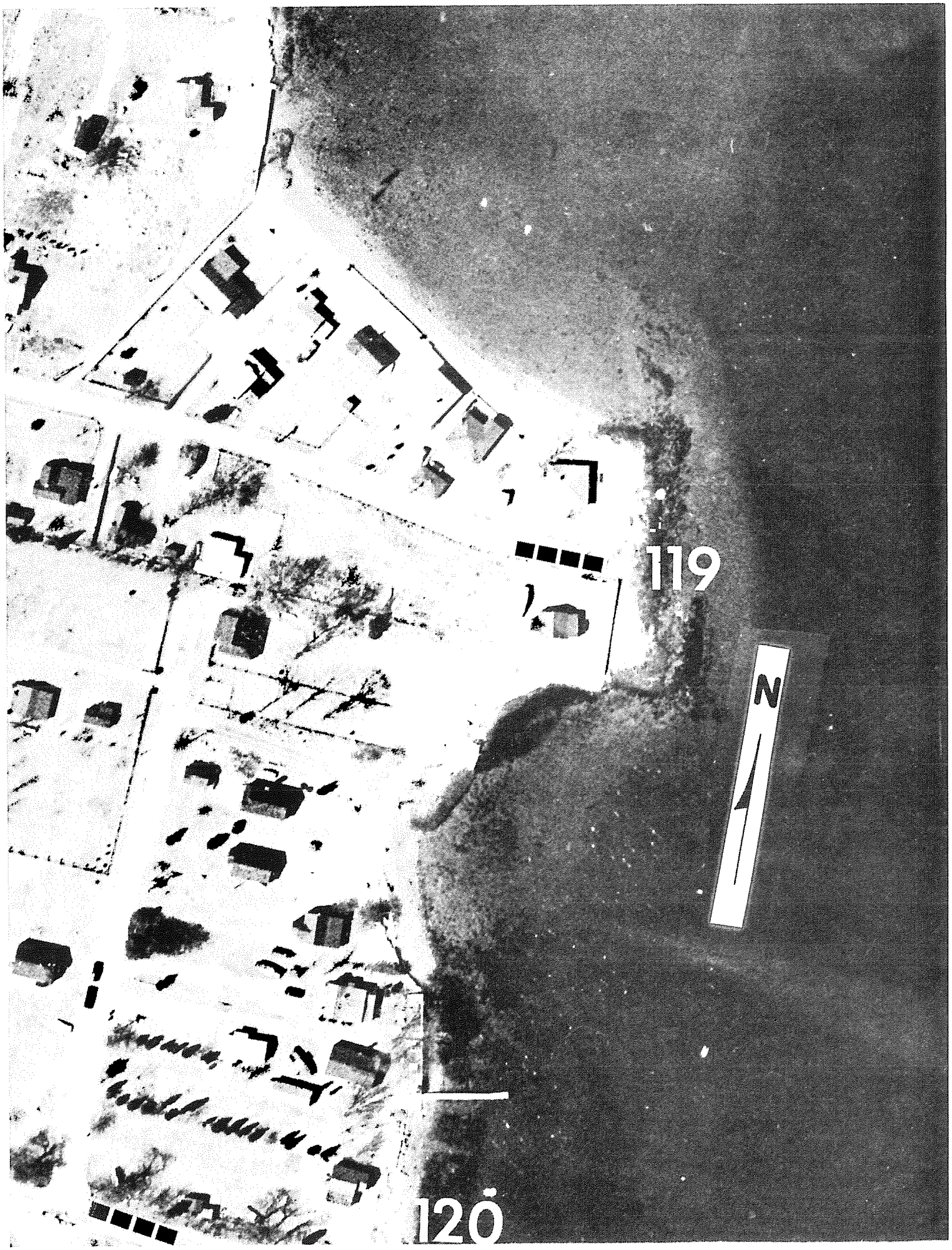
120.
- Width: 40 feet
- Length: 255 feet
- Area: 10,200 square feet

Existing Conditions and Land Uses:

Both of these rights-of-way are located in an area zoned for medium low density residential development. There are no signs posted indicating their existence. Vacant land in the surrounding area is at a minimum. There are homes on either side of both rights-of-way.

Recommendations:

These two rights-of-way should be posted and remain in their present use. Number 120 provides a wide access to the water. This area should be maintained and policed.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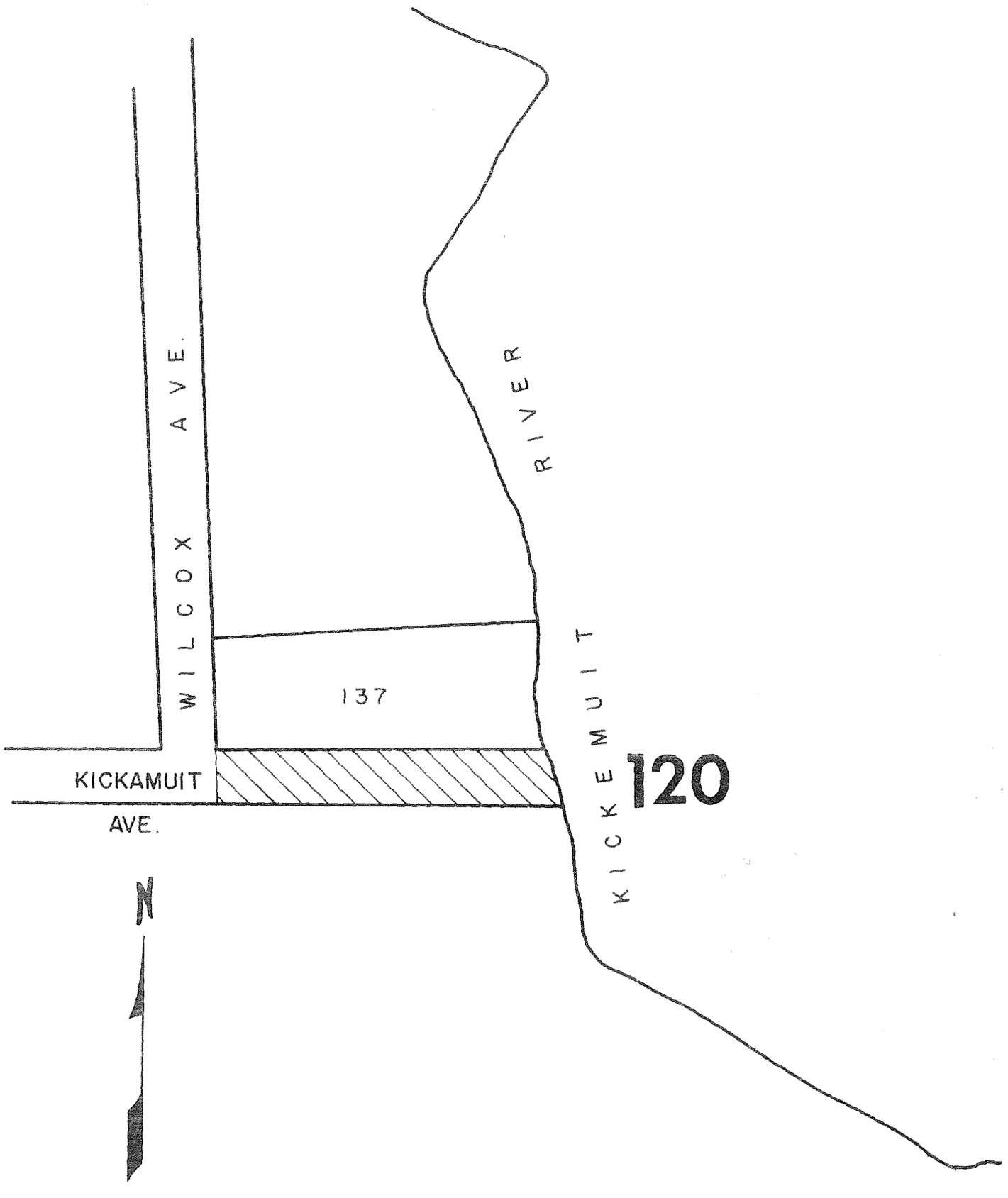
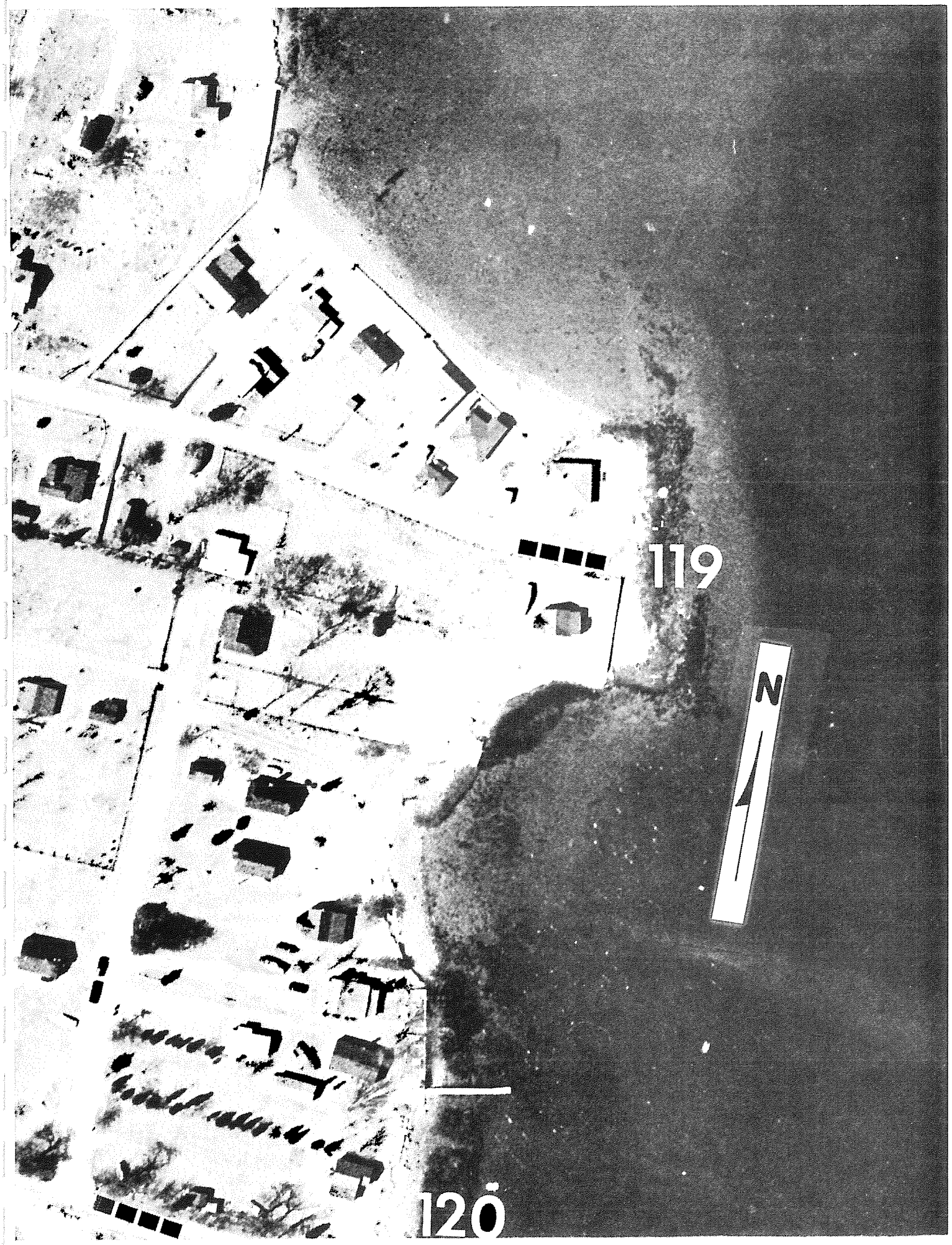


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of BRISTOL

PLAT 133 SCALE: 1" = 100'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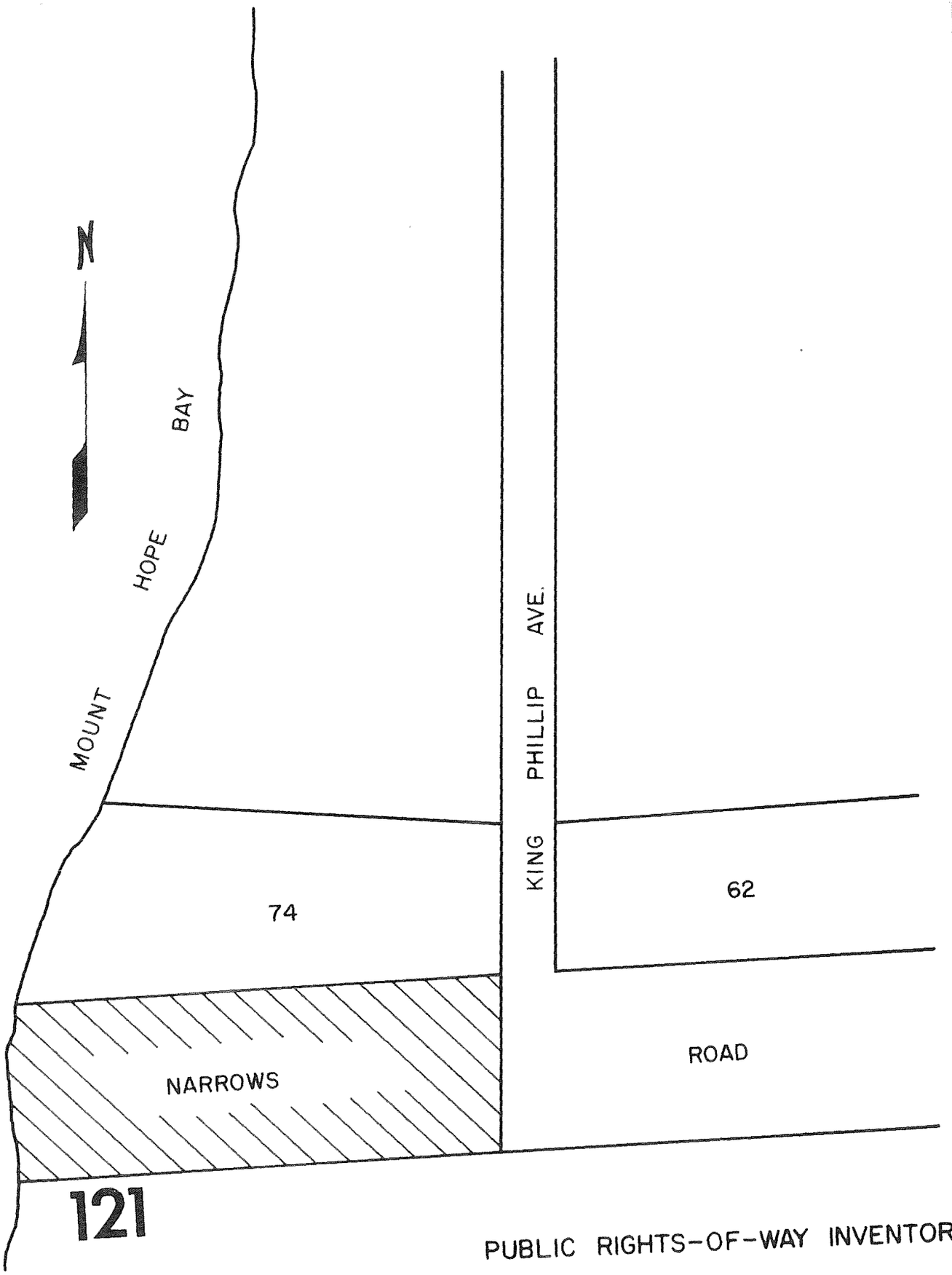


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of BRISTOL

PLAT 147

SCALE: 1" = 50'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 121

Town of Bristol

Location:

This public way is located just west of the intersection of King Phillip Avenue and Bristol Narrows Road.

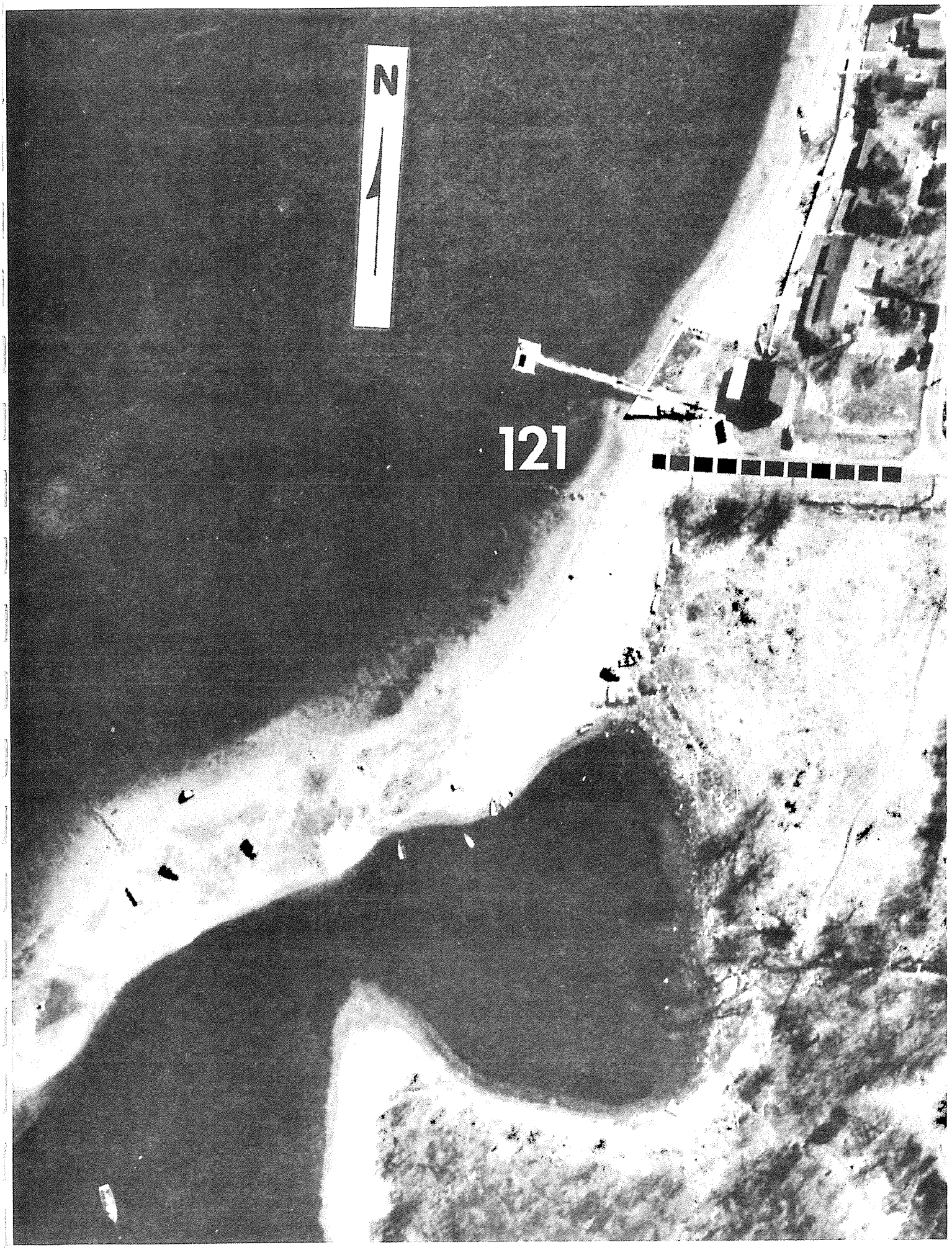
Approximate Dimensions: Width: 65 feet
Length: 180 feet
Area: 11,600 square feet

Existing Conditions and Land Uses:

This right-of-way is situated in an area zoned for medium density residential development. The public way is bordered by vacant land on the south and opens onto a vacant point on Mount Hope Bay. There are very few private homes in this area, and there is no sign indicating the existence of a public way.

Recommendations:

Consideration should be given to the possibility of acquiring some of the vacant area for further recreational development. A sign should also be posted indicating the existence of the public way.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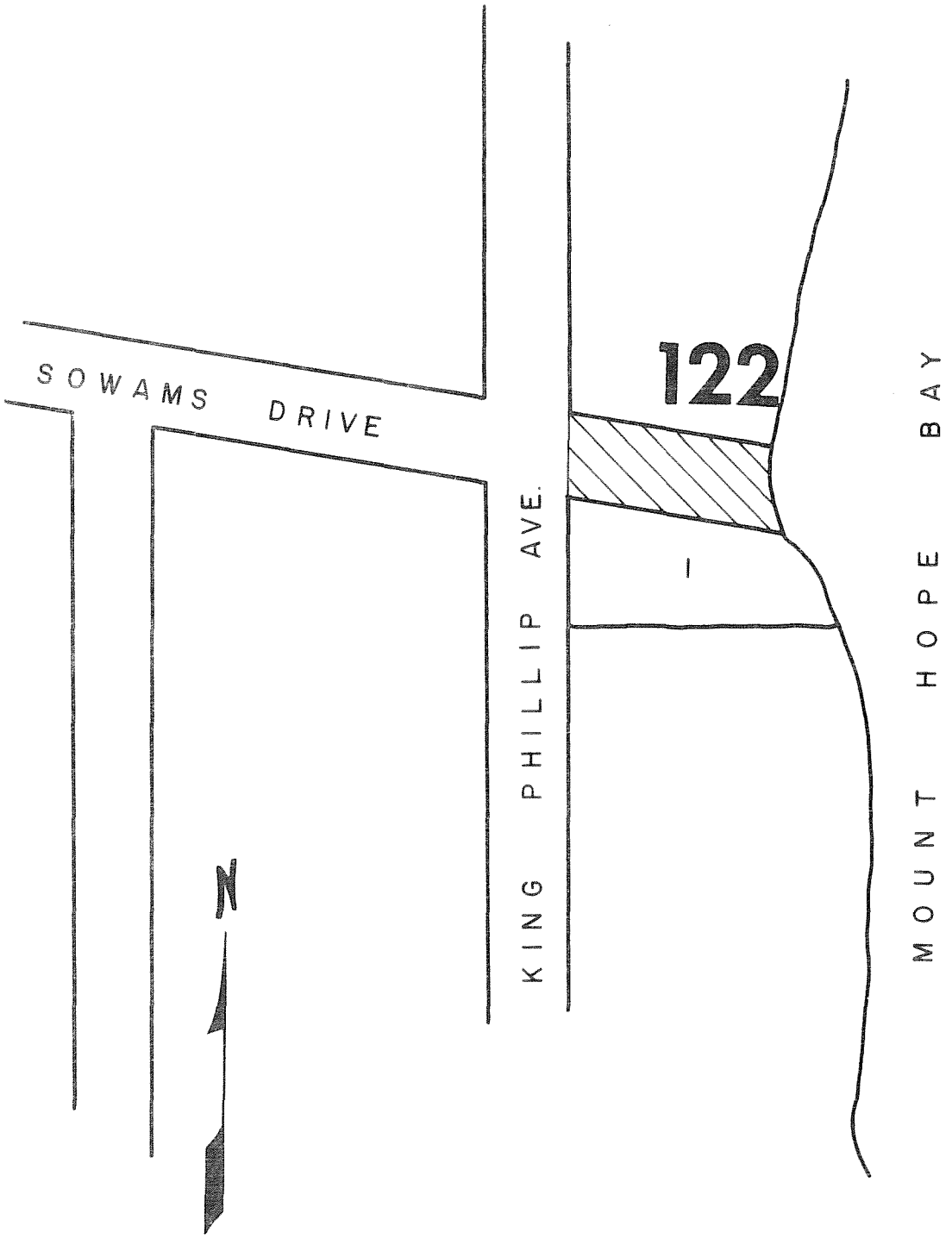


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of BRISTOL

PLAT 151

SCALE: 1"=100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 122

Town of Bristol

Location:

This public way is located to the east of the intersection of Sowams Drive and King Phillip Avenue. The public way runs off Sowams Drive and is bordered on the east by Mount Hope Bay.

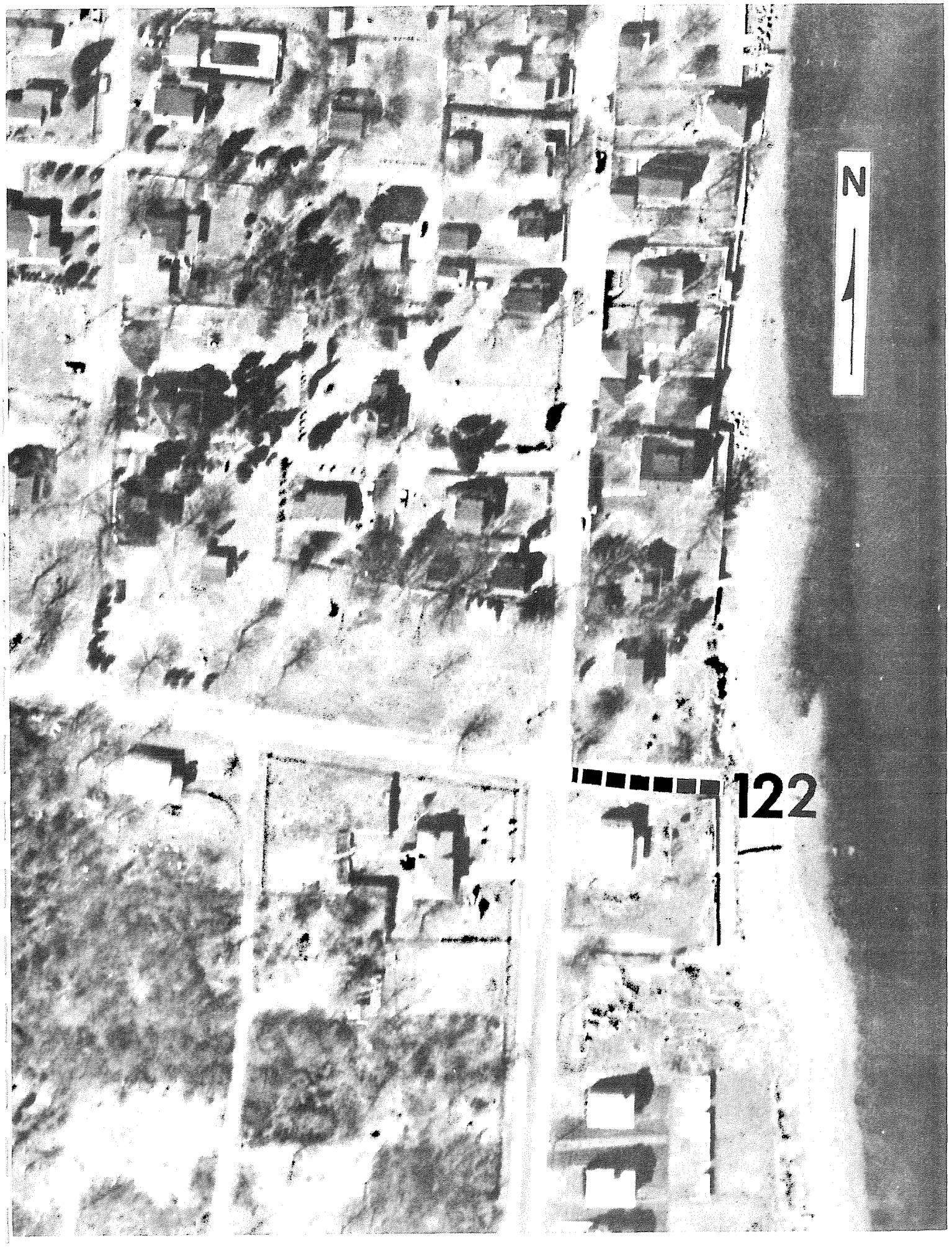
Approximate Dimensions: Width: 50 feet
Length: 130 feet
Area: 6,500 square feet

Existing Conditions and Land Uses:

This area is zoned for a medium density development. There is a limited amount of vacant land to the northwest. There are homes on either side of the public way.

Recommendations:

This public way should be posted, and remain in its present use. The area should be maintained and policed.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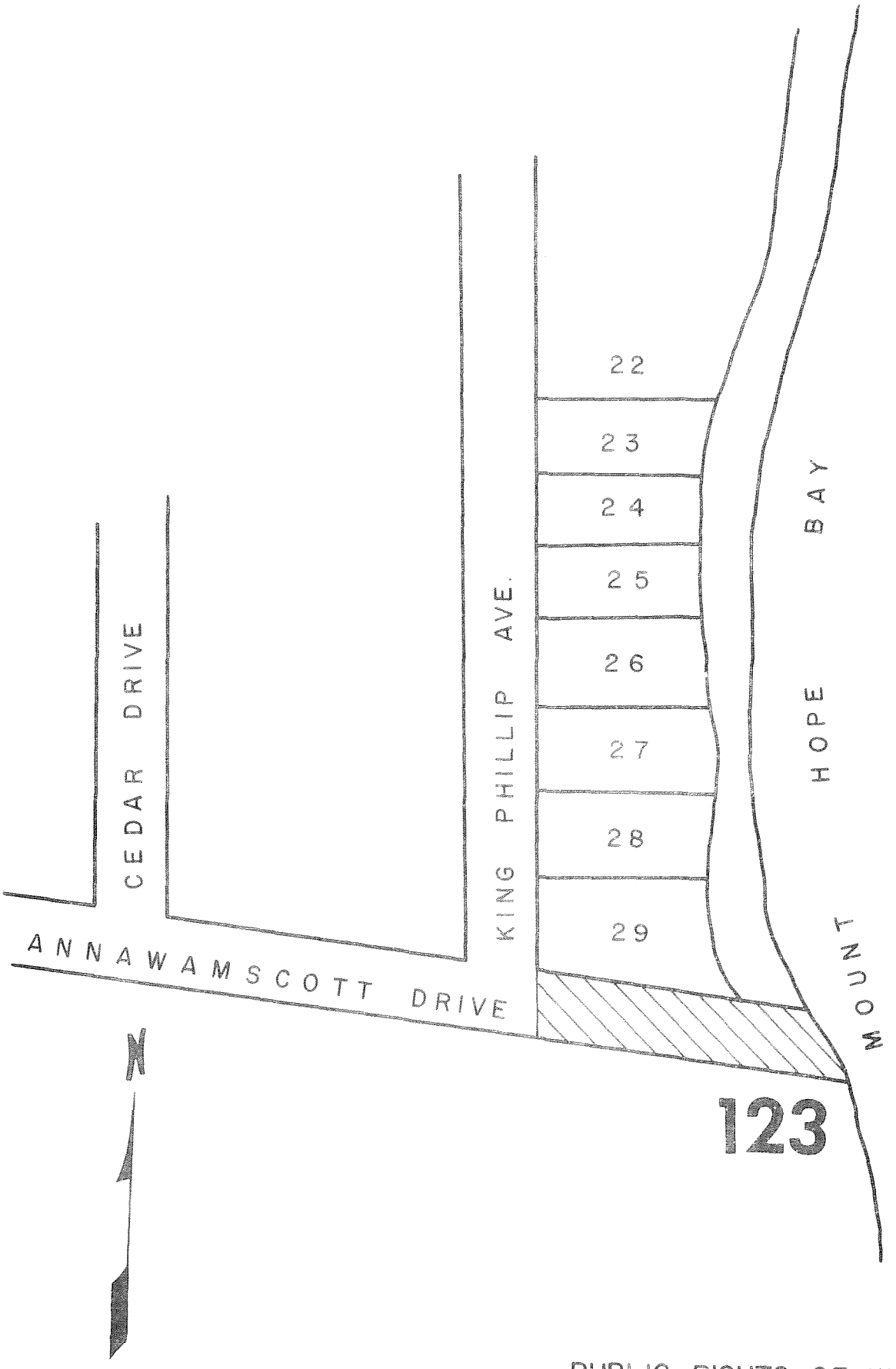


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of BRISTOL

PLAT 151

SCALE: 1" = 50'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 123

Town of Bristol

Location:

This public way is located east of the intersection of Annawamscott Drive and King Phillip Avenue.

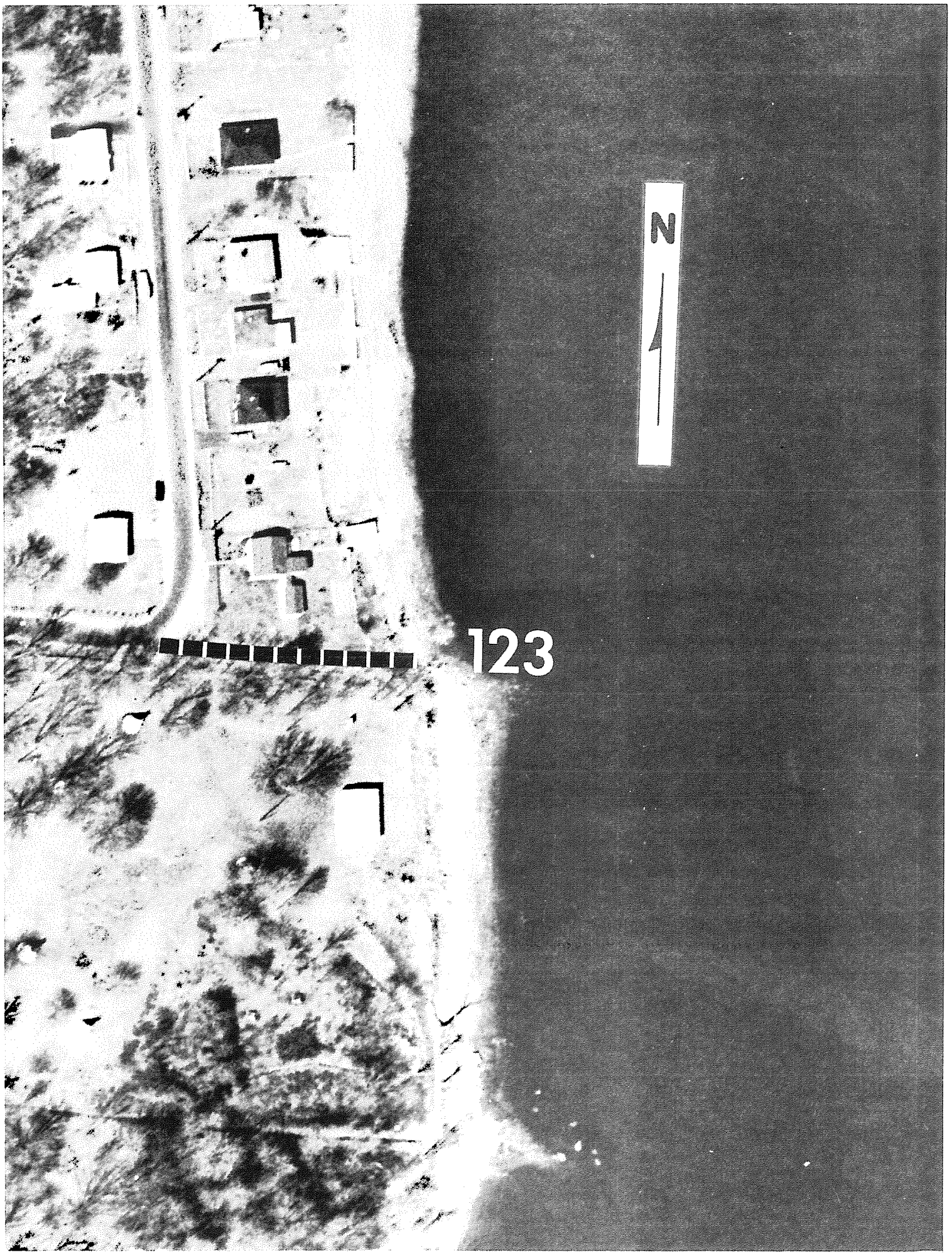
Approximate Dimensions: Width: 25 feet
Length: 105 feet
Area: 2,625 square feet

Existing Conditions and Land Uses:

This area has been zoned by the town for medium-low density residential development. The land to the south is owned by the State of Rhode Island (Veteran's Home). There is residential development to the North. There is no sign posted indicating existence of public way.

Recommendations:

A sign should be posted and an investigation should be undertaken to determine the possibility of acquiring additional vacant land for recreational development.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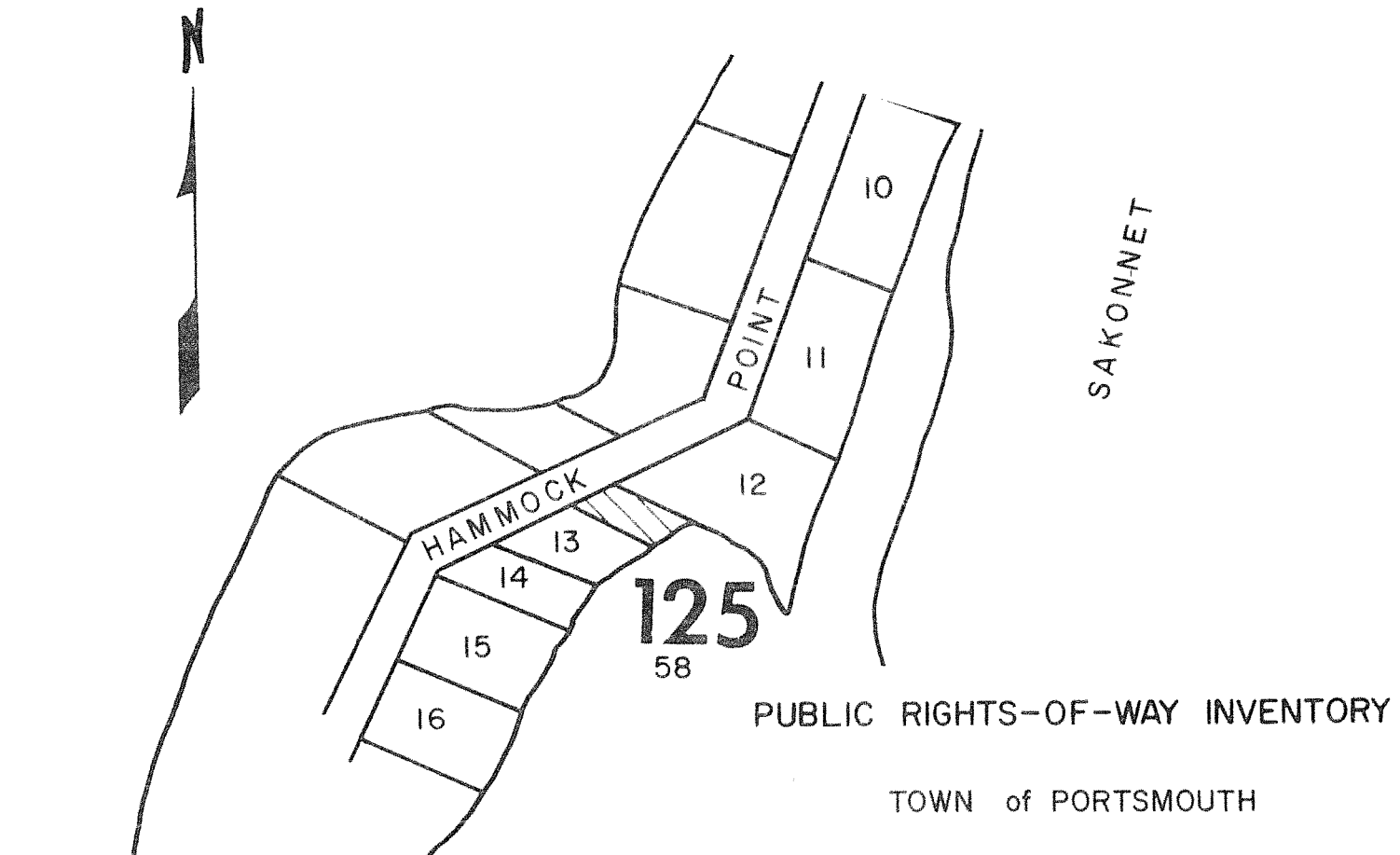
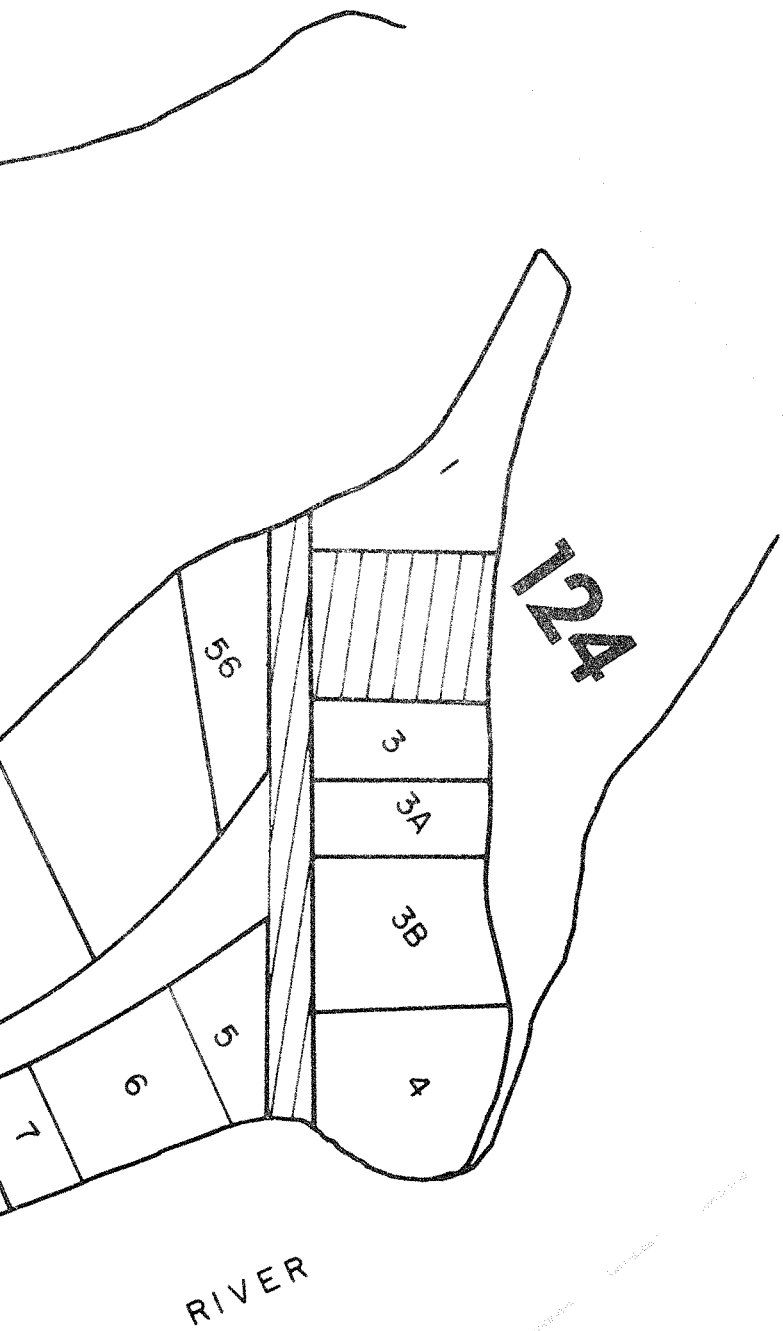


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of PORTSMOUTH


124
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RIVER

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 124

Town of Portsmouth

Location:

This public way is located at the tip of Hummock Point Road, and the east and west ends of Mount View Road.

Approximate Area: 14,950 square feet

Existing Conditions and Land Uses:

At the eastern tip of Mount View Road the public runs between homes and at the end of Hummock Point Road runs between a home and garage. The western tip of the public way has a vacant lot adjacent to it and also opens onto a vast tidal flat area. There is no sign posted indicating the public way's existence.

Recommendations:

Consideration should be given to the possibility of recreational development at the western tip of the public right-of-way. A sign should be posted.

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 142

Town of Middletown

Location:

This public way is located to the west of Tuckerman Avenue on Easton's Point.

Approximate Dimensions: Width: 8 feet
Length: 40 feet
Area: 320 square feet

Existing Conditions and Land Uses:

This public way is in a residential section of the town. The public way is situated next to homes and what appears to be an open lot. There is no sign indicating the public ways existence.

Recommendations:

This public way should be left for local use, and posted to indicate its location. No further action is recommended at this time.

142
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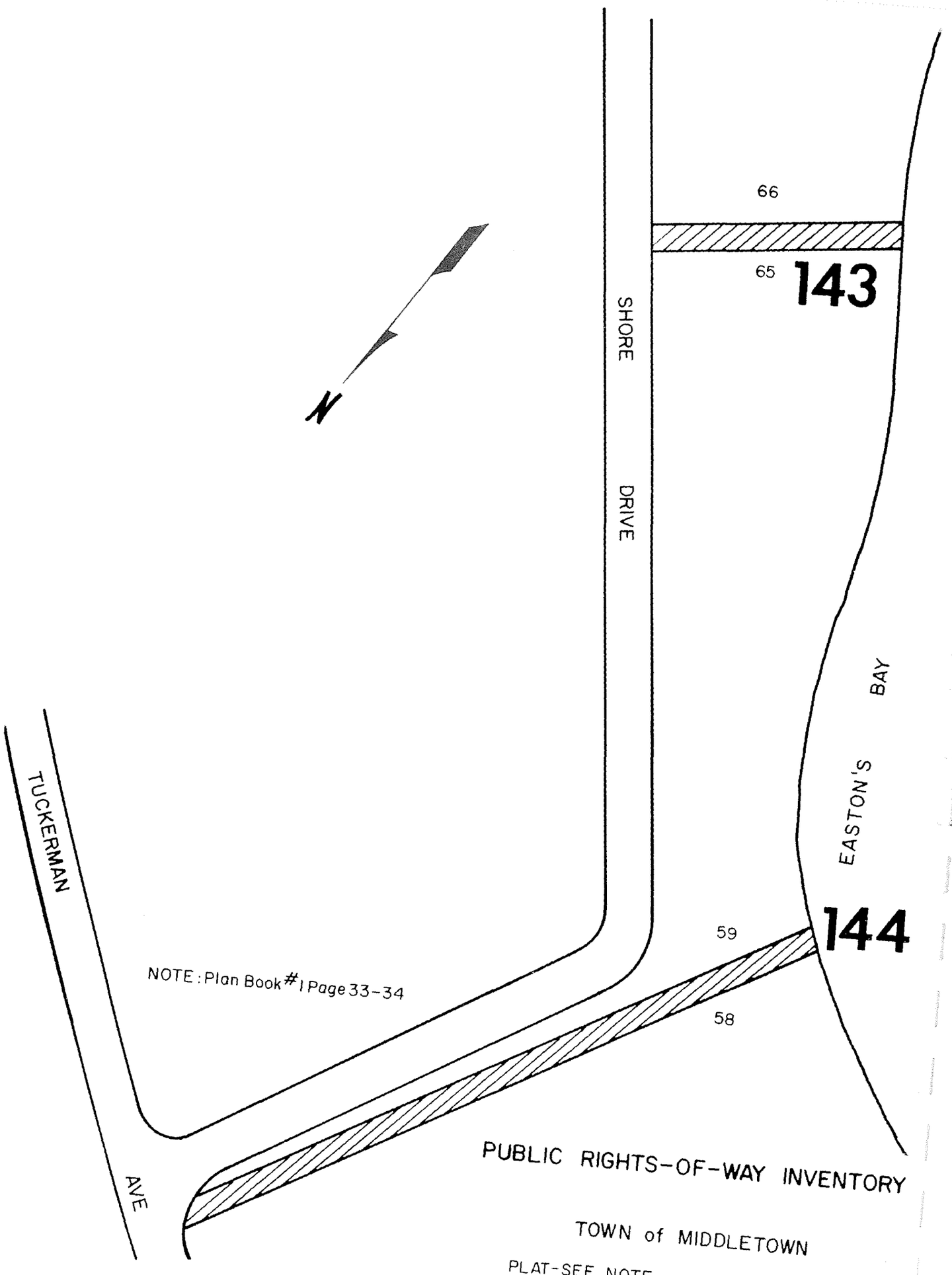


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of MIDDLETOWN

PLAT-SEE NOTE

SCALE: 1" = 50'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 143-144

Town of Middletown

Location:

There are two public ways located off Shore Drive bordering along Easton's Bay. One is located directly off Shore Drive (143). The other begins at the intersection of Shore Drive and Tuckerman Avenue (144) and runs parallel to Shore Drive.

Approximate Dimensions:

143.
Width: 10 feet
Length: 105 feet
Area: 1,050 square feet

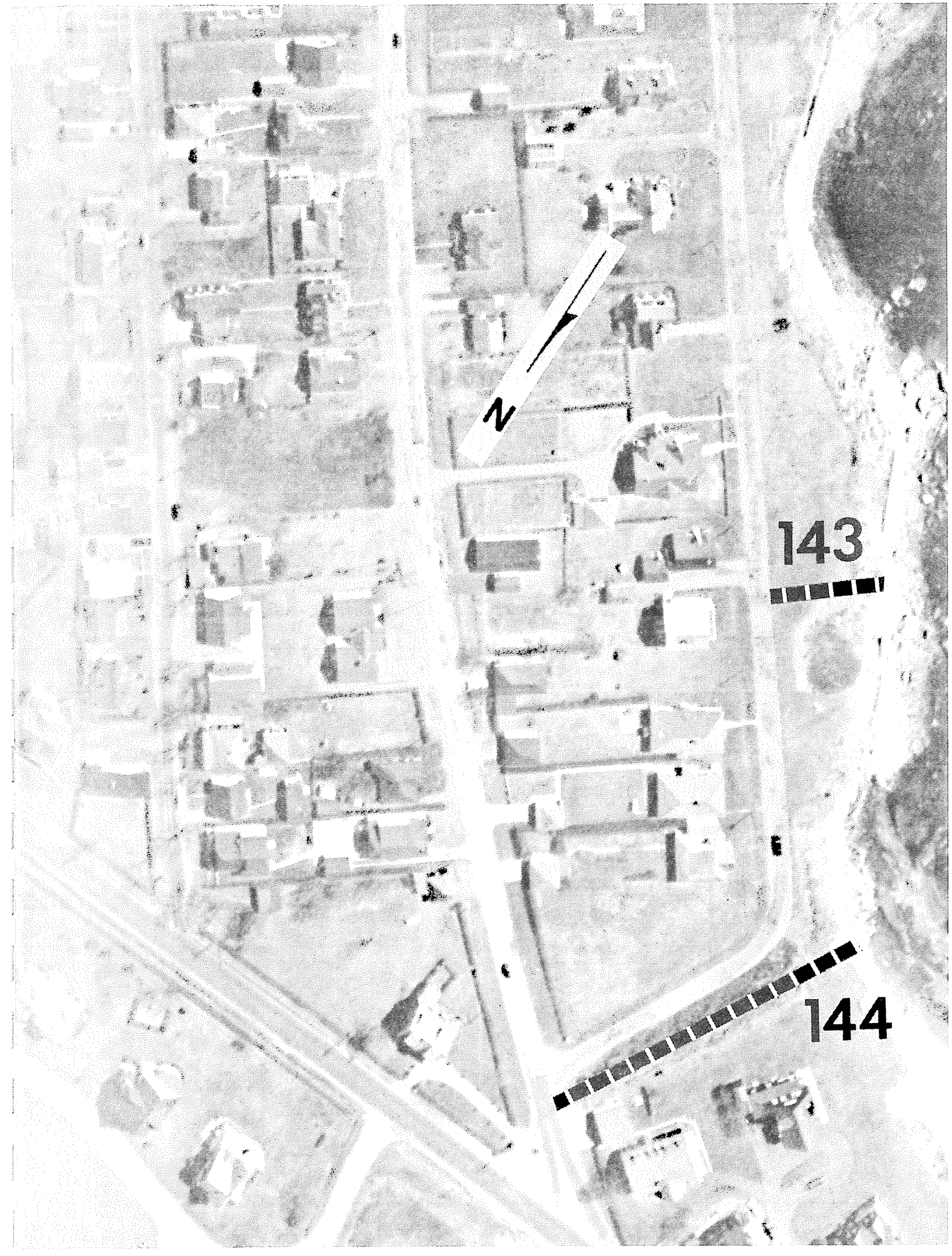
144.
Width: 10 feet
Length: 290 feet
Area: 2,900 square feet

Existing Conditions and Land Uses:

Both of these public ways are situated near homes and the area itself has been zoned for residential development. The surrounding area is very close to the shoreline and affords good access to the beach. Easton's Beach is located a short distance from the public ways.

Recommendations:

These public ways should be identified and left for use by local residents. No further action is recommended at this time.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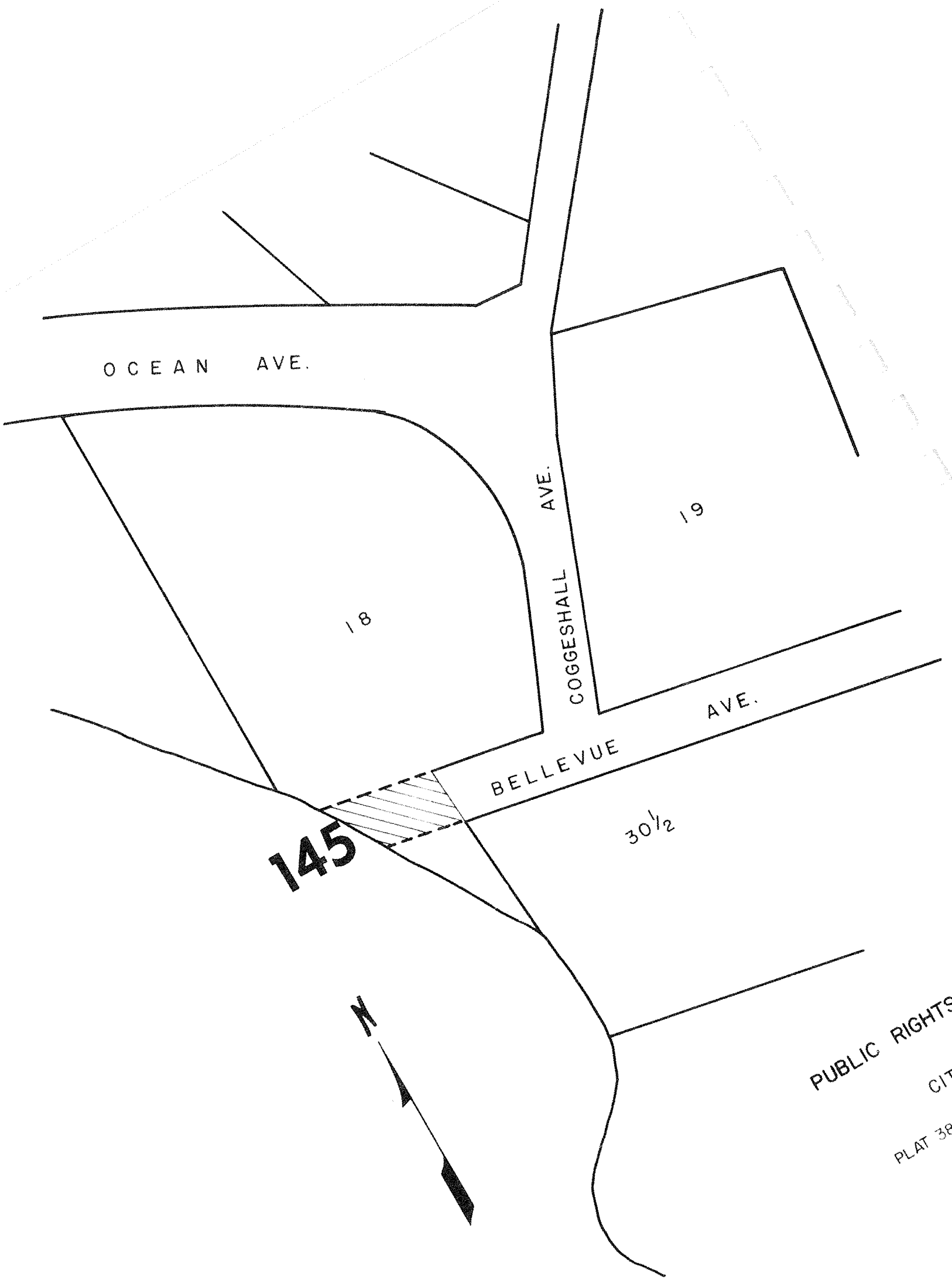


PUBLIC RIGHTS-OF-WAY INVENTO

CITY of NEWPORT

SCALE:

PLAT 38

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 145

City of Newport

Location:

This public right-of-way is located at the end of Bellevue Avenue. It is commonly known as Bailey's Beach.

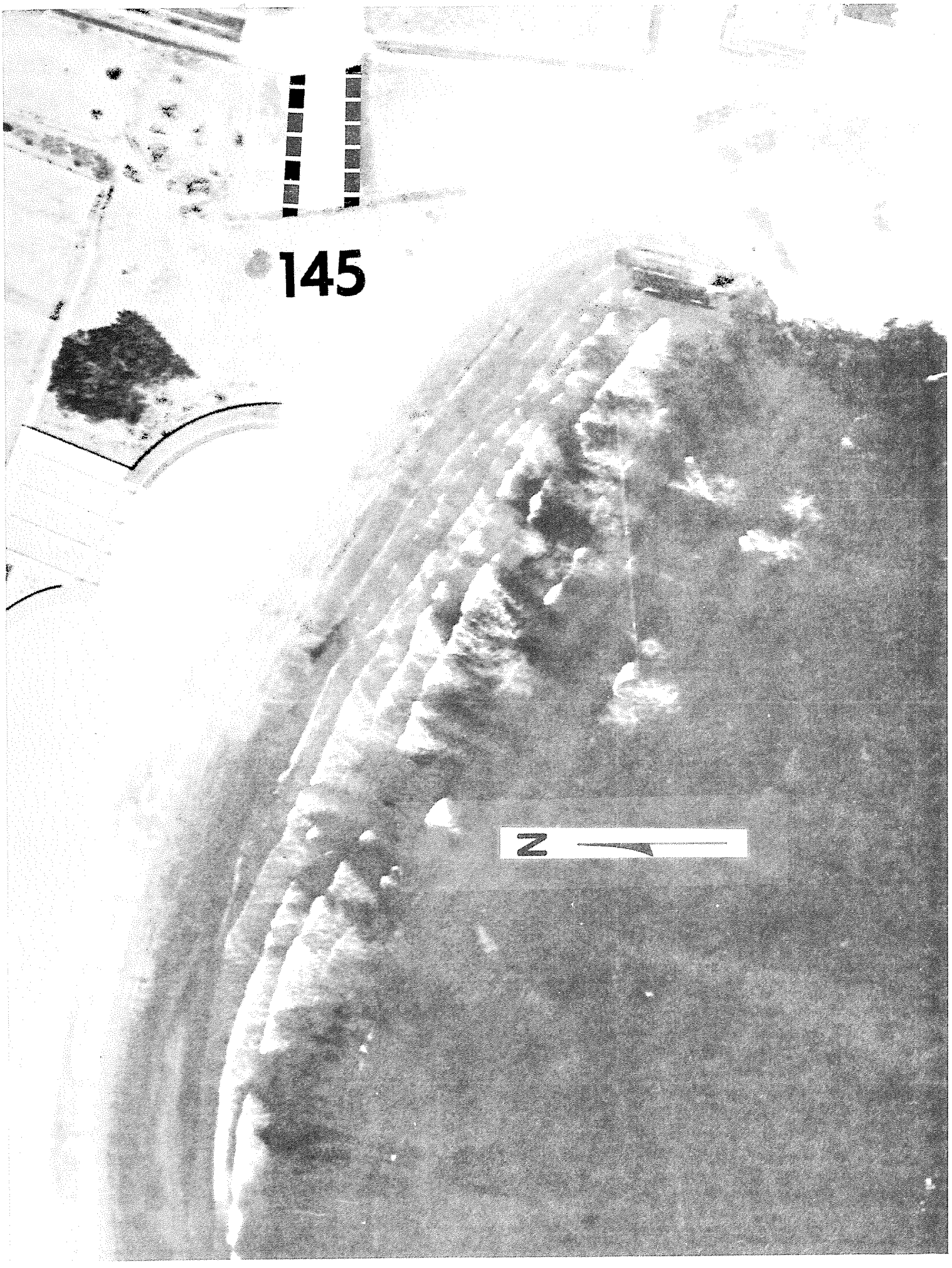
Approximate Area: 1,200 square feet

Existing Conditions and Land Uses:

This particular right-of-way has been the subject of much litigation. The public way is wide enough to accommodate the parking of several cars. There is no sign at the present time indicating that the area is a public way. There is vacant land near the site.

Recommendations:

This public way should be posted, maintained and policed.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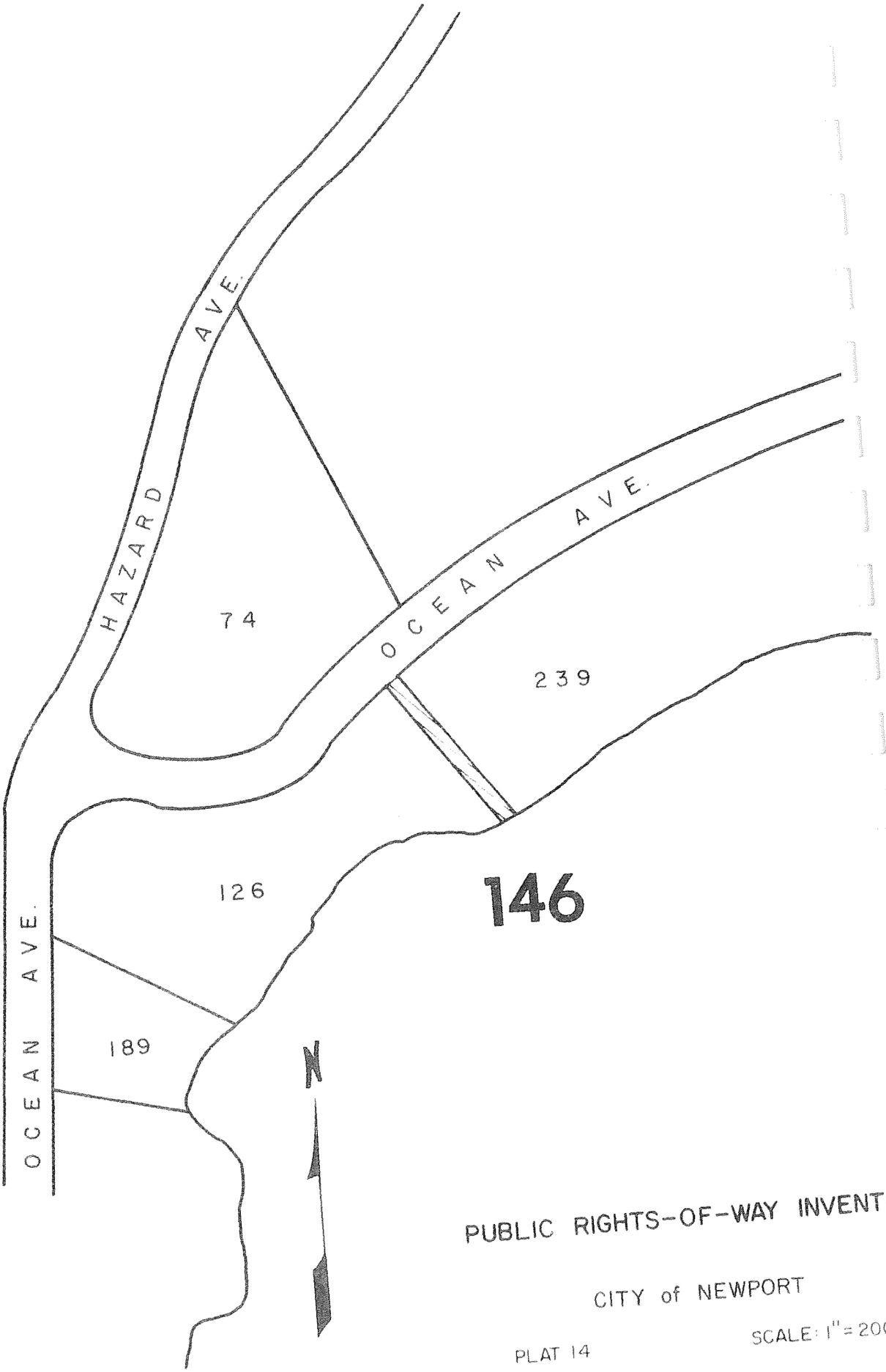


PUBLIC RIGHTS-OF-WAY INVENTORY

CITY of NEWPORT

SCALE: 1" = 200'

PLAT 14

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 146

City of Newport

Location:

This public way is located off Ocean Avenue adjacent to a private beach club. The right-of-way is east of the Hazard Avenue, Ocean Avenue intersection.

Approximate Dimensions: Width: 20 feet
Length: 270 feet
Area: 5,400 square feet

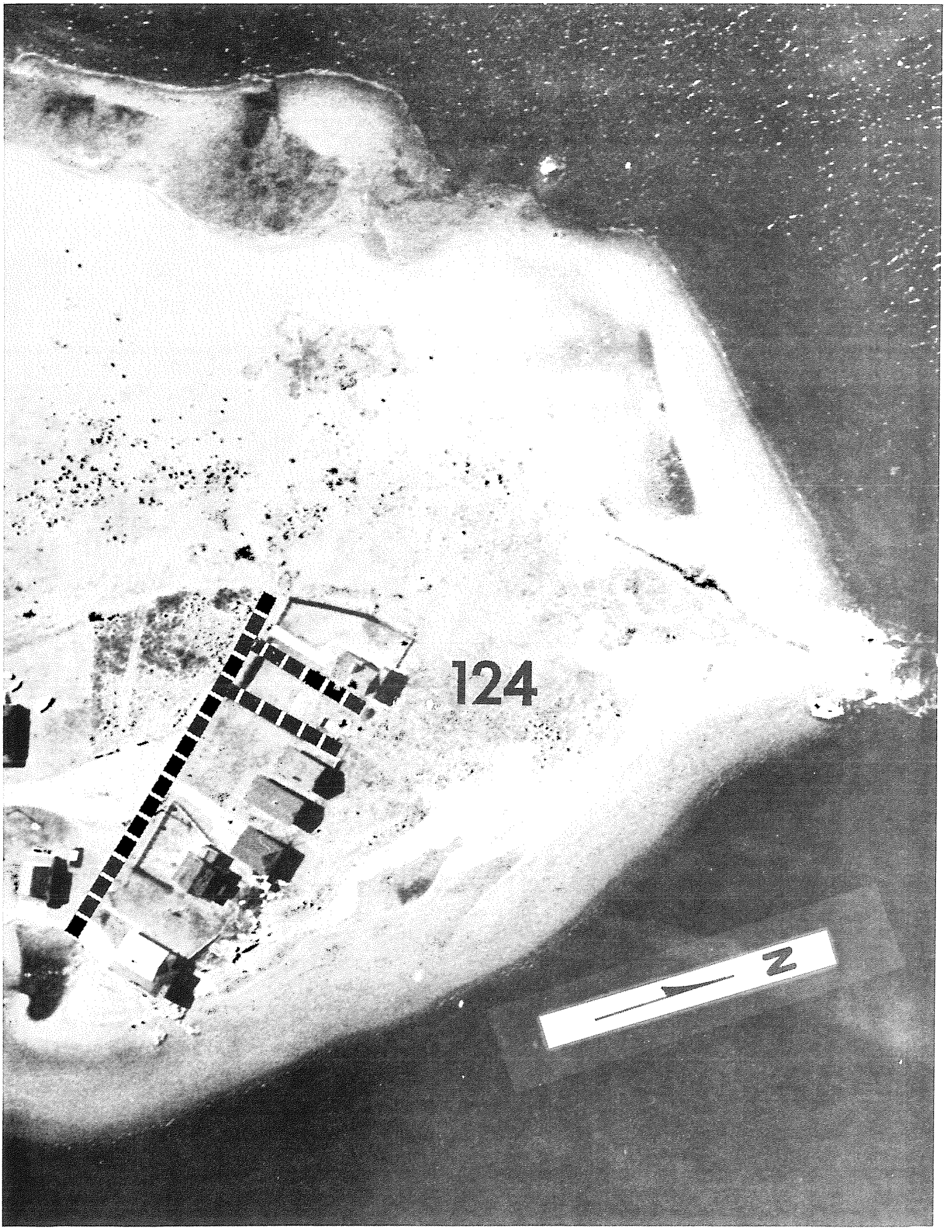
Existing Conditions and Land Uses:

There is no sign indicating the location of the right-of-way. The area is open and vacant on either side of the public way. It appears that the public way may be used as a dividing line between properties.

Recommendations:

This public way should be studied for the possibility of further development. The area should be posted, maintained and policed.

N
146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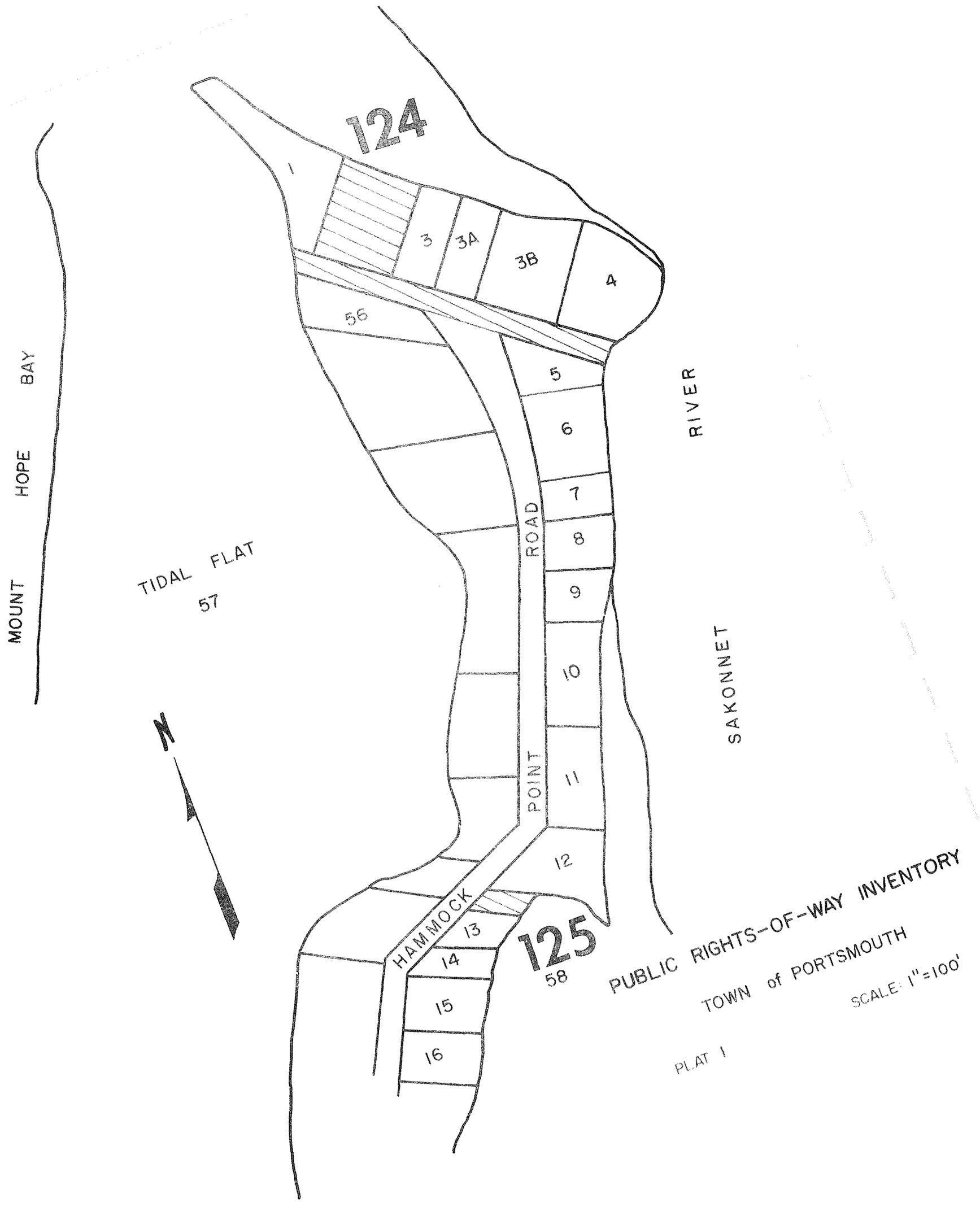


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of PORTSMOUTH

SCALE: 1"=100'

PLAT 1

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 125

Town of Portsmouth

Location:

This public way is located south of Common Fence Point and to the east of Hummock Point Road.

Approximate Dimensions: Width: 20 feet
Length: 50 feet
Area: 1,000 square feet

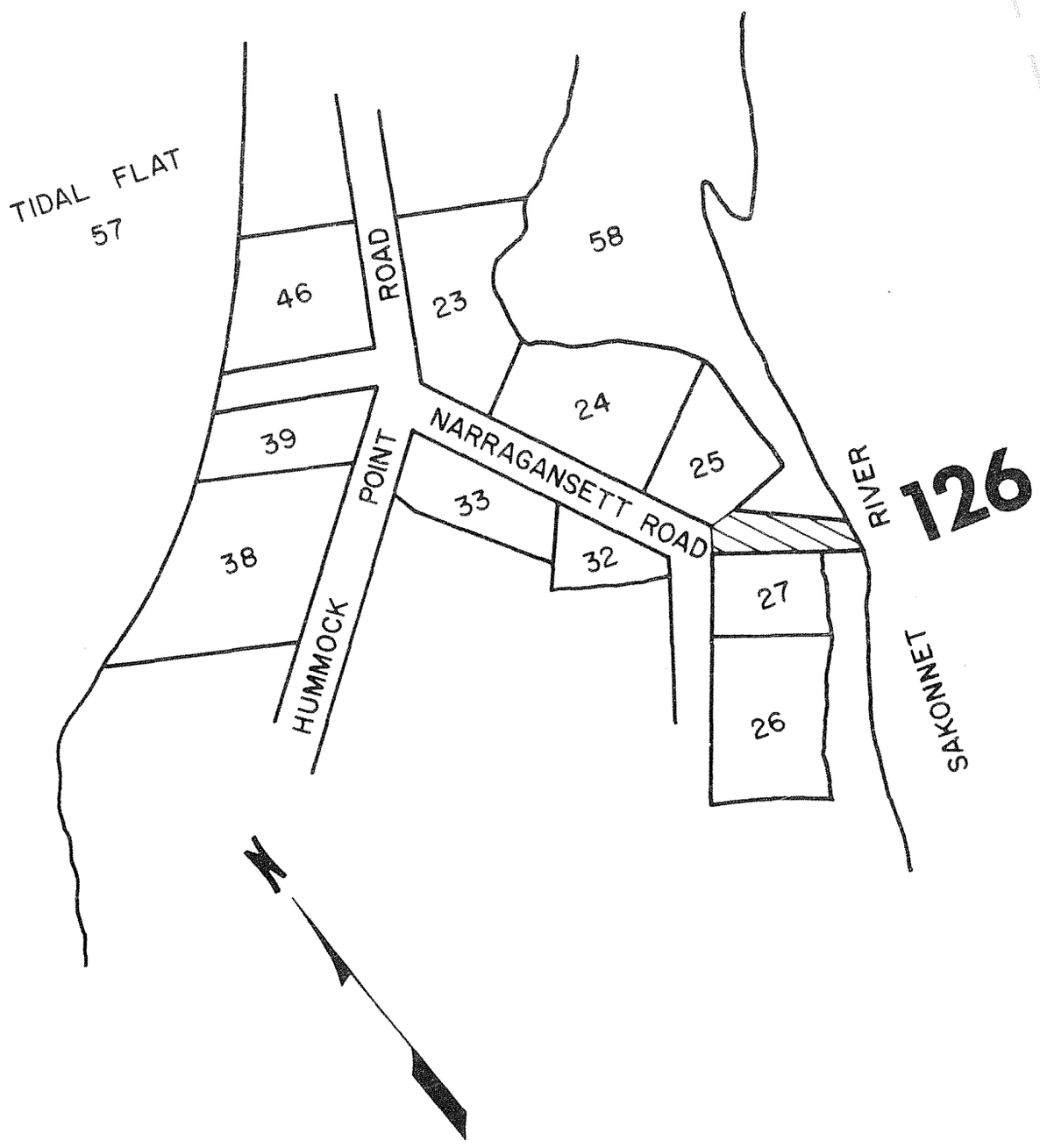
Existing Conditions and Land Uses:

This public way is a narrow walk way between private homes. The way itself opens onto tidal flats. There is no sign indicating its existence.

Recommendations:

This public way should be left in its present use, and posted to indicate its location. No further action is recommended at this time.

125
N



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of PORTSMOUTH

SCALE: 1"=100'

PLAT 1

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 126

Town of Portsmouth

Location:

This public way is located off Narragansett Road east of the northern intersection of Narragansett Road and Hummock Point Road.

Approximate Dimensions: Width: 25 feet
Length: 90 feet
Area: 2,250 square feet

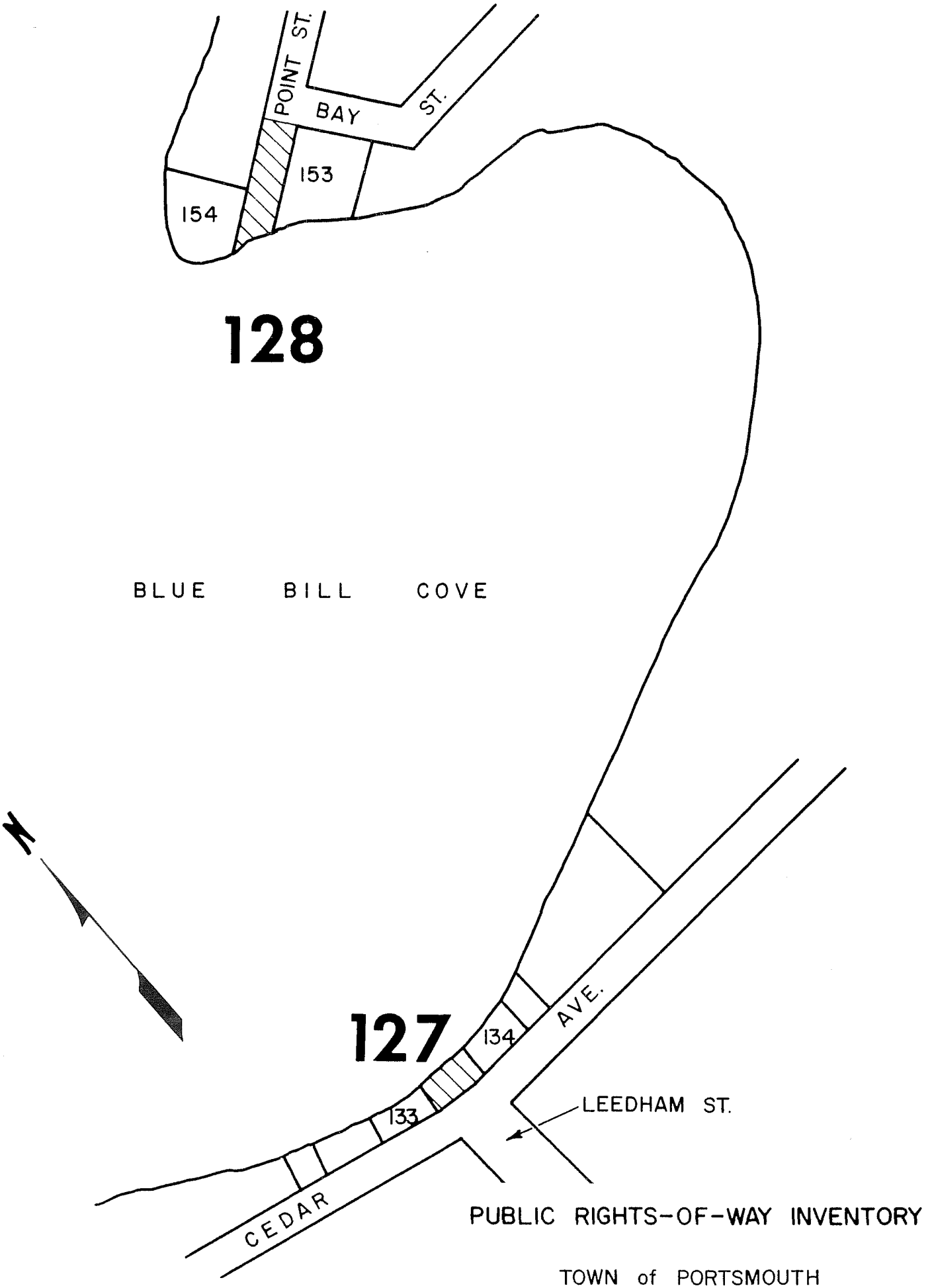
Existing Conditions and Land Uses:

This right-of-way is located between homes. The way itself is narrow and has no vacant land adjacent to it.

Recommendations:

A sign should be posted to indicate the location of the public way, and remain in its present use. No further action is recommended at this time.

N
126



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of PORTSMOUTH

PLAT 20 SCALE: 1"=100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 127-128

Town of Portsmouth

Location:

These two public rights-of-way are located to the north and south of Blue Bill Cove. One is located at the intersection of Cedar Avenue and Leedham Street(127). The other is situated at the intersection of Point Street and Bay Street (128).

Approximate Dimensions:

127. Width: 45 feet
Length: 25 feet
Area: 1,125 square feet

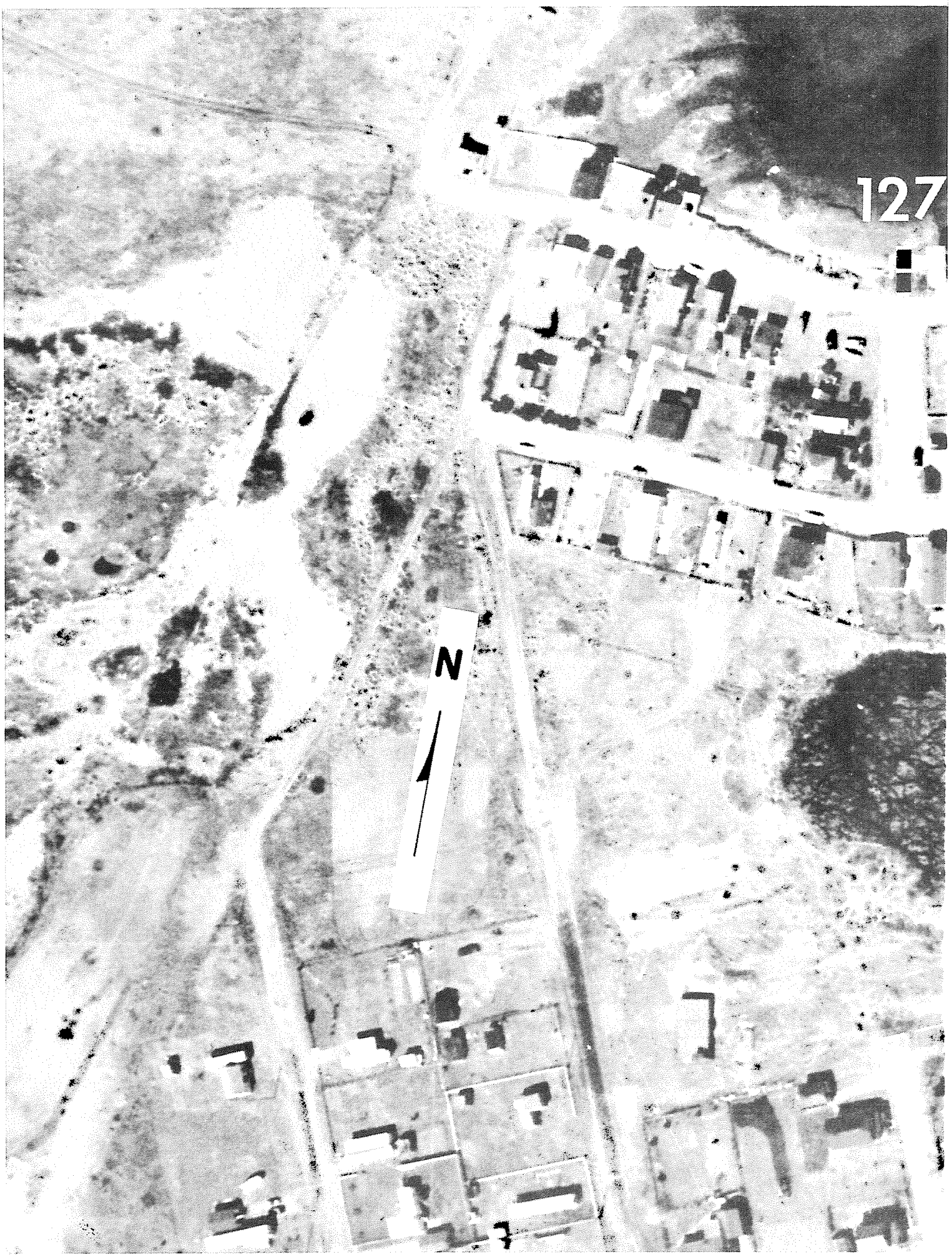
128. Width: 25 feet
Length: 95 feet
Area: 2,375 square feet

Existing Conditions and Land Uses:

The public way located at the end of Point Street (128) has homes on either side of it and there is no adjacent vacant land. However, the public way at the end of Leedham Street (127) has vacant land located to the west.

Recommendations:

The public way at Point Street (128) should be posted and remain in its present use. The way at Leedham Street (127) should be considered for recreational development and posted to indicate its location.


127
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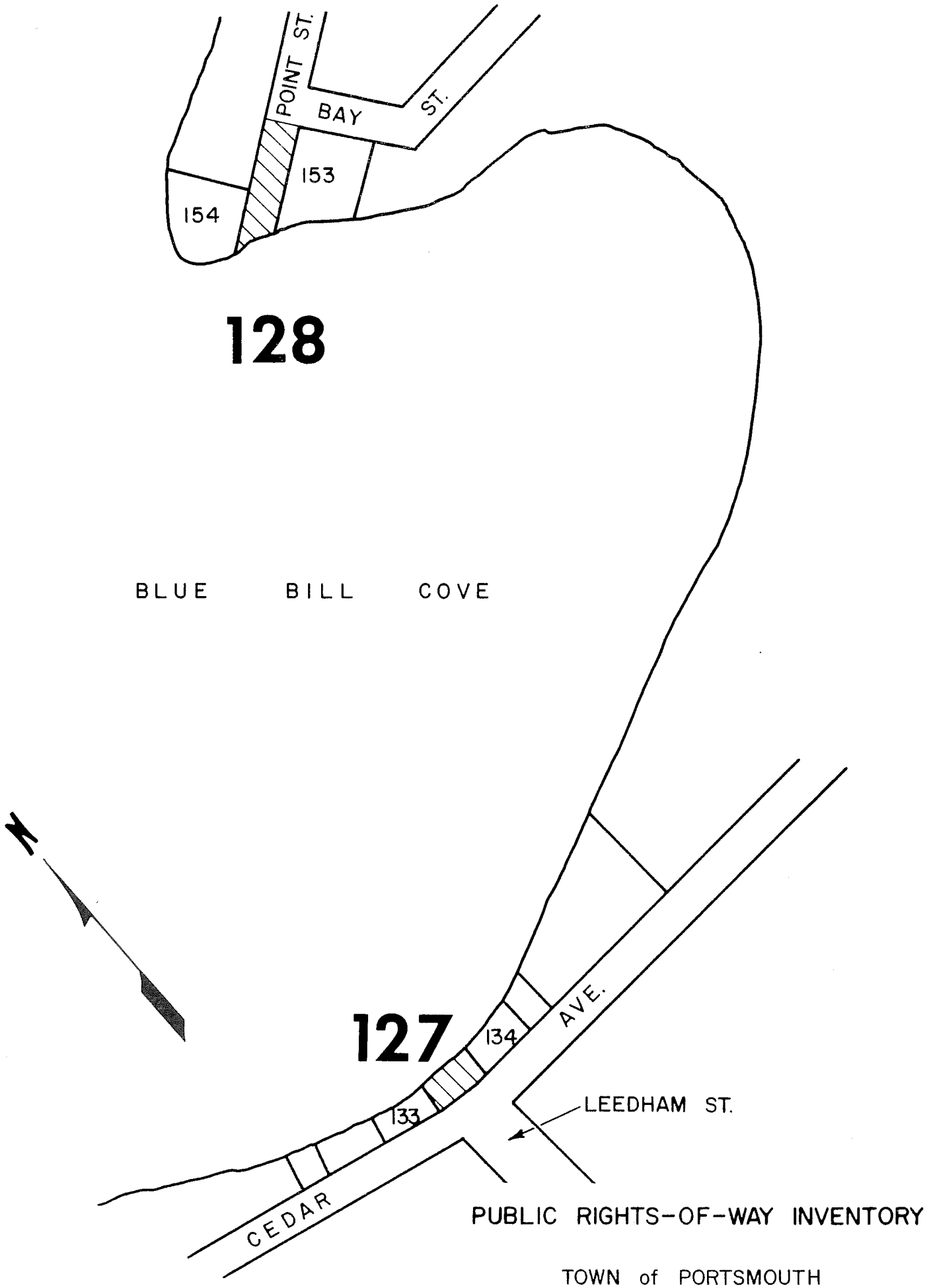
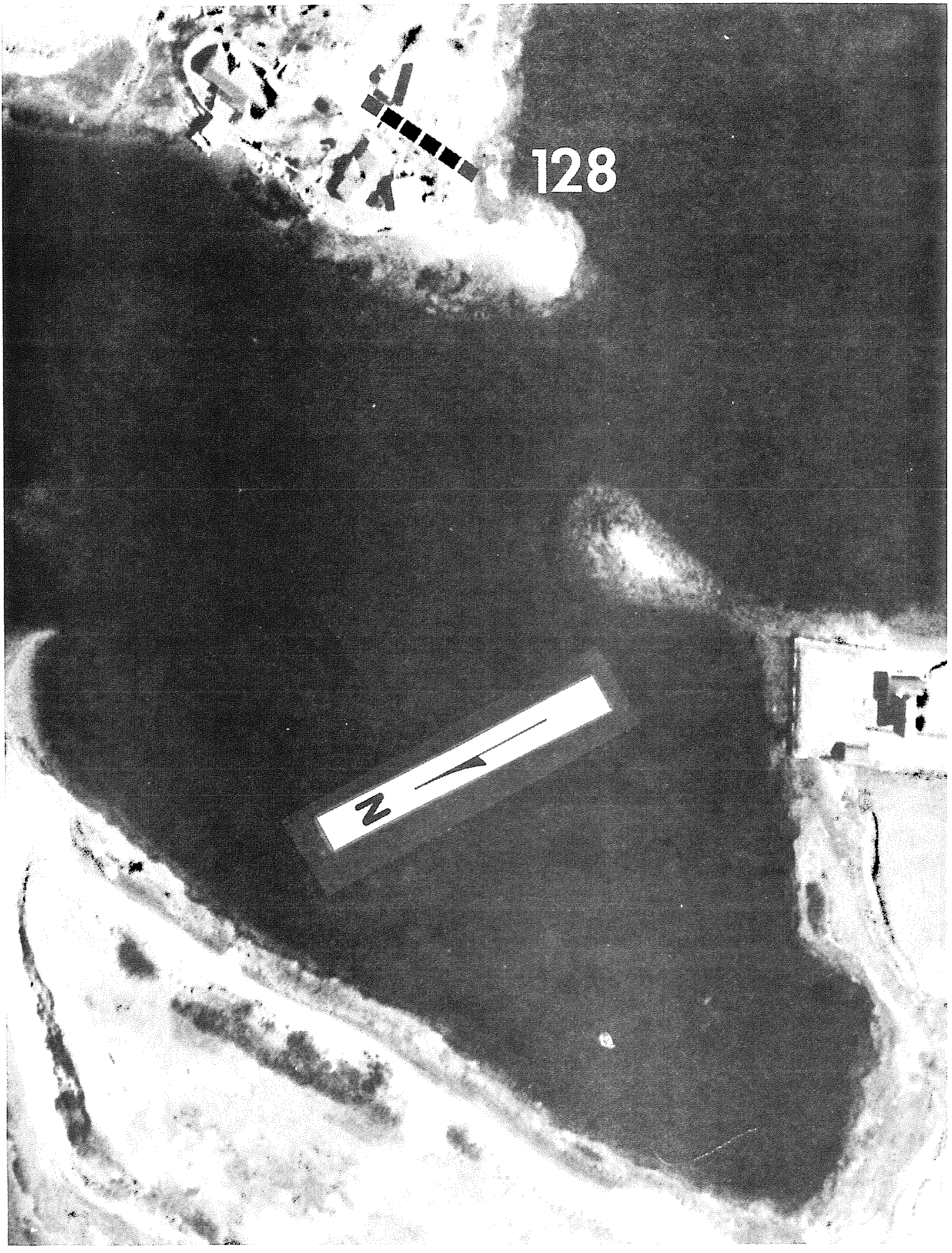


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of PORTSMOUTH

PLAT 20 SCALE: 1"=100'


128
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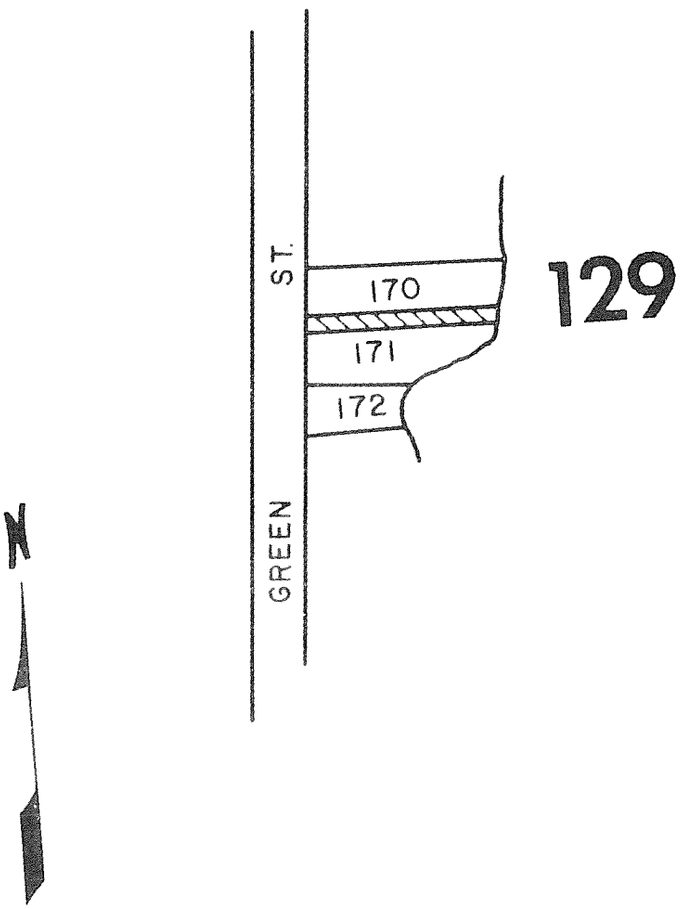


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of PORTSMOUTH

SCALE: 1"=100'

PLAT 20

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 129

Town of Portsmouth

Location:

This public right-of-way is located off Green Street just north of the intersection of Coral Street and Green Street.

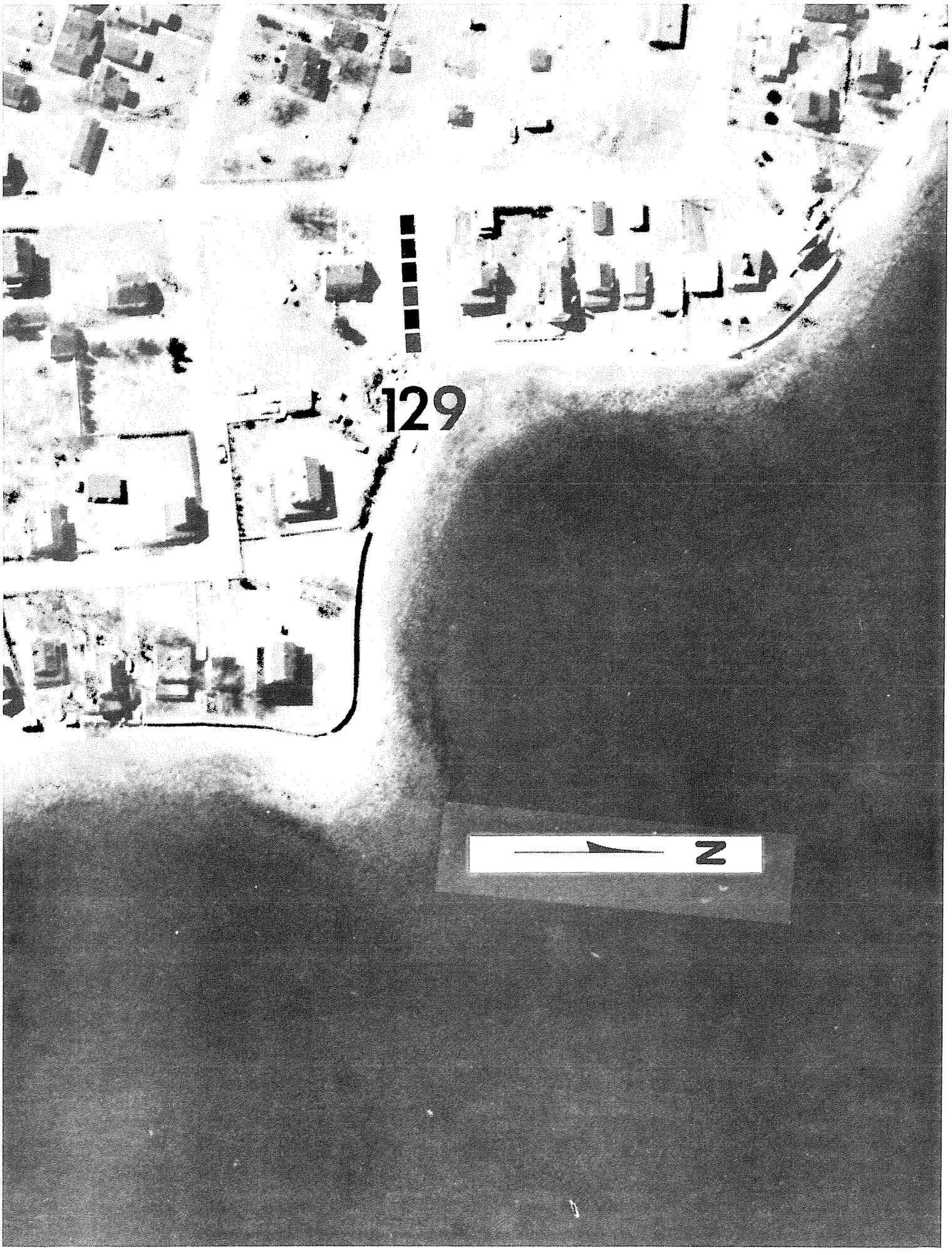
Approximate Dimensions: Width: 10 feet
Length: 110 feet
Area: 1,100 square feet

Existing Conditions and Land Uses:

This area is heavily residential. The right-of-way is located between private homes and there is little or no vacant land in the area.

Recommendations:

This narrow public way should be left for use by the local residents and posted to indicate its location. No further action is recommended at this time.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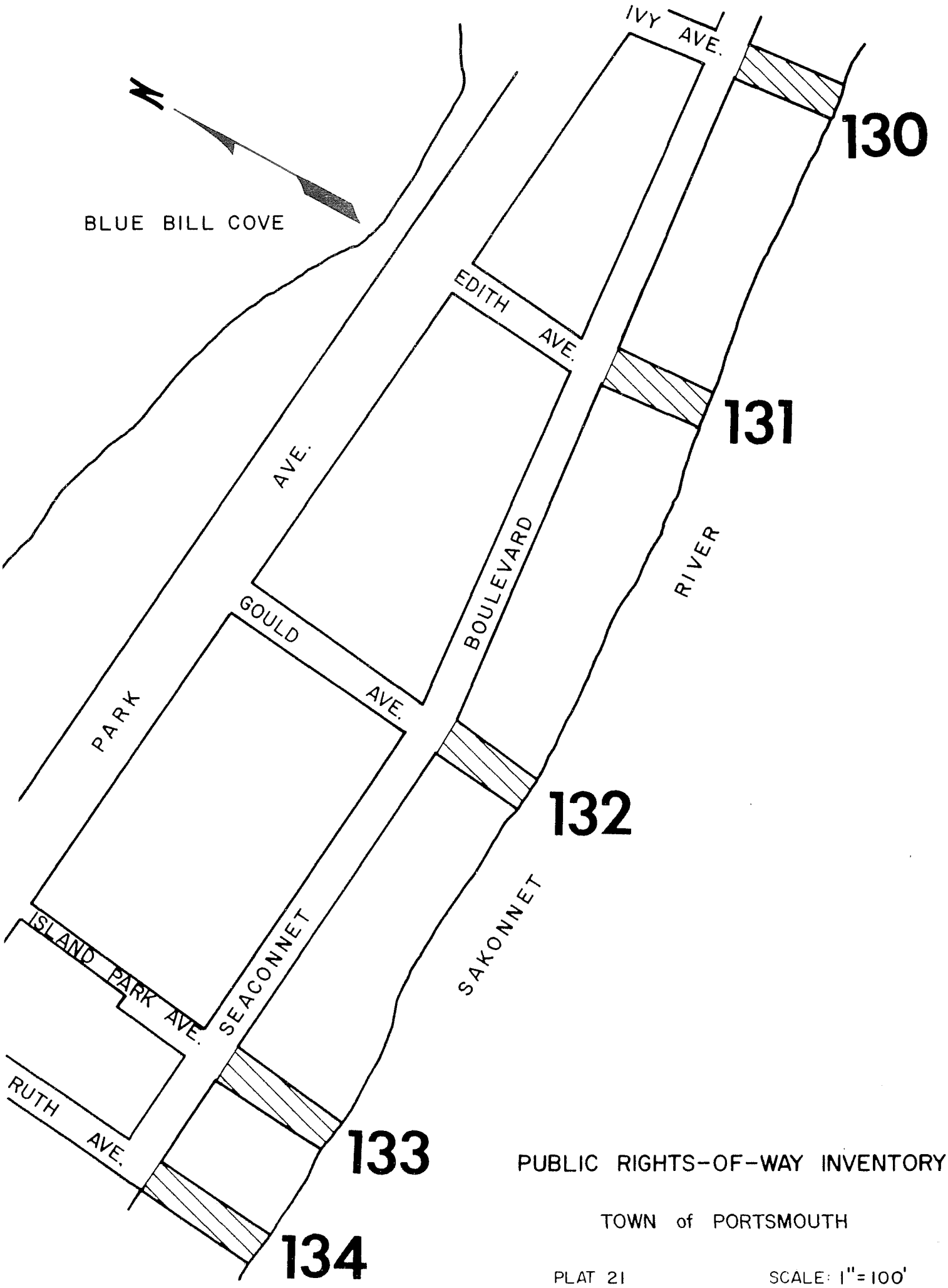


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of PORTSMOUTH

PLAT 21

SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 130-134

Town of Portsmouth

Location:

These public rights-of-way are located off Seaconnet Boulevard. There are five all together: Ivy Avenue (130), Edith Avenue (131), Gould Avenue (132), Island Park Avenue (133) and Ruth Avenue (134). All are bounded on the south by the Sakonnet River.

Approximate Dimensions:

130. Width: 30 feet
Length: 90 feet
Area: 2,700 square feet

131. Width: 30 feet
Length: 90 feet
Area: 2,700 square feet

132. Width: 30 feet
Length: 85 feet
Area: 2,550 square feet

133. Width: 30 feet
Length: 105 feet
Area: 3,150 square feet

134. Width: 30 feet
Length: 110 feet
Area: 3,300 square feet

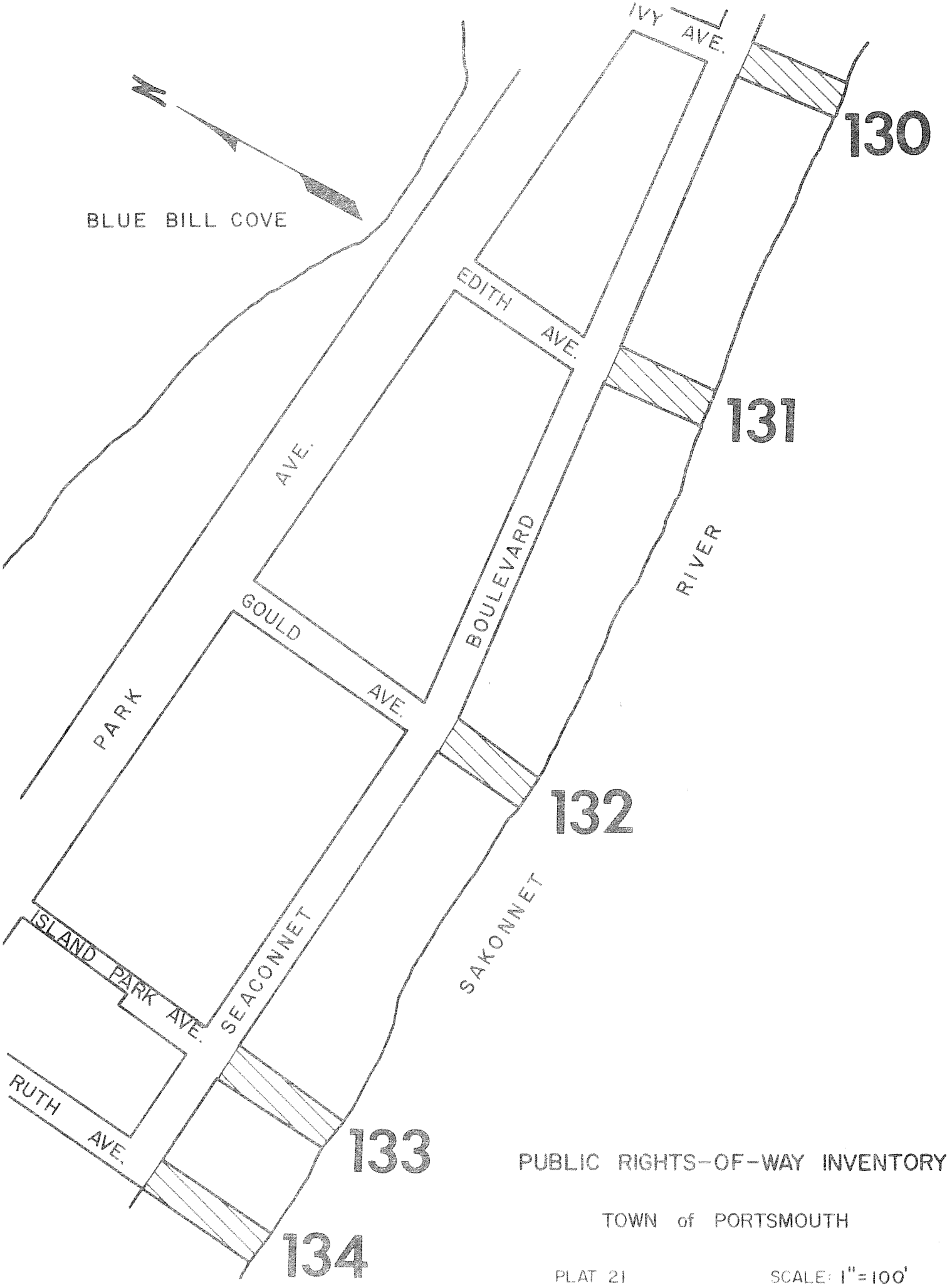
Existing Conditions and Land Uses:

These public ways are situated, except for the one to the east, next to homes. There is little or no vacant land for purposes of development. The easterly right-of-way appears to be located near a marina and a private club.

Recommendations:

Further study should be made of these areas to determine whether one or more of the public ways can be further developed for recreational use.

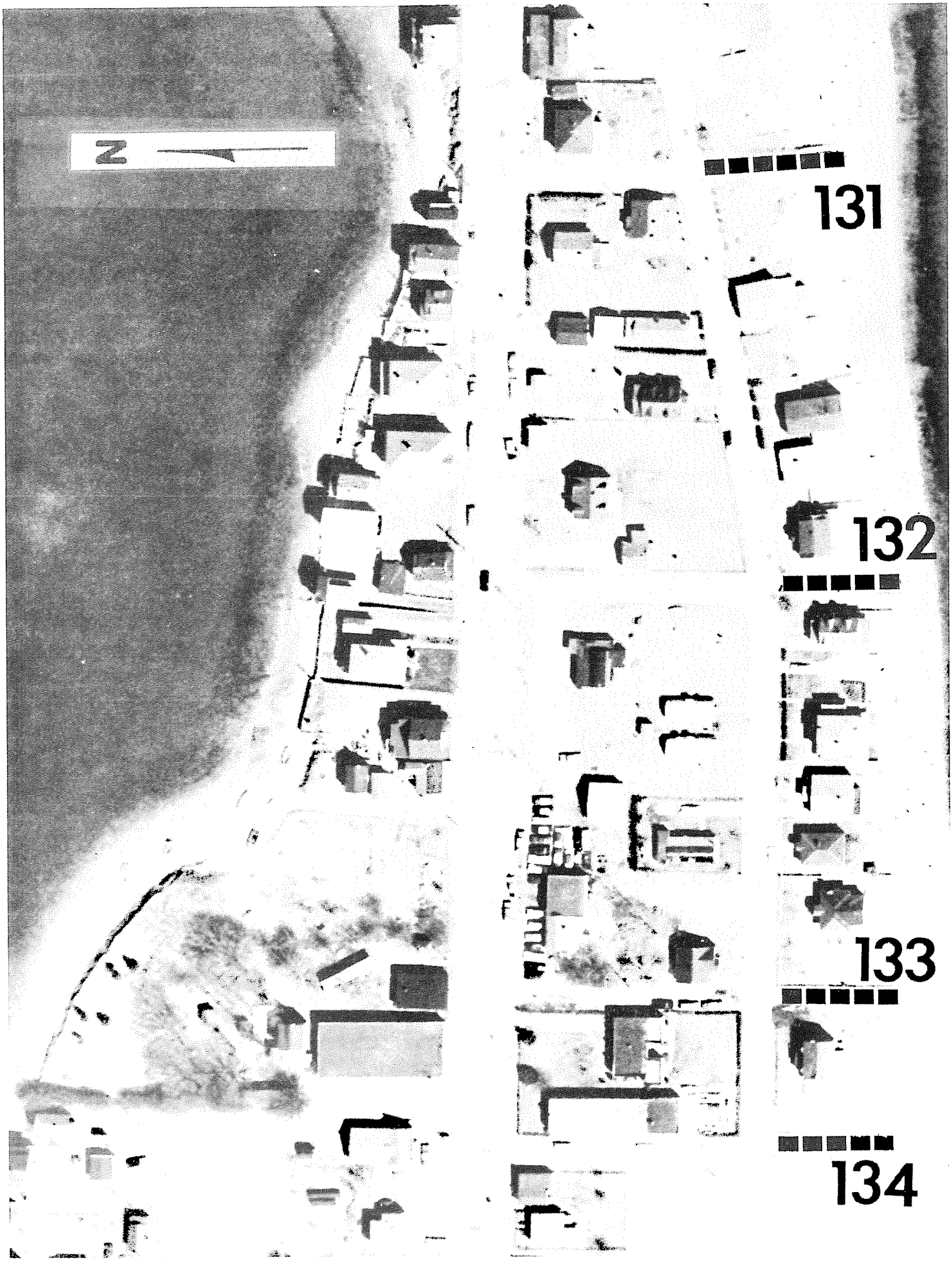
N
130



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of PORTSMOUTH

PLAT 21 SCALE: 1"=100'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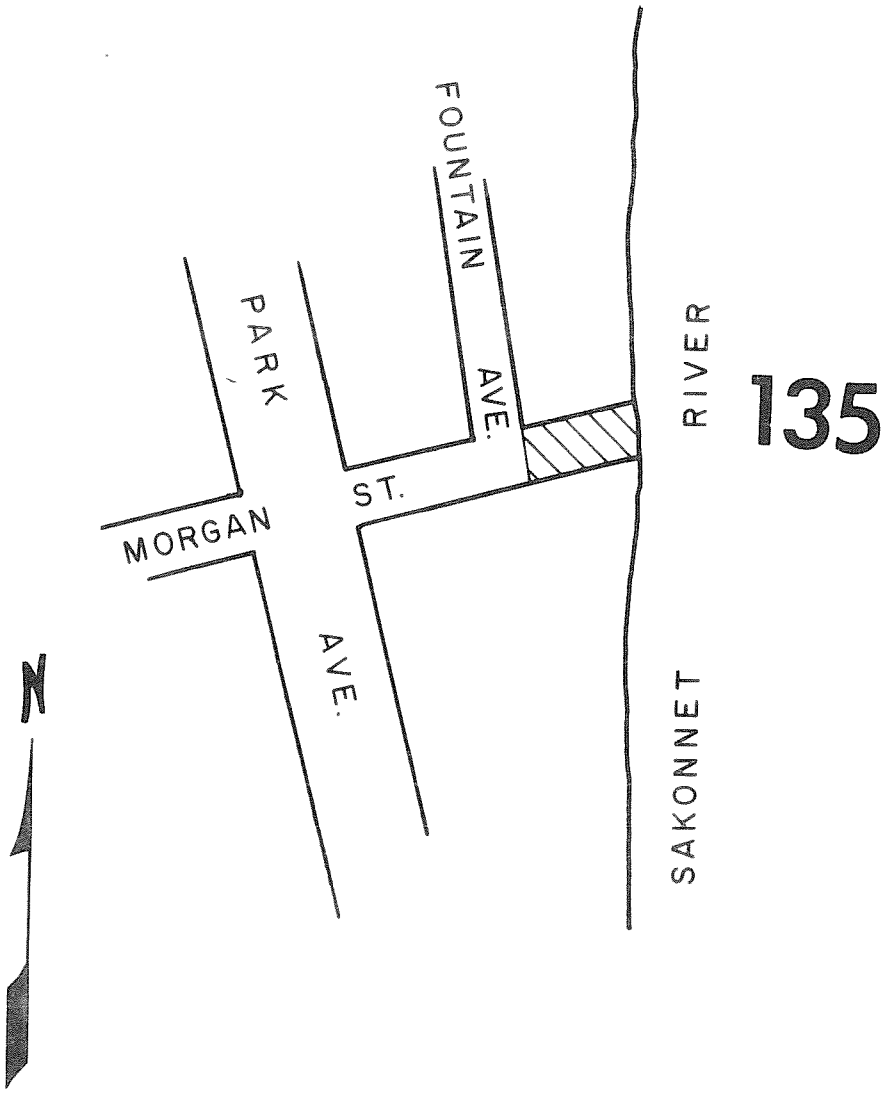
131
132
133
134



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of PORTSMOUTH

PLAT 25 SCALE: 1"=100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 135

Town of Portsmouth

Location:

This right-of-way is situated east of the intersection of Morgan Street and Fountain Avenue and opens onto the Sakonnet River.

Approximate Dimensions: Width: 30 feet
Length: 60 feet
Area: 1,800 square feet

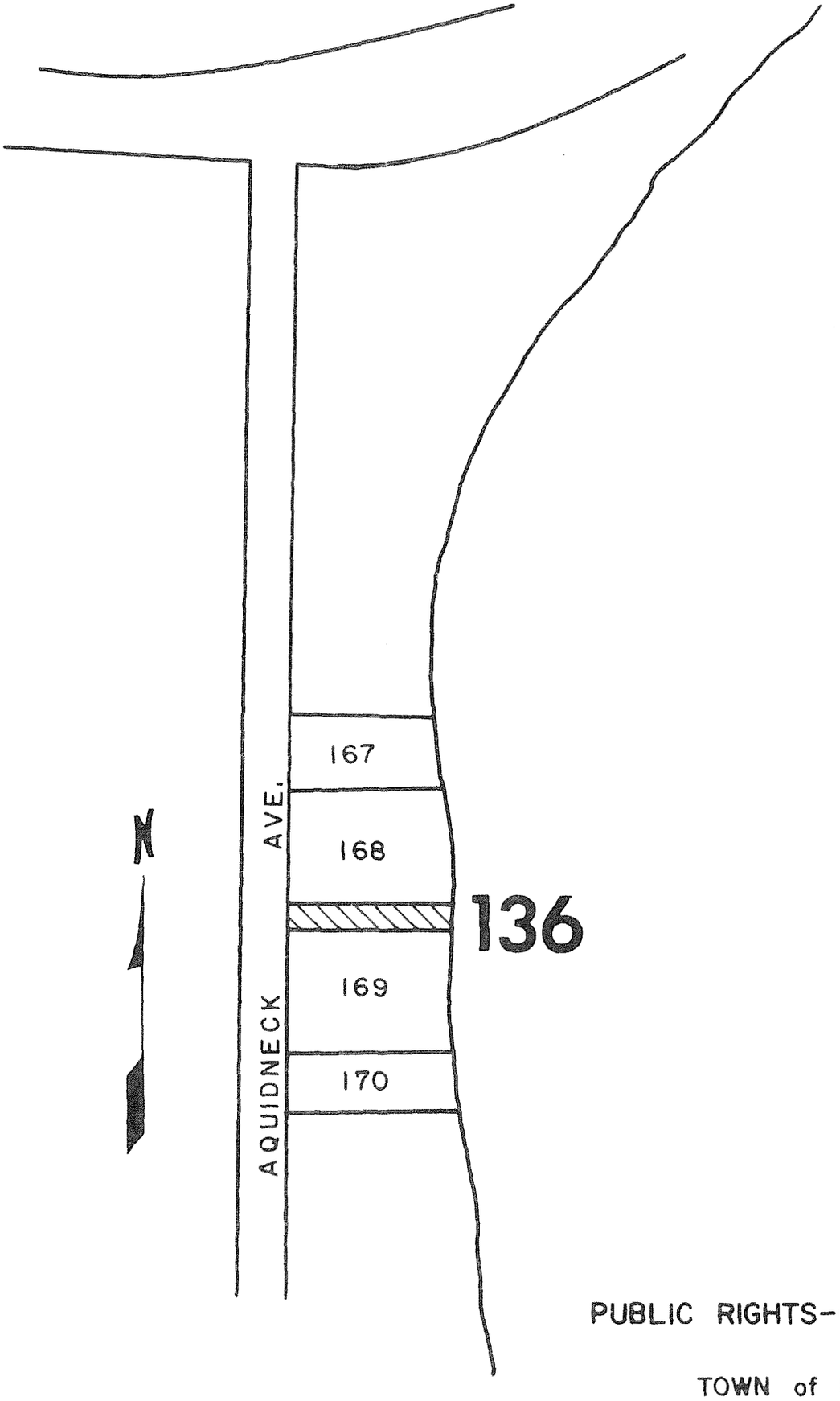
Existing Conditions and Land Uses:

Although the area surrounding this public way is heavily residential the lot to the north at the corner of Fountain Avenue and Morgan Street is not built upon. The public way opens onto a wide beach front. There is no sign posted indicating the location of the public way.

Recommendations:

This public way should be considered for further development as a recreation facility. A sign should be posted to indicate its location.

135
N



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of PORTSMOUTH

PLAT 24 SCALE: 1"=100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 136

Town of Portsmouth

Location:

This public way is located off Aquidneck Avenue to the south of Park Avenue and is bordered on the east by the Sakonnet River.

Approximate Dimensions: Width: 20 feet
Length: 105 feet
Area: 2,100 square feet

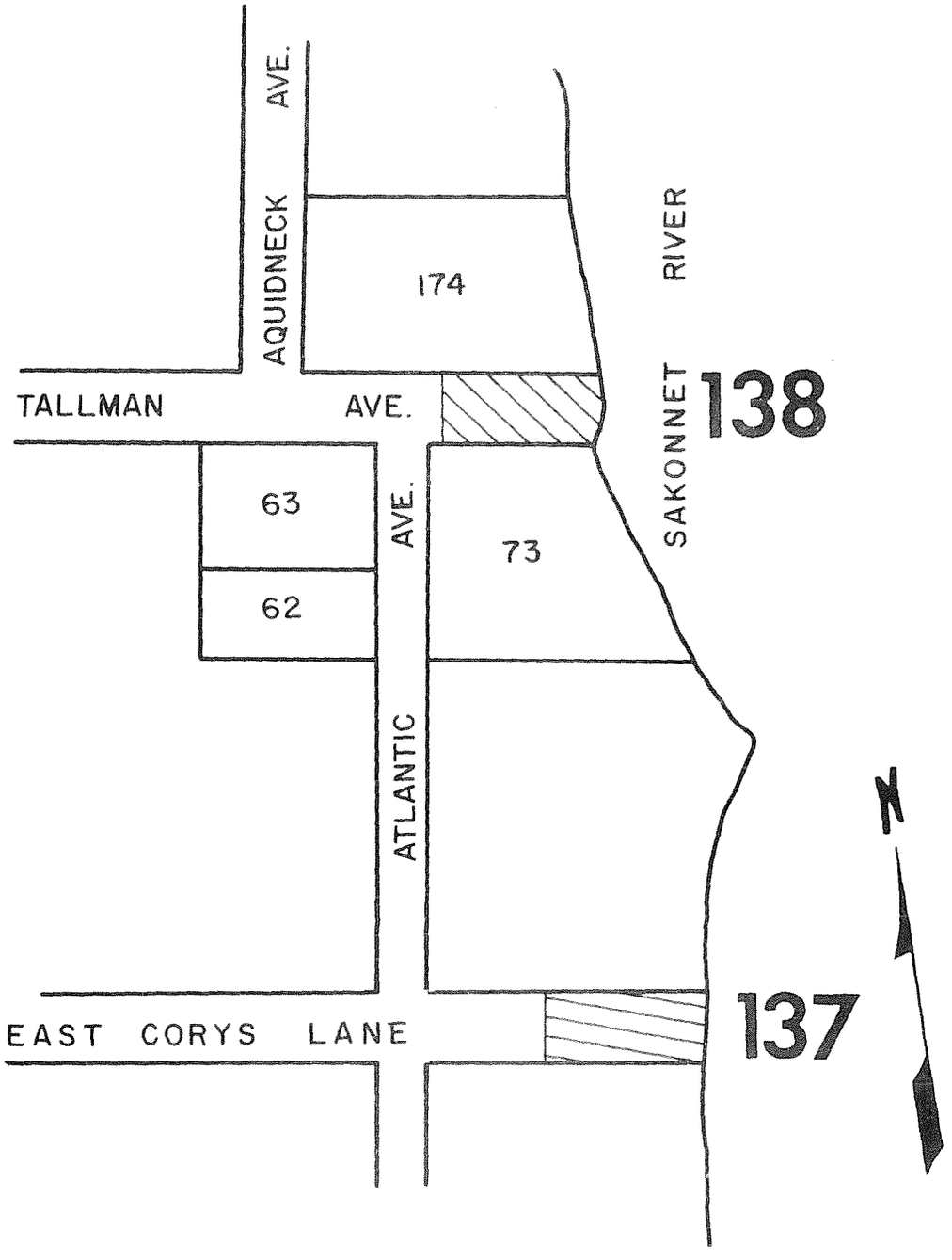
Existing Conditions and Land Uses:

This area is located in a residential section with homes on either side. There is no vacant land close by, and there is no sign indicating the existence of a public way.

Recommendations:

This public way should remain in its present use and be posted to indicate its location. No further action is recommended at this time.

36
N



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of PORTSMOUTH

PLAT 29

SCALE: 1" = 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 137-138

Town of Portsmouth

Location:

There are two public ways located in this section. One is Tallman Avenue (138), which is east of the intersection of Atlantic and Tallman Avenue. The other is just east of the intersection of Tallman Avenue and East Corys Lane (137).

Approximate Dimensions:

137. Width: 40 feet
Length: 90 feet
Area: 3,600 square feet

138. Width: 40 feet
Length: 90 feet
Area: 3,600 square feet

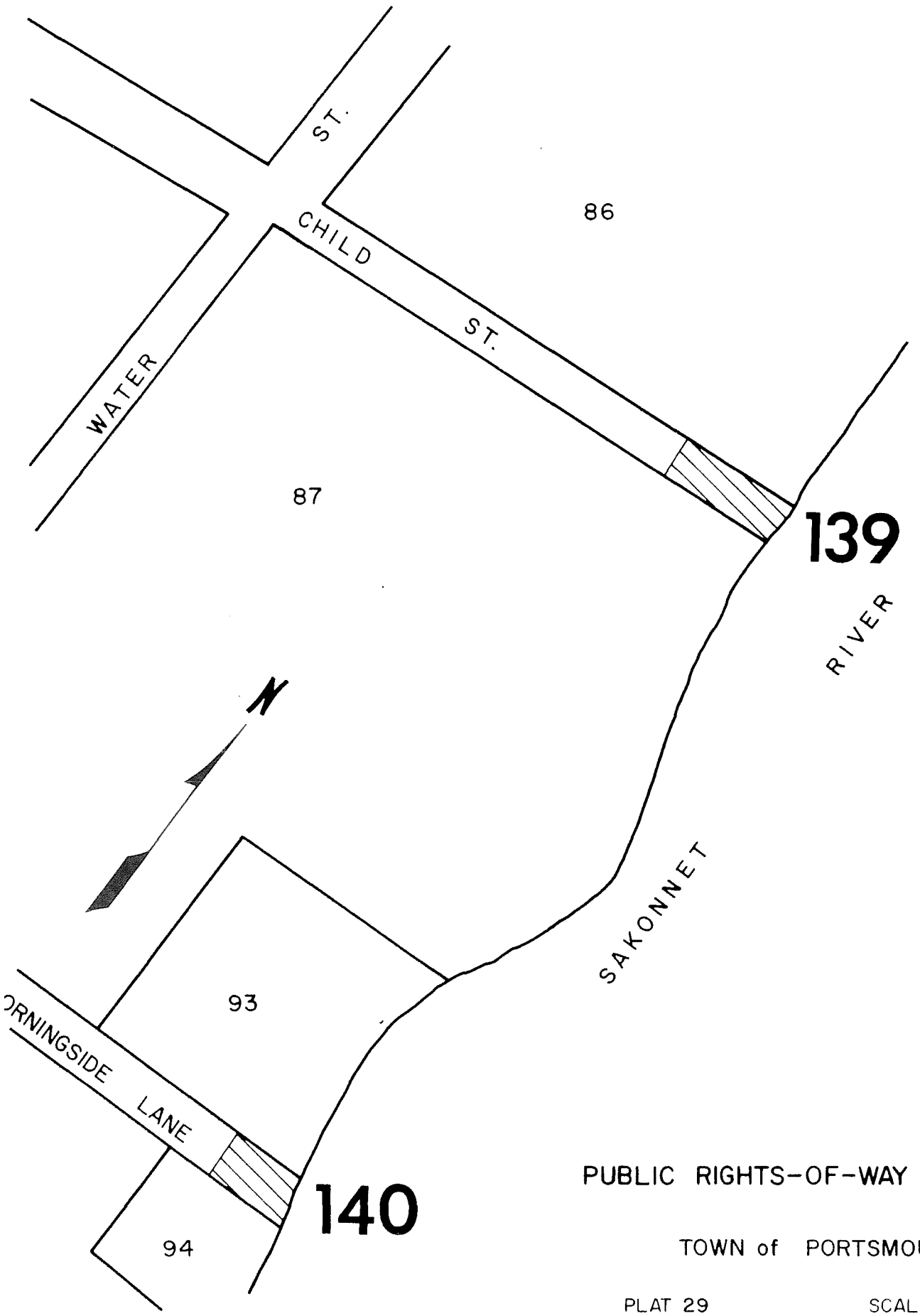
Existing Conditions and Land Uses:

Both public ways are situated in a residential section. There are signs posted and East Corys Lane (137), is paved almost down to the waters edge. There is little or no vacant land near the Tallman Avenue (138) right-of-way. However, the way at East Corys Lane has considerable vacant land adjacent to it, located to the south.

Recommendations:

The Tallman Avenue public way should be left in its present use. The possibility of future development in the area of the East Corys Lane public-way should be considered.

137
N
138



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of PORTSMOUTH

PLAT 29 SCALE: 1"= 100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Numbers: 139-140

Town of Portsmouth

Location:

There are two public ways located here. One is east of the intersection of Water Street and Child Street (139). The other is east of the intersection of Water Street and Morningside Lane.

Approximate Dimensions: 139. Width: 35 feet
Length: 90 feet
Area: 3,150 square feet

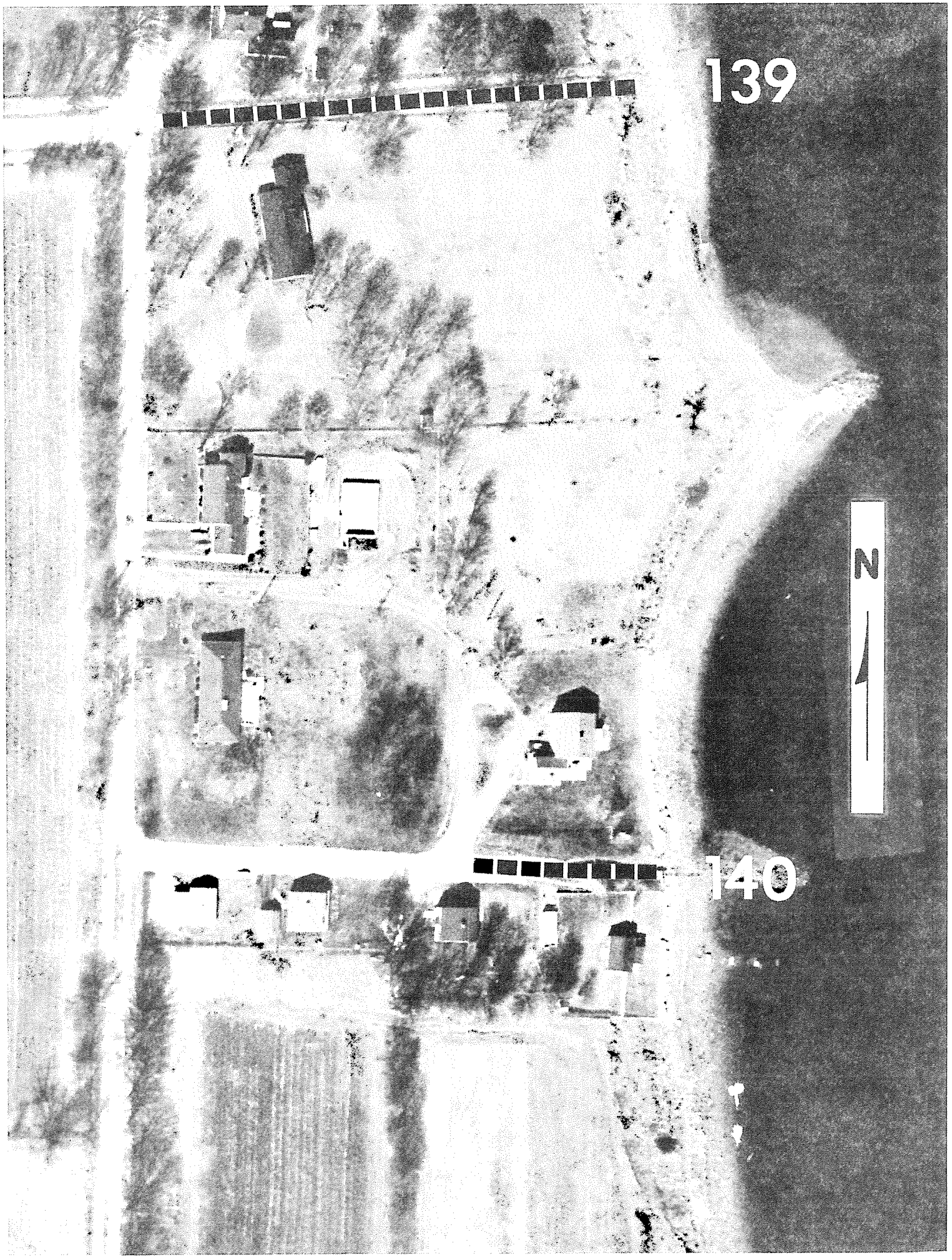
140. Width: 40 feet
Length: 60 feet
Area: 2,400 square feet

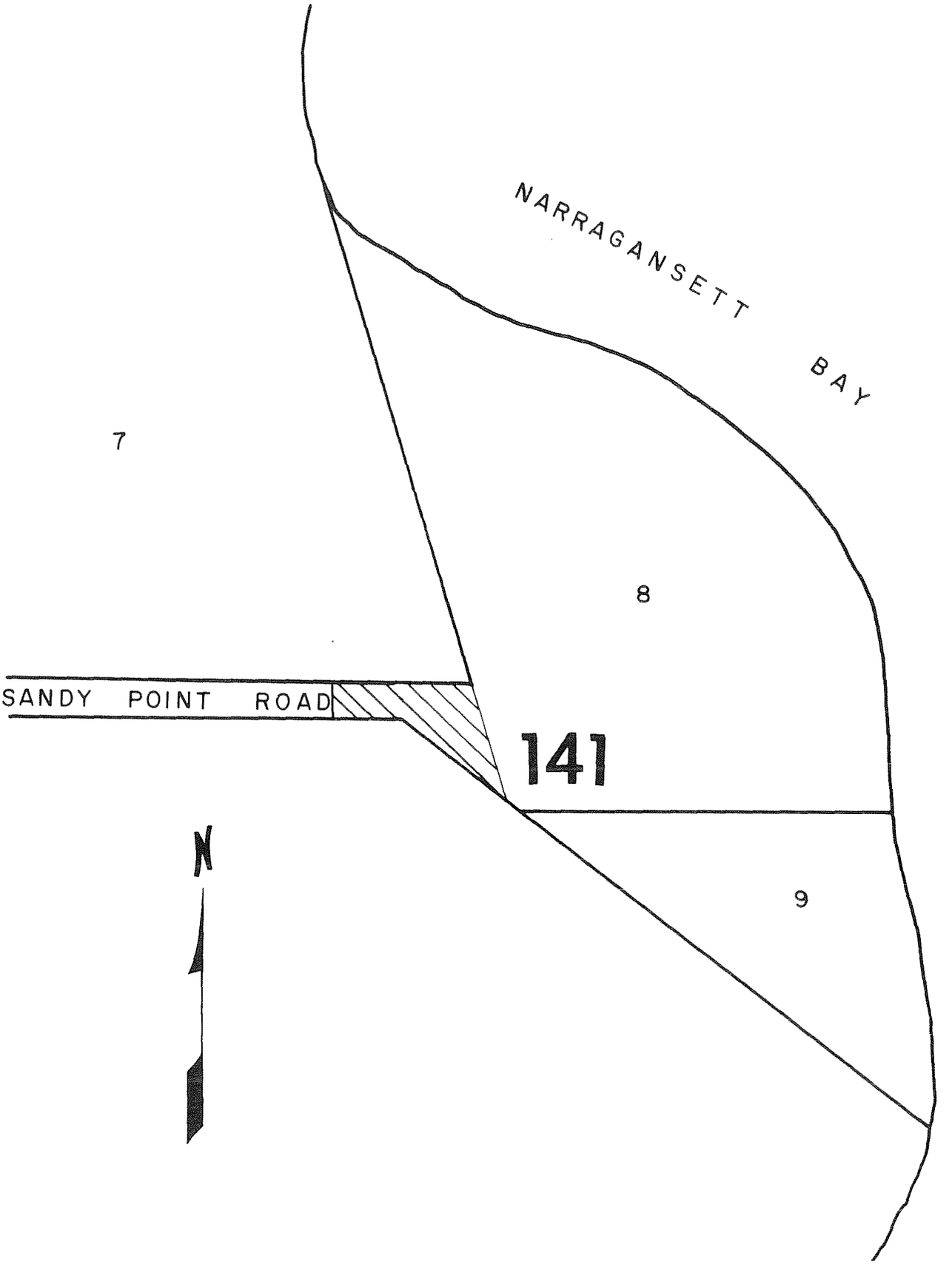
Existing Conditions and Uses:

The public way located at the end of Child Street (139) is paved down to the waters edge and a sign indicates the location. Morningside Lane is more limited in its surroundings. There are private homes on either side of it.

Recommendations:

These areas should be maintained and policed.


139
N
140



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of MIDDLETOWN

PLAT 62

SCALE: 1"=100'

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 141

Town of Portsmouth

Location:

This public way is located at the end of Sandy Point Road bounded on the east by Narragansett Bay.

Approximate Area: 4,138 square feet

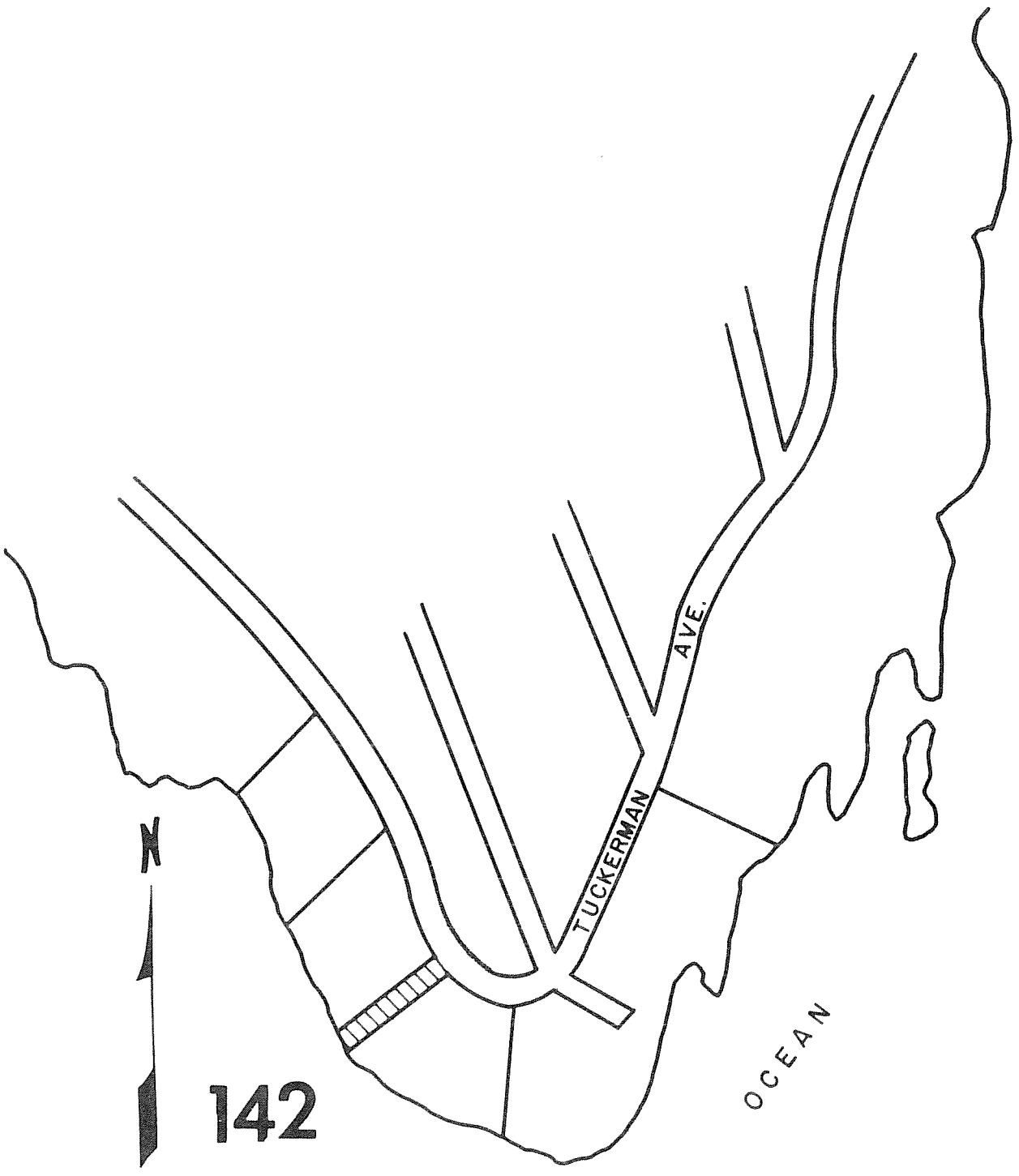
Existing Conditions and Land Uses:

The area is sparsely developed. There is no sign indicating the right-of-way location. Considerable vacant area surrounds the public way. There is good access to the beach.

Recommendations:

The possibility of acquiring some of these vacant land for recreational facilities should be considered. A sign should be posted in the area, indicating the location of a public way and the area should be maintained and policed.

N



NOTE: Atlas of NEWPORT, Page 27

PUBLIC RIGHTS-OF-WAY INVENTORY

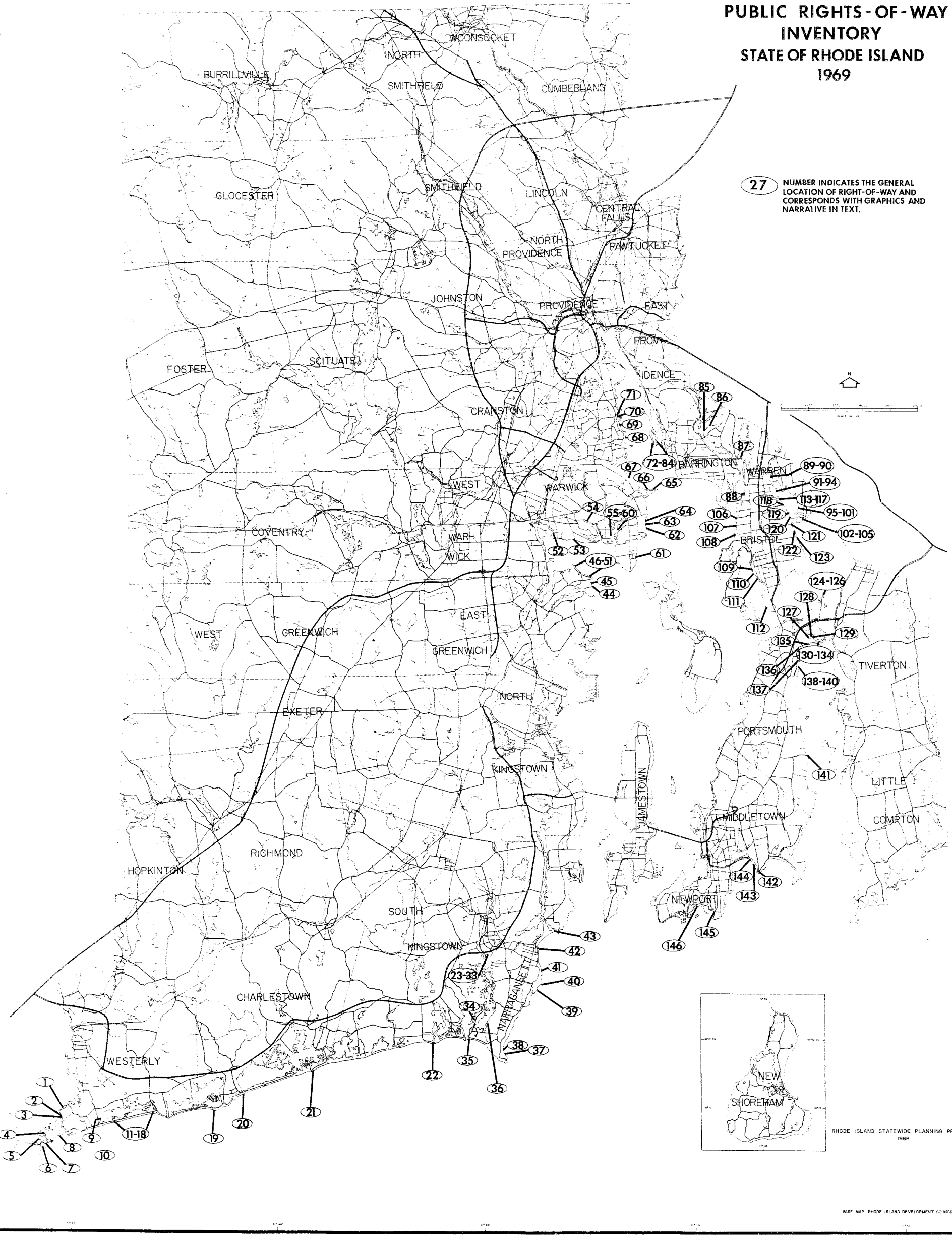
TOWN of MIDDLETOWN

PLAT-SEE NOTE SCALE: 1"= 150'

FIGURE 1

PUBLIC RIGHTS-OF-WAY INVENTORY
STATE OF RHODE ISLAND
1969

27 NUMBER INDICATES THE GENERAL LOCATION OF RIGHT-OF-WAY AND CORRESPONDS WITH GRAPHICS AND NARRATIVE IN TEXT.



RHODE ISLAND STATEWIDE PLANNING PROGRAM
1968

BASE MAP: RHODE ISLAND DEVELOPMENT COUNCIL

1974 RI Rights Of Way Commission Map Excerpts

IMPORTANT

rights of way sites have no parking accommodations.
hose within walking distance or if one can find parking
distance.

PUBLIC RIGHTS OF WAY COMMISSION

Rep. Anthony Giangiacomo, Chairman
Rep. Herbert U. Holmes, Secretary
Sen. F. Monroe Allen

RICHARD J. ISRAEL, Attorney General
ex officio

ROBERT J. RAHILL, Director
Department of Transportation
ex officio

DENNIS J. MURPHY, JR., Director
Department of Natural Resources
ex officio

ADOLPH T. SCHMIDT, Director
Development Council
ex officio

The Public Rights of Way Commission has the responsibility to define, mark and cause to be opened for our citizens the discovered public rights of way to the water areas of the State. The Commission is authorized to acquire and develop land for parking facilities in the proximity of rights of way and is empowered to seek court injunctions to prevent the unlawful posting or blocking of any public right of way.

The Commission respectfully requests that each and every individual who chooses to use these public rights of way will do so with the utmost respect for the neighboring property owners. Please use trash receptacles where provided and carry home debris where containers are not available. Fines up to $100 can be imposed upon conviction of depositing waste or refuse matter on these public rights of way.

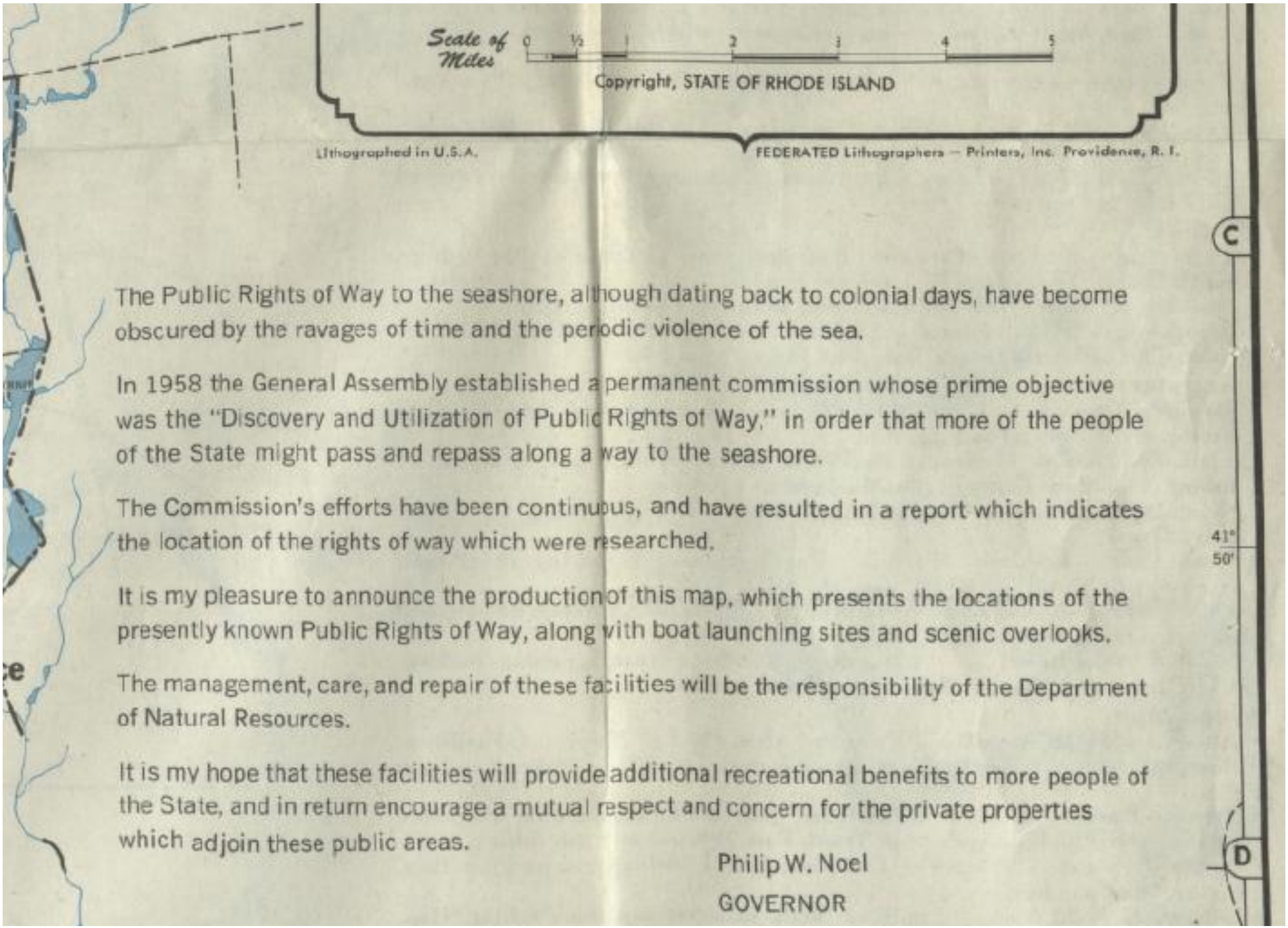
RI
346.0435
C734
1974
map

DESIGN OF BRONZE IDENTIFICATION MARKER AT ALL SITES

RHODE ISLAND STATE LIBRARY

REFER TO YOUR RHODE ISLAND STATE HIGHWAY MAP FOR MAIN ROADS LEADING TO RIGHTS OF

RI
346.0435
C734
1974



The Public Rights of Way to the seashore, although dating back to colonial days, have become obscured by the ravages of time and the periodic violence of the sea.

In 1958 the General Assembly established a permanent commission whose prime objective was the "Discovery and Utilization of Public Rights of Way," in order that more of the people of the State might pass and repass along a way to the seashore.

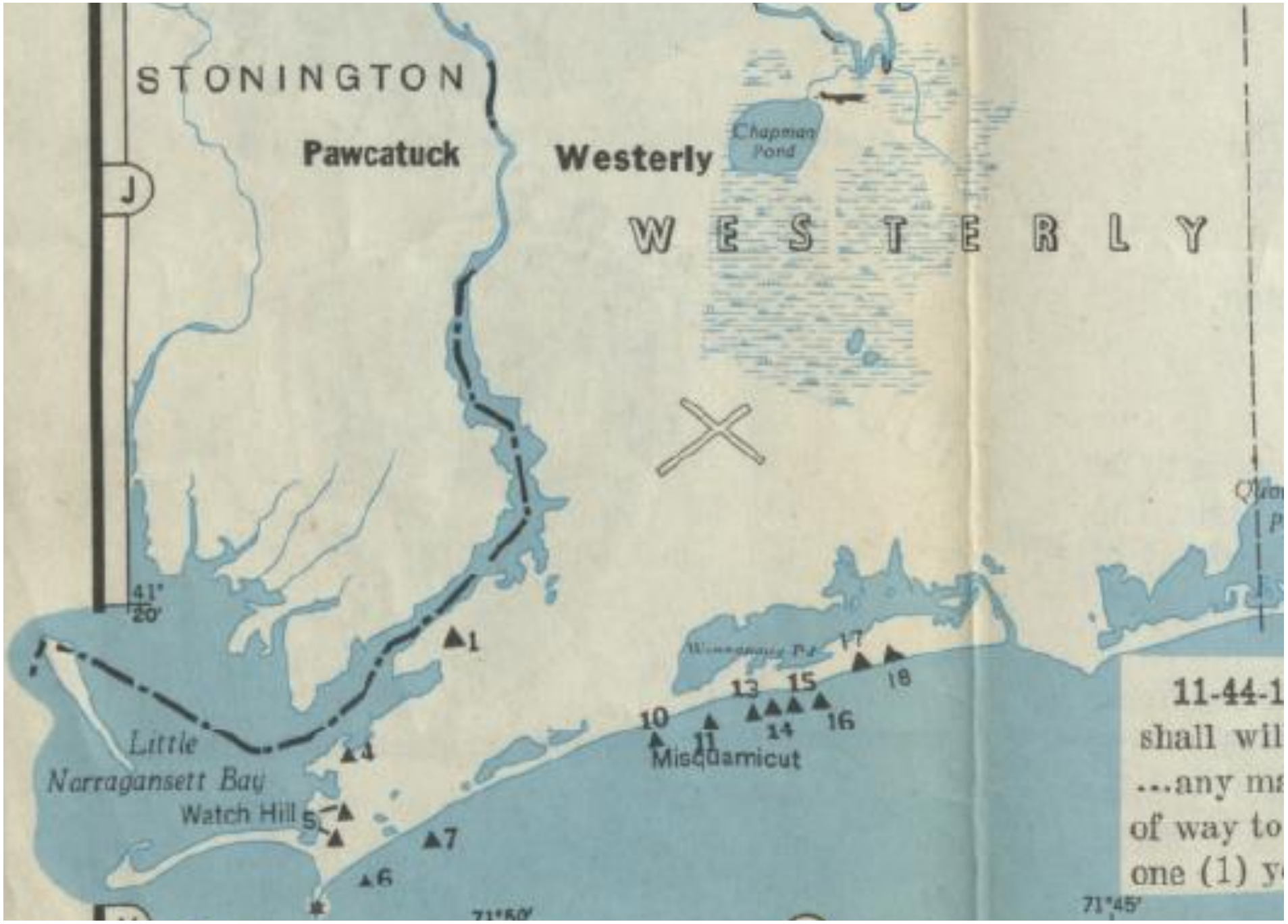
The Commission's efforts have been continuous, and have resulted in a report which indicates the location of the rights of way which were researched.

It is my pleasure to announce the production of this map, which presents the locations of the presently known Public Rights of Way, along with boat launching sites and scenic overlooks.

The management, care, and repair of these facilities will be the responsibility of the Department of Natural Resources.

It is my hope that these facilities will provide additional recreational benefits to more people of the State, and in return encourage a mutual respect and concern for the private properties which adjoin these public areas.

Philip W. Noel
GOVERNOR


STONINGTON
Pawcatuck
Westerly
Chapman Pond
WESTERLY
J
41° 20'
Little Narragansett Bay
Watch Hill
Misquamicut
71°50'
71°45'
11-44-1
shall wil
...any ma
of way to
one (1) y

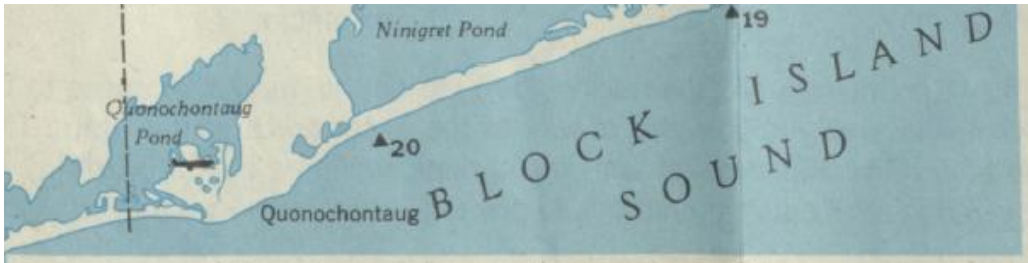
BAYRIDGE
SCALE
0 1/4 1/2 3/4 1 MILE
MATUNUCK BEACH ROAD
LITTLE NARRAGANSETT BAY
WESTERLY
PAWCATUCK RIVER
AVONDALE RD.
ROAD
AVONDALE
WATCH HILL
SHORE ROAD
WINNPAUG ROAD
MATUNUCK
MISQUAMICUT
OCEAN VIEW HIGHWAY
Winnepaug Pond
ATLANTIC AVE.
NAPATREE POINT
NAPATREE BEACH
WATCH HILL
MEADOWLA
PAWCATUCK
AQUIDNECK
EVERETT
BLUFF
WATCH HILL PT.
CHARLESTOW

RIGHTS OF WAY REGULATIONS

Pursuant to the authority of Section 32-2-4 of the General Laws, as amended, the following rules and regulations are hereby promulgated for the control, government and use of State management areas, which shall include fishermen access areas, so called, rights of way, and other areas operated and maintained by the Divisions of Fish and Wildlife and Forest environment within the Department of Natural Resources.

1. **All management areas are closed for all purposes from 11:00 p.m. to 5:00 a.m. prevailing time, except for fishing, launching and/or mooring of boats.**
2. **No person shall possess, consume, sell or offer for sale any intoxicating beverages within the limits of any right of way.**
3. No person shall bathe in the waters in front of a right of way except when and at a place where bathing is officially permitted; nor shall any person disrobe other than in properly designated buildings.
4. No person shall kindle an open fire, including charcoal fires, except in designated areas or with written permission of the Director or his authorized agent.
5. Camping is prohibited.
6. No person shall cut, remove or damage any tree or shrub except by official written permission nor shall they deface any structures – signs or other forms of public property or improvements.
7. No person shall use profane or indecent language or in any manner annoy another person or commit any disorderly or indecent act.
8. No person shall distribute or exhibit any printed or written material without first obtaining official written permission and when official written permission is granted the permittee shall be responsible for the removal of all resulting litter.
9. No person shall offer for sale any goods or services without official written permission.
10. No person shall hold a public meeting without official written permission.
11. No person in the conduct of any meeting or the distribution of any matter shall molest any person or interfere with pedestrian or vehicular traffic, or broadcast loud or raucous sounds or noises by use of a sound truck or other electrical amplifying system.
12. No person shall wash, polish, clean, change oil or repair any motor vehicle or motorcycle within the limits of any rights-of-way.
13. No person shall park a vehicle so as to block any right of way to prevent access to others, nor shall they block another vehicle in a designated parking area.
14. No person shall bring into any state right of way any refuse, ashes, garbage or other material for the purpose of disposal within said area.
15. Carrying of firearms in or on any right of way at any time except during the open season for game birds and mammals is prohibited.
16. The mooring of boats in front of a boat launching ramp or right of way so as to obstruct its use, is prohibited.
17. No person shall refuse or neglect to obey the directions of an enforcement officer or other authorized representative of the Department of Natural Resources.

PENALTIES: Any person found guilty of violating any rules and/or regulations shall be subject to a fine not to exceed $100. for each violation.



11-44-11. Injury to boundary or line markers.—Every person who shall willfully break down, remove, injure, obscure or destroy ....any marker erected for the purpose of designating a public right of way to water areas of the state, shall be imprisoned not exceeding one (1) year or be fined not exceeding five hundred dollars ($500).

11-44-24. Blocking or obstructing public rights of way to water areas of the state.—Every person who shall obstruct or block or cause any obstruction of any public rights of way to water areas of the state shall be imprisoned not exceeding one (1) year or be fined not exceeding five hundred dollars ($500).

History of Section.
As enacted by P. L. 1971, ch. 23, § 1.

11-44-25. Deposit of debris on public rights of way to water areas of the state—Penalties.—Every person who shall deposit or leave on any public right of-way to water areas of the state, any dead animal, offal, filth, rubbish, waste or refuse matter, shall be fined not exceeding one hundred dollars ($100) for every such offense:

History of Section.
As enacted by P. L. 1971, ch. 22, § 1.

PERATED AND MAINTAINED BY DIVISION OF FISH & WILDLIFE EPARTMENT OF NATURAL RESOURCES

●NO PARKING

- Facilities: Boat launching and parking. Access to Harrisville
ass, Pickerel and pan fish.
scoag Res.) 352 acres — Facilities: Boat launching and parking.
nd and pan fish.
3 acres — Facilities: Shore fishing. Trout, Bass, Pickerel and pan

blic Fishing Area — 10 acres — Facilities: Two ponds and brook,
nore fishing. Trout, Bass, Pickerel, and pan fish.
— 96 acres — Facilities: Boat launching and parking. No outboard
Pickerel, and pan fish.
— 8 acres — Facilities: Boat launching, parking and shore fishing.
notors. Bass, Pickerel and pan fish.
nd — 72 acres — Facilities: Boat launching and parking. No out-
June 20 thru September 10. Bass, Pickerel and pan fish.
oir — 127 acres — Facilities: Boat launching and parking.
er limit on outboards. Bass, Pickerel and pan fish.

19 acres — Facilities: Boat launching, parking and shore fishing.
Trout, Bass, Pickerel and pan fish.
Pond — 102 acres — Facilities: Car top boat launching. Bass,
pan fish.

n Public Fishing Area — 38 Acres — Facilities: Two ponds, boat
rking and shore fishing. Bass, Pickerel and pan fish.
Pond — 11 acres — Facilities: Parking and shore fishing. Bass,
pan fish.

nd — 48 acres — Facilities: Parking, boat launching, and shore
tboards except electric trolling motors. Trout, Bass, Pickerel and

— 215 acres — Facilities: Boat launching, and parking. Bass,
pan fish.
— Access to Big River and portions of Johnsons Pond. Facilities:
g and parking. Trout, Bass, Pickerel and pan fish.

— 40 acres — Facilities: Parking and shore fishing. Bass, Pickerel

Pond — 33 acres — Facilities: Boat launching, parking and shore
rs over 10 HP prohibited. Trout, Bass, Pickerel and pan fish.
— 340 acres — Facilities: Parking and shore fishing in Rhode
aunching and parking on Connecticut side. Trout, Sockeye salmon,
Bass, Pickerel and pan fish.
— 11 acres — Facilities: Parking and shore fishing. Trout, and

3 acres — Facilities: Parking and shore fishing (fly fishing only),
t.
Pond — 1 acre — Facilities: Parking and shore fishing (restricted
d younger). Trout.

5 acres — Facilities: Boat launching, parking and shore fishing,
Trout, Bass, Pickerel and pan fish.
River — Facilities: Parking and stream fishing. Trout.
Pond — 5 acres — Facilities: Boat launching, parking and shore
tboards. Trout, Bass, Pickerel and pan fish.

ervoir — 126 acres — Facilities: Boat launching, parking, shore
Pickerel and pan fish.
nd — 13 acres — Facilities: Boat launching, parking and shore
board motors. Bass, Pickerel and pan fish.
d — 6 acres — Facilities: Parking and shore fishing, (fly fishing

— 129 acres — Facilities: Boat launching and parking. 10 HP limit
Bass, Pickerel and pan fish.
ton — 42 acres — Facilities: Boat launching, parking, no outboard
Pickerel and pan fish.
es Reservoir — 186 acres — Facilities: Boat launching, parking.
n outboards. Bass, Pickerel and pan fish.

access to Wood River and Alton Pond — 25 acres — Facilities:
g and parking. No outboard motors. Trout, Bass, Pickerel and pan

— 32 acres — Facilities: Boat launching, parking and shore
limit on outboards. Trout, Bass, Pickerel and pan fishing.
nd — 83 acres — Facilities: Boat launching and parking. Bass,
pan fish.
22 acres — Facilities: Walk in access and shore fishing. Bass,
an fish.
— 18 acres — Facilities: Walk in access and shore fishing. Bass,
an fish.

— 126 acres — Facilities: Boat launching, parking and shore fish-
ss, Pickerel and pan fish.
mbeau Pond — 3 acres — Facilities: Shore fishing (fly fishing

town:
Lake — 10 acres — Facilities: Boat launching, parking and
no outboard motors. Trout, Bass, Pickerel and pan fish.
field:
ville Reservoir — 147 acres — Facilities: Boat launching and
Pickerel and pan fish.

e Fishing Area — 6 acres — Facilities: Two ponds, car top boat
king and shore fishing. Trout, Bass, Pickerel and pan fish.

— 91 acres — Facilities: Boat launching and parking. Carp and

anding access to Pawcatuck River — Facilities: Boat launching
Trout, Bass, Pickerel and pan fish.
t Pond — 6 acres — Facilities: Parking and shore fishing, no

nding, Pawcatuck River — Facilities: Boat launching and park-
s, Pickerel and pan fish.
d — 26 acres — Facilities: Boat launching and parking. Trout,
and pan fish.

ST SHORE ROAD

Scituate:
Hope Landing access to Upper Pawtuxet River — Facilities: Boat launching, parking and shore fishing. Trout.

South Kingstown:
Barber's Pond — 28 acres — Facilities: Boat launching and parking. Trout, Bass, Pickerel and pan fish.
Indian Lake — 199 acres — Facilities: Boat launching and parking. Bass, Pickerel and pan fish.
Taylor's Landing, Chepuxet River — Facilities: Boat launching and parking (access to Thirty-Acre Pond). Bass, Pickerel and pan fish.
Tucker's Pond — 101 acres — Facilities: Boat launching, parking and shore fishing. Trout, Bass, Pickerel and pan fish.
Worden's Pond — 1043 acres — Facilities: Boat launching and parking. Northern Pike, Bass, Pickerel and pan fish.

Tiverton:
Stafford Pond — 476 acres — facilities: Boat launching and parking. Trout, Bass, Pickerel and pan fish.
● Tiverton Trout Pond — Facilities: Shore fishing. Trout.
● Wiley's Pond (Adamsville Brook) — 1 acre — Facilities: Shore fishing.

Warwick:
Potowomut Pond — 17 acres — Facilities: Boat launching and parking, shore fishing. Bass, Pickerel and pan fish.

Westerly:
Bradford Landing, Pawcatuck River — Facilities: Boat launching and parking. Trout, Bass, Pickerel and pan fish.
Chapman's Pond (Burdens) — 164 acres — Facilities: Boat launching and parking. Bass, Pickerel and pan fish, Northern Pike.

West Greenwich:
Big River Landing (Off Burnt Sawmill Road) — Facilities: Boat launching and parking. Trout, Bass, Pickerel and pan fish.
Tarbox Pond — 15 acres — Facilities: Boat launching, parking and shore fishing. Bass, Pickerel and pan fish.
Big River Landing (Off Weaver Hill Road) Facilities: Boat launching and parking. Trout, Bass, Pickerel and pan fish.

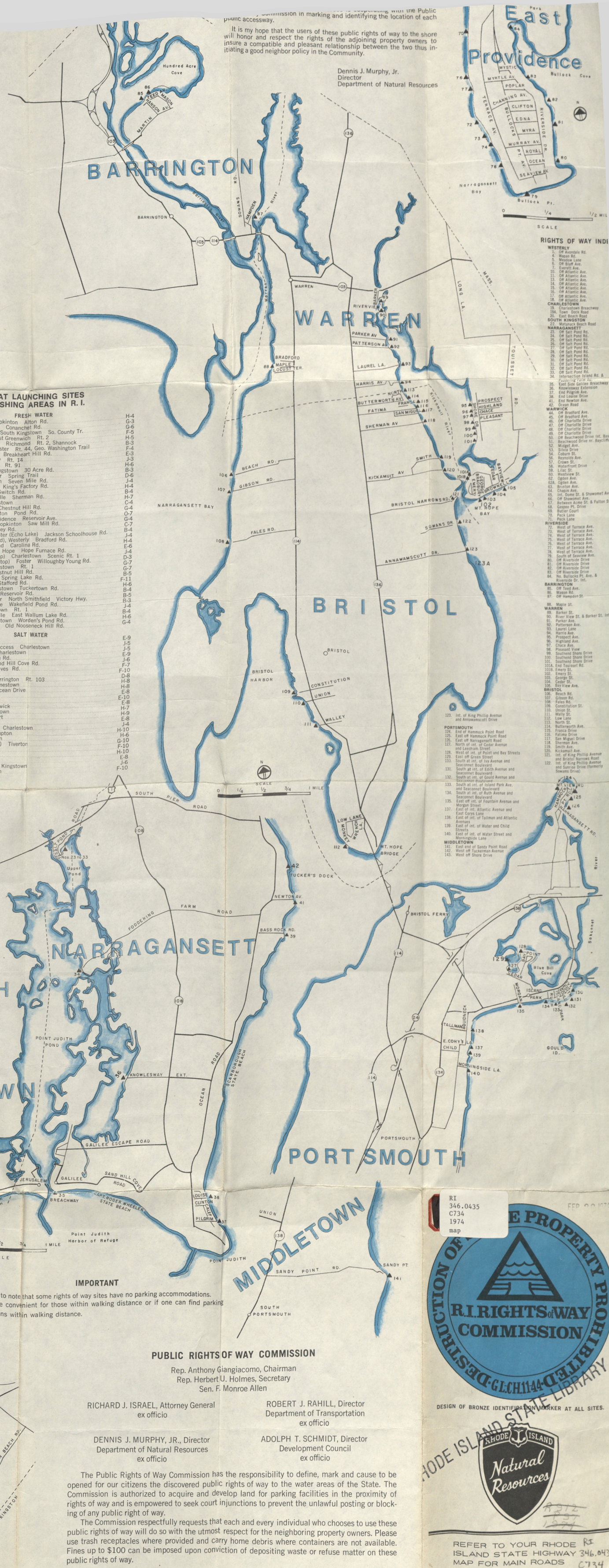
BOAT LAUNCHING SITES & FISHING AREAS IN R. I.

FRESH WATER

Alton Pond (car top) Hopkinton Alton Rd.	H-4
Ashville Pond Hopkinton Conanchet Rd.	G-3
Barber's Pond (no ramp) South Kingstown So. County Tr.	G-6
Big River (2 car tops) West Greenwich Rt. 2	F-5
Biscuit City Road (car top) Richmond Rt. 2, Shannock	H-5
Bowdish Reservoir Glocester Rt. 44, Geo. Washington Trail	B-3
Breakheart Pond Exeter Breakheart Hill Rd.	F-4
Carbuncle Pond Coventry Rt. 14	E-3
Chapman Pond Westerly Rt. 91	J-3
Chipuxet River South Kingstown 30 Acre Rd.	H-6
Clarkville Pond Glocester Spring Trail	B-3
Curran, John L. Cranston Seven Mile Rd.	D-6
Deep Pond Charlestown King's Factory Rd.	J-4
Grantsville Hopkinton Switch Rd.	H-4
Harrisville Pond Burrillville Sherman Rd.	B-4
Indian Lake South Kingstown	H-7
Keech Pond Glocester Chestnut Hill Rd.	C-4
Locustville Pond Hopkinton Pond Rd.	G-4
Mashpaug (no ramp) Providence Reservoir Ave.	O-7
Moscow Pond (car top) Hopkinton Saw Mill Rd.	G-4
Olney Pond Lincoln Olney Rd.	C-7
Pascoag Reservoir Glocester (Echo Lake) Jackson Schoolhouse Rd.	B-4
Pawcatuck River (Bradford), Westerly Bradford Rd.	J-4
Pawcatuck River Richmond Carolina Rd.	H-4
Pawtucket River (car top) Hope Hope Furnace Rd.	E-6
School House Pond (car top) Charlestown Scenic Rt. 1	J-4
Shippee Saw Mill Pond (car top) Foster Willoughby Young Rd.	D-3
Silver Spring North Kingstown Rt. 1	G-7
Smith & Sayles Res. Chestnut Hill Rd.	G-7
Spring Lake Burrillville Spring Lake Rd.	B-5
Stafford Pond Tiverton Stafford Rd.	F-11
Tucker Pond South Kingstown Tuckertown Rd.	H-6
Union Pond Burrillville Reservoir Rd.	B-4
Upper Slatersville Reservoir North Smithfield Victory Hwy.	B-5
Wakefield Pond Burrillville Wakefield Pond Rd.	B-3
Watchaug Pond Charlestown Rt. 1	J-4
Wilson Reservoir Burrillville East Wallum Lake Rd.	B-4
Worden Pond South Kingstown Worden's Pond Rd.	H-6
Wyoming Pond Richmond Old Nooseneck Hill Rd.	G-4

SALT WATER

Bristol, State St. Bristol	E-9
Charlestown Pond–Town Access Charlestown	J-5
Charlestown Breachway Charlestown	J-5
Colt Park Bristol Asylum Rd.	E-9
Galilee Narragansett Sand Hill Cove Rd.	J-6
Goddard Park Warwick Ives Rd.	F-7
Gull Cove Portsmouth	F-10
Haines Memorial Park Barrington Rt. 103	D-8
Jamestown (4 ramps) Jamestown	H-8
King's Beach Newport Ocean Drive	H-8
Longmeadow Warwick	E-8
Mount Hope Bay Bristol	E-10
Narragansett Parkway Warwick	E-8
Narrow River South Kingstown	H-7
Newport (4 ramps) Newport	H-9
Oakland Beach Warwick	E-8
Quonochontaug Breachway Charlestown	J-4
Sakonnet Point Little Compton	H-10
Salt Pond South Kingstown	H-6
Sapowet (general launching) Tiverton	G-10
Stone Bridge Portsmouth	F-10
Third Beach Middletown	H-10
Conimicut Pt. Warwick	E-8
Deep Hole Matunuck So. Kingstown	J-6
Spectacle Cove Portsmouth	F-10



Dennis J. Murphy, Jr.
Director
Department of Natural Resources

public accessway.

It is my hope that the users of these public rights of way to the shore will honor and respect the rights of the adjoining property owners to insure a compatible and pleasant relationship between the two thus initiating a good neighbor policy in the Community.

RIGHTS OF WAY INDE

WESTERLY
1. Off Avondale Rd.
4. Wapan Rd.
5. Meadow Lane
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7. Everett Ave.
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11. Off Atlantic Ave.
13. Off Atlantic Ave.
14. Off Atlantic Ave.
15. Off Atlantic Ave.
16. Off Atlantic Ave.
17. Off Atlantic Ave.
18. Off Atlantic Ave.

CHARLESTOWN
19. Charlestown Breachway
19A. Town Dock Road
20. East Beach Road

SOUTH KINGSTON
22. Matunuck Beach Road

NARRAGANSETT
23. Off Salt Pond Rd.
24. Off Salt Pond Rd.
25. Off Salt Pond Rd.
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35. East Side Galilee Breachway
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37. End Pilgrim Ave.
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42. Ocean Road

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46. Off Charlotte Drive
47. Off Charlotte Drive
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49. Off Charlotte Drive
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51. Beachwood Drive nr. Bayclife
52. Midget Ave.
53. Silvia Drive
54. Coburn St.
56. Reynolds Ave.
57. Crown St.
58. Waterfront Drive
59. Lilac St.
60. Westview St.
62. Ogden Ave.
62A. Ogden Ave.
63. Brinton Ave.
64. Chapin Ave.
65. Int. Dome St. & Shawomet Ave.
66. Off Shawomet Ave.
67. Between Acme St. & Fulton St.
68. Gaspee Pt. Drive
69. Butler Court
70. Peck Lane
71. Peck Lane

RIVERSIDE
72. West of Terrace Ave.
73. West of Terrace Ave.
74. West of Terrace Ave.
75. West of Terrace Ave.
76. West of Terrace Ave.
77. West of Terrace Ave.
78. West of Terrace Ave.
79. South of Seaview Ave.
80. Off Riverside Drive
81. Off Riverside Drive
82. Off Riverside Drive
83. Off Riverside Drive
84. No. Bullocks Pt. Ave. & Riverside Dr. Int.

BARRINGTON
85. Off Teed Ave.
86. Mason Rd.
87. Off Hampden St.
88. Maple St.

WARREN
89. Barker St.
90. River View St. & Barker St. Int.
91. Parker Ave.
92. Patterson Ave.
93. Laurel Lane
94. Harris Ave.
95. Prospect Ave.
96. Highland Ave.
97. Chace Ave.
98. Pleasant View
99. Southend Shore Drive
100. Southend Shore Drive
101. Southend Shore Drive
101A. End Touisset Rd.
101B. Emery St.
102. Emery St.
103. George St.
104. Cedar St.
105. Bay View Ave.

BRISTOL
106. Beach Rd.
107. Gibson Rd.
108. Fales Rd.
109. Constitution St.
110. Union St.
111. Wally St.
112. Low Lane
113. North St.
114. Butterworth Ave.
115. Franca Drive
116. Fatima Drive
117. San Miguel Drive
118. Sherman Ave.
119. Smith Ave.
120. Kickamuit Ave.
121. Int. of King Phillip Avenue and Bristol Narrows Road
122. Int. of King Phillip Avenue and Sunrise Drive (formerly Sowams Drive)
123. Int. of King Phillip Avenue and Annawamscott Drive

PORTSMOUTH
124. End of Hammock Point Road
125. East off Hammock Point Road
126. East off Narragansett Road
127. North off int. of Cedar Avenue and Leecham Street
128. West of int. of Point and Bay Streets
129. East off Green Street
133. South at int. of Ivy Avenue and Seaconnet Boulevard
131. South at int. of Edith Avenue and Seaconnet Boulevard
132. South at int. of Gould Avenue and Seaconnet Boulevard
133. South at int. of Island Park Ave. and Seaconnet Boulevard
134. South at int. of Ruth Avenue and Seaconnet Boulevard
135. East off int. of Fountain Avenue and Morgan Street
137. East of int. Atlantic Avenue and East Corys Lane
138. East of int. of Tallman and Atlantic Avenues
139. East of int. of Water and Child Streets
140. East of int. of Water Street and Morningside Lane

MIDDLETOWN
141. East end of Sandy Point Road
142. West off Tuckerman Avenue
143. West off Shore Drive

IMPORTANT

It is necessary to note that some rights of way sites have no parking accommodations. These sites are convenient for those within walking distance or if one can find parking accommodations within walking distance.

PUBLIC RIGHTS OF WAY COMMISSION

Rep. Anthony Giangiacomo, Chairman
Rep. Herbert U. Holmes, Secretary
Sen. F. Monroe Allen

RICHARD J. ISRAEL, Attorney General
ex officio

ROBERT J. RAHILL, Director
Department of Transportation
ex officio

DENNIS J. MURPHY, JR., Director
Department of Natural Resources
ex officio

ADOLPH T. SCHMIDT, Director
Development Council
ex officio

The Public Rights of Way Commission has the responsibility to define, mark and cause to be opened for our citizens the discovered public rights of way to the water areas of the State. The Commission is authorized to acquire and develop land for parking facilities in the proximity of rights of way and is empowered to seek court injunctions to prevent the unlawful posting or blocking of any public right of way.

The Commission respectfully requests that each and every individual who chooses to use these public rights of way will do so with the utmost respect for the neighboring property owners. Please use trash receptacles where provided and carry home debris where containers are not available. Fines up to $100 can be imposed upon conviction of depositing waste or refuse matter on these public rights of way.

STAMP

BEFORE MAILING

OF NATURAL RESOURCES

AL BUILDING

RI
346.0435
C734
1974
map

FEB 20 1974

DESTRUCTION OF PROPERTY PROHIBITED · G.L. CH 1144 ·
R.I. RIGHTS of WAY COMMISSION

DESIGN OF BRONZE IDENTIFICATION MARKER AT ALL SITES.

RHODE ISLAND STATE LIBRARY

RHODE ISLAND Natural Resources

A212
R57
1974

REFER TO YOUR RHODE ISLAND STATE HIGHWAY MAP FOR MAIN ROADS LEADING TO RIGHTS OF
RI 346.0435 C734 1974

...E ISLAND FRESHWATER ... AREAS
OPERATED AND MAINTAINED BY DIVISION OF FISH & WILDLIFE DEPARTMENT OF NATURAL RESOURCES

●NO PARKING

e:
r — Facilities: Boat launching and parking. Access to Harrisville
t, Bass, Pickerel and pan fish.
(Pascoag Res.) 352 acres — Facilities: Boat launching and parking.
rel and pan fish.
— 13 acres — Facilities: Shore fishing. Trout, Bass, Pickerel and pan

Public Fishing Area — 10 acres — Facilities: Two ponds and brook,
d shore fishing. Trout, Bass, Pickerel, and pan fish.
e — 96 acres — Facilities: Boat launching and parking. No outboard
ss, Pickerel, and pan fish.
d — 8 acres — Facilities: Boat launching, parking and shore fishing.
rd motors. Bass, Pickerel and pan fish.
Pond — 72 acres — Facilities: Boat launching and parking. No out-
ors June 20 thru September 10. Bass, Pickerel and pan fish.
ervoir — 127 acres — Facilities: Boat launching and parking.
power limit on outboards. Bass, Pickerel and pan fish.

wn:
— 19 acres — Facilities: Boat launching, parking and shore fishing.
rds. Trout, Bass, Pickerel and pan fish.
e Pond — 102 acres — Facilities: Car top boat launching. Bass,
d pan fish.

rran Public Fishing Area — 38 Acres — Facilities: Two ponds, boat
parking and shore fishing. Bass, Pickerel and pan fish.
t Pond — 11 acres — Facilities; Parking and shore fishing. Bass,
d pan fish.

Pond — 48 acres — Facilities: Parking, boat launching, and shore
outboards except electric trolling motors. Trout, Bass, Pickerel and

ke — 215 acres — Facilities: Boat launching, and parking. Bass,
d pan fish.
ge — Access to Big River and portions of Johnson Pond. Facilities:
hing and parking. Trout, Bass, Pickerel and pan fish.

nd — 40 acres — Facilities: Parking and shore fishing. Bass, Pickerel
n.
t Pond — 33 acres — Facilities: Boat launching, parking and shore
tors over 10 HP prohibited. Trout, Bass, Pickerel and pan fish.
d — 340 acres — Facilities: Parking and shore fishing in Rhode
t launching and parking on Connecticut side. Trout, Sockeye salmon,
, Bass, Pickerel and pan fish.
nd — 11 acres — Facilities: Parking and shore fishing. Trout, and

— 3 acres — Facilities: Parking and shore fishing (fly fishing only),
rout.
ow Pond — 1 acre — Facilities: Parking and shore fishing (restricted
nd younger). Trout.

— 5 acres — Facilities: Boat launching, parking and shore fishing,
ls. Trout, Bass, Pickerel and pan fish.
t River — Facilities: Parking and stream fishing. Trout.
ll Pond — 5 acres — Facilities: Boat launching, parking and shore
outboards. Trout, Bass, Pickerel and pan fish.

eservoir — 126 acres — Facilities: Boat launching, parking, shore
s, Pickerel and pan fish.
Pond — 13 acres — Facilities: Boat launching, parking and shore
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ond — 6 acres — Facilities: Parking and shore fishing, (fly fishing
t.
l — 129 acres — Facilities: Boat launching and parking. 10 HP limit
s. Bass, Pickerel and pan fish.
ington — 42 acres — Facilities: Boat launching, parking, no outboard
, Pickerel and pan fish.
yles Reservoir — 186 acres — Facilities: Boat launching, parking.
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Worden's Pond — 1043 acres — Facilities: Boat launching and parking. Northern Pike, Bass, Pickerel and pan fish.

Tiverton:
Stafford Pond — 476 acres — facilities: Boat launching and parking. Trout, Bass, Pickerel and pan fish.
● Tiverton Trout Pond — Facilities: Shore fishing. Trout.
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76. West of Terrace Ave.
77. West of Terrace Ave.
78. West of Terrace Ave.
79. South of Seaview Ave.
80. Off Riverside Drive
81. Off Riverside Drive
82. Off Riverside Drive
83. Off Riverside Drive
84. No. Bullocks Pt. Ave. & Riverside Dr. Int.

BARRINGTON
85. Off Teed Ave.
86. Mason Rd.
87. Off Hampden St.
88. Maple St.

WARREN
89. Barker St.
90. River View St. & Barker St. Int.
91. Parker Ave.
92. Patterson Ave.
93. Laurel Lane
94. Harris Ave.
95. Prospect Ave.
96. Highland Ave.
97. Chace Ave.
98. Pleasant View
99. Southend Shore Drive
100. Southend Shore Drive
101. Southend Shore Drive
101A. End Touisset Rd.
101B. Emery St.
102. Emery St.
103. George St.
104. Cedar St.
105. Bay View Ave.

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106. Beach Rd.
107. Gibson Rd.
108. Fales Rd.
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112. Low Lane
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115. Franca Drive
116. Fatima Drive
117. San Miguel Drive
118. Sherman Ave.
119. Smith Ave.
120. Kickamuit Ave.
121. Int. of King Phillip Avenue and Bristol Narrows Road
122. Int. of King Phillip Avenue and Sunrise Drive (formerly Sowams Drive)
123. Int. of King Phillip Avenue and Annawamscutt Drive

PORTSMOUTH
124. End of Hammock Point Road
125. East off Hammock Point Road
126. East off Narragansett Road
127. North of int. of Cedar Avenue and Leedham Street
128. West of int. of Point and Bay Streets
129. East off Green Street
133. South at int. of Ivy Avenue and Seaconnet Boulevard
131. South at int. of Edith Avenue and Seaconnet Boulevard
132. South at int. of Gould Avenue and Seaconnet Boulevard
133. South at int. of Island Park Ave. and Seaconnet Boulevard
134. South at int. of Ruth Avenue and Seaconnet Boulevard
135. East off int. of Fountain Avenue and Morgan Street
137. East of int. Atlantic Avenue and East Corys Lane
138. East of int. of Tallman and Atlantic Avenues
139. East of int. of Water and Child Streets
140. East of int. of Water Street and Morningside Lane

MIDDLETOWN
141. East end of Sandy Point Road
142. West off Tuckerman Avenue
143. West off Shore Drive

DESIGN OF BRONZE IDENTIFICATION MARKER AT ALL SITES.

R.I. RIGHTS of WAY COMMISSION

RHODE ISLAND Natural Resources

REFER TO YOUR RHODE ISLAND STATE HIGHWAY MAP FOR MAIN ROADS LEADING TO RIGHTS OF WAY SITES.

RI 346.0435 C734 1974 map

FEB 20 1974

DESTRUCTION OF PROPERTY PROHIBITED G.L. CH. 1144

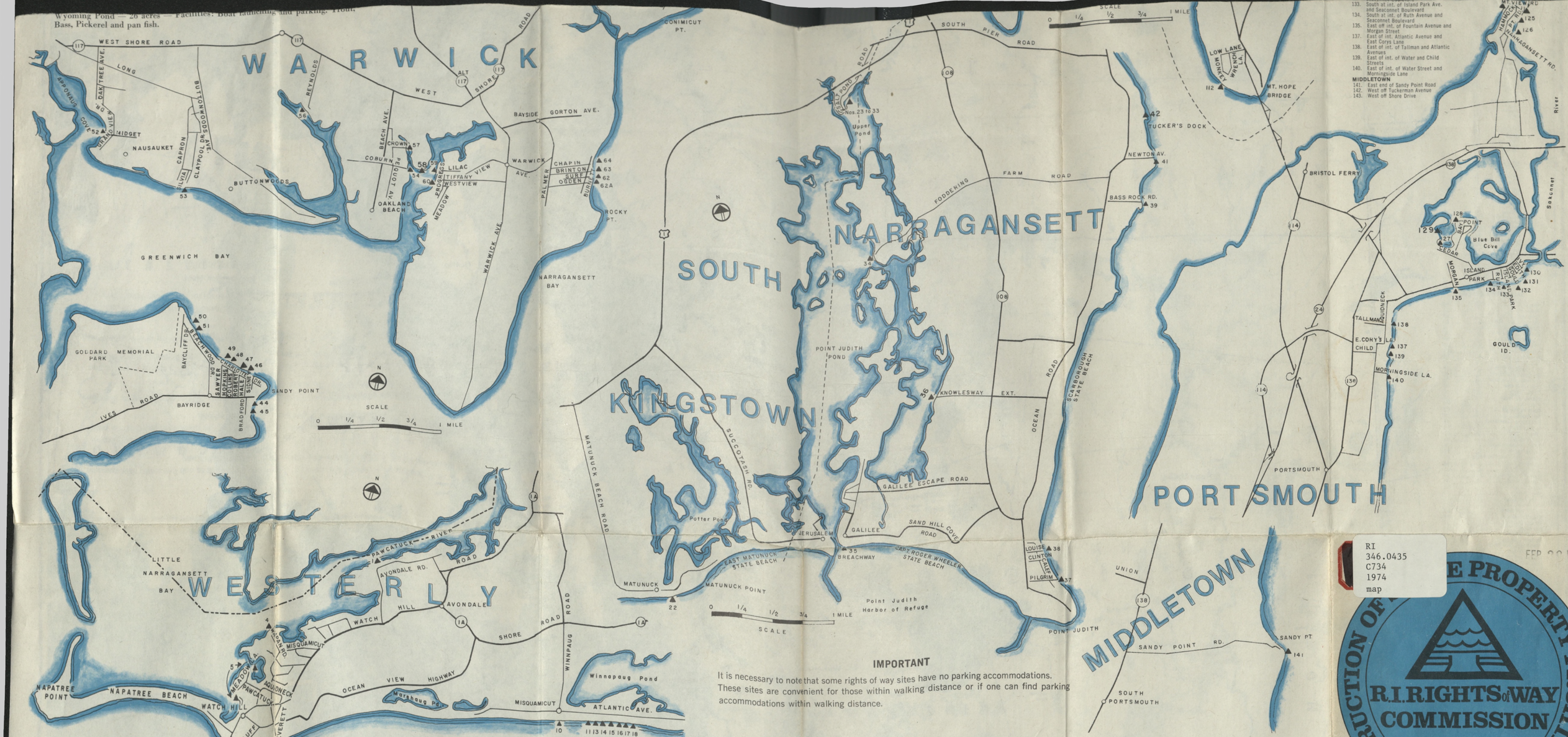
RHODE ISLAND STATE LIBRARY

RI 346.0435 C734 1974

STAMP

AL BEFORE MAILING
NT OF NATURAL RESOURCES
RIAL BUILDING

Wyoming Pond — 26 acres — Facilities: Boat launching and parking. Trout, Bass, Pickerel and pan fish.



133. South at int. of Island Park Ave. and Seaconnet Boulevard
134. South at int. of Ruth Avenue and Seaconnet Boulevard
135. East off int. of Fountain Avenue and Morgan Street
137. East of int. Atlantic Avenue and East Corys Lane
138. East of int. of Tallman and Atlantic Avenues
139. East of int. of Water and Child Streets
140. East of int. of Water Street and Morningside Lane

MIDDLETOWN

141. East end of Sandy Point Road
142. West off Tuckerman Avenue
143. West off Shore Drive

IMPORTANT

It is necessary to note that some rights of way sites have no parking accommodations. These sites are convenient for those within walking distance or if one can find parking accommodations within walking distance.

PUBLIC RIGHTS OF WAY COMMISSION

Rep. Anthony Giangiacomo, Chairman
Rep. Herbert U. Holmes, Secretary
Sen. F. Monroe Allen

RICHARD J. ISRAEL, Attorney General
ex officio

ROBERT J. RAHILL, Director
Department of Transportation
ex officio

DENNIS J. MURPHY, JR., Director
Department of Natural Resources
ex officio

ADOLPH T. SCHMIDT, Director
Development Council
ex officio

The Public Rights of Way Commission has the responsibility to define, mark and cause to be opened for our citizens the discovered public rights of way to the water areas of the State. The Commission is authorized to acquire and develop land for parking facilities in the proximity of rights of way and is empowered to seek court injunctions to prevent the unlawful posting or blocking of any public right of way.

The Commission respectfully requests that each and every individual who chooses to use these public rights of way will do so with the utmost respect for the neighboring property owners. Please use trash receptacles where provided and carry home debris where containers are not available. Fines up to $100 can be imposed upon conviction of depositing waste or refuse matter on these public rights of way.

STAMP

SEAL BEFORE MAILING

R. I. DEPARTMENT OF NATURAL RESOURCES

VETERANS MEMORIAL BUILDING

RI
346.0435
C734
1974
map

FEB 20 1974

DESTRUCTION OF PROPERTY PROHIBITED G.L.CH.11 §4

R.I. RIGHTS of WAY COMMISSION

DESIGN OF BRONZE IDENTIFICATION MARKER AT ALL SITES.

RHODE ISLAND Natural Resources

RHODE ISLAND STATE LIBRARY

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R57
1974

REFER TO YOUR RHODE ISLAND STATE HIGHWAY MAP FOR MAIN ROADS LEADING TO RIGHTS OF WAY SITES.

RI 346.0435 C734 1974

RHODE ISLAND FRESHWATER FISHING AREAS OPERATED AND MAINTAINED BY DIVISION OF FISH & WILDLIFE THE DEPARTMENT OF NATURAL RESOURCES

● NO PARKING

Burrillville:
Clear River — Facilities: Boat launching and parking. Access to Harrisville Pond. Trout, Bass, Pickerel and pan fish.
Echo Lake (Pascoag Res.) 352 acres — Facilities: Boat launching and parking. Bass, Pickerel and pan fish.
● Peck Pond — 13 acres — Facilities: Shore fishing. Trout, Bass, Pickerel and pan fish.
Round Top Public Fishing Area — 10 acres — Facilities: Two ponds and brook, parking and shore fishing. Trout, Bass, Pickerel, and pan fish.
Spring Lake — 96 acres — Facilities: Boat launching and parking. No outboard motors. Bass, Pickerel, and pan fish.
Union Pond — 8 acres — Facilities: Boat launching, parking and shore fishing. No outboard motors. Bass, Pickerel and pan fish.
Wakefield Pond — 72 acres — Facilities: Boat launching and parking. No outboard motors June 20 thru September 10. Bass, Pickerel and pan fish.
Wilson Reservoir — 127 acres — Facilities: Boat launching and parking. Ten horse-power limit on outboards. Bass, Pickerel and pan fish.

Charlestown:
Deep Pond — 19 acres — Facilities: Boat launching, parking and shore fishing. No outboards. Trout, Bass, Pickerel and pan fish.
● Schoolhouse Pond — 102 acres — Facilities: Car top boat launching. Bass, Pickerel and pan fish.

Cranston:
John L. Curran Public Fishing Area — 38 Acres — Facilities: Two ponds, boat launching, parking and shore fishing. Bass, Pickerel and pan fish.
Meshanticut Pond — 11 acres — Facilities; Parking and shore fishing. Bass, Pickerel and pan fish.

Coventry:
Carbuncle Pond — 48 acres — Facilities: Parking, boat launching, and shore fishing. No outboards except electric trolling motors. Trout, Bass, Pickerel and pan fish.
Tiogue Lake — 215 acres — Facilities: Boat launching, and parking. Bass, Pickerel and pan fish.
Zekes Bridge — Access to Big River and portions of Johnsons Pond. Facilities: Boat launching and parking. Trout, Bass, Pickerel and pan fish.

Exeter:
Arcadia Pond — 40 acres — Facilities: Parking and shore fishing. Bass, Pickerel and pan fish.
Breakheart Pond — 33 acres — Facilities: Boat launching, parking and shore fishing. Motors over 10 HP prohibited. Trout, Bass, Pickerel and pan fish.
Beach Pond — 340 acres — Facilities: Parking and shore fishing in Rhode Island. Boat launching and parking on Connecticut side. Trout, Sockeye salmon, Lake Trout, Bass, Pickerel and pan fish.
Dawley Pond — 11 acres — Facilities: Parking and shore fishing. Trout, and pan fish.
Deep Pond — 3 acres — Facilities: Parking and shore fishing (fly fishing only), no boats. Trout.
Frosty Hollow Pond — 1 acre — Facilities: Parking and shore fishing (restricted to 15 years and younger). Trout.

Foster:
Dolly Cole — 5 acres — Facilities: Boat launching, parking and shore fishing, no outboards. Trout, Bass, Pickerel and pan fish.
Ponagansett River — Facilities: Parking and stream fishing. Trout.
Shippee Mill Pond — 5 acres — Facilities: Boat launching, parking and shore fishing, no outboards. Trout, Bass, Pickerel and pan fish.

Glocester:
Bowdish Reservoir — 126 acres — Facilities: Boat launching, parking, shore fishing. Bass, Pickerel and pan fish.
Clarkville Pond — 13 acres — Facilities: Boat launching, parking and shore fishing, no outboard motors. Bass, Pickerel and pan fish.
Gristmill Pond — 6 acres — Facilities: Parking and shore fishing, (fly fishing only). Trout.
Keech Pond — 129 acres — Facilities: Boat launching and parking. 10 HP limit on outboards. Bass, Pickerel and pan fish.
Lake Washington — 42 acres — Facilities: Boat launching, parking, no outboard motors. Bass, Pickerel and pan fish.
Smith & Sayles Reservoir — 186 acres — Facilities: Boat launching, parking. 10 HP limit on outboards. Bass, Pickerel and pan fish.

Hopkinton:
Alton Landing access to Wood River and Alton Pond — 25 acres — Facilities: Boat launching and parking. No outboard motors. Trout, Bass, Pickerel and pan fish.
Ashville Pond — 32 acres — Facilities: Boat launching, parking and shore fishing. 10 HP limit on outboards. Trout, Bass, Pickerel and pan fishing.
Locustville Pond — 83 acres — Facilities: Boat launching and parking. Bass, Pickerel and pan fish.
● Long Pond — 22 acres — Facilities: Walk in access and shore fishing. Bass, Pickerel and pan fish.
● Moscow Ponds — 18 acres — Facilities: Walk in access and shore fishing. Bass, Pickerel and pan fish.

Lincoln:
Olney Pond — 126 acres — Facilities: Boat launching, parking and shore fishing. Trout, Bass, Pickerel and pan fish.
● Upper Rochambeau Pond — 3 acres — Facilities: Shore fishing (fly fishing only). Trout.

North Kingstown:
Silver Spring Lake — 10 acres — Facilities: Boat launching, parking and shore fishing, no outboard motors. Trout, Bass, Pickerel and pan fish.

North Smithfield:
Upper Slatersville Reservoir — 147 acres — Facilities: Boat launching and parking. Bass, Pickerel and pan fish.

Portsmouth:
● Melville Public Fishing Area — 6 acres — Facilities: Two ponds, car top boat launching, parking and shore fishing. Trout, Bass, Pickerel and pan fish.

Providence:
Maspaug Pond — 91 acres — Facilities: Boat launching and parking. Carp and pan fish.

Richmond:
Biscuit City Landing access to Pawcatuck River — Facilities: Boat launching and parking. Trout, Bass, Pickerel and pan fish.
Carolina Trout Pond — 6 acres — Facilities: Parking and shore fishing, no boats. Trout.
Richmond Landing, Pawcatuck River — Facilities: Boat launching and parking. Trout, Bass, Pickerel and pan fish.

Scituate:
Hope Landing access to Upper Pawtuxet River — Facilities: Boat launching, parking and shore fishing. Trout.

South Kingstown:
Barber's Pond — 28 acres — Facilities: Boat launching and parking. Trout, Bass, Pickerel and pan fish.
Indian Lake — 199 acres — Facilities: Boat launching and parking. Bass, Pickerel and pan fish.
Taylor's Landing, Chepuxet River — Facilities: Boat launching and parking (access to Thirty-Acre Pond). Bass, Pickerel and pan fish.
Tucker's Pond — 101 acres — Facilities: Boat launching, parking and shore fishing. Trout, Bass, Pickerel and pan fish.
Worden's Pond — 1043 acres — Facilities: Boat launching and parking. Northern Pike, Bass, Pickerel and pan fish.

Tiverton:
Stafford Pond — 476 acres — facilities: Boat launching and parking. Trout, Bass, Pickerel and pan fish.
● Tiverton Trout Pond — Facilities: Shore fishing. Trout.
● Wiley's Pond (Adamsville Brook) — 1 acre — Facilities: Shore fishing.

Warwick:
Potowomut Pond — 17 acres — Facilities: Boat launching and parking, shore fishing. Bass, Pickerel and pan fish.

Westerly:
Bradford Landing, Pawcatuck River — Facilities: Boat launching and parking. Trout, Bass, Pickerel and pan fish.
Chapman's Pond (Burdens) — 164 acres — Facilities: Boat launching and parking. Bass, Pickerel and pan fish, Northern Pike.

West Greenwich:
Big River Landing (Off Burnt Sawmill Road) — Facilities: Boat launching and parking. Trout, Bass, Pickerel and pan fish.
Tarbox Pond — 15 acres — Facilities: Boat launching, parking and shore fishing. Bass, Pickerel and pan fish.
Big River Landing (Off Weaver Hill Road) Facilities: Boat launching and parking. Trout, Bass, Pickerel and pan fish.

BOAT LAUNCHING SITES & FISHING AREAS IN R. I.

FRESH WATER

Alton Pond (car top) Hopkinton Alton Rd.	H-4
Ashville Pond Hopkinton Conanchet Rd.	G-3
Barber's Pond (no ramp) South Kingstown So. County Tr.	G-6
Big River (2 car tops) West Greenwich Rt. 2	F-5
Biscuit City Road (car top) Richmond Rt. 2, Shannock	H-5
Bowdish Reservoir Glocester Rt. 44, Geo. Washington Trail	B-3
Breakheart Pond Exeter Breakheart Hill Rd.	F-4
Carbuncle Pond Coventry Rt. 14	E-3
Chapman Pond Westerly Rt. 91	J-3
Chipuxet River South Kingstown 30 Acre Rd.	H-6
Clarkville Pond Glocester Spring Trail	B-3
Curran, John L. Cranston Seven Mile Rd.	D-6
Deep Pond Charlestown King's Factory Rd.	J-4
Grantsville Hopkinton Switch Rd.	H-4
Harrisville Pond Burrillville Sherman Rd.	B-4
Indian Lake South Kingstown	H-7
Keech Pond Glocester Chestnut Hill Rd.	C-4
Locustville Pond Hopkinton Pond Rd.	G-4
Mashpaug (no ramp) Providence Reservoir Ave.	O-7
Moscow Pond (car top) Hopkinton Saw Mill Rd.	G-4
Olney Pond Lincoln Olney Rd.	C-7
Pascoag Reservoir Glocester (Echo Lake) Jackson Schoolhouse Rd.	B-4
Pawcatuck River (Bradford), Westerly Bradford Rd.	J-4
Pawcatuck River Richmond Carolina Rd.	H-4
Pawtucket River (car top) Hope Hope Furnace Rd.	E-6
School House Pond (car top) Charlestown Scenic Rt. 1	J-4
Shippee Saw Mill Pond (car top) Foster Willoughby Young Rd.	D-3
Silver Spring North Kingstown Rt. 1	G-7
Smith & Sayles Res. Chestnut Hill Rd.	G-7
Spring Lake Burrillville Spring Lake Rd.	B-5
Stafford Pond Tiverton Stafford Rd.	F-11
Tucker Pond South Kingstown Tuckertown Rd.	H-6
Union Pond Burrillville Reservoir Rd.	B-4
Upper Slatersville Reservoir North Smithfield Victory Hwy.	B-5
Wakefield Pond Burrillville Wakefield Pond Rd.	B-3
Watchaug Pond Charlestown Rt. 1	J-4
Wilson Reservoir Burrillville East Wallum Lake Rd.	B-4
Worden Pond South Kingstown Worden's Pond Rd.	H-6
Wyoming Pond Richmond Old Nooseneck Hill Rd.	G-4

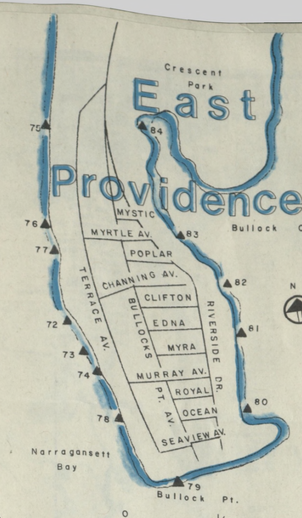
SALT WATER

Bristol, State St. Bristol	E-9
Charlestown Pond–Town Access Charlestown	J-5
Charlestown Breachway Charlestown	J-5
Colt Park Bristol Asylum Rd.	E-9
Galilee Narragansett Sand Hill Cove Rd.	J-6
Goddard Park Warwick Ives Rd.	F-7
Gull Cove Portsmouth	F-10
Haines Memorial Park Barrington Rt. 103	D-8
Jamestown (4 ramps) Jamestown	H-8
King's Beach Newport Ocean Drive	H-8
Longmeadow Warwick	E-8
Mount Hope Bay Bristol	E-10
Narragansett Parkway Warwick	E-8
Narrow River South Kingstown	H-7
Newport (4 ramps) Newport	H-9
Oakland Beach Warwick	E-8
Quonochontaug Breachway Charlestown	J-4
Sakonnet Point Little Compton	H-10
Salt Pond South Kingstown	H-6
Sapowet (general launching) Tiverton	G-10
Stone Bridge Portsmouth	F-10
Third Beach Middletown	H-10
Conimicut Pt. Warwick	E-8
Deep Hole Matunuck So. Kingstown	J-6
Spectacle Cove Portsmouth	F-10

The Department of Natural Resources is cooperating with the Public Rights of Way Commission in marking and identifying the location of each public accessway.

It is my hope that the users of these public rights of way to the shore will honor and respect the rights of the adjoining property owners to insure a compatible and pleasant relationship between the two thus initiating a good neighbor policy in the Community.

Dennis J. Murphy, Jr.
Director
Department of Natural Resources



RIGHTS OF WAY INDEX

WESTERLY
1. Off Avondale Rd.
4. Wapan Rd.
5. Meadow Lane
6. Off Bluff Ave.
7. Everett Ave.
10. Off Atlantic Ave.
11. Off Atlantic Ave.
13. Off Atlantic Ave.
14. Off Atlantic Ave.
15. Off Atlantic Ave.
16. Off Atlantic Ave.
17. Off Atlantic Ave.
18. Off Atlantic Ave.

CHARLESTOWN
19. Charlestown Breachway
19A. Town Dock Road
20. East Beach Road

SOUTH KINGSTON
22. Matunuck Beach Road

NARRAGANSETT
23. Off Salt Pond Rd.
24. Off Salt Pond Rd.
25. Off Salt Pond Rd.
26. Off Salt Pond Rd.
27. Off Salt Pond Rd.
28. Off Salt Pond Rd.
29. Off Salt Pond Rd.
30. Off Salt Pond Rd.
31. Off Salt Pond Rd.
32. Off Salt Pond Rd.
33. Off Salt Pond Rd.
34. Intersection Island Rd. & Pendering Farm Rd.
35. East Side Galilee Breachway
36. Knowlesway Extension
37. End Pilgrim Ave.
38. End Louise Drive
41. End Newton Ave.
42. Ocean Road

WARWICK
44. Off Bradford Ave.
45. Off Bradford Ave.
46. Off Charlotte Drive
47. Off Charlotte Drive
48. Off Charlotte Drive
49. Off Charlotte Drive
50. Off Beachwood Drive Int. Baycliffe
51. Beachwood Drive mr. Baycliffe Dr.
52. Midget Ave.
53. Silvia Drive
54. Coburn St.
56. Reynolds Ave.
57. Crown St.
58. Waterfront Drive
59. Lilac St.
60. Westview St.
62. Ogden Ave.
62A. Ogden Ave.
63. Brinton Ave.
64. Chapin Ave.
65. Int. Dome St. & Shawomet Ave.
66. Off Shawomet Ave.
67. Between Acme St. & Fulton St.
68. Gaspee Pt. Drive
69. Butler Court
70. Peck Lane
71. Peck Lane

RIVERSIDE
72. West of Terrace Ave.
73. West of Terrace Ave.
74. West of Terrace Ave.
75. West of Terrace Ave.
76. West of Terrace Ave.
77. West of Terrace Ave.
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132. South at int. of Gould Avenue and

INDEX OF CITIES, TOWNS AND PLACES

CITIES	1965 Pop.	
Central Falls	18,677	C-8
Cranston	71,913	D-7
East Providence	44,828	D-8
Newport	35,901	H-9
Pawtucket	77,538	C-8
Providence	187,061	D-8
Warwick	77,637	E-8
Woonsocket	46,678	A-6

TOWNS		
Barrington	16,390	E-9
Bristol	15,716	E-9
Burrillville	9,682	B-4
Charlestown	2,586	J-4
Coventry	19,577	E-5
Cumberland	23,639	B-7
East Greenwich	8,228	F-6
Exeter	2,987	G-5
Foster	2,479	D-4
Glocester	4,142	C-4
Hopkinton	4,674	H-3
Jamestown	2,567	G-8
Johnston	19,547	D-6
Lincoln	14,600	C-7
Little Compton	2,040	G-11
Middletown	19,562	G-9
Narragansett	5,043	H-7
New Shoreham	527	L-6
North Kingstown	23,013	G-7
North Providence	21,206	C-7
North Smithfield	8,716	B-6
Portsmouth	10,664	G-9
Richmond	2,235	H-4
Scituate	8,180	D-5
Smithfield	12,031	C-6
South Kingstown	14,405	H-6
Tiverton	10,966	F-10
Warren	9,748	E-9
Westerly	15,711	J-3
West Greenwich	1,499	F-4
West Warwick	21,915	E-6
	882,709	

PLACES		
Abbott Run		B-8
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Albion		B-7
Allenton		G-7
Alton		H-4
Anthony		E-6
Apponaug		E-7
Arcadia		G-4
Arctic		E-6
Arkwright		E-6
Arnold Mills		B-8
Ashaway		H-3
Ashton		B-7
Auburn		D-7
Austin		F-5
Avondale		K-3
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Bayside		E-8
Bellevilla		G-7
Berkeley		B-7
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Bradford		J-4
Bridgeton		B-4
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Charlestown Beach		J-5
Chepachet		C-4
Chepiwanoxet		E-7
Chopmist		D-4
Clayville		D-4
Clyde		E-6
Conimicut		E-8
Coventry Center		E-5
Cowesett		E-7
Cranston		D-7
Crompton		E-6
Cumberland Hill		B-7
Davisville		F-7
Diamond Hill		B-8
Dunn Corner		J-3
East Greenwich		F-7
East Providence		D-8
Escoheag		F-3
Esmond		C-6
Exeter		G-5
Fiskeville		E-6
Foster Center		D-4
Forestdale		B-6
Frenchtown		F-7
Galilee		J-6
Gazzaville		B-5
Georgiaville		C-6
Glendale		B-5
Granteville		C-7
Grant Mills		A-7
Greene		E-4
Green Hill		J-5
Greenville		C-6
Greenwood		E-7
Greystone		C-7
Hamilton		G-7
Harris		E-6
Harrisville		B-4
Harmony		C-5
Haversham		J-4
Hillsgrove		E-7
Homestead		F-9
Hope		E-6
Hope Valley		G-4
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Hopkinton		H-3
Howard		E-7
Hoxsie		E-8
Hughesdale		D-7
The Hummocks		F-10
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Jackson		E-6
Jamestown		H-8
Jerusalem		J-6
Kenyon		H-5
Kingston		H-6
Knightsville		D-7
Lafayette		G-7
Lakewood		D-8
Lewis City		F-4
Liberty		G-6
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Lippitt		E-6
Little Compton		G-10
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Lonsdale		C-8
Manton		C-7
Manville		B-7
Mapleville		B-5
Matunuck		J-6
Meshanticut		D-7
Middletown		G-9
Millville		G-4
Misquamicut		K-3
Mohegan		B-5
Moorefield		H-7
Moosup Valley		E-3
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Nasonville		B-5
Natick		E-7
Nausauket		E-7
North Foster		D-3
North Scituate		D-5
North Tiverton		E-10
Norwood		E-7
Nooseneck		F-5
Oakland		B-5
Oakland Beach		E-8
Oaklawn		E-7
Oak Valley		B-5
Passoag		B-4
Pawtuxet		D-8
Peace Dale		H-6
Perryville		J-6
Phenix		E-6
Point Judith		J-7
Pontiac		E-7
Polowomut		F-7
Potter Hill		J-3
Potterville		E-4
Portsmouth		F-9
Primrose		B-6
Prudence		F-9

VIEW SITES

17	Airport Connector	E-7
14	Beavertail	H-7
18	Boston Neck Road	H-7
15	Brenton Point	H-8
20	Camp Avenue	F-7
1	Castle Hill	H-8
21	East Shore Road	G-8
6	East Shore Rd.	G-8
2	Highland Avenue	F-10
19	Bowen Hill Road	E-4
3	Lehigh Hill	F-9
4	Mohegan Bluffs	K-10
22	Ninigret Pond	J-4
5	Neutaconkanut Hill	D-7
23	Pamoquit Way	G-10
7	Post Road (Scenic 1A)	G-7
8	Prospect Terrace	D-8
24	Purgatory Road	H-9
9	Purgatory Rock	H-9
10	Tower Hill	H-7
25	Tower Hill Road	H-7
16	Veterans Memorial Parkway	D-8
11	Victory Highway	E-4
26	Wampanoag Trail	D-9
12	Windmill Hill	G-10
13	Woonsocket Hill	B-6
	Cliff Walk-Newport	SH

State of Rhode Island And Providence Plantations

PUBLIC RIGHTS OF WAY MAP

Published by
Public Rights of Way Commission

JANUARY, 1974

LEGEND

- Boat Launching Site
- Right of Way Site
- View Site

Scale of Miles 0 ½ 1 2 3 4 5

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The Public Rights of Way to the seashore, although dating back to colonial days, have become obscured by the ravages of time and the periodic violence of the sea.

In 1958 the General Assembly established a permanent commission whose prime objective was the "Discovery and Utilization of Public Rights of Way," in order that more of the people of the State might pass and repass along a way to the seashore.

The Commission's efforts have been continuous, and have resulted in a report which indicates the location of the rights of way which were researched.

It is my pleasure to announce the production of this map, which presents the locations of the presently known Public Rights of Way, along with boat launching sites and scenic overlooks.

The management, care, and repair of these facilities will be the responsibility of the Department of Natural Resources.

It is my hope that these facilities will provide additional recreational benefits to more people of the State, and in return encourage a mutual respect and concern for the private properties which adjoin these public areas.

Philip W. Noel
GOVERNOR

State of Rhode Island And Providence Plantations

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Philip W. Noel
GOVERNOR

INDEX OF CITIES, TOWNS AND PLACES

CITIES	1965 Pop.	
Central Falls	18,677	C-8
Cranston	71,913	D-7
East Providence	44,828	D-8
Newport	35,901	H-9
Pawtucket	77,538	C-8
Providence	187,061	D-8
Warwick	77,632	E-8
Woonsocket	46,678	A-6

TOWNS		
Barrington	16,390	E-9
Bristol	15,718	E-9
Burrillville	9,682	B-4
Charlestown	2,580	J-4
Coventry	19,577	E-5
Cumberland	21,838	B-7
East Greenwich	8,228	F-6
Exeter	2,987	G-5
Foster	2,479	D-4
Glocester	4,142	C-4
Hopkinton	4,674	H-3
Jamestown	2,567	G-8
Johnston	19,547	D-6
Lincoln	14,500	C-7
Little Compton	2,040	G-11
Middletown	19,562	G-9
Narragansett	5,043	H-7
New Shoreham	527	L-6
North Kingstown	23,013	G-7
North Providence	21,206	C-7
North Smithfield	8,726	B-6
Portsmouth	10,664	G-9
Richmond	2,235	H-4
Scituate	5,180	D-5
Smithfield	12,031	C-6
South Kingstown	14,405	H-6
Tiverton	10,966	F-10
Warren	9,748	E-9
Westerly	15,711	J-3
West Greenwich	1,499	F-4
West Warwick	21,915	E-6
	892,709	

PLACES	
Abbott Run	B-8
Adamsville	G-11
Albion	B-7
Allenton	G-7
Alton	H-4
Anthony	E-6
Apponaug	E-7
Arcadia	G-4
Arctic	E-6
Arkwright	E-6
Arnold Mills	B-8
Ashaway	H-3
Ashton	B-7
Auburn	D-7
Austin	F-5
Avondale	K-3
Barrington	E-9
Bayside	E-8
Belleville	G-7
Berkeley	B-7
Block Island	L-6
Bradford	J-4
Bridgeton	B-4
Bristol Ferry	F-9
Buttonwoods	E-7
Burdickville	J-4
Canonchet	H-3
Carolina	H-5
Centerdale	C-7
Centerville (Hopkinton)	G-4
Centerville (W. Warwick)	E-6
Charlestown	J-5
Charlestown Beach	J-5
Chepachet	C-4
Chepiwanoxet	C-7
Chopmist	D-4
Clayville	D-4
Clyde	E-6
Commicut	E-8
Coventry Center	E-5
Cowesett	C-7
Cranston	D-7
Crompton	E-6
Cumberland Hill	B-7
Davisville	F-7
Diamond Hill	B-8
Dunn Corner	J-3
East Greenwich	F-7
East Providence	D-8
Escoheag	F-3
Esmond	C-6
Exeter	G-6
Fiskeville	E-6
Foster Center	D-4
Forestdale	B-6
Frenchtown	F-7
Galilee	J-6
Gazzaville	B-5
Georgiaville	C-6
Glendale	B-5
Grantsville	C-7
Grant Mills	A-7
Greene	E-4
Green Hill	J-5
Greenville	C-6
Greenwood	E-7
Greystone	C-7
Hamilton	G-7
Harris	E-6
Harrisville	B-4
Harmony	C-5
Haversham	J-4
Hillsgrove	E-7
Homestead	F-9
Hope	E-6
Hope Valley	G-4
Hopkins Hollow	E-3
Hopkinton	H-3
Howard	E-7
Hoxsie	E-8
Hughesdale	D-7
The Hummocks	F-10
Island Park	F-10
Jackson	E-6
Jamestown	H-8
Jerusalem	J-6
Kenyon	H-5
Kingston	H-6
Knightsville	D-7
Lafayette	G-7
Lakewood	D-8
Lewis City	F-4
Liberty	G-6
Lime Rock	B-7
Lincoln Park	E-7
Lippitt	E-6
Little Compton	G-10
Longmeadow	E-8
Lonsdale	C-8
Manton	C-7
Manville	B-7
Maplewille	B-5
Matunuck	J-6
Meshanticut	D-7
Middletown	G-9
Millville	G-4
Misquamicut	K-3
Mohegan	B-5
Moorefield	H-7
Moosup Valley	E-3
Moscow	G-4
Narragansett Pier	H-7
Nasonville	B-5
Natick	E-7
Nawaaket	E-7
North Foster	C-3
North Scituate	D-5
North Tiverton	E-10
Norwood	E-7
Nooseneck	F-5
Oakland	B-5
Oakland Beach	E-8
Oaklawn	E-7
Oak Valley	B-5
Pascoag	B-4
Pawtuxet	D-8
Peace Dale	H-6
Perryville	J-6
Phenix	E-6
Point Judith	J-7
Pontiac	E-7
Potowomut	F-7
Potter Hill	J-3
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Portsmouth	F-9
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VIEW SITES	
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8 Prospect Terrace	D-8
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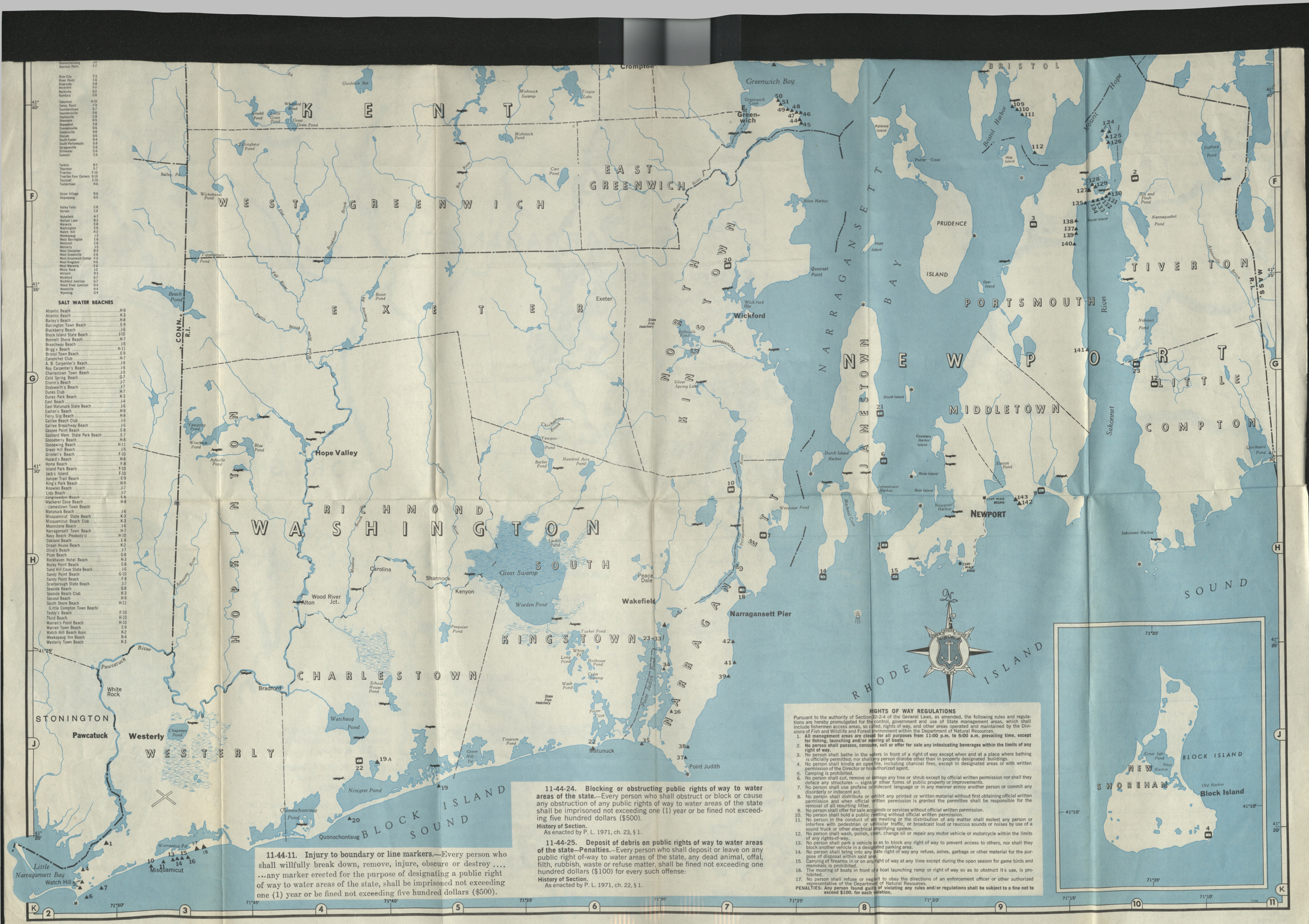
9 Purgatory Rock	H-9
10 Tower Hill	H-7
25 Tower Hill Road	H-7
16 Veterans Memorial Parkway	D-8
11 Victory Highway	E-4
26 Wampanoag Trail	D-9
12 Windmill Hill	G-10
13 Woonsocket Hill	B-6
Cliff Walk-Newport	9H


KENT
EAST GREENWICH
WEST GREENWICH
EXETER
RICHMOND
WASHINGTON
HOPKINTON
CHARLESTOWN
SOUTH KINGSTOWN
NARRAGANSETT
NEW SHOREHAM
NEWPORT
PORTSMOUTH
MIDDLETOWN
TIVERTON
LITTLE COMPTON
JAMESTOWN
BRISTOL
Greenwich Bay
Narragansett Bay
Block Island Sound
Rhode Island Sound
Hope Valley
Wickford
Point Judith
Narragansett Pier
Block Island
Old Harbor
Great Salt Pond
New Harbor
Sakonnet Harbor
Jamestown Harbor
Bristol Harbor
Dutch Island Harbor
Coasters Harbor Island
Gould Island
Dyer Island
Hope Island
Patience Island
Potter Cove
Allen Harbor
Wickford Hbr
Newport Harbor
Goat Island
Rose Island
Easton Pond
Sisson Pond
Stafford Pond
Nonquit Pond
Nannaquaket Pond
Sin and Flesh Pond
Quicksand Pond
Mackerel Cove
Weetamoo Pond
Tuckertown
Usquepaug
Arcadia
Carolina
Shannock
Kenyon
Alton
Wood River Jct.
Bradford
White Rock
Pawcatuck
Westerly
Stonington
Peace Dale
Wakefield
Matunuck
Quonochontaug
Misquamicut
Watch Hill
Little Narragansett Bay
Ninigret Pond
Watchaug Pond
Worden Pond
Great Swamp
Carr Pond
Tiogue Lake
Mishnock Swamp
Mishnock Pond
Quidnick Res
Arnold Pond
Turtle Grass Pond
Great Grass Pond
Whipple Pond
Tillinghast Pond
Bailey Pd
Wincheck Pond
Yawgoog Pond
Blue Pond
Ashville Pond
Beach Pond
Lippitt Pond
Boon Pond
Hundred Acre Pond
Barber Pond
Chickasheen Brook
Yawgoo Pond
Silver Spring Lake
Gilbertville Pond
Annaquatucket
Tucker Pond
White Pd
Long Pond
Hothouse Pond
Cedar Swamp
Wash Pond
School House Pond
Potter Cove
Trustom Pond
Green Hill Pd
Chapman Pond
Tarkiln
Thornton
Riverton
Riverton Four Corners
Touisset
Union Village
Valley Falls
Vernon
Wakefield
Wallum Lake
Warwick
Washington
Watch Hill
Weekapaug
West Barrington
Westcott
Westerly
West Glocester
West Greenville
West Greenwich Center
West Kingston
West Warwick
White Rock
Whipple
Wickford
Wickford Junction
Wood River Junction
Woodville
Wyoming
Quonochontaug
Quonset Point
Rice City
River Point
Riverside
Rockland
Rockville
Rumford
Sakonnet
Sandy Point
Saunderstown
Saundersville
Sayles ville
Shermick
Shawomet
Simmonsville
Slatersville
Slocum
South Foster
South Portsmouth
Sprague ville
Stillwater
Summit
Crompton
E. Greenwich
Exeter
Hope Valley
Fall River
Pawcatuck River
Wood River
Queen River
Usquepaug River
Big River
Flat River
Hunt River
Annaquatucket River
Pettaquamscutt River
Saugatucket River
Meadow Brook
Parris Brook
Brushneck Brook
Indian Brook
Yawgoo Brook
Tucker Pond Brook
Point Judith Pond
Ninigret Pond
Quonochontaug Pond
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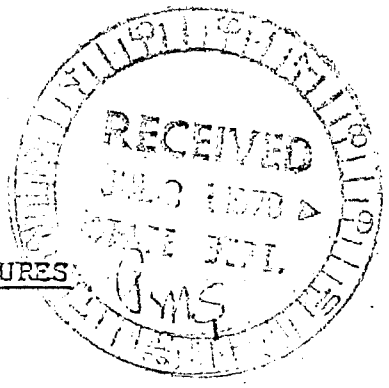


RIGHTS OF WAY, POLICIES, REGULATIONS AND PROCEDURES

1) FINDINGS:

A. Rhode Island is richly endowed with public shorefront access opportunities via public parks and beaches, conservation areas, scenic view points and rights-of-way. However, efforts to enhance opportunities through more effective utilization of existing areas and identification of additional sites are needed.

-The distribution of coastal rights-of-way is uneven.
-Public rights-of-way along substantial lengths of shoreline remain unverified.
-Public rights in many presumed rights-of-way are contested.
-Rights-of-way must be posted to encourage use and prevent trespass on private property.
-Parking space at popular rights-of-way is frequently inadequate.
-Vandalism, littering and trespass on adjacent private holdings are issues of growing concern.

B. The scenic qualities of the Rhode Island coastal region and shoreline are one of the state's greatest natural assets.

-Much of the state's shoreline is highly scenic.
-Many scenic areas are readily accessible to the public from designated overlooks and scenic highway routes.
-Scenic viewing is a major recreational and tourist activity.
-Additional scenic opportunities exist at local, state and federal recreational holdings and from both state and municipal highways. These opportunities require careful evaluation if they are to be utilized to their full potential.
-Scenic viewsites are highly sensitive to the aesthetic impacts of adjoining development.

C. The state has numerous public and private boat launch ramps.

-Ramps are unevenly distributed with deficiencies in upper Narragansett Bay where demand is concentrated.
-Additional ramps should be sited in or near the major recreational boating harbors of the Bay. Acquisition costs can be extremely high in such areas however.
-Ramp siting can have major environmental impacts where it contributes to increased boating activity in sensitive marine areas.
-Ramps can have major social and aesthetic impacts where service roads are insufficient to handle increased traffic and/or where inadequate parking is provided.

D. Development of additional rights-of-way, scenic viewpoints and launch ramps will place additional management responsibilities on state personnel.

2. POLICIES:

A. The Council finds that the public has a right to the use and enjoyment of the shoreline guaranteed under Article 17 of the State Constitution. Enhancement of public access to coastal waters is consequently a high priority use of the coastal region.

B. Applicants for Council permits for any development or activity contiguous to a posted public right-of-way, boat launch ramp or public view site shall be called upon to demonstrate by a fair preponderance of evidence that such development or activity or any development or activity related thereto will not interfere with or prevent public use and enjoyment. Where such interference or prevention is found the Council shall prohibit or require appropriate modification of the proposal in question.

C. The Council, working in coordination with the Department of Environmental Management, shall prepare periodic updates of the state rights-of-way, scenic view sites, and public launch ramp map commencing in 1978. It shall ensure maximum publicity and distribution of these maps to the general public.

D. The Council shall, commencing in 1978, designate all verified public rights-of-way, scenic view sites and launch ramps.

3. LEGISLATIVE AUTHORITY:

Chapter 270 of the Public Laws of 1977 granted to the Coastal Resources Management Council the following authority:

"Rights of Way.--The Council shall be responsible for the designation of all public rights of way to the tidal water areas of the state, and shall carry on a continuing discovery of appropriate public right of way to the tidal water areas of the state.

The council shall maintain a complete file of all official documents relating to the legal status of all public rights of way to the tidal water areas of the state.

The council shall, subject to the provisions of chapter 6 of title 37 of the general laws, as amended, have the power to designate for acquisition and development by the department of natural resources land for tidal rights of way parking facilities and other council related purposes.

In conjunction therewith every state department controlling state owned land close to or adjacent to discovered rights of way are authorized to set our such land, or so much thereof as may be deemed necessary for public parking."

"No such use of land for public parking shall conflict with existing or intended use of such land, and no improvement shall be undertaken by any state agency until detailed plans have been submitted to and approved by the governing body of the local municipality."

4. REGULATIONS AND PROCEDURES:

A. There shall be a duly formed rights-of-way subcommittee appointed by the chairman of the council consisting of notless then three (3) members of the council. Chairman of the council shall appoint a chariman of the rights-of-way subcommittee. The rights-of-way subcommittee shall elect its officers thereafter.

B. The rights-of-way subcommittee shall meet at the call of the rights-of-way subcommittee chairman at a place so designated by said chairman.

C. The rights-of-way subcommittee shall be responsible for the designation of all public rights-of-way to the tidal water areas of the state and shall carry on a continuing discovery of appropriate public right-of-way to the tidal water areas of the state in accordance with the regulations and procedures established herein. The rights-of-way subcommittee shall implement the responsibilities designated under Section 46-23-6E of the general laws relative to rights-of-way.

D. In considering designation of a public right-of-way the subcommittee shall evaluate all existing data including attorneys, title reports, municipality land records, court cases and any other pertinent information available. The subcommittee may enlist additional professional help should it deem necessary. After compilation of the information it deems necessary to designate a public rights-of-way the subcommittee shall hold a public hearing at which time it shall allow all interested parties to be heard in accordance with the rules and regulations of the Coastal Resources Management Council and the Administrative Procedures Act. Prior to hearing the subcommittee shall duly advertise said hearing and shall notify all abutters within a two Hundred foot (200') radius of the proposed right-of-way. This public hearing shall require a quorum of at least three members of the rights-of-way subcommittee.

E. Where on the basis of the evidence and/or demonstrations presented to the subcommittee finds a reasonable probability that a public right-of-way does exist it shall so declare the public right-of-way as existing by a vote of the subcommittee a quorum of three members of said subcommittee shall be required for this vote and a majority of those present in voting shall be required for passage. All proceedings shall be in accordance with the rules and regulations of the Coastal Resources Management Council and the Administrative Procedures Act.

F. Upon designation by the rights-of-way subcommittee of a public right-of-way the subcommittee shall forward its designation to the full Coastal Resources Management Council and the Coastal Resources Management Council shall as a whole act thereon in accordance with its procedures and the Administrative Procedures Act. Upon designation by the full Coastal Resources Management

Council in accordance with its rules and regulation and the Administrative Procedures Act a public right-of-way shall be deemed to exist. The Coastal Resources Management Council shall then forward to the appropriate state agencies its designation thereof.

G. The rights-of-way subcommittee may from time to time review its prior actions and nothing contained herein shall be deemed to preclude the rights-of-way subcommittee or the full Coastal Resources Management Council from reconsidering its prior actions.

H. The rights-of-way subcommittee shall, subject to the provisions of Chapter 6 Title 37 of the general laws as amended, have the power to designate for acquisition and development by the Department of Environmental Management land for title rights-of-way, parking facilities and other council related purposes. The procedure for such designation shall be the same procedure as stated herein for designation of public rights-of-way.

I. In those instances where the rights-of-way subcommittee designates the acquisition and development by the Department of Environmental Management, land for rights-of-way, parking facilities, or other council related purposes it shall be the duty of the rights-of-way subcommittee to submit for approval to the governing body of the local municipality its plans and the plans of the Department of Environmental Management therefore prior to proceeding with final designation.

STATE OF RHODE ISLAND
AND PROVIDENCE
PLANTATIONS
COASTAL RESOURCES
MANAGEMENT COUNCIL
ROOM 508
VETERANS MEMORIAL
BUILDING
83 PARK STREET
PROVIDENCE, R.I. 02903

November 8, 1978 date

NOTICE OF
PUBLIC HEARING

In accordance with and pursuant to the provisions of the "Administrative Procedures Act" (Chapter 42-35 of the General Laws of Rhode Island) and the Rules and Regulations of the Coastal Resources Management Council, andthe Rules and Regulations of the Rights of Way Subcommittee of the Coastal Resources Management Council, a hearing will be held to receive comments and evidence from interested parties concerning possible designation of public rights of way to the tidal water areas of the State relative to Title 46, Chapter 23, Section 6E of the Rhode Island General Laws of 1956, as amended.

The description of said rights of way being bounded and described as follows:

Town of Westerly, No. 1 - on the west by Avondale Road, on the north by Lots No. 35 and No. 36 as shown on Assessor's Plat 19, on the south by Lot No. 34, Assessor's Plat 19, and on the east by the Pawcatuck River.

Town of Westerly, No. 2 - on the east by Avondale Road, on the south by Colonel Willie Cove, and on the west and north by Lot No. 29 as shown on Assessor's Plat 18½.

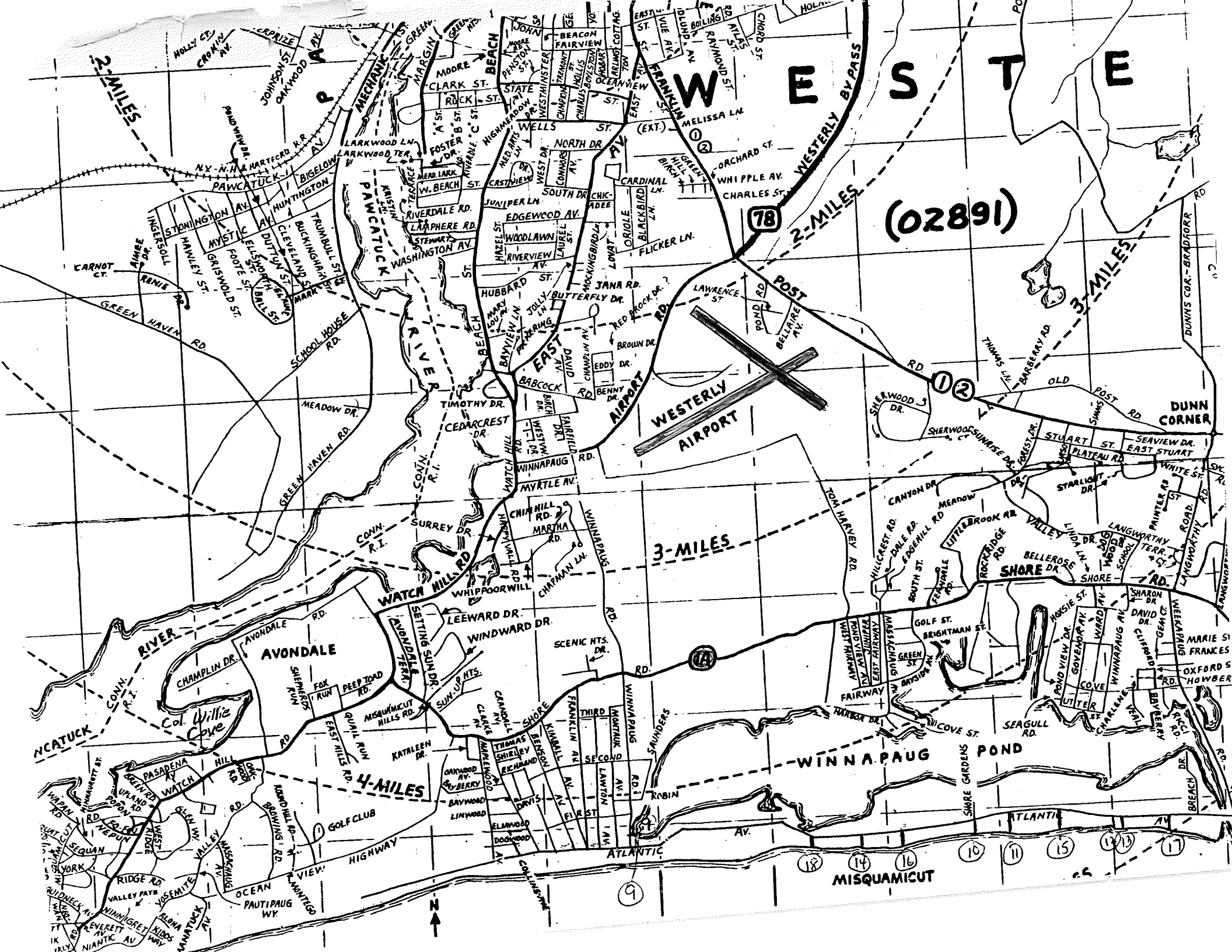
Town of Westerly, No. 3 - on the east by Avondale Road, on the north, west, and south by Colonel Willie Cove as shown on Assessor's Map 16½.

Town of Westerly, No. 5 - that certain 40 foot strip of land intersected on the north by Fosters Cove, so called, on the south by the Little Narragansett Bay, the Watch Hill Cove, so called, being designated as Meadow Lane on Westerly Assessor's Map No. 16.

Town of Westerly, No. 6 - being a strip of land running in an easterly and southeasterly direction from Bluff Avenue, so called, in the Village of Watch Hill and being bounded easterly by Lot 11 as shown on Assessor's Plat 13 of the Land Evidence Records of the Town of Westerly.

Town of Westerly, No. 7 - being a strip of land approximately 20 feet in width running in a southeasterly direction from Bluff Avenue and being designated as Everett Avenue in the Village of Watch Hill and being bounded westerly by Lot No. 9 on the Assessor's Plat 13 of the Land Evidence Records of the Town of Westerly.

Town of Westerly, No. 8 - a certain strip or parcel of land extending to the Atlantic Ocean, it being a continuation of Niantic Avenue, so called, in the village of Watch Hill bounded westerly by


WESTERLY
(02891)
2-MILES
3-MILES
4-MILES
WESTERLY BY PASS
POST RD.
BEACH ST.
PAWCATUCK RIVER
WATCH HILL RD.
WINNAPAUG POND
AVONDALE
Col. Willie Cove
WESTERLY AIRPORT
AIRPORT RD.
DUNN CORNER
SHORE RD.
ATLANTIC AV.
MISQUAMICUT
GREEN HAVEN RD.
SCHOOL HOUSE RD.
CLARK ST.
WELLS ST.
NORTH DR.
SOUTH DR.
MAIN ST.
FRANKLIN ST.
CANAL ST.
BROAD ST.
WASHINGTON AV.
EDGEWOOD AV.
RIVERVIEW AV.
HUBBARD ST.
BABCOCK RD.
MYRTLE AV.
WINNAPAUG RD.
CEDARCREST DR.
MEADOW DR.
TIMOTHY DR.
SURREY DR.
CONN. R.I.
LEEWARD DR.
WINDWARD DR.
SCENIC HTS. DR.
SUN-UP HTS.
SETTING SUN DR.
AVONDALE TERR.
CHAMPLIN DR.
SHERWOOD DR.
OLD POST RD.
STUART ST.
EAST STUART
PLATEAU RD.
SERVIEW DR.
WHITE ST.
CANYON DR.
MEADOW DR.
VALLEY DR.
LINDA LN.
ROCKRIDGE RD.
BELLEROSE DR.
LANGWORTHY TERR.
LANGWORTHY ROAD
PAINTER RD
SOUTH ST.
FERNDALE RD.
HILLCREST RD.
DALE RD.
EDGEHILL RD
LITTLEBROOK RD
TOM HARVEY RD.
GOLF ST.
BRIGHTMAN ST.
HAYSIE ST.
SHARON DR.
DAVID DR.
CLIFFORD
GEM CT.
MARIE ST
DG FRANCES
OXFORD S
HOWBER
WEEKAPAUG
WARD AV.
WINNAPAUG AV.
POND VIEW DR.
GOVERNOR AV.
COVE
UTTER ST.
CHARLENE
VERL
BAYBERRY
RACCI
SEAGULL RD.
COVE ST.
HARBOR DR.
BAYSIDE AV.
FAIRWAY
WEST FAIRWAY
EAST FAIRWAY
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POND VIEW AV.
SHORE GARDENS
BREACH DR.
ATLANTIC AV.
SAUNDERS
FRANKLIN AV
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KIMBALL AV.
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FAIRVIEW
OCEANVIEW
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TREMONT ST.
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BOYLSTON
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ORCHARD ST.
WHIPPLE AV.
CHARLES ST.
CARDINAL LN.
BLACKBIRD LN.
ORIOLE
FLICKER LN.
MOCKINGBIRD LA
LOVAT
JANA RD.
BUTTERFLY DR.
JOLLY LN
MARY LOU AV.
BAYVIEW LN.
HERRING
RED BROOK DR.
BROWN DR.
EDDY DR.
BENNY DR.
CHAMPLIN AV.
DAVID AV.
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BIRCH DR.
WESTVIEW DR.
FAIRFIELD DR.
WATCH HILL
CHIN HILL RD.
MARTHA RD.
CHAPMAN LN.
WHIPPOORWILL
WINNAPAUG RD.
LAWRENCE ST.
POND RD.
BELLAIRE AV.
THOMAS LN.
BARBERRY RD.
SHERWOOD SUNRISE DR.
FOREST DR.
DUNNS COR.-BRADFORD RD
HIGHMEADOW DR.
MED. ARTS LN.
CASTVIEW DR.
WEST DR.
CONNORS AV.
GREEN HILL
BIRCH
LARKWOOD LN.
LARKWOOD TER.
FOSTER DR.
MERRILARK
W. BEACH ST.
RIVERDALE RD.
LAPHERE RD.
STEWART AV.
JUNIPER LN
KRISTIN TERRACE
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JOHNSON ST.
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CROMLIN AV.
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HUNTINGTON AV.
STONINGTON AV.
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CLEVELAND ST.
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TRUMBULL ST.
BALLS ST.
MARK ST.
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CARNOT CT.
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MISQUAMICUT
WINNAPAUG POND
Col. Willie Cove
AVONDALE
NCATUCK
RIVER
CONN. R.I.
WATCH HILL RD.
4-MILES
3-MILES
2-MILES
GOLF CLUB
OCEAN VIEW HIGHWAY
PAUTIPAUG WY.
ROUND HILL RD.
BROWNING RD.
MASSACHAUG AV.
VALLEY PATH
YOSEMITE
RIDGE RD.
SEQUAN
NIPMUC
POPONOMO
UPLAND RD.
GREEN RD.
WATCH HILL RD.
PASADENA AV.
WIPAN RD.
NIANTIC AV.
EVERETT AV
GRANITE
NINIGRET
AUTONECK AV.
KILDOS WAY
ALOHA
NANATUCK AV.
MONTEGO
OAKWOOD AV.
BAYBERRY
BAYWOOD
LINWOOD
ELMWOOD
DOGWOOD
KATHLEEN DR.
MAPLEWOOD
THOMAS
SHIRLEY
BENSON
RICHMOND
CLARKE AV.
CRANDALL AV.
SHORE
MONTAUK
ROBIN
COLLINS LINE
QUAIL RUN
EAST HILLS RD.
MISQUAMICUT HILLS RD.
SHEPHERDS RUN
FOX RUN
PEEP TOAD RD.
SUN-UP HTS.
AVONDALE
CHAMPLIN DR.
AVONDALE RD.
LEEWARD DR.
WINDWARD DR.
SETTING SUN DR.
AVONDALE TERR.
SCENIC HTS. DR.
CHAPMAN LN.
WHIPPOORWILL
WINNAPAUG RD.
WATCH HILL RD.
SURREY DR.
CONN. R.I.
RIVER
MEADOW DR.
TIMOTHY DR.
CEDARCREST DR.
GREEN HAVEN RD.
SCHOOL HOUSE RD.
GREEN HAVEN RD.
CARNOT CT.
AIMEE DR.
RENIE DR.
INGERSOLL
HAWLEY ST.
GRISWOLD ST.
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MYSTIC
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BIGELOW AV.
PAWCATUCK
N.Y.-N.H. & HARTFORD R.R.
PINEVIEW DR.
JOHNSON ST.
OAKWOOD AV.
CROMLIN AV.
HOLLY CT.
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LARKWOOD LN.
LARKWOOD TER.
FOSTER DR.
MERRILARK
W. BEACH ST.
RIVERDALE RD.
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STEWART AV.
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KRISTIN TERRACE
PAWCATUCK
BEACH ST.
HIGHMEADOW DR.
MED. ARTS LN.
CASTVIEW DR.
WEST DR.
CONNORS AV.
NORTH DR.
SOUTH DR.
CHICADEE
CARDINAL LN.
BLACKBIRD LN.
ORIOLE
FLICKER LN.
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MARY LOU AV.
BAYVIEW LN.
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RED BROOK DR.
BROWN DR.
EDDY DR.
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CHAMPLIN AV.
DAVID AV.
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CHAPMAN LN.
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MYRTLE AV.
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BABCOCK RD.
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BELLAIRE AV.
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SHERWOOD SUNRISE DR.
FOREST DR.
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OLD POST RD.
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EAST STUART
PLATEAU RD.
SERVIEW DR.
WHITE ST.
DUNNS COR.-BRADFORD RD
DUNN CORNER
CANYON DR.
MEADOW DR.
VALLEY DR.
LINDA LN.
ROCKRIDGE RD.
BELLEROSE DR.
LANGWORTHY TERR.
LANGWORTHY ROAD
PAINTER RD
SOUTH ST.
FERNDALE RD.
HILLCREST RD.
DALE RD.
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LITTLEBROOK RD
TOM HARVEY RD.
SHORE RD.
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BRIGHTMAN ST.
HAYSIE ST.
SHARON DR.
DAVID DR.
CLIFFORD
GEM CT.
MARIE ST
DG FRANCES
OXFORD S
HOWBER
WEEKAPAUG
WARD AV.
WINNAPAUG AV.
POND VIEW DR.
GOVERNOR AV.
COVE
UTTER ST.
CHARLENE
VERL
BAYBERRY
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SEAGULL RD.
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HARBOR DR.
BAYSIDE AV.
FAIRWAY
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MASSACHAUG AV.
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SHORE GARDENS
BREACH DR.
ATLANTIC AV.
SAUNDERS
FRANKLIN AV
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STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COASTAL RESOURCES MANAGEMENT COUNCIL
Room 508, Veterans Memorial Building
83 PARK STREET
PROVIDENCE, R.I. 02903
November 8, 1978

NOTICE OF PUBLIC HEARING

In accordance with and pursuant to the provisions of the "Administrative Procedures Act" (Chapter 42-35 of the General Laws of Rhode Island) and the Rules and Regulations of the Coastal Resources Management Council, and the Rules and Regulations of the Rights of Way Subcommittee of the Coastal Resources Management Council, a hearing will be held to receive comments and evidence from interested parties concerning possible designation of public rights of way to the tidal water areas of the State relative to Title 46, Chapter 23, Section 6E, of the Rhode Island General Laws of 1956, as amended.

The description of said rights of way being bounded and described as follows:

Town of Westerly, No. 1 — on the west by Avondale Road, on the north by Lots No. 35 and No. 36 as shown on Assessor's Plat 19, on the south by Lot No. 34, Assessor's Plat 19, and on the east by the Pawcatuck River.

Town of Westerly, No. 2 — on the east by Avondale Road, on the south by Colonel Willie Cove, and on the west and north by Lot No. 29 as shown on Assessor's Plat 18½.

Town of Westerly, No. 3 — on the east by Avondale Road, on the north, west, and south by Colonel Willie Cove as shown on Assessor's Map 18½.

Town of Westerly, No. 5 — that certain 40 foot strip of land intersected on the north by Fosters Cove, so called, on the south by the Little Narragansett Bay, the Watch Hill Cove, so called, being designated as Meadow Lane on Westerly assessor's Map No. 16.

Town of Westerly No. 6 — being a strip of land running in an easterly and southeasterly direction from Bluff Avenue, so called, in the Village of Watch Hill and being bounded easterly by Lot 11 as shown on Assessor's Plat 13 of the Land Evidence Records of the Town of Westerly.

Town of Westerly, No. 7 — being a strip of land approximately 20 feet in width running in a southeasterly direction from Bluff Avenue and being designated as Everett Avenue in the Village of Watch Hill and being bounded westerly by Lot No. 9 on the Assessor's Plat 13 of the Land Evidence Records of the Town of Westerly.

Town of Westerly, No. 8 — a certain strip or parcel of land extending to the Atlantic Ocean, it being a continuation of Niantic Avenue, so called, in the village of Watch Hill bounded westerly by Lot No. 3 and easterly by Lots No. 55 and 56 as shown on Westerly Assessor's Plat No. 13.

Town of Westerly, No. 8A — reference is made to Manatuck Avenue as shown on "Supplementary Map of Cottage Sites on a part of the Everett Farm, Watch Hill, Rhode Island, made by the order of Lyneas Norton and Walter St. John Jones, January, 1891".

Town of Westerly, No. 9 — on the west by Winnapaug Road, on the north by Lot 89C on Westerly Assessor's Plat 8, on the south by Lot 81 on Westerly Assessor's Plat 8 and on the east by Winnapaug Pond.

Town of Westerly, No. 10 — on the north by Atlantic Avenue, on the west by Lot 52 as shown on Westerly Assessor's Map 5, on the east by Lot 51 as shown on Westerly Assessor's Map 5, and on the south by the Atlantic Ocean.

Town of Westerly, No. 11 — on the north by Atlantic Avenue, on the west by Lot 36 as shown on Westerly Assessor's Plat 5, on the east by Lot 37 as shown on Westerly Assessor's Plat 5, and on the south by the Atlantic Ocean.

Town of Westerly, No. 12 — on the north by Atlantic Avenue, on the west by Lot 5 as shown on Westerly Assessor's Plat 5, on the east by Lot 4 as shown on Westerly Assessor's Plat 5 and on the south by the Atlantic Ocean.

Town of Westerly, No. 13 — on the north by Atlantic Avenue, on the west by Lot 2 as shown on Westerly Assessor's Plat 5, on the east by Lot 1 as shown on Westerly Assessor's Plat 5 and on the south by the Atlantic Ocean.

Town of Westerly, No. 14 — on the north by Atlantic Avenue, on the west by Lot 49½ as shown on Westerly Assessor's Plat 6, on the east by Lot 48 as shown on Westerly Assessor's Plat 6 and on the south by the Atlantic Ocean.

Town of Westerly, No. 15 — on the north by Atlantic Avenue, on the west by Lot 21 as shown on Westerly Assessor's Plat 5, on the east by Lot 22 as shown on Westerly Assessor's Plat 5 and on the south by the Atlantic Ocean.

Town of Westerly, No. 16 — is bounded on the north by Atlantic Avenue, on the west by Lot 31, as shown on Westerly Assessor's Plat 6, on the east by Lot 32 as shown on Westerly Assessor's Plat 6 and on the south by the Atlantic Ocean.

Town of Westerly, No. 17 — on the north by Atlantic Avenue, on the west by Lot 15 as shown on Westerly Assessor's Plat 4, on the east by Lot 14 as shown on Westerly Assessor's Plat 4 and on the south by the Atlantic Ocean.

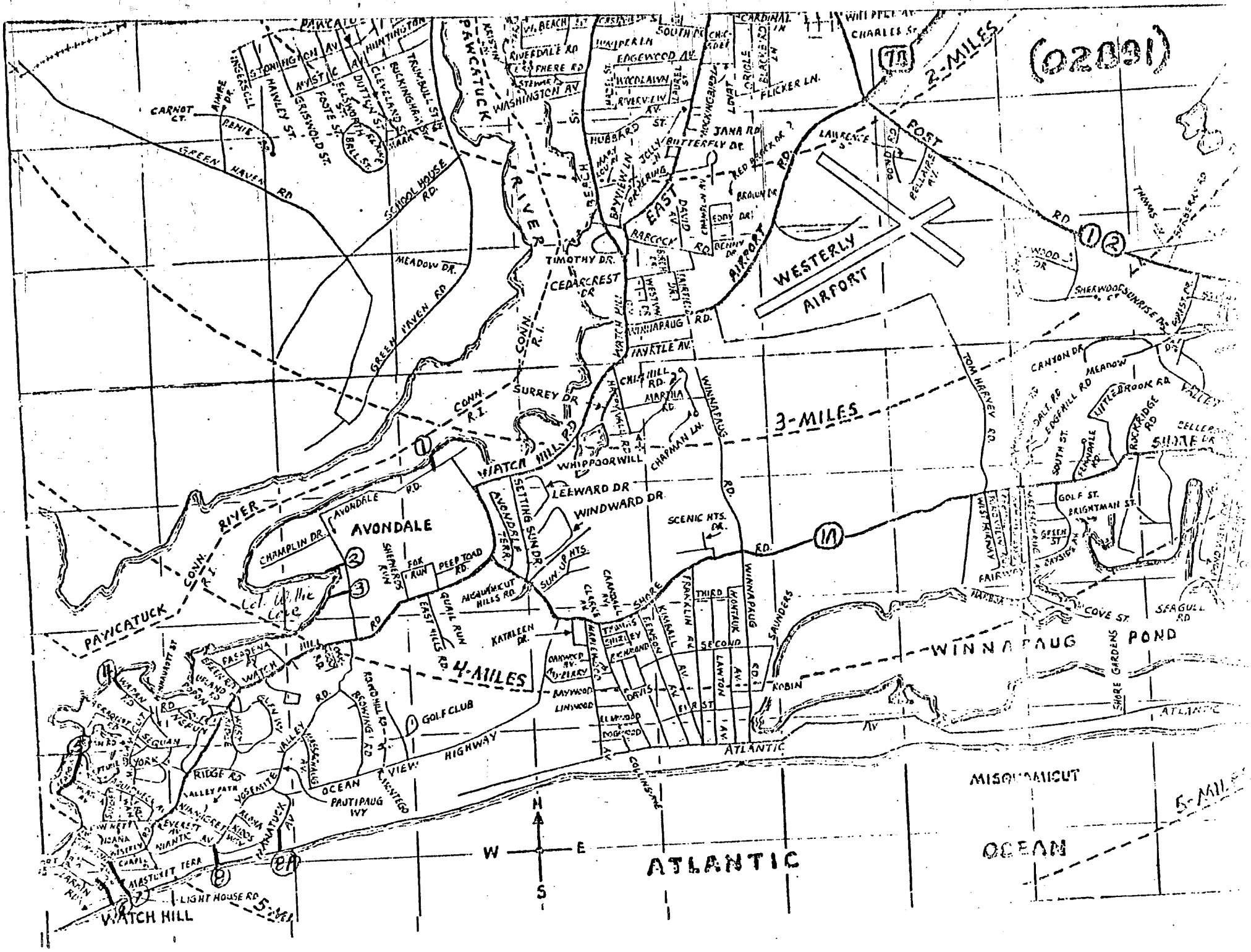
Town of Westerly, No. 18 — on the north by Atlantic Avenue, on the west by Lot 11 as shown on Westerly Assessor's Plat 7, on the east by Lot 10 as shown on Westerly Assessor's Plat 7 and on the south by the Atlantic Ocean.

The hearing will be held at 7:30 p.m. on November 30, 1978, at the Westerly Town Hall, Westerly, Rhode Island.

Parties interested in/or concerned with the above mentioned matter are invited to be present and/or represented by counsel at the above mentioned time and place.

Oral statements will be heard and recorded, and statements may be submitted to the hearing officers at the time of hearing. Signed this 8th day of November, 1978.

JOHN A. LYONS
Chairman
COASTAL RESOURCES MANAGEMENT COUNCIL


(02891)
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RIVER
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LEEWARD DR.
WINDWARD DR.
SETTING SUN DR.
SUN UP HTS.
SCENIC HTS. DR.
CHAMPLIN DR.
SHEPHERDS RUN
FOX RUN
PEEP TOAD RD.
QUAIL RUN
EAST HILLS RD.
KATHLEEN DR.
CLARKE AV.
CRANDELL AV.
SHORE
FRANKLIN AV.
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FENSON
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LAWTON AV.
SAUNDERS
ROBIN
DAVIS AV.
FIRST
GOLF CLUB
OCEAN VIEW HIGHWAY
PAUTIPAUG
IVY
ROSE HILL RD.
BROWNING RD.
HIGHLAND
VALLEY
MESSAMAUG AV.
YOSEMITE
VALLEY PATH
RIDGE RD.
YORK
SICILIAN
ALOHA
PAWATUCK AV.
EVERETT
NIANTIC AV.
NIANTIC
LIGHT HOUSE RD.
WATCH HILL
MAIN ST.
WATCH HILL RD.
HARBOUR HILL RD.
WINNAPAUG RD.
MYRTLE AV.
CHIPMAN HILL RD.
MARTHA RD.
WINNAPAUG
TOM HARVEY RD.
CANYON DR.
MEADOW
VALLEY
DALE RD
ENGHILL RD
SOUTH ST.
LITTLEBROOK RD
ROCKRIDGE RD
SUNSET DR.
GOLF ST.
BRIGHTMAN ST.
SPEEN ST.
DAYSIDE AV.
FAIRWAY
COVE ST.
SEAGULL RD.
SHORE GARDENS
ATLANTIC AV
WEST FAIRWAY
WESTERLY
AVONDALE TERR.
AVONDALE RD.
ALGUNQUICUT HILLS RD.
LOCUST
MAPLEWOOD
CARRIAGE DR.
MAYWOOD
LINDWOOD
ELMWOOD
DOGWOOD
ELM
WEST
ASPEN
ORCHARD
CLUB
SICILIAN
ROSE

PUBLIC RIGHTS OF WAY INVENTORY - TOWN OF WESTERLY

Right of Way #1 bounded and described as follows: on the west by Avondale Road, on the north by Lots #35 and 36 as shown on Assessor's Plat 19, on the south by Lot #34, Assessor's Plat 19 and on the east by the Pawcatuck River.

TITLE OPINION

The ownership of the fee of this Right of Way #1 is unknown as no record chain of title can be found. The only indication appearing of record which may establish the existence of this parcel as a right of way is the legal descriptions contained in the deeds of the abutting land owners which refer to this as a passway or right of way.

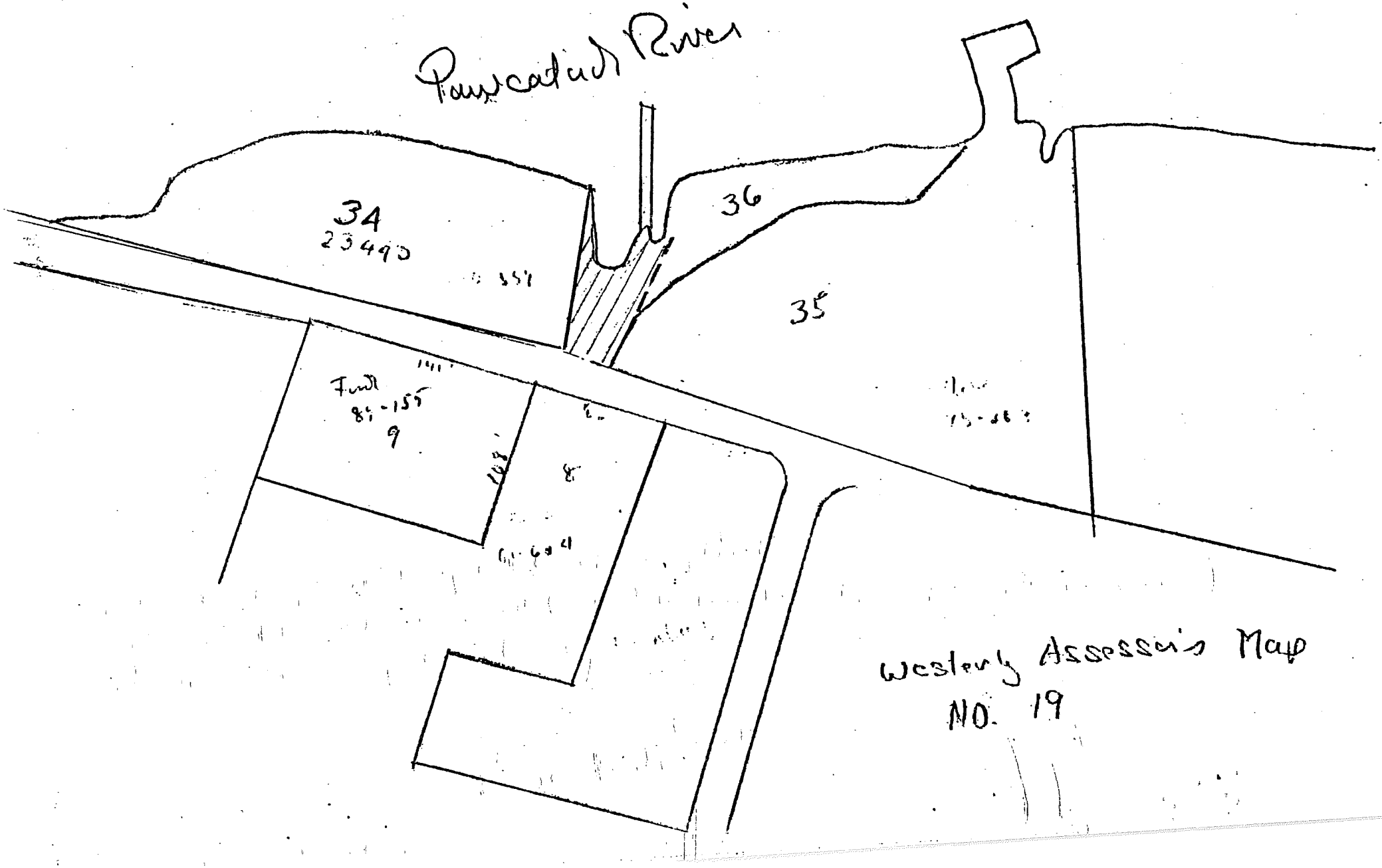
Reference is made, however, to Civil Action No. 68-81 entitled John Murray Hall vs. Robert J. Pryor et al which is presently pending in the Washington County Superior Court, West Kingston, Rhode Island. This litigation originally started as a title clearing action and the Town of Westerly subsequently intervened with a claim that a public right of way was involved. The Westerly Town Solicitor advises that the matter has been tried in part before Judge Orton and it is anticipated that the trial will be completed in the fall of 1978 and a decision entered at that time. Considerable field work has been done in the right of way area by civil engineers who are testifying as experts in the trial to the action above mentioned and it is anticipated that the outcome of this litigation will establish the existence of a public right of way together with a legal description of its exact bounds.

Based upon the foregoing, however, no title certificate for this right of way is possible at the present time.

A tracing of the Assessor's Plat is attached with names of abutting owners.

John T. Ball

Lot #34 - Roger M, Ivy + John Murray Hall
Lot #35 - J. Franklin + Julia Hall (2/3) John Franklin Jr + Elizabeth Hall (1/3)
Lot #36 - Town of Westerly



PUBLIC RIGHTS OF WAY INVENTORY - TOWN OF WESTERLY

Right of Way #2 bounded and described as follows: on the east by Avondale Road, on the south by Colonel Willie Cove and on the west and north by Lot #29 as shown on Assessor's Plat 18 1/2.

TITLE OPINION

Title to the fee in the above described parcel is held by the heirs of George F. Champlin. Examination of the Land Records of the Town of Westerly indicate that the parcel is not a public right of way. Several conveyances of a nearby and adjoining land have been made by the heirs of said George F. Champlin and as appurtenant to such conveyances the right was granted to pass and repass over the above parcel. There is, however, no indication of record that this parcel of land was intended as a public right of way.

Reference is made to the following deeds for the grant of the private right of way:

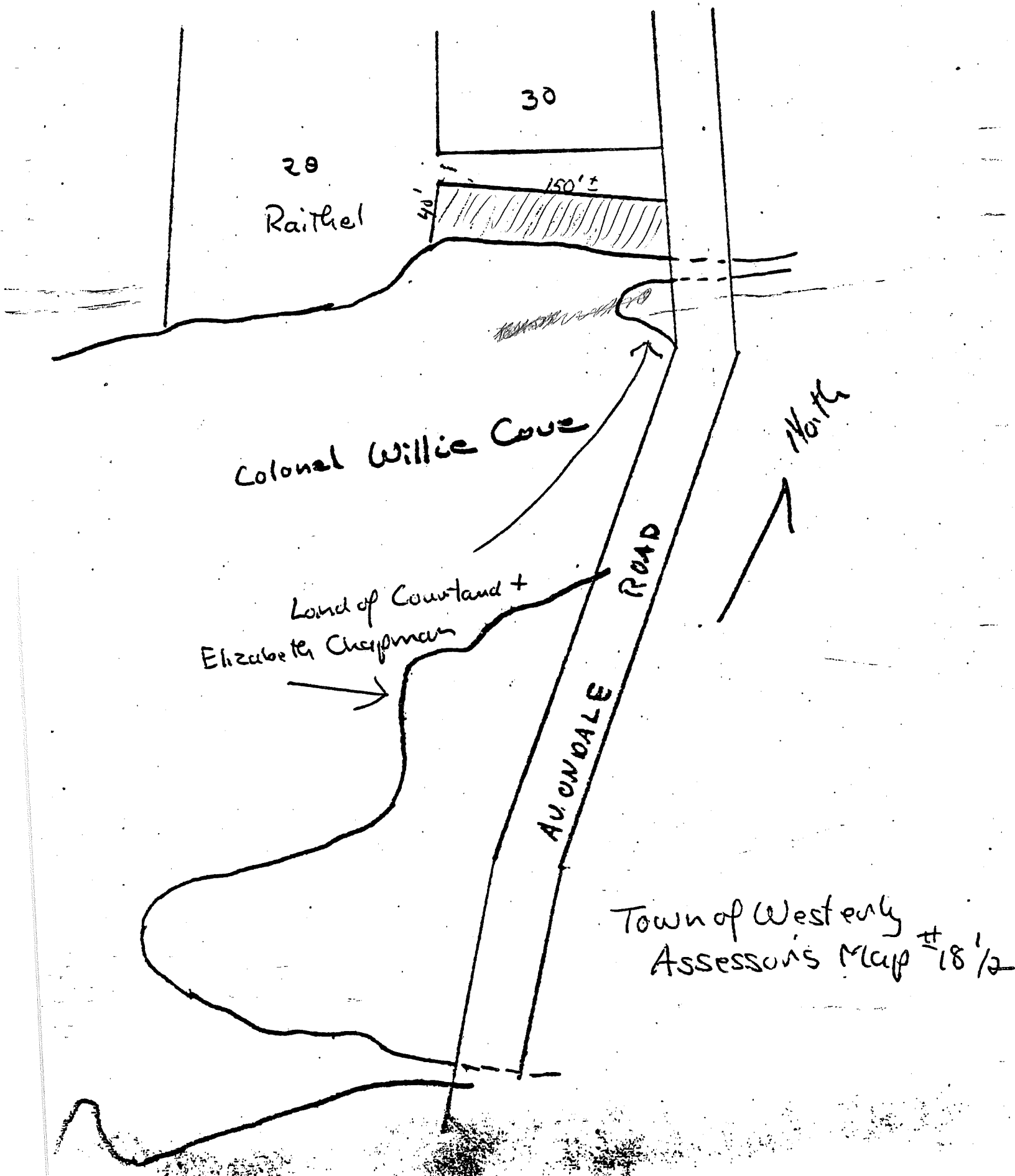
A. Deed of Mary E. C. Gardner et al to Charles Raithel and Mary J. Raithel dated December 9, 1947 and recorded in Book 66 at page 53 of the said Westerly Land Evidence Records.

B. Deed of Mary E. C. Gardner et al to Bertha M. Lefferts dated September 29, 1939 and recorded in Book 59 at page 230 of the said Westerly Land Evidence Records.

Based upon the foregoing no title certificate for this right of way can be given.

A tracing of the Assessor's Plat is attached with names of abutting owners.

John F. Ballou


30
28
Raithel
40'
150'±
Colonel Willie Cove
North
Land of Courtland +
Elizabeth Chapman
AUDUBON ROAD
Town of Westerly
Assessor's Map #18 1/2

PUBLIC RIGHTS OF WAY INVENTORY - TOWN OF WESTERLY

Right of Way #3 bounded and described as follows: on the east by Avondale Road, on the north, west and south by Colonel Willie Cove as shown on Assessor's Map 18 1/2.

TITLE OPINION

Title to the above parcel of land is presently held by Courtland R. and Elizabeth W. Chapman as conveyed to them by deed dated June 25, 1959 and recorded in Book 78 at page 531 of the Westerly Land Evidence Records. Title to this parcel was searched back to 1896 and reference is hereby made to the following title deeds:

A. Deed of C. Palmer Chapman to Courtland R. Chapman dated January 8, 1955 and recorded in Book 78 at page 528 in the said Westerly Land Evidence Records.

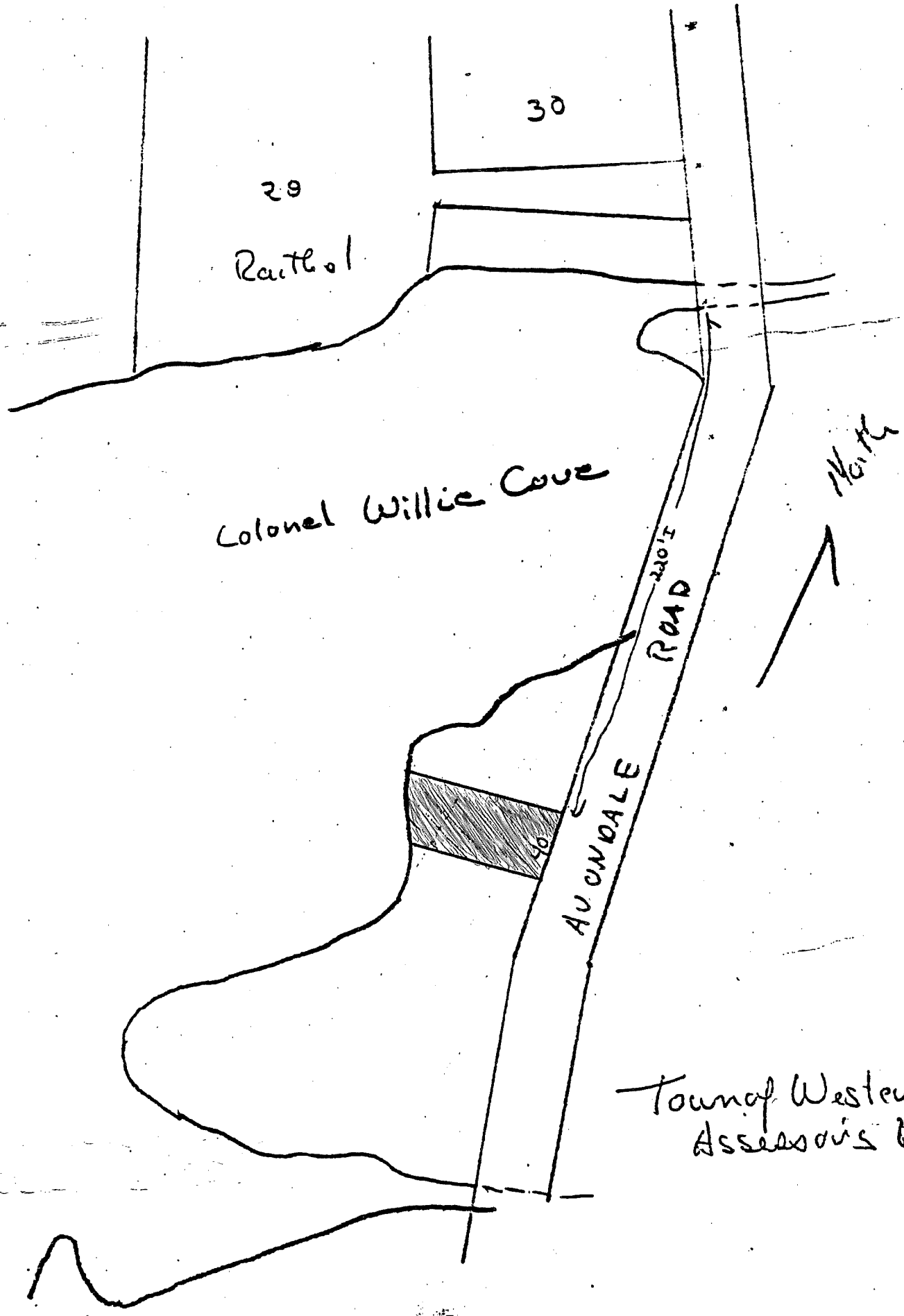
B. Deed of George H. Braman and Ellen E. Braman to Courtland P. Chapman by deed dated February 19, 1902 and recorded in Book 34 at page 478 of the said Westerly Land Evidence Records.

C. Deed of William H. Murphy to George H. and Ellen E. Braman dated March 28, 1896 and recorded in Book 32 at page 82 of the said Westerly Land Evidence Records.

Examination of the record owners indicate that no public grant of public right of way was ever granted concerning this parcel of land. The land records do indicate, however, that the present owners, Courtland R. and Elizabeth W. Chapman in developing other nearby land have granted the right and easement to pass and repass in common with others over a strip of land 40 feet in width at right angles from Avondale Road to the Cove, the northerly boundary of which is 220 feet southerly from a ditch marked in the northerly boundary of the grantors. Reference is made to the Assessor's Map attached. These grants of a right of way, however, were appurtenant to the parcels of land conveyed by the Chapmans' and there is no indication that a public right of way was contemplated.

Based on the foregoing no title certificate as to the existence of a right of way for this parcel can be given.

John F. Gallo



Town of Westerly
Assessor's Map # 18

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PUBLIC RIGHTS OF WAY INVENTORY - TOWN OF WESTERLY

Right of Way #4 bounded and described as follows: being the westerly end of Wapan Road bounded northerly by Lot Numbered 102 on Assessor's Map 16 and southerly by Lot Numbered 53D on said Assessor's Plat 16.

TITLE OPINION

For chain of title to the above portion of Wapan Road, reference is made to the following

Deed of William A. Procter and Sylvia W. Anderson to F. Kingsbury Curtis dated October 12, 1906 and recorded in Book 38 at page 141 of the Land Evidence Records of the Town of Westerly which conveys the following described parcel:

> "Also so much of the land included in the western end of Wapan Road and the circular piece of land included in the center thereof as shown on said Map as exceeds and is outside of a width of forty feet for said road, measured from the northerly line of said Road and the southerly line of Lot 27 as shown on said map".

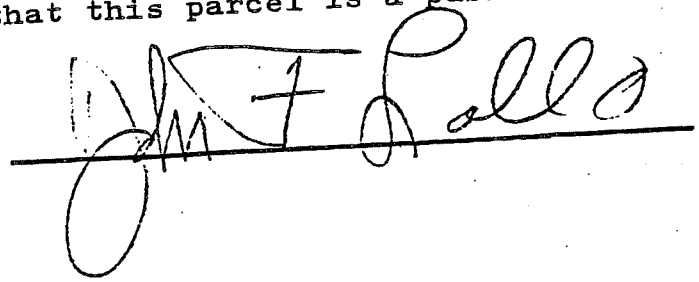
The map referred to in said description is "Map Showing Building Sites and Roads on the Watch Hill Farm Watch Hill, RI received and placed on file in the Town Clerk's Office in said Westerly, RI on February 4, 1899, a copy of the tracing of said plat is attached hereto.

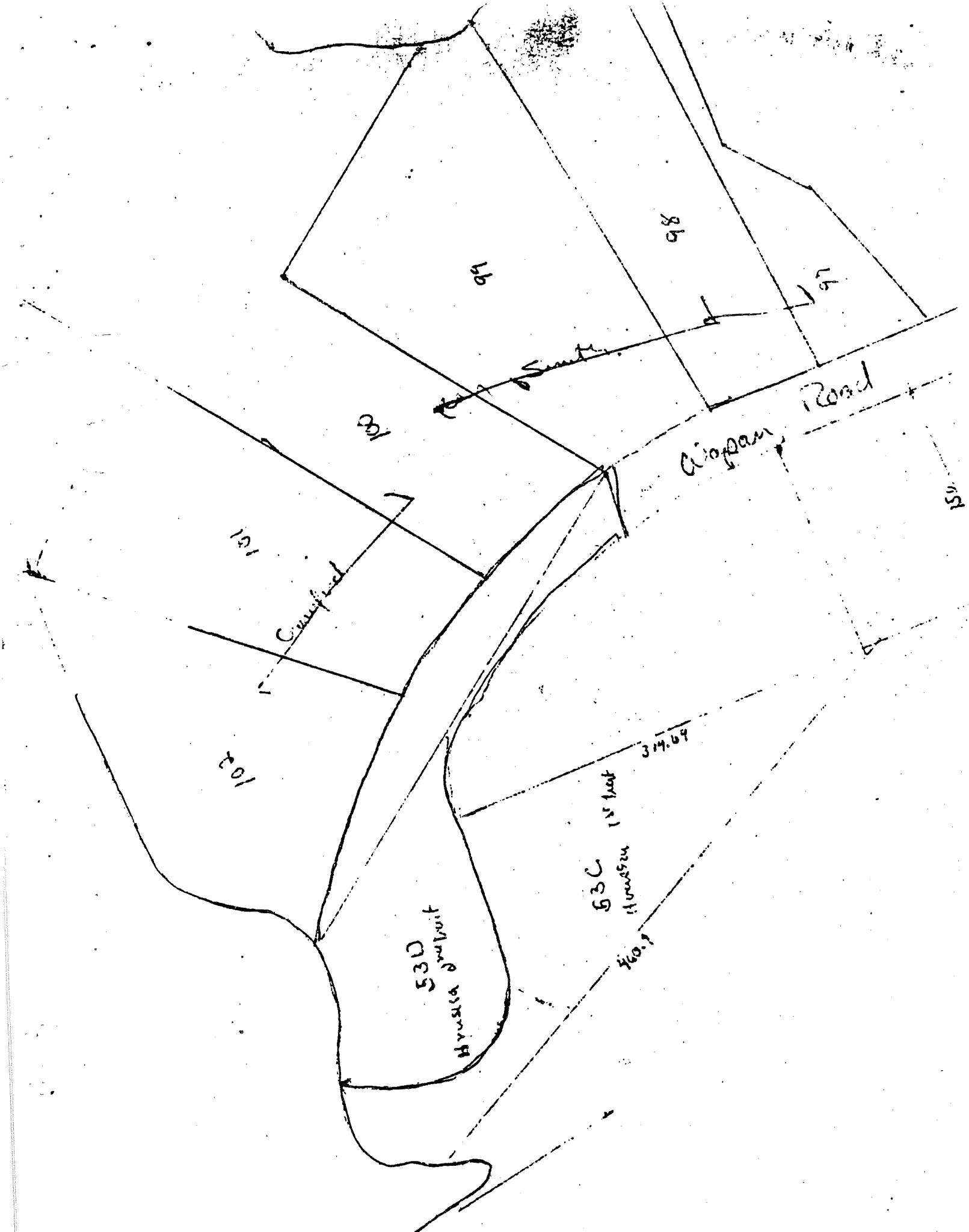
Reference is also made to that plan or plat recorded in Plat Book 6 at page 7 of the Westerly Land Records entitled, "Plan Showing New Boundary Line Between Lands of Elizabeth R. Turnbell and Tuxedo Houses Inc. Wapan Road so called Watch Hill RI Scale 1"=50' Aug. 1928 Rossi & Lewis Engineers", a copy of which is attached.

Reference is also made to deed of Cornelia McLanahan Curtis by her executors to Alan J. Hruska and Laura M. C. Hruska. Said deed is attached hereto and purports to convey to the grantees the loop portion of said right of way.

Based on the foregoing, it is apparent that there have been numerous conveyances, boundary line agreements and etc. concerning this roadway with the abutting landowners attempting to establish ownership of the parcel. However, it is this title examiner's opinion that based on the 1899 plat above mentioned, this portion of Wapan Road is designated as a roadway

and is therefore subject to the rights of others to pass and repass. I therefore certify that this parcel is a public right of way.





Wapan Road
Sunset
Comfort
98
99
97
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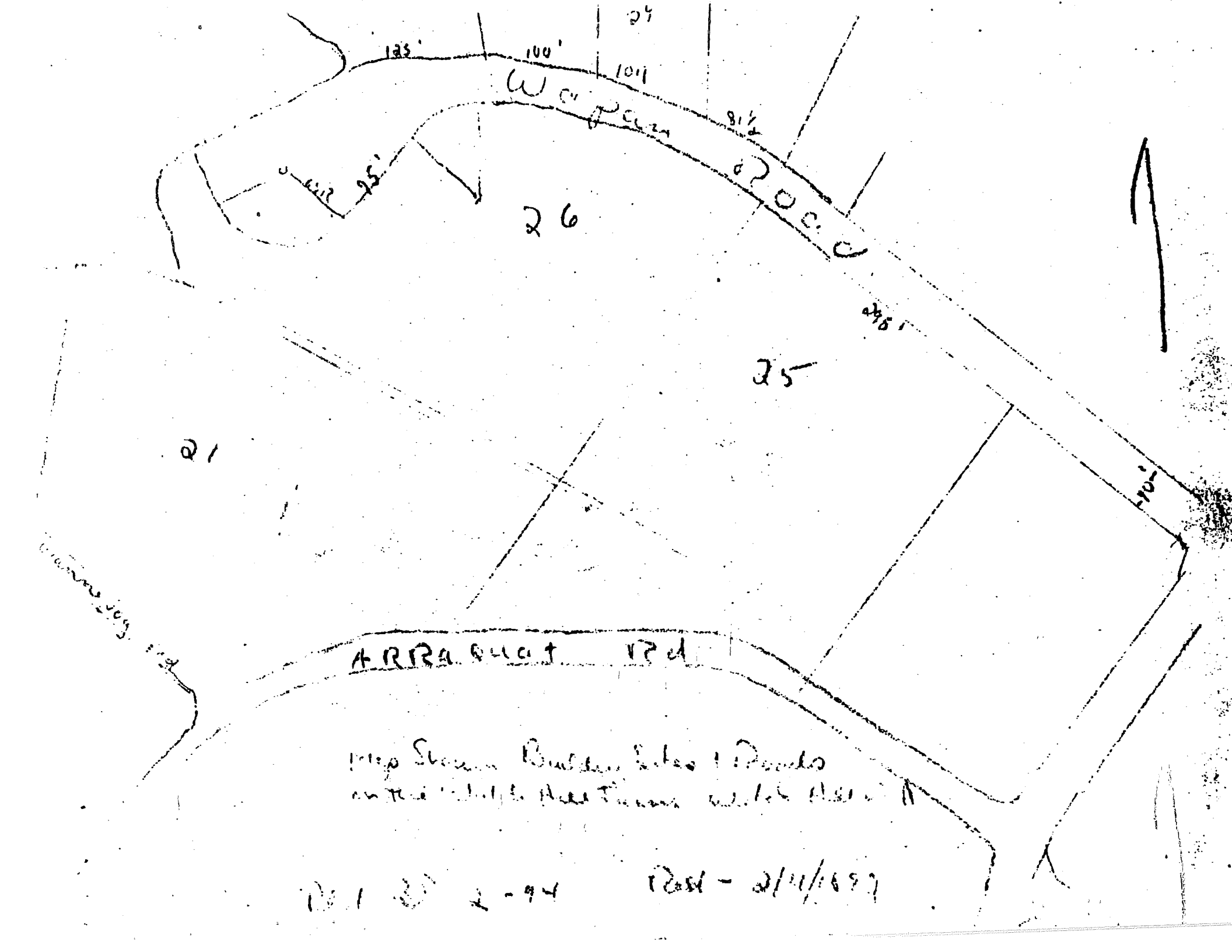
101
102
314.69
460.9
53C
53D


125'
100'
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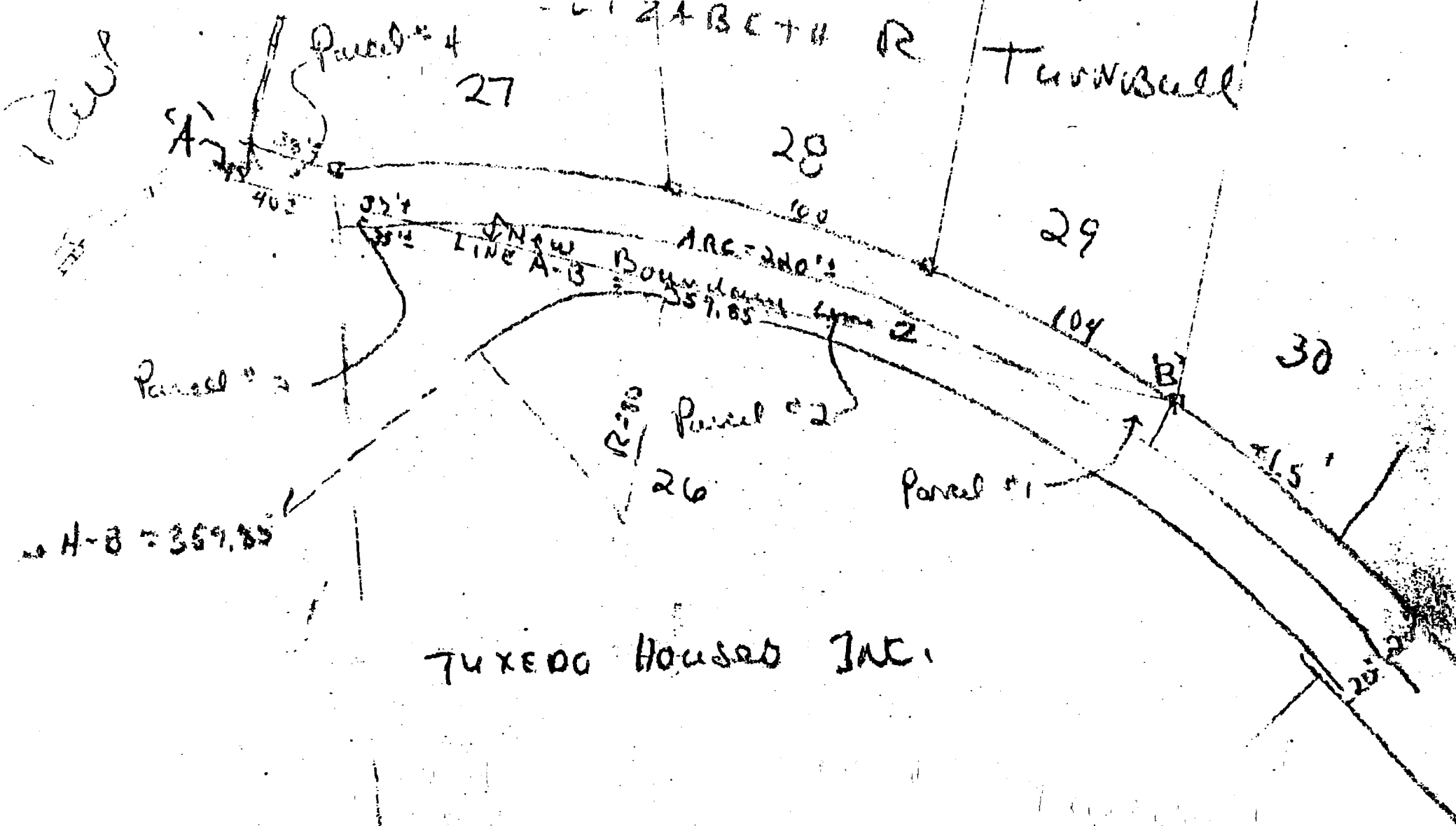
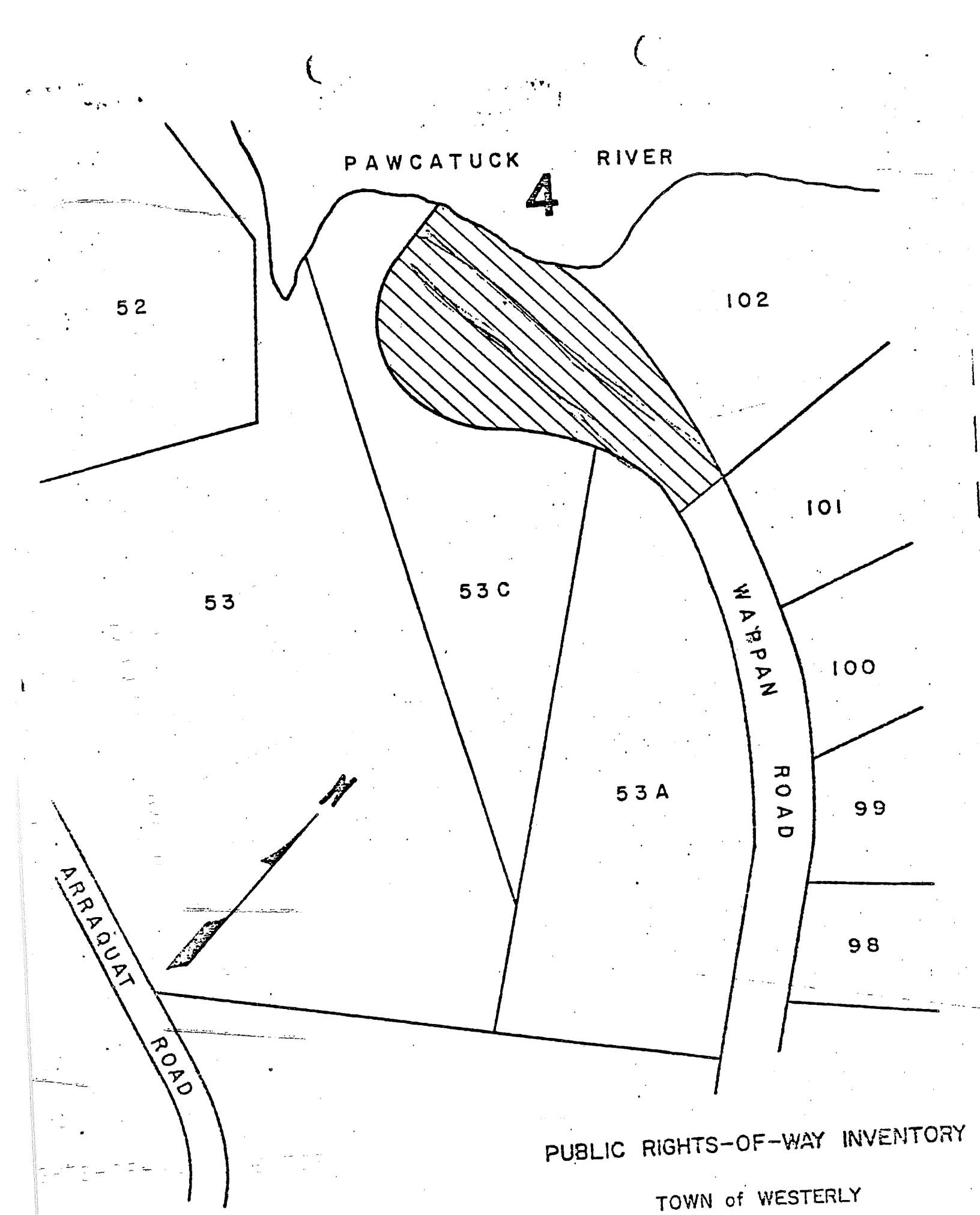
95'
26
25
21
ARRAQUAT Rd



Plan Showing New Boundary Line
between Lands of Elizabeth R Turnbull
and Tuxedo Houses Inc Wapan Road
So called Watch Hill R.D.
Scale 1" = 50' Aug 1928
Plat Fee 6-7



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WESTERLY

PLAT 16

SCALE: 1" = 80'

PUBLIC RIGHTS OF WAY INVENTORY - TOWN OF WESTERLY

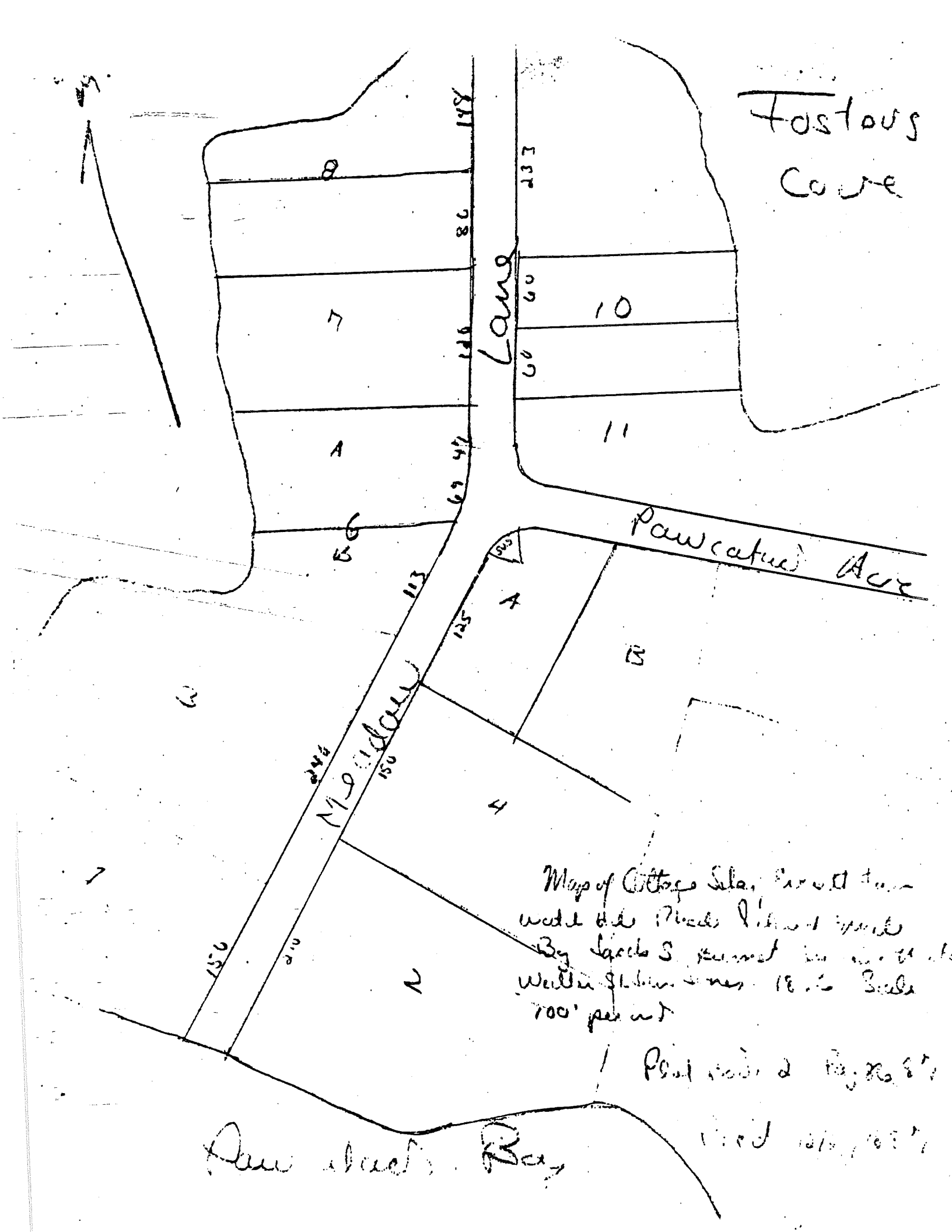
Right of Way #5 bounded and described as follows: That certain 40 foot strip of land intersected on the north by Fosters Cove, so called, on the south by the Little Narragansett Bay, the Watch Hill Cove so called, being designated as Meadow Land on Westerly Assessor's Map No. 16.

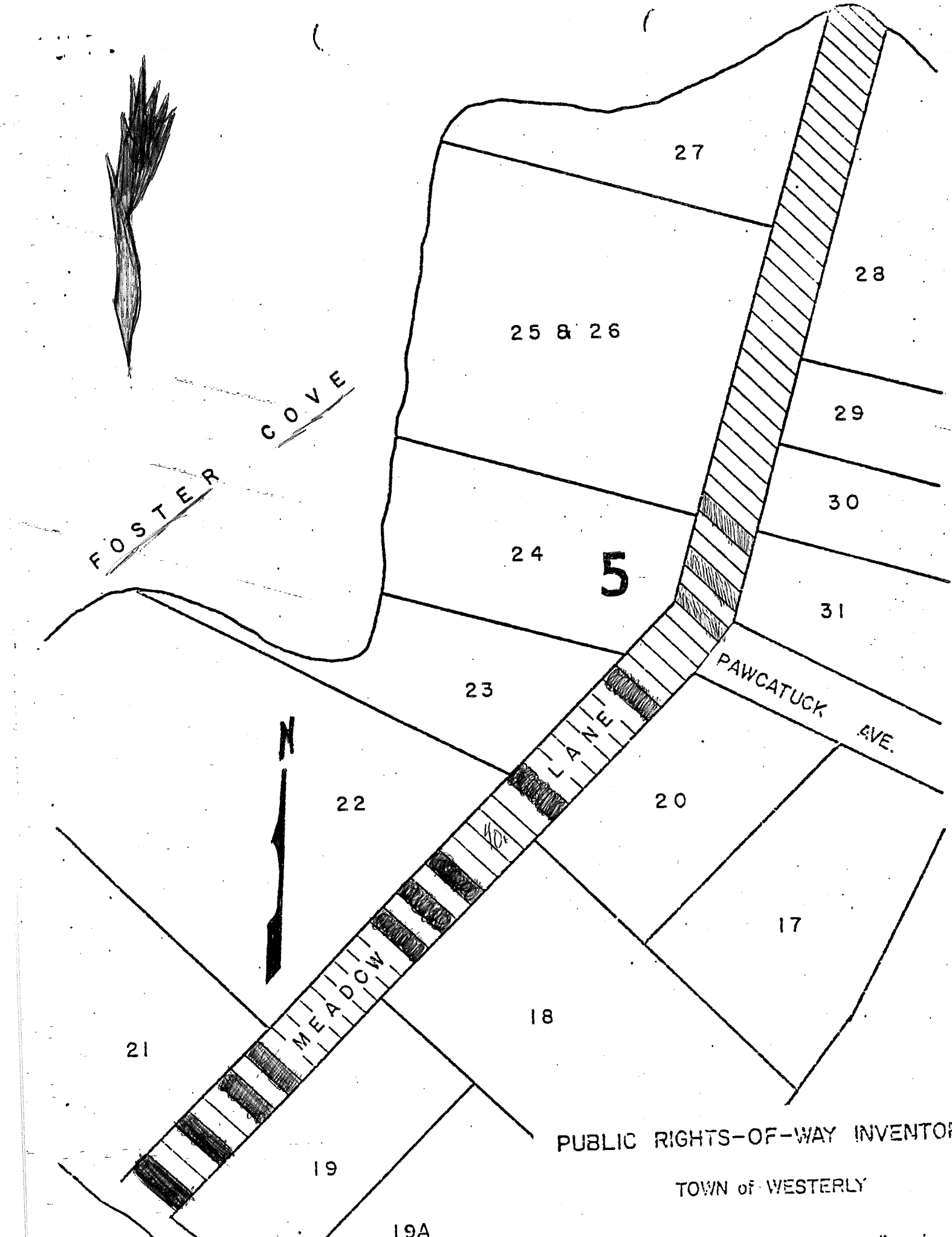
TITLE OPINION

The above parcel is presently designated as Meadow Lane and is a blacktop paved road servicing houses located on either side of the Lane. Title to the parcel of land encompassing Meadow Lane is found in deed of Charles J. Everett to Jacob S. Burnet et al dated June 12, 1886 and recorded in Book 27 at page 304 of the Westerly Land Evidence Records. This parcel was approximately 120 acres more or less and predated the subsequent development of the area. No specific conveyance of the roadway can be found and reference is made to that certain plat which designates Meadow Lane entitled "Map of Cottage Sites, Everett Farm, Watch Hill, Rhode Island, Made by Jacob S. Burnet, Lyneas Norton and Walter St. John Jones, 1886 Scale 100' per inch" recorded in Plat Book 2, pages 86 and 87 on December 21, 1887.

Based on the foregoing it is hereby certified that the above parcel is a public right of way.

John T. Palle


Fosters Cove
Lane
Pawcatuck Ave
Meadow
Pawcatuck Bay
8
7
A
6
B
10
11
A
B
4
2
1
Map of Cottage Sites
By Jacob S
Scale
100' per inch



PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WESTERLY

PUBLIC RIGHTS OF WAY INVENTORY - TOWN OF WESTERLY

Right of Way #6 is bounded and described as follows: being a strip of land running in an easterly and southeasterly direction from Bluff Avenue, so called, in the Village of Watch Hill and being bounded easterly by Lot 11 as shown on Assessor's Plat 13 of the Land Evidence Records of the Town of Westerly.

TITLE OPINION

The title to the properties adjacent to the above right of way was examined back as far as 1972 and the Land Records clearly indicate that the entire parcel from Bluff Avenue to the ocean is a public right of way. Reference is made to the following deeds:

Deed of Daniel F. Larkin, William H. Chapman and Harvey Campbell to John E. Atwood dated August 10, 1872 and recorded in Book 23 at page 37 of the Land Evidence Records of the Town of Westerly. The parcel of land conveyed by this deed is located on the westerly side of the right of way in question and includes title up to the center of said right of way. Said deed contains the following reservation:

> "Reserving, however, 16 1/2 feet in width of the above described premises adjoining and extending the entire length of the north line thereof, which said reserved strip of land is to be used and is hereby dedicated for highway purposes and we said grantors do covenant and agree that we will and we do further hereby dedicate for highway purposes so far as our land extends a strip of 16 1/2 feet in width on the north of and adjoining the above described premises".

The remaining 16 1/2 feet half of the right of way was reserved in the deeds to land on the easterly side of the right of way. Reference is made to deed of Daniel F. Larkin et al to Almarin R. Hale dated August 15, 1872 and recorded in Book 23 at page 38 of said Westerly Land Evidence Records. Said deed contains the following language

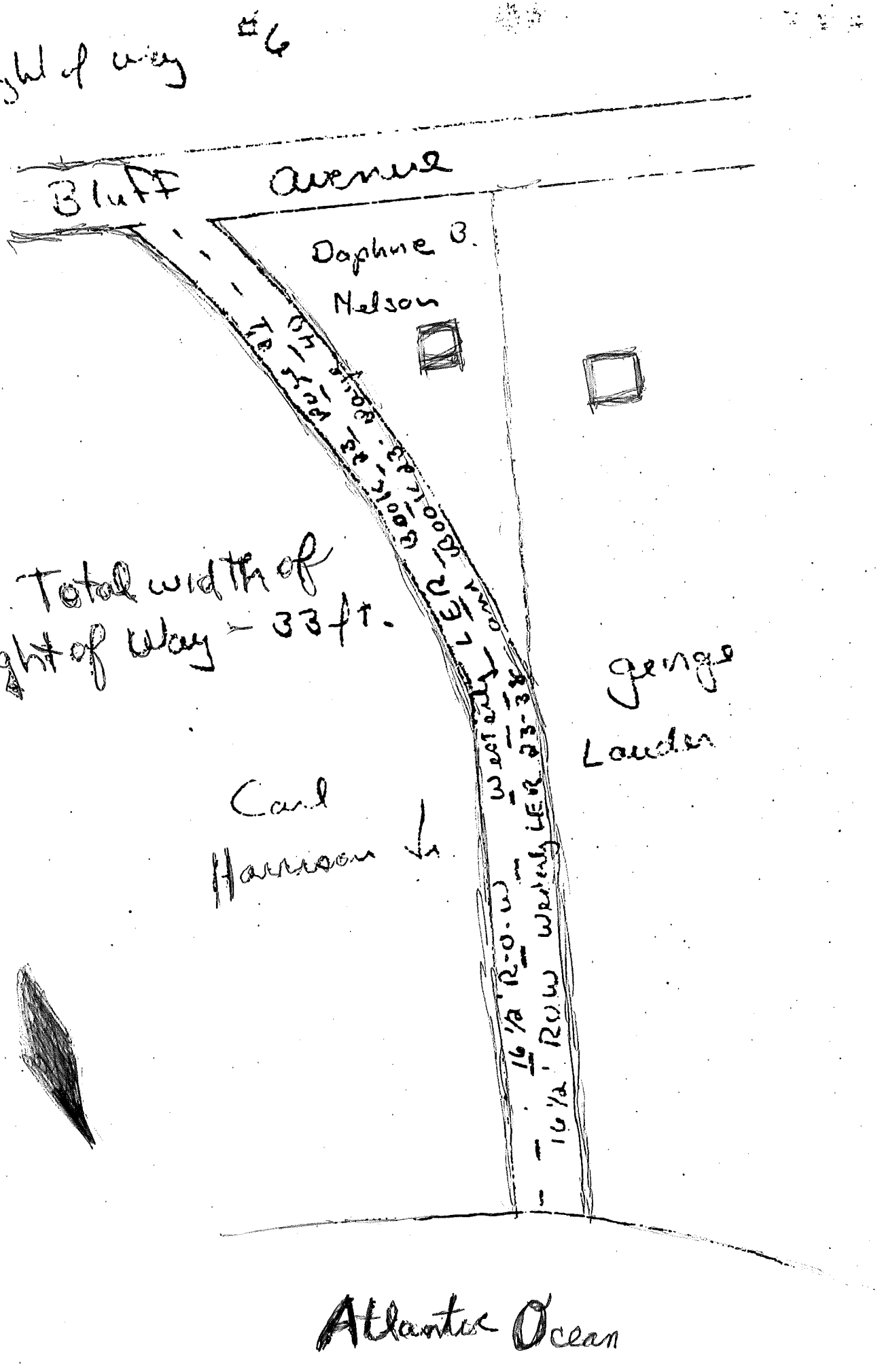
> "always reserving and excepting from the described premises a strip of land 16 1/2 feet in width adjoining and extending so far as said premises adjoining land of said Atwood. Said strip of land is

to be used and is hereby dedicated for highway purposes".

This deed refers to approximately one half of the width extending from the ocean. The remaining portion of the right of way being dedicated in deed of Daniel F. Larkin et al to James L. Howard dated August 15, 1872 and recorded in Book 23 at page 40 of said Westerly Land Evidence Records. The same reservation of a 16 1/2 foot right of way is contained in this deed as well.

Based on the foregoing it is hereby certified that the above parcel is a public right of way.

John F Lallee


Right of way #6
Bluff avenue
Daphne B. Nelson
Total width of Right of Way - 33ft.
Carl Harrison Jr.
George Lauder
Atlantic Ocean

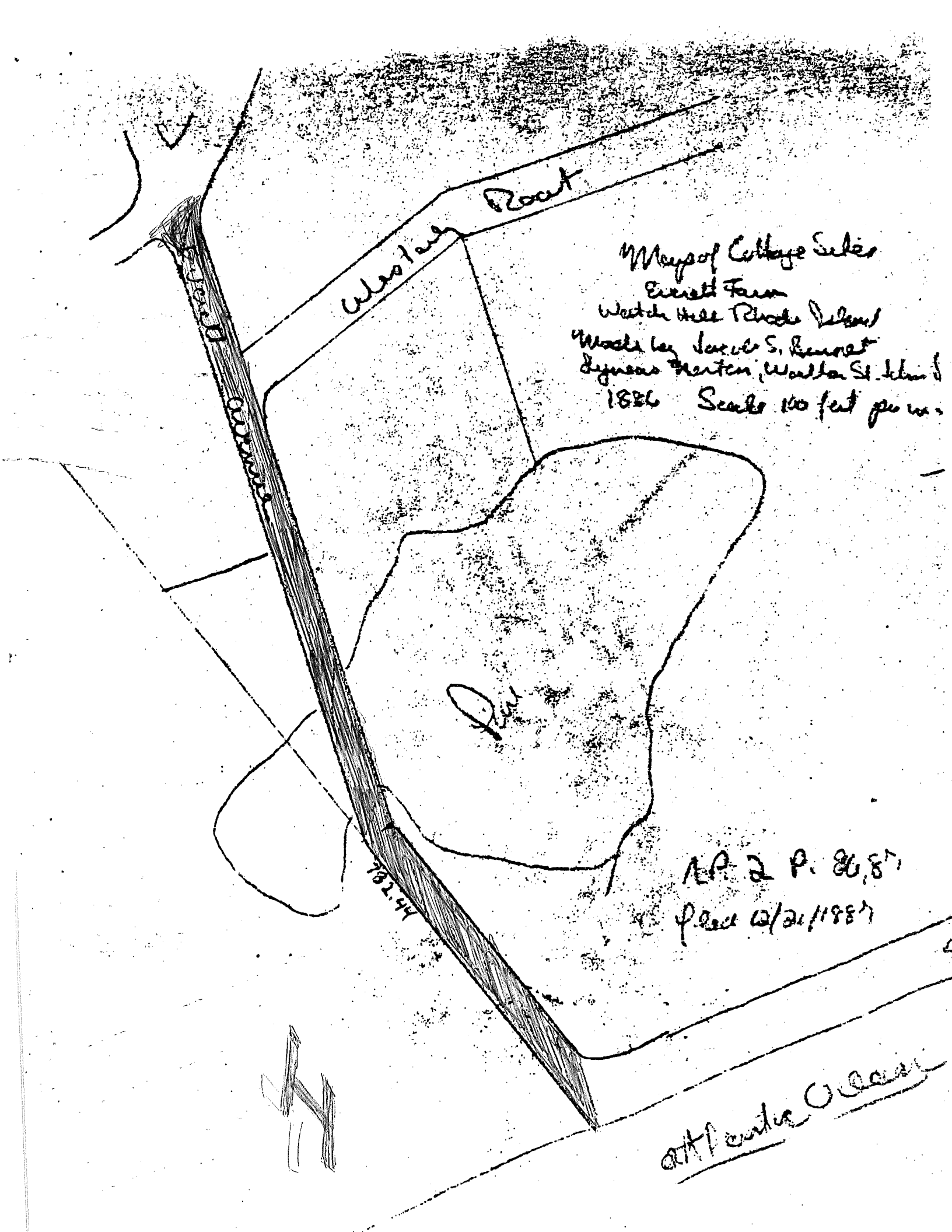
PUBLIC RIGHTS OF WAY INVENTORY - TOWN OF WESTERLY

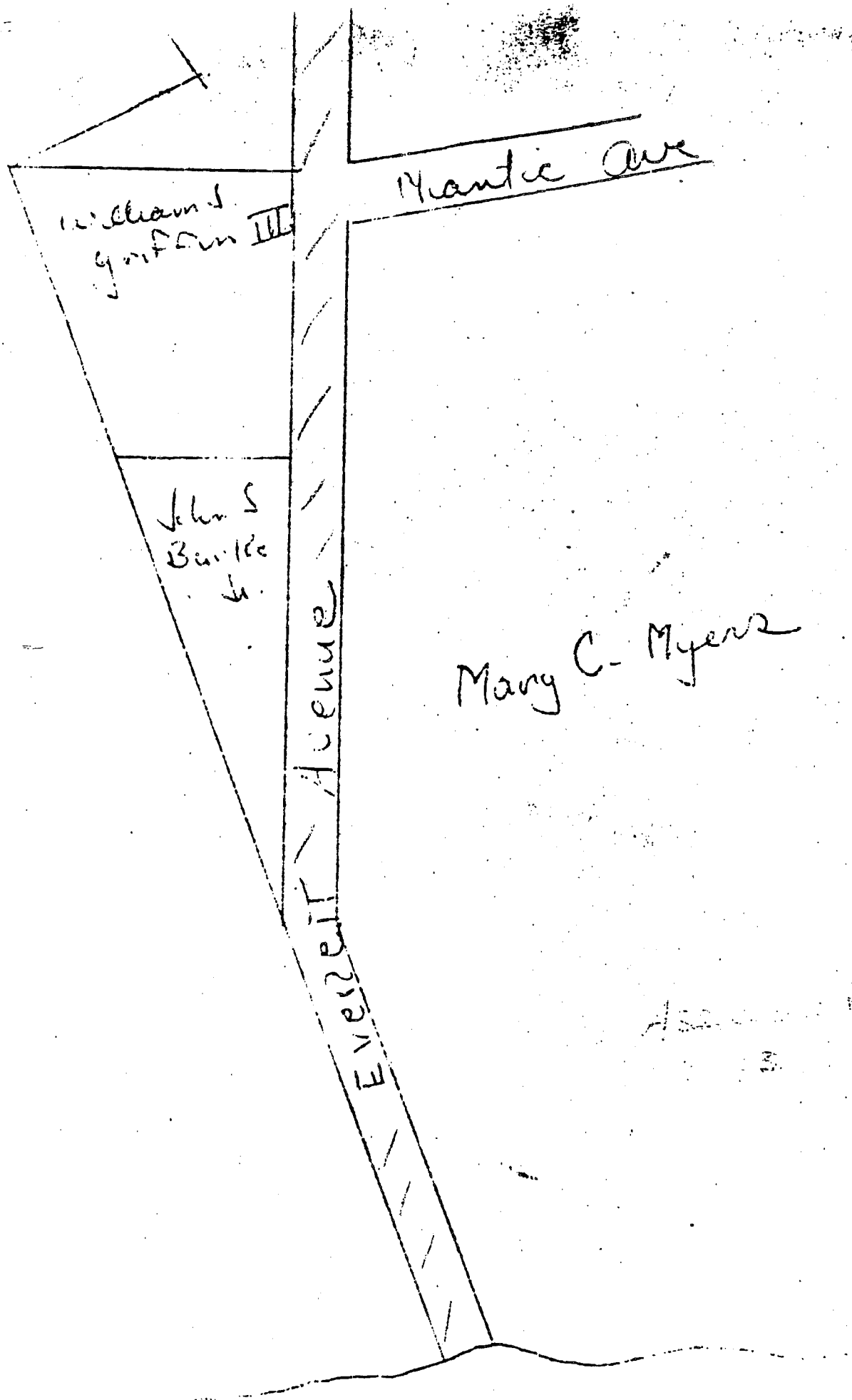
Right of Way #7 is bounded and described as follows: being a strip of land approximately 20 feet in width running in a southeasterly direction from Bluff Avenue and being designated as Everett Avenue in the Village of Watch Hill and being bounded westerly by Lot #9 on the Assessor's Plat 13 of the Land Evidence Records of the Town of Westerly.

TITLE OPINION

Title to the parcel of land designated as Everett Avenue is found in deed of Charles J. Everett to Jacob S. Burnet et al dated June 12, 1886 and recorded in Book 27 at page 304 of the Westerly Land Evidence Records. No subsequent conveyance of this parcel can be found and reference is made to a certain plat designating Everett Avenue entitled, "Map of Cottage Sites EVERETT FARM WATCH HILL, RHODE ISLAND, MADE BY JACOB S. BURNET, LYNEAS NORTON and WALTER ST.JOHN JONES 1886 Scale 100 feet to the inch" as recorded in Book 2, pages 86 and 87 in the Land Records of the Town of Westerly.

Based upon the plat and the designation thereon of Everett Avenue it is hereby certified that said parcel is a public right of way. A copy of the plat is attached hereto as well as a copy of the assessor's map indicating adjacent property owners.


Westerly Road
Map of Cottage Sites
Everett Farm
Watch Hill Rhode Island
Made by Jacob S. Burnet
Lyneas Norton, Walter St. John
1886 Scale 100 feet per in.
782.44
A.P. 2 P. 86,87
filed 12/21/1887


Mantic Ave
William S Griffin III
John S Burke Jr.
Everett Avenue
Mary C. Myers

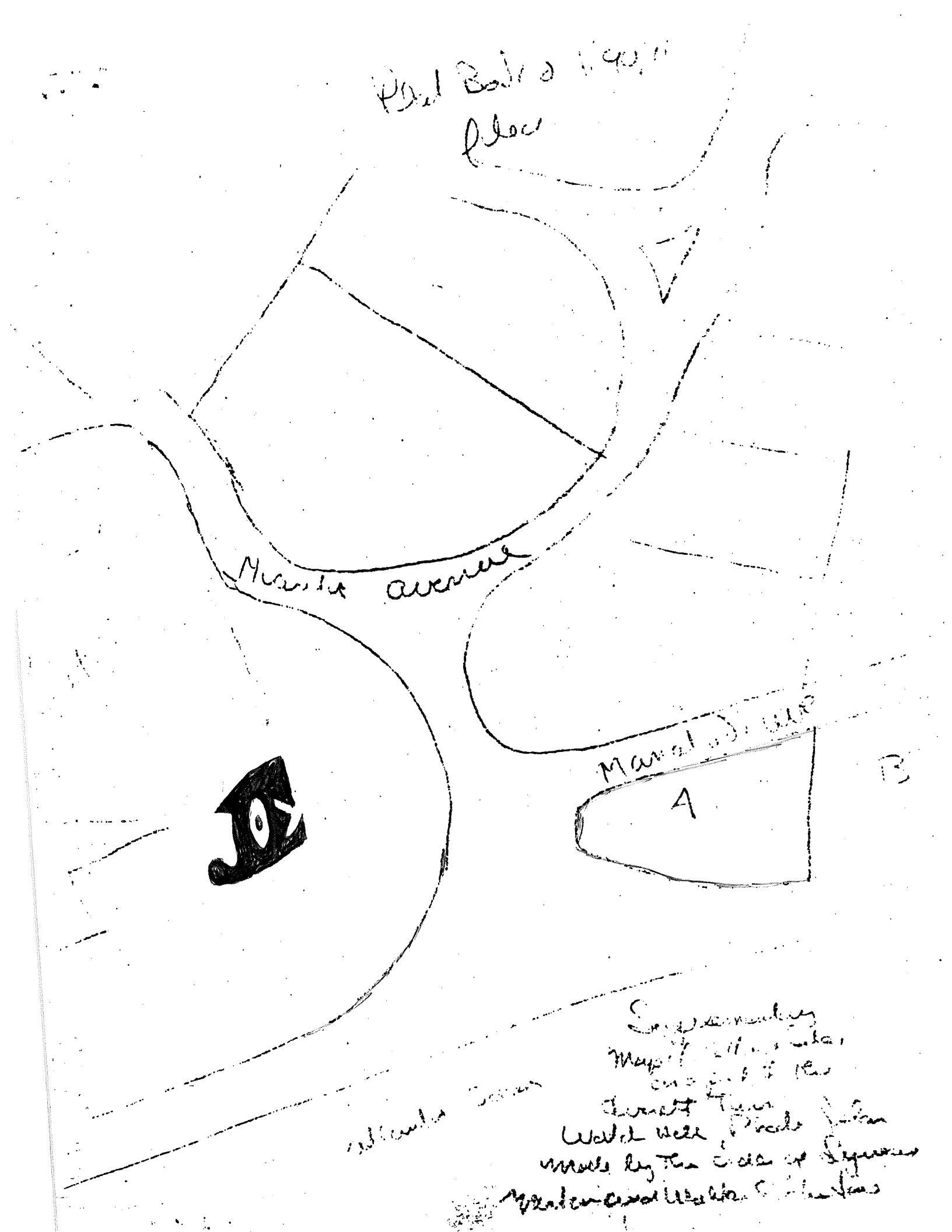
PUBLIC RIGHTS OF WAY INVENTORY - TOWN OF WESTERLY

Right of Way #8 is bounded and described as follows: a certain strip or parcel of land extending to the Atlantic Ocean, it being a continuation of Niantic Avenue, so called, in the Village of Watch Hill bounded westerly by Lot #3 and easterly by Lots #55 and #56 as shown on Westerly Assessor's Plat #13.

Title to the above parcel of land is found in deed of Charles J. Everett to Jacob S. Burnet et al dated June 12, 1886 and recorded in Book 27 at page 304 of the Westerly Land Evidence Records. No subsequent conveyance of the parcel in question can be found. The title to each of the adjacent parcels of land was examined in deed to Mary C. Myers, the owner of Lot #3 on Assessor's Map #13 dated March 31, 1970 and recorded in Book 98 at page 537 of the Westerly Land Evidence Records. Reference is made to "an unnamed avenue running in a southerly direction from opposite lot #92 as shown on said plat".

All other adjacent properties made no reference to a right of way. Reference is made, however, to plat entitled, "Map of Cottage Sites EVERETT FARM WATCH HILL, RHODE ISLAND, MADE BY JACOB S. BURNET, LYNEAS NORTON and WALTER ST.JOHN JONES 1886 Scale 100 feet to the inch" as recorded in Book 2, pages 86 and 87 in the Land Records of the Town of Westerly, which indicates that this parcel is a roadway or open area extending to the ocean and based on this plat it is hereby certified that the above parcel is a public right of way. Attached hereto are copies of the plat above referred to, together with assessor's map indicating adjacent land owners.

John T. Fallon


Main avenue
A
B

PUBLIC RIGHTS OF WAY INVENTORY - TOWN OF WESTERLY

Right of Way #8A

This particular right of way was not listed in the inventory supplied, however, reference is made to Manatuck Avenue as shown on "SUPPLEMENTARY MAP of Cottage Sites on a part of the EVERETT FARM WATCH HILL, RHODE ISLAND, MADE BY THE ORDER OF LYNEAS NORTON and WALTER ST.JOHN JONES Jan 1891", a copy of which is attached.

As with rights of way #7 and #8 no specific conveyance of that portion of Manatuck Avenue extending to the ocean could be found but in view of the fact it is designated as a roadway on a recorded plat in the Town Records of the Town of Westerly it is this title examiner's opinion that this, too, is a public right of way and is brought to your attention for possible future consideration.

John F Gallo

Scale

SUPPLEMENTARY

MAP of Cottage

EVERETT PALM

WATCH HILL, RHODE

MADE BY THE ORDER OF

LYNEAS NORTON & WALTER

Note. Boundaries and [illegible]

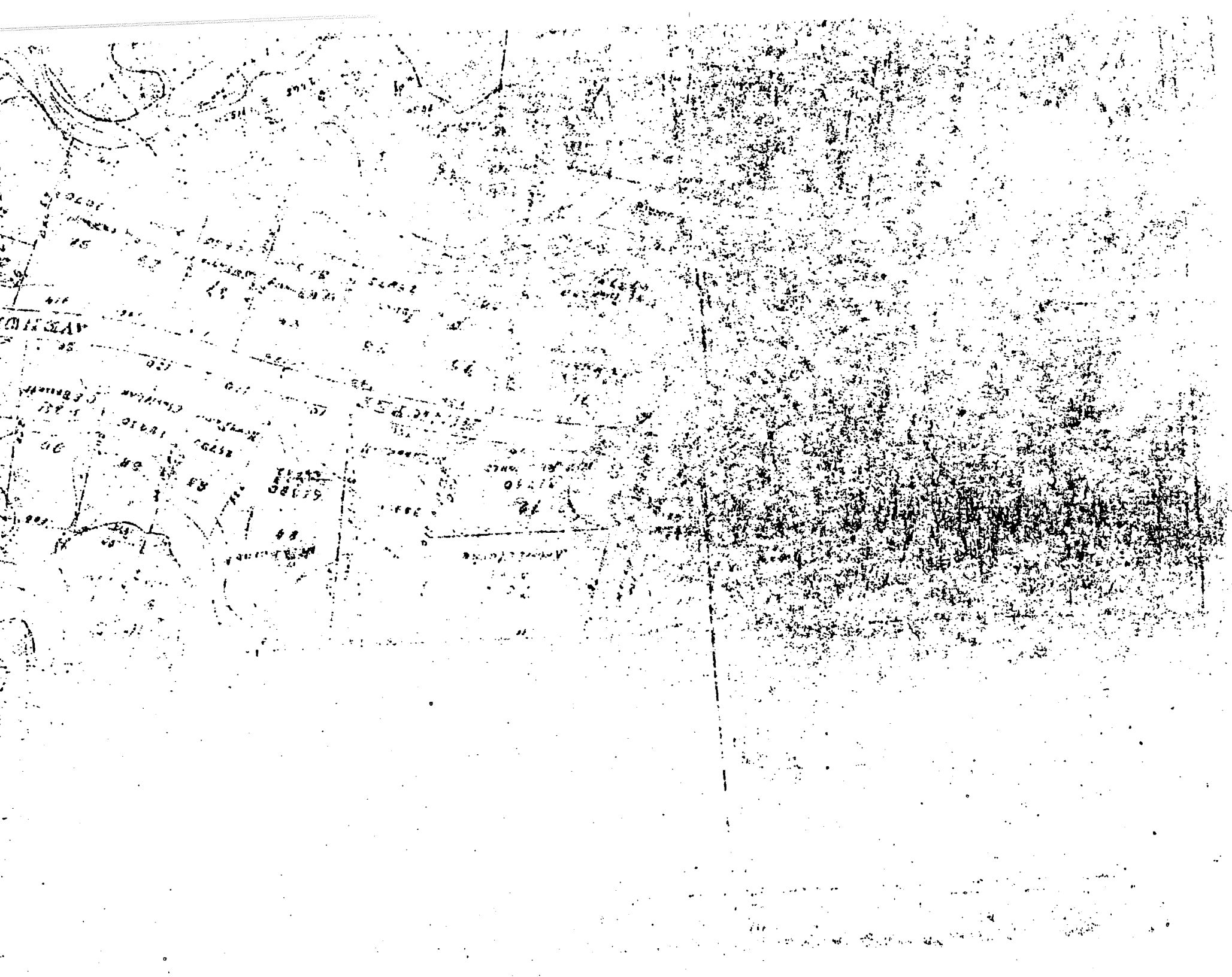
[illegible]

The map is [illegible]

Lot 132 and the [illegible]

[illegible]

Scale [illegible] inch



PUBLIC RIGHTS OF WAY INVENTORY - TOWN OF WESTERLY

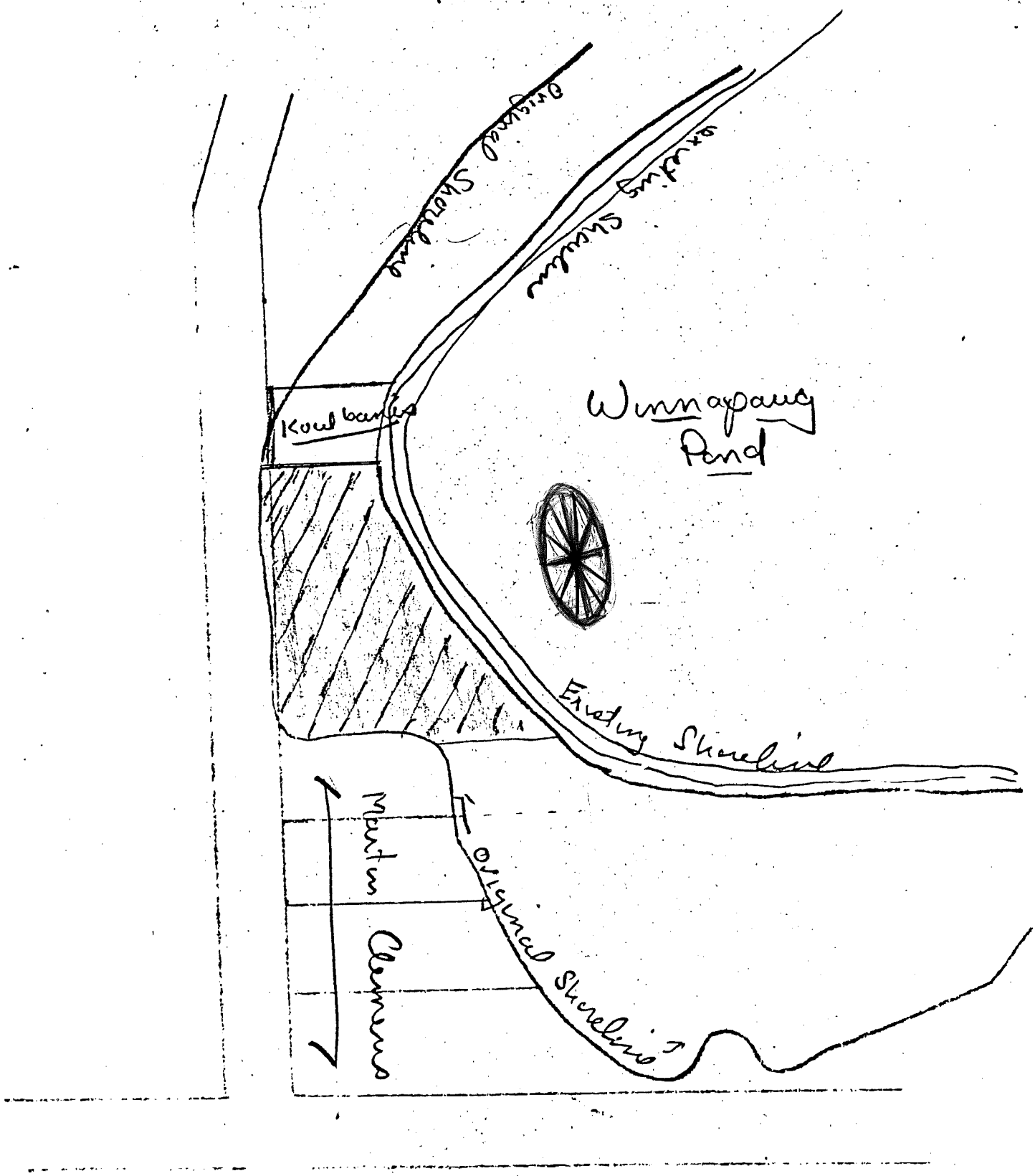
Right of Way #9 is bounded and described as follows: on the west by Winnapaug Road, on the north by Lot 89C on Westerly Assessor's Plat 8, on the south by Lot 81 on Westerly Assessor's Plat 8 and on the east by Winnapaug Pond.

TITLE OPINION

For title to the Right of Way #9 reference is made to the attached tracing which shows the right of way in question in shaded area. Reference is made to that certain plat entitled, "Plan of Atlantic Avenue Lots Owned by Alzada A. Saunders Town of Westerly, R.I. Scale 100 feet to the inch By C. E. Chandler & S. B. Palmer, Engrs. Norwich Conn. 1911" as recorded in the Westerly Land Evidence Records in Plat Book 2 at pages 6 and 7 which indicates that the original shoreline of Winnapaug Pond bordered on the easterly side of Winnapaug Road. Reference is further made to the existing shoreline as shown on the attached sketch which clearly shows that there has been a substantial area filled in over the years giving rise to the question of a right of way to the pond.

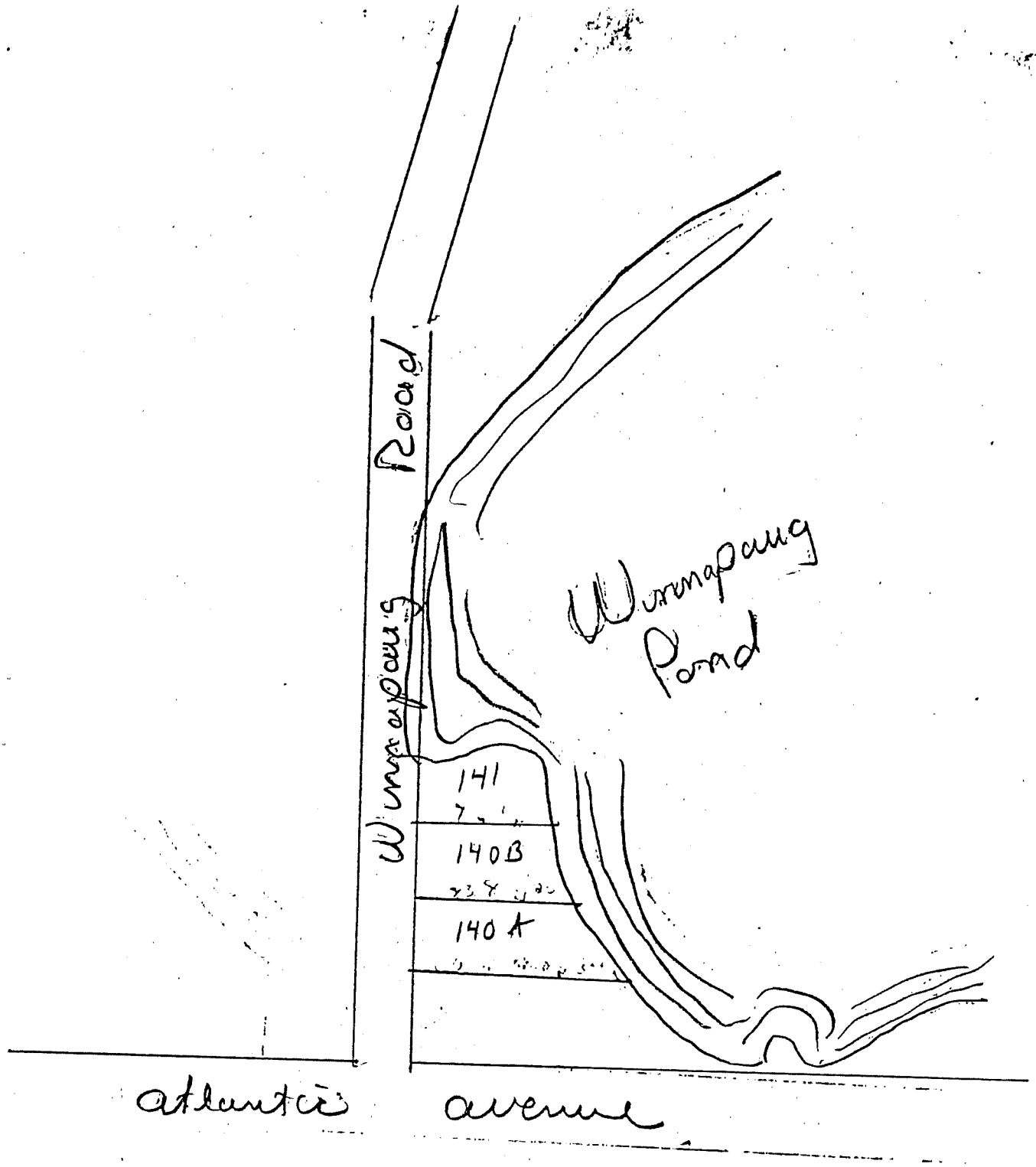
Conveyance of the shaded area indicated as Right of Way #9 is found in Quitclaim Deed of Richard B. Umberfield and Joan F. Umberfield to Martin F. Clemens dated January 29, 1970 and recorded in Book 97 at page 440 of the Westerly Land Evidence Records. For a previous conveyance of this described land reference is made to Book 90 at page 555 of the Westerly Land Evidence Records.

Based on the foregoing it is apparent that the area between the road and the existing shoreline has been filled and there appears of record a claim to a deed to that filled area. No actual grant of a public right of way can be found for the parcel in question, and the existance of a right of way would be subject to a survey by a civil engineer.



Public Rights of Way Inventory

#9



Plan of atlantic avenue Sds
[illegible] by Alyada & Saunders
[illegible]

Plat Bk — 1911

PUBLIC RIGHTS OF WAY INVENTORY - TOWN OF WESTERLY

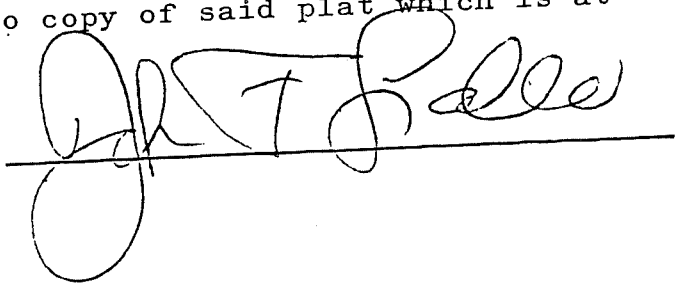
Right of Way #10 is bounded and described as follows: on the north by Atlantic Avenue, on the west by Lot 52 as shown on Westerly Assessor's Map 5, on the east by Lot 51 as shown on Westerly Assessor's Map 5 and on the south by the Atlantic Ocean.

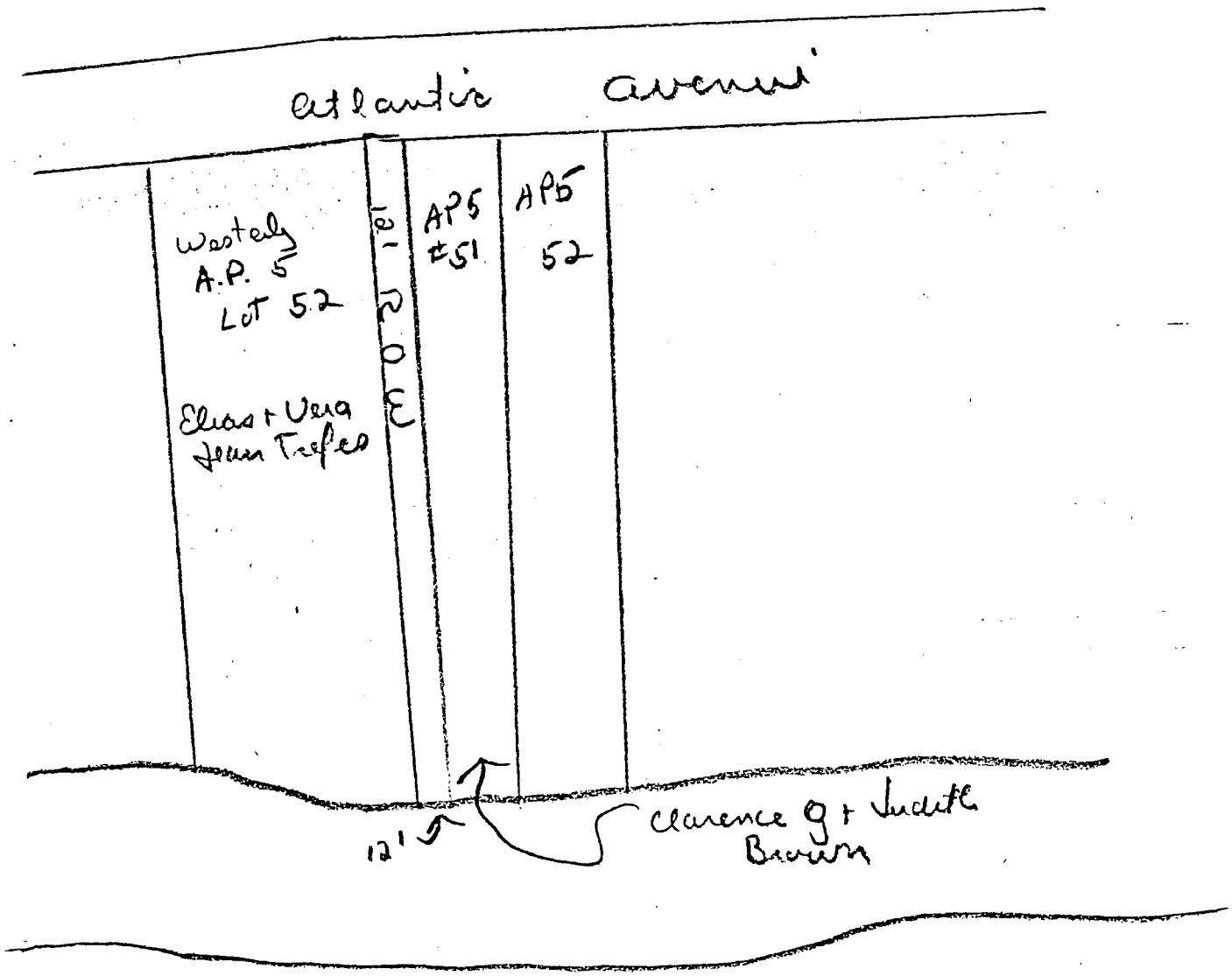
TITLE OPINION

Right of Way #10 is shown on that certain plan or plat entitled, "PLAN OF PLEASANT VIEW BEACH LOTS, TOWN OF WESTERLY, R.I. Scale 200 feet to the inch By C. E. Chandler & S. B. Palmer, Engr's. Norwich, Conn. 1909" recorded in Plat Book 2 at pages 14, 15 and 16. Right of Way #10 is located between Lots No. 73 and 74 as shown on said plat and is twelve feet in width. For Lot No. 74 reference is made to deed of Frederick J. Freye and Joan R. Freye to Clarence G. Brown and Judith W. Brown dated July 2, 1968 and recorded in Book 93 at page 338 of the Westerly Land Evidence Records. For Lot No. 73 reference is made to deed of Renato Froncillio and Eileen Carolyn Froncillo to Elias H. Trefes and Vera Jean Trefes dated July 23, 1969 and recorded in Book 96 at page 123. In addition to the right of way as shown on said plat reference is also made to a certain agreement between the Winnapaug Company et als dated May 7, 1909 and recorded in Book 39 at page 419 of the Westerly Land Evidence Records which makes reference to the above plat and contains the following language:

> "That the spaces indicated on said plan as a public walk or right of way will be set apart and kept open and are dedicated as a public walk and right of way from said highway to the beach ..."

It is hereby certified that the above is a public right of way and reference is made to copy of said plat which is attached hereto.





Public Rights of Way #10

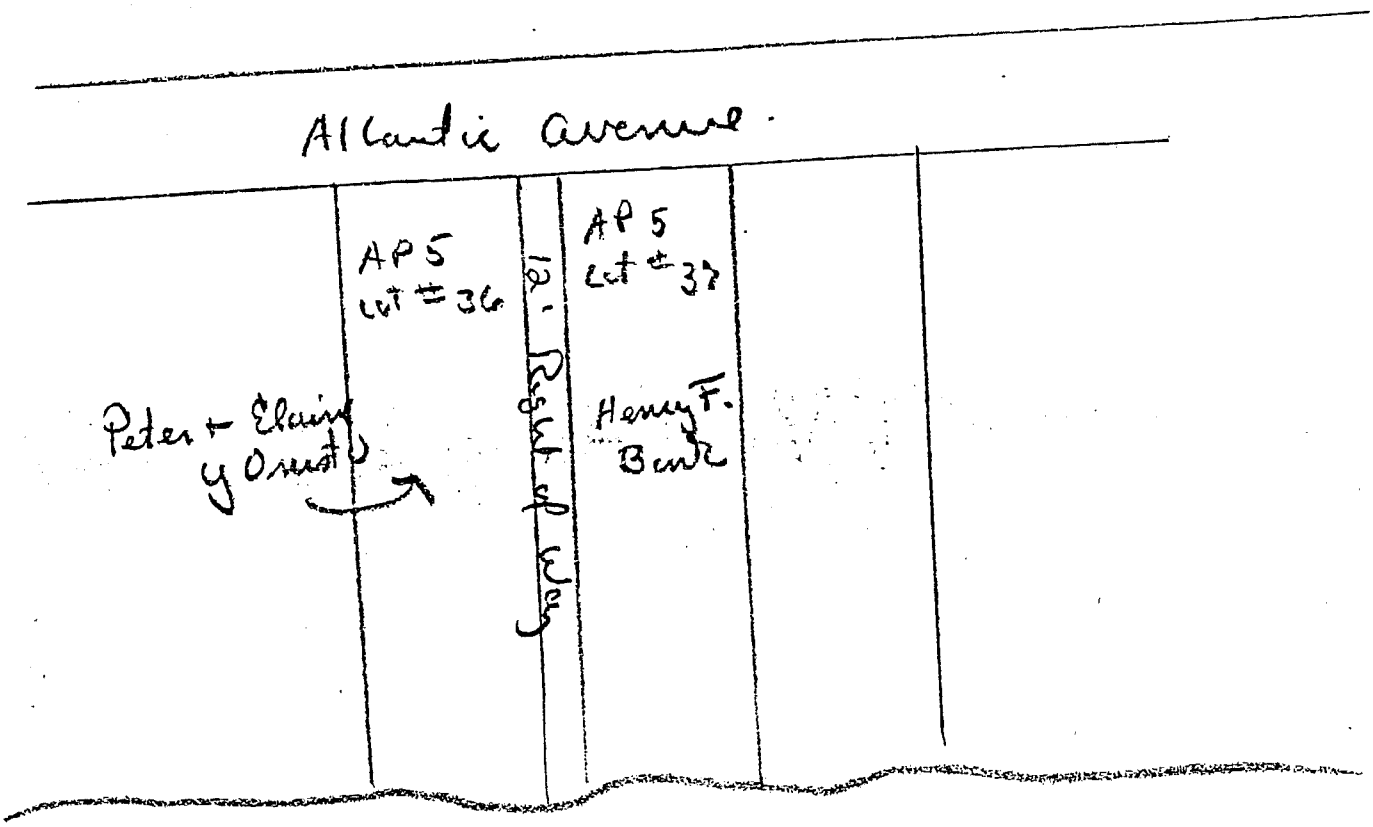
PUBLIC RIGHT OF WAY INVENTORY - TOWN OF WESTERLY

Right of Way #11 is bounded and described as follows: on the north by Atlantic Avenue, on the west by Lot 36 as shown on Westerly Assessor's Plat 5, on the east by Lot 37 as shown on Westerly Assessor's Plat 5 and on the south by the Atlantic Ocean.

TITLE OPINION

For Right of Way #11 reference is made to that certain plan or plat entitled, "PLAN OF PLEASANT VIEW BEACH LOTS, TOWN OF WESTERLY, R.I. Scale 200 feet to the inch By C. E. Chandler & S. B. Palmer, Engr's. Norwich, Conn. 1909" recorded in Plat Book 2 at pages 14, 15 and 16, a copy of which is attached. Right of Way #11 is shown on said plat between Lots No. 89 and 88. For conveyance if said Lot No. 89 reference is made to deed of Peter B. Bonk to Henry F. Bonk dated May 3, 1967 and recorded in Book 90 at page 463. For conveyance of Lot No. 88 reference is made to deed of John J. McCarty and Carol H. McCarty to Peter Onisto and Elaine Y. Onisto dated November 14, 1960 and recorded in Book 80 at page 493 of the said Westerly Land Evidence Records. Reference is further made to agreement between the Winnapaug Company et als dated May 7, 1909 and recorded in Book 39 at page 419 of the said Westerly Land Evidence Records.

It is hereby certified that the above is a public right of way.



Atlantic Ocean

Public Rights of Way ± 11

PUBLIC RIGHT OF WAY INVENTORY - TOWN OF WESTERLY

Right of Way #12 is bounded on the north by Atlantic Avenue, on the west by Lot 5 as shown on Westerly Assessor's Plat 5, on the east by Lot 4 as shown on Westerly Assessor's Plat 5 and on the south by the Atlantic Ocean.

TITLE OPINION

Right of Way #12 does not show as a public right of way on the plan or plat entitled, "PLAN OF PLEASANT VIEW BEACH LOTS, TOWN OF WESTERLY, R.I. Scale 200 feet to the inch By C. E. Chandler & S. B. Palmer, Engr's. Norwich, Conn. 1909". Said right of way would be between Lots 121 and 122. Reference is made to deeds of Timothy J. Mee to Donald B. Caldwell and Janet L. Caldwell dated July 9, 1969 and recorded in Book 96 at page 34 of the Westerly Land Evidence Records and deed conveying Lot No. 122 and the easterly one half of Lot No. 121 in deed of Stanley F. Clarke to First Agricultural National Bank as Trustee dated February 19, 1974 and recorded in Book 130 at page 327 of said Westerly Land Evidence Records conveying the easterly one half of Lot No. 121.

No grant of a public right of way can be found and it is hereby certified that the above is not a public right of way.

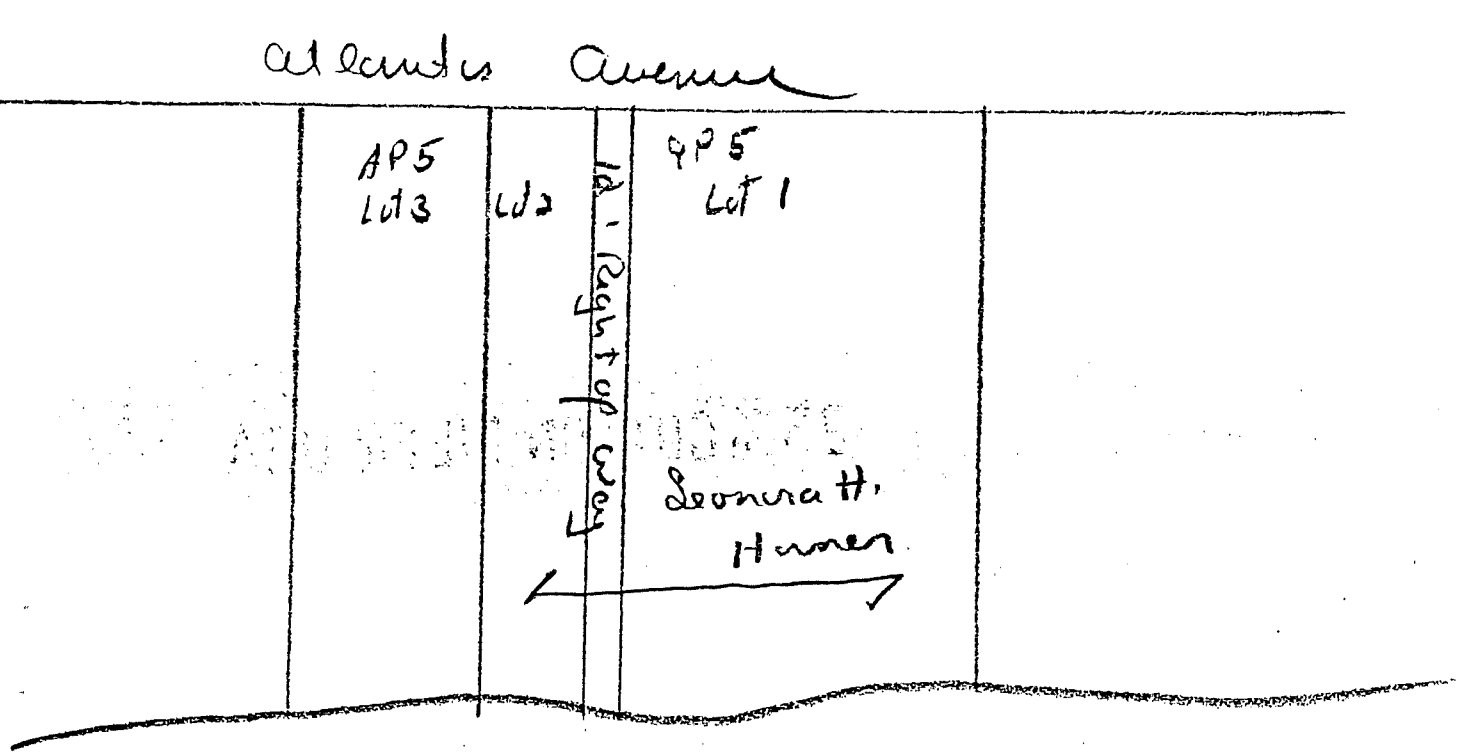
PUBLIC RIGHT OF WAY INVENTORY - TOWN OF WESTERLY

Right of Way #13 is bounded on the north by Atlantic Avenue, on the west by Lot 2 as shown on Westerly Assessor's Plat 5, on the east by Lot 1 as shown on Westerly Assessor's Plat 5 and on the south by the Atlantic Ocean.

TITLE OPINION

Right of Way #13 is shown as a 12 foot right of way on the plan entitled, "PLAN OF PLEASANT VIEW BEACH LOTS, TOWN OF WESTERLY, R.I. Scale 200 feet to the inch By C. E. Chandler & S. B. Palmer, Engr's. Norwich, Conn. 1909", and is located between Lots No. 124 and 123 as shown on said plat. For a conveyance of said 12 foot strip reference is made to Quitclaim Deed of Clifford A. Langworthy to H. Mansfield Horner dated July 28, 1960 and recorded in Book 80 at page 206 of the Westerly Land Evidence Records. Reference is further made to deed of J. Mansfield Horner to Leonora H. Horner as appears of record in Book 90 at page 125 of the Westerly Land Evidence Records. Despite the purported conveyances of said 12 foot strip as above, said Right of Way is shown on the above plat. Reference is further made to agreement between the Winnapaug Company et als dated May 7, 1909 and recorded in Book 39 at page 419 of the Westerly Land Evidence Records.

Based on the foregoing it is hereby certified that the above is a public right of way.



Public Rights of Way 13

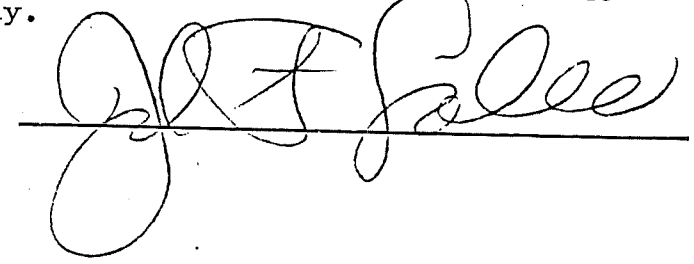
PUBLIC RIGHT OF WAY INVENTORY - TOWN OF WESTERLY

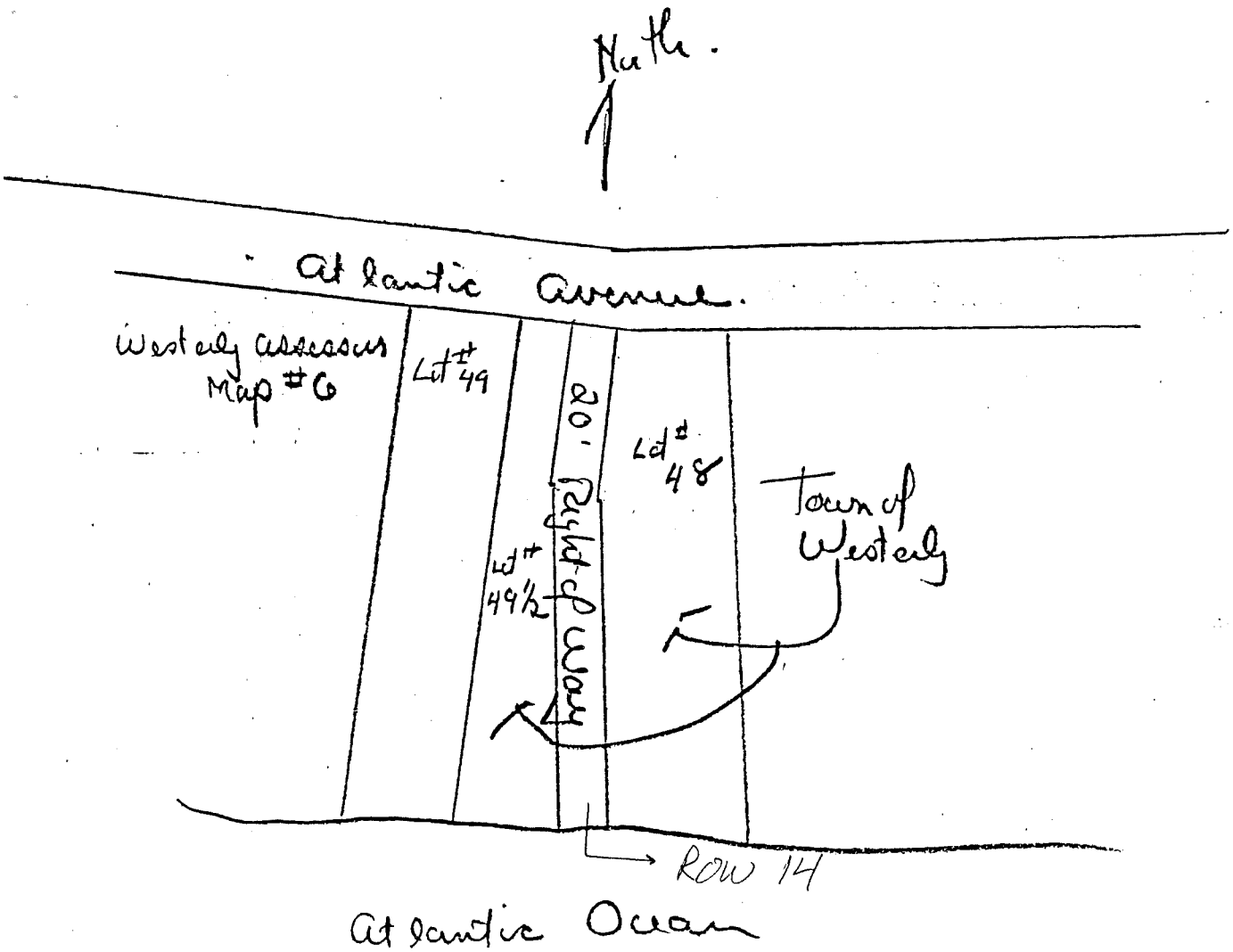
Right of Way #14 is bounded on the north by Atlantic Avenue, on the west by Lot 49 1/2 as shown on Westerly Assessor's Plat 6, on the east by Lot 48 as shown on Westerly Assessor's Plat 6 and on the south by the Atlantic Ocean.

TITLE OPINION

Right of Way #14 is shown on plan or plat entitled, "PLAN OF PLEASANT VIEW BEACH LOTS, TOWN OF WESTERLY, R.I. Scale 200 feet to the inch By C. E. Chandler & S. B. Palmer, Engr's. Norwich, Conn. 1909" between Lot 95S and Lot 25 and is 20 feet in width. For Lot No. 48 reference is made to deed of Mary Elizabeth Welch to the Town of Westerly dated March 28, 1942 and recorded in Book 60 at page 633 of the Westerly Land Evidence Records and for Lot No. 49 1/2 reference is made to deed of John Pucci and Marion Pucci to the Town of Westerly as appears of record in Book 60 at page 187. Reference being further made to agreement between the Winnapaug Company et als dated May 7, 1909 and recorded in Book 39 at page 419.

Based on the foregoing it is hereby certified that the above is a public right of way.




North.
Atlantic Avenue.
Westerly assessors Map #6
Lot #49
20' Right of way
Lot #48
Lot #49½
Town of Westerly
ROW 14
Atlantic Ocean

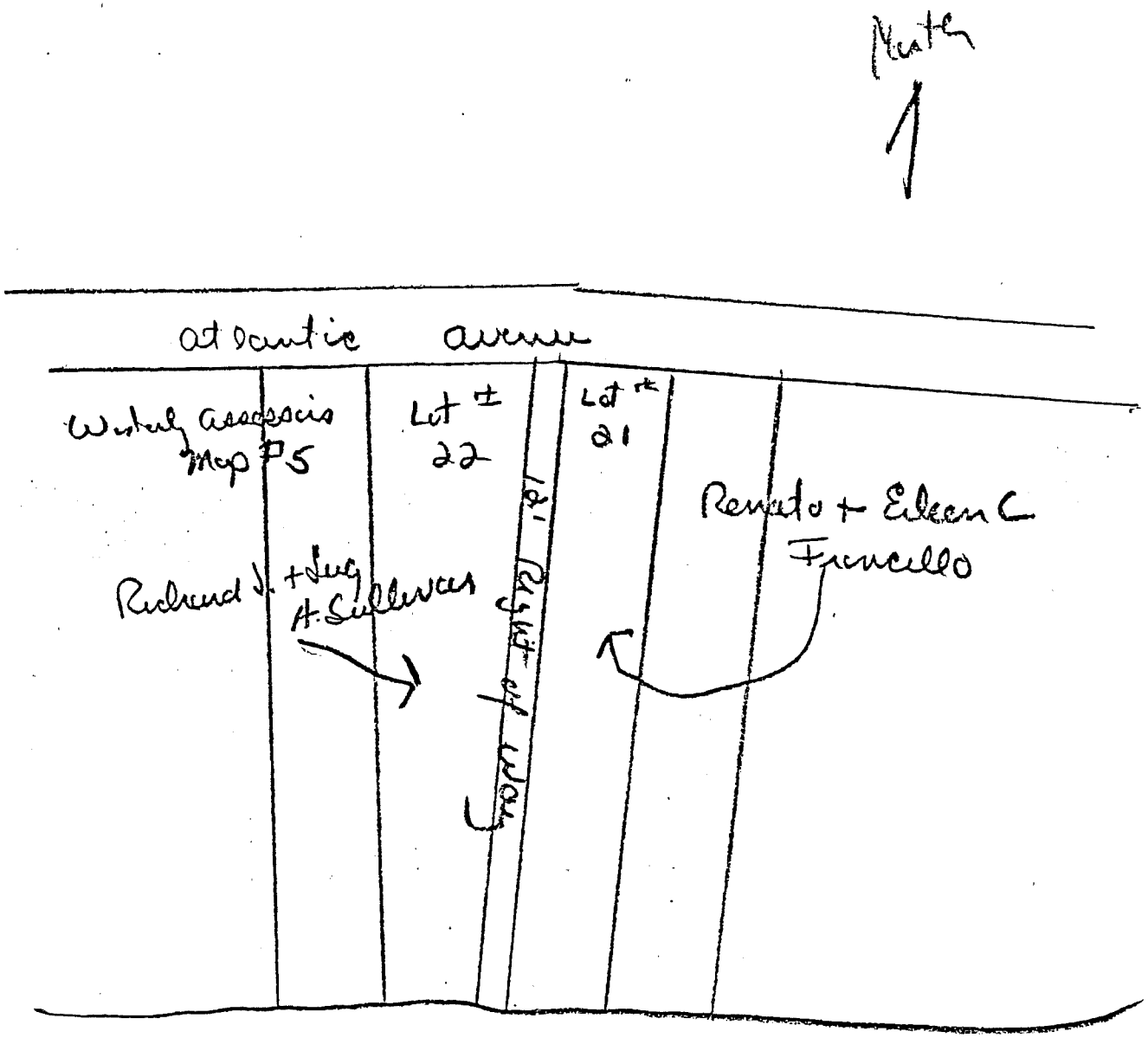
PUBLIC RIGHT OF WAY INVENTORY - TOWN OF WESTERLY

Right of Way #15 is bounded on the north by Atlantic Avenue, on the west by Lot 21 as shown on Westerly Assessor's Plat 5, on the east by Lot 22 as shown on Westerly Assessor's Plat 5 and on the south by the Atlantic Ocean.

TITLE OPINION

The above right of way is a 12 foot strip of land as shown on the plan or plat entitled, "PLAN OF PLEASANT VIEW BEACH LOTS, TOWN OF WESTERLY, R.I. Scale 200 feet to the inch By C. E. Chandler & S. B. Palmer, Engr's. Norwich, Conn. 1909" between Lot No. 103 and Lot No. 104. Reference is made to deed of John B. Butler and Ruth Butler to Renato Froncillo and Eileen C. Froncillo dated May 27, 1967 and recorded in Book 90 at page 564 of the Westerly Land Evidence Records for Lot No. 104 and deed of John B. Butler and E. Ruth Butler to Richard J. Sullivan and Lucy A. Sullivan dated October 23, 1962 and recorded in Book 83 at page 129 of the Westerly Land Evidence Records for Lot No. 103. Reference is also made to agreement between the Winnapaug Company et als dated May 7, 1909 and recorded in Book 39 at page 419 of the Westerly Land Evidence Records.

Based on the foregoing it is hereby certified that the above is a public right of way.



Atlantic Ocean

Public Rights of Way # 15

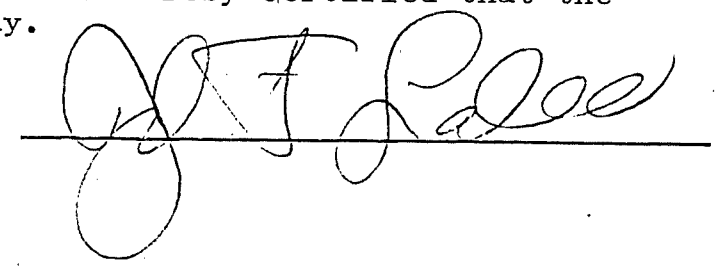
PUBLIC RIGHT OF WAY INVENTORY - TOWN OF WESTERLY

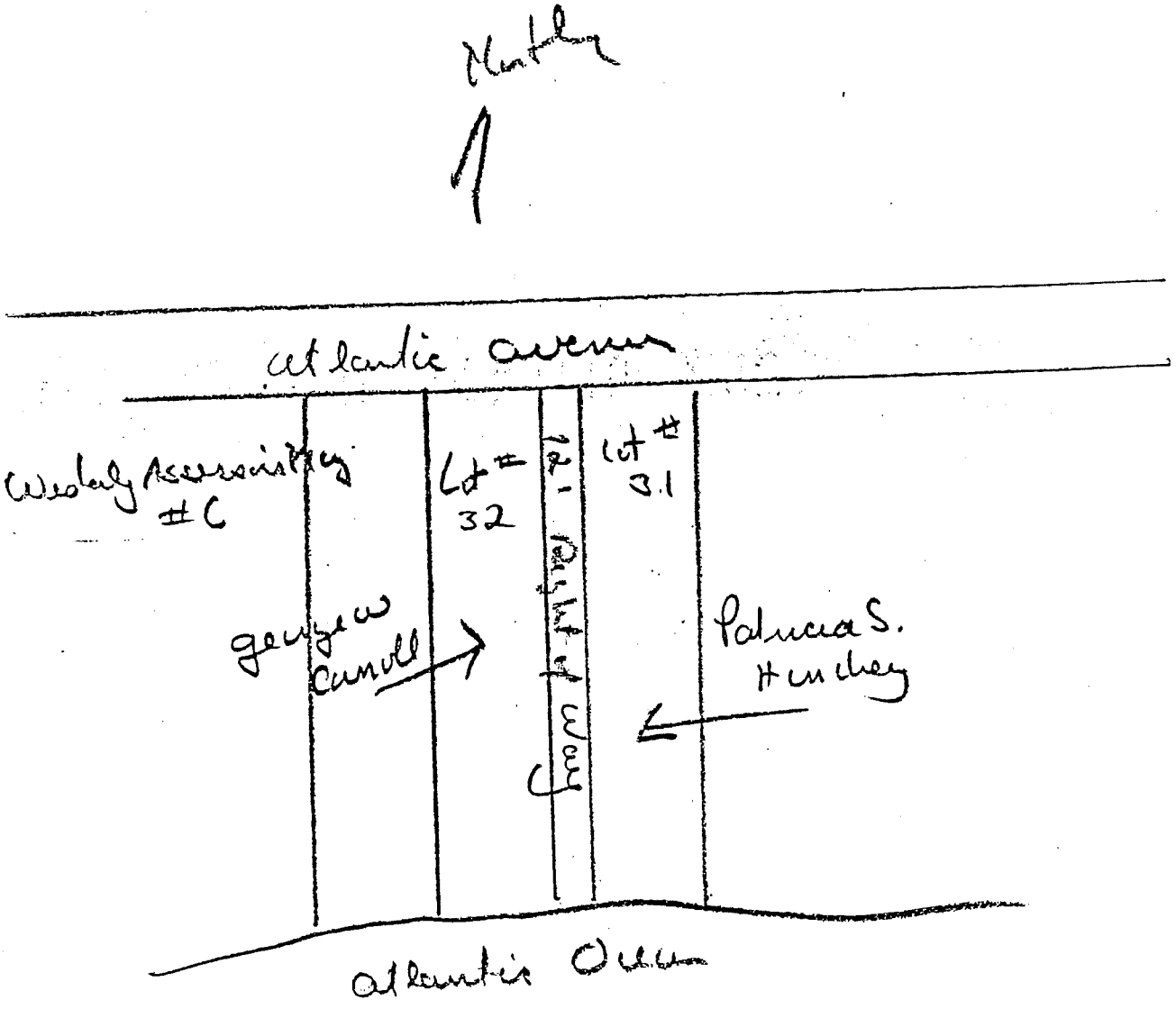
Right of Way #16 is bounded on the north by Atlantic Avenue, on the west by Lot 31 as shown on Westerly Assessor's Plat 6, on the east by Lot 32 as shown on Westerly Assessor's Plat 6 and on the south by the Atlantic Ocean.

TITLE OPINION

The above right of way is a 12 foot strip of land as shown on that certain plan entitled, "PLAN OF PLEASANT VIEW BEACH LOTS, TOWN OF WESTERLY, R.I. Scale 200 feet to the inch By C. E. Chandler & S. B. Palmer, Engr's. Norwich, Conn. 1909" between Lots No. 41 and 42 as shown on said plat. Reference is made to deed of Gertrude P. Murphy to George W. Carroll dated September 23, 1929 and recorded in Book 53 at page 219. For Lot No. 42 reference is made to deed of Bruno J. Saviskas by his Executrix to Lloyd E. and Patricia S. Hinchey dated June 7, 1978 and recorded in Book 182 at page 51 of the Westerly Land Evidence Records. For Lot No. 41 reference is further made to agreement between the Winnapaug Company et als dated May 7, 1909 and recorded in Book 39 at page 419.

Based on the foregoing it is hereby certified that the above is a public right of way.





Public Rights of Way

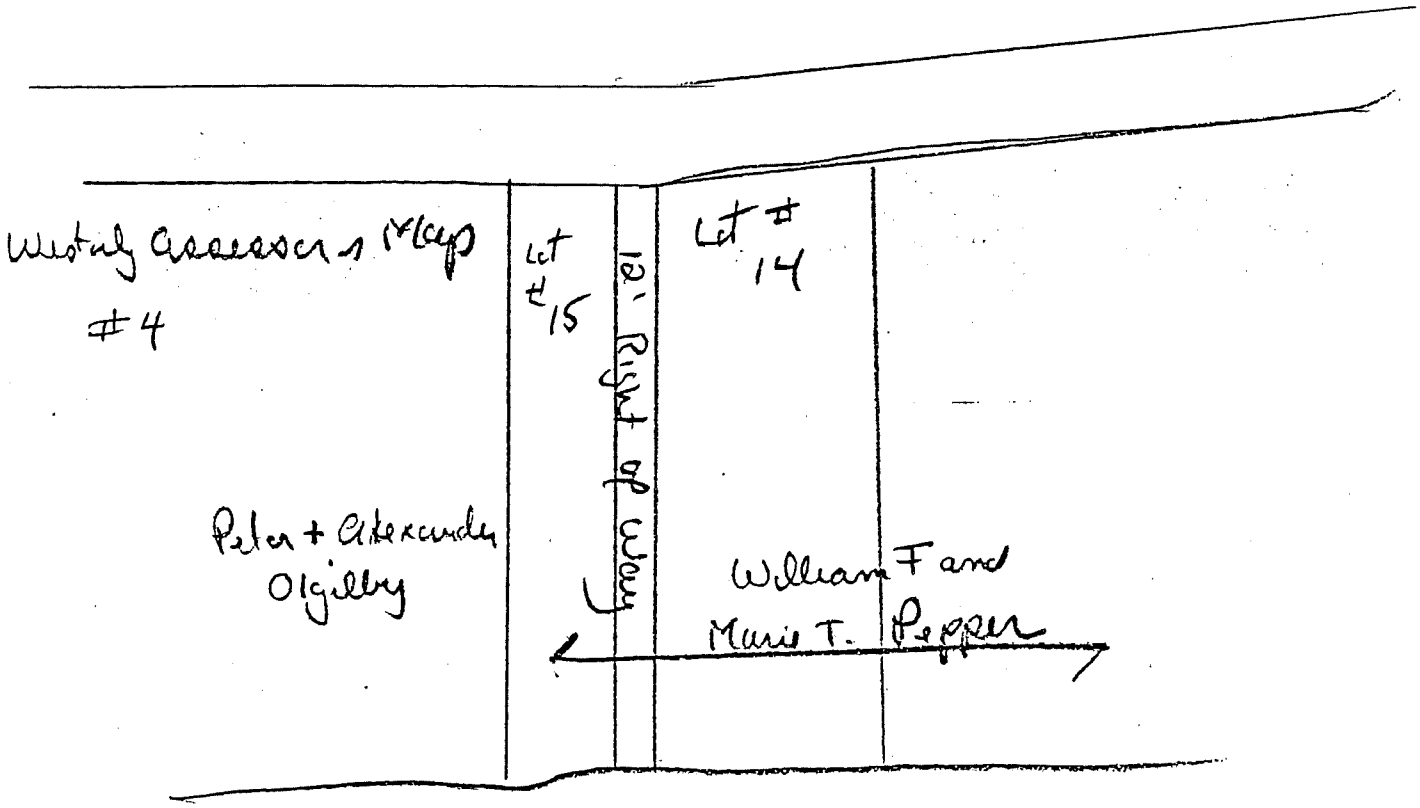
#16

PUBLIC RIGHT OF WAY INVENTORY - TOWN OF WESTERLY

Right of Way #17 is bounded on the north by Atlantic Avenue, on the west by Lot 15 as shown on Westerly Assessor's Plat 4, on the east by Lot 14 as shown on Westerly Assessor's Plat 4 and on the south by the Atlantic Ocean.

TITLE OPINION

The above described parcel of land is a 12 foot strip of land as shown on a certain plan or plat entitled, "PLAN OF PLEASANT VIEW BEACH LOTS, TOWN OF WESTERLY, R.I. Scale 200 feet to the inch By C. E. Chandler & S. B. Palmer, Engr's. Norwich, Conn. 1909" between Lots 140 and 141. A copy of said plat is attached. For conveyance of the above strip of land reference is made to Quitclaim Deed of Clifford A. Langworthy to Harold J. Walter dated July 28, 1960 and recorded in Book 80 at page 206 of the Westerly Land Evidence Records. Other subsequent deeds in the chain of title purport to convey the above parcel of land, reference being made to instrument recorded in Book 96 at page 113 and Book 96 at page 264 of the Westerly Land Evidence Records. Said Lots 140 and 141 are presently owned by William F. Pepper and Marie T. Pepper as conveyed to them by instrument dated May 1, 1975 and recorded in Book 141 at page 55 of the Westerly Land Evidence Records. Despite the purported conveyances of the above described parcel, because it shows it as a 12 foot right of way on said plan or plat it is certified that it is a public right of way. Reference is also made to agreement between the Winnapaug Company et als dated May 7, 1909 and recorded in Book 39 at page 419 of the Westerly Land Evidence Records.



Atlantic Ocean

Public Rights of Way #17

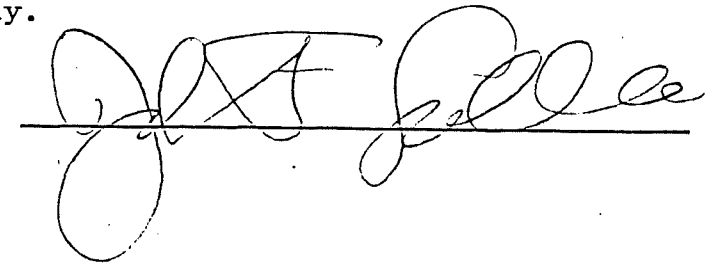
PUBLIC RIGHT OF WAY INVENTORY - TOWN OF WESTERLY

Right of Way #18 is bounded on the north by Atlantic Avenue, on the west by Lot 11 as shown on Westerly Assessor's Plat 7, on the east by Lot 10 as shown on Westerly Assessor's Plat 7 and on the south by the Atlantic Ocean.

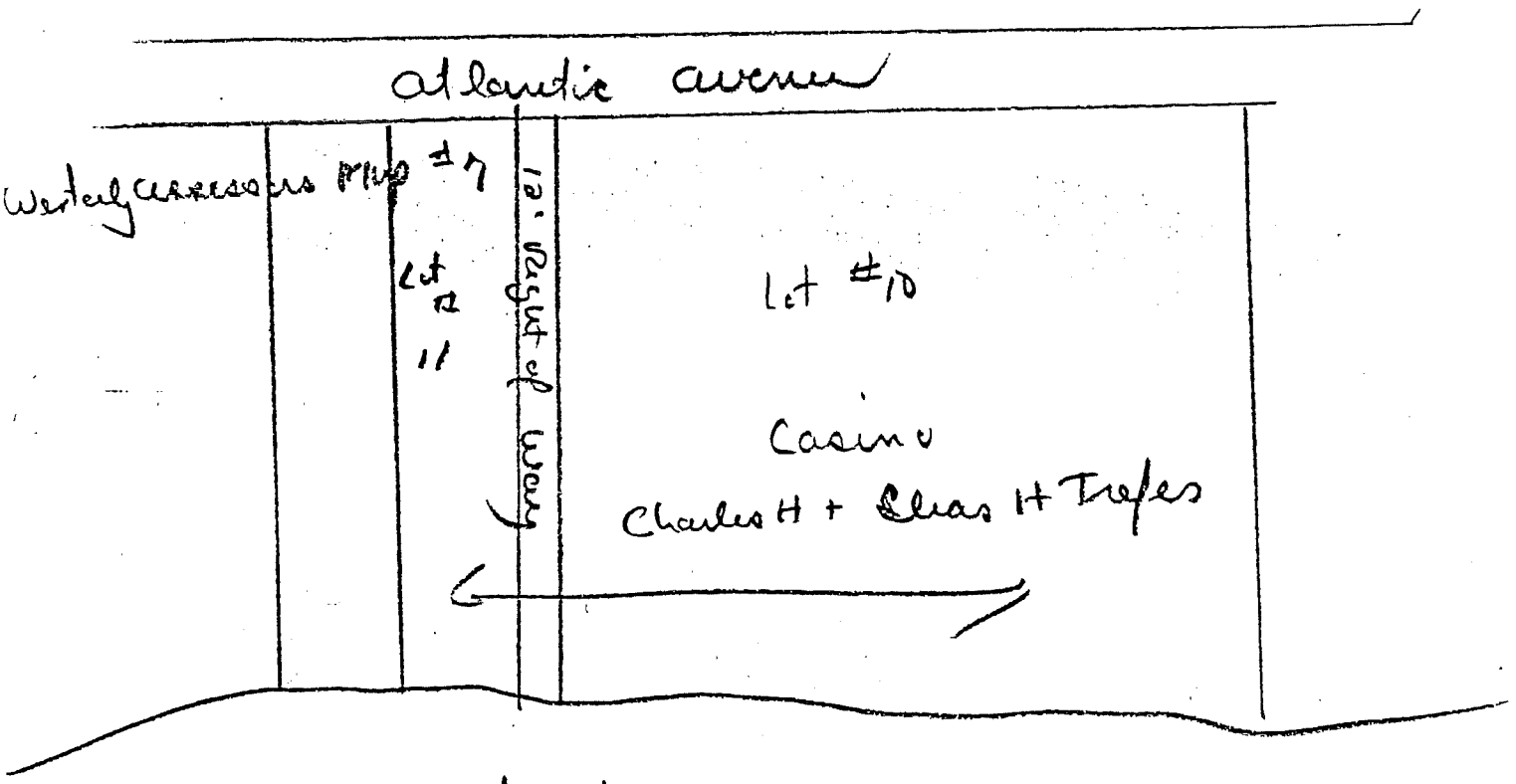
TITLE OPINION

The above described parcel is a 12 foot strip as shown on that certain plan entitled, "PLAN OF PLEASANT VIEW BEACH LOTS, TOWN OF WESTERLY, R.I. Scale 200 feet to the inch By C. E. Chandler & S. B. Palmer, Engr's. Norwich, Conn. 1909" between Lots No. 11 and 12. Said Lot No. 11 reference is made to deed of Dorothy M. Rodman to Charles Trefes and Elias Trefes dated May 25, 1962 and recorded in Book 82 at page 351 of the Westerly Land Evidence Records. For conveyance of Lot No. 12 reference is made to deed of Julia H. Trefes to said Charles H. and Elias H. Trefes as recorded in Book 115 at page 271 of the said Westerly Land Evidence Records. Reference is further made to agreement between the Winnapaug Company et als dated May 7, 1909 and recorded in Book 39 at page 419 of the Westerly Land Evidence Records.

Based on the foregoing it is hereby certified that the above is a public right of way.



North



Public Rights of Way ±18

Understanding Town Parking and Its Effect on Public Rights-of-Way Access

November 2021

This guide is a product of the Marine Affairs Institute at Roger Williams University School of Law and the Rhode Island Sea Grant Legal Program. Matthew Lewicki, Rhode Island Sea Grant Law Fellow, authored this fact sheet under the guidance of Catherine Schluter, Research Attorney, and Julia Wyman, Director. All errors and omissions are the responsibility of the Marine Affairs Institute. This study is provided only for informational and educational purposes and is not legal advice.

Rhode Islanders have the constitutional right to access the shore.[1] In recent years, the state's Coastal Resources Management Council (CRMC) has made substantial progress in discovering new rights-of-way and ensuring they are well-marked and easy to find. However, as a practical matter, Rhode Islanders living further than walking distance from the coast have significantly more difficulty enjoying these natural resources.[2] This paper will investigate local parking regulations in Narragansett, Tiverton, Barrington, Westerly, and Warwick, specifically identifying influences on parking regulations in each town, the justification for regulations, and the potential impact that regulations may have on access to public rights-of-way.

The Rhode Island legislature has granted local municipalities a substantial amount of power over local roads, including empowering municipalities to have a strong say in parking regulations.[3] Most CRMC designated rights-of-way are located on local roads.[4] Naturally, nearly all communities implement parking regulations as a way to improve traffic flow, ensure safety, and keep town resources accessible to residents.[5] However, municipal leaders and residents of many coastline communities in Rhode Island have implemented restrictions on parking which have made parking near the coastline illegal or

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[1] R.I. CONST. art. I, § 17.

[2] Antonia Noori Farzan, *Is this wealthy RI town using parking tickets to limit the public's access to the beach?*, PROVIDENCE JOURNAL (July 22, 2021), https://perma.cc/N5UR-YTNV.

[3] *See* PETER D. RUGGIERO, A PRACTICAL GUIDE TO LAND USE LAW IN RHODE ISLAND § 1.1 Overview and Background (1st ed. 2017) (citing R.I. GEN. LAWS § 45-22.2-13(b) ("[a]ll municipal land use decisions shall be in conformance with the locally adopted municipal comprehensive plan.")); R.I. GEN. LAWS § 24-8-1.1; *see also* R.I. GEN. LAWS § 24-8-1.3(g) for exceptions in the municipalities of Central Falls, Cranston, East Providence, Newport, Pawtucket, Providence, Warwick, and Woonsocket.

[4] *See* Map of CRMC-Designated Rights-of-Way, https://perma.cc/52SN-Y8AK (click "ArcGIS Online Map of All CRMC-Designated Rights-of-Way to the Shore" hyperlink); *see also* Monica Allard Cox, *Public Access to the Rhode Island Coast*, RHODE ISLAND SEA GRANT (2004), https://perma.cc/M6PG-W4TM.

[5] *See* TIVERTON, R.I., CODE OF ORDINANCES § 78-101; *see generally* Dale P. Faulkner, *Westerly Councilors Consider Canal Street Parking Ban*, THE WESTERLY SUN (Aug. 5, 2021), https://perma.cc/FM33-LZG7; *see* Philip Cozzolino, *Narragansett Eyes Additional Parking Options in the Pier*, THE NARRAGANSETT TIMES (Apr. 19, 2021), https://perma.cc/38Q9-T59F; *see generally* Antonia Noori Farzan, *Barrington Council Resists Adding Parking Near Right-of-Ways; Denies 'Classist Plot,'* THE PROVIDENCE JOURNAL (Oct. 5, 2021), https://perma.cc/MU2U-WGAL; *see generally* Antonia Noori Farzan, *Waterfront Warwick Neighborhoods are Full of 'No Parking' Signs. Many Aren't Legal.*, THE PROVIDENCE JOURNAL (Sep. 22, 2021), https://perma.cc/FE6F-W4JS.

impractical, especially for non-residents.[6] While some general parking regulations are set by state statute, the vast majority of parking regulations are set by municipalities.[7] CRMC itself does not restrict parking at any rights-of-way it maintains.[8]

Coastal communities in Rhode Island, including the municipalities discussed in this paper, have established a robust set of parking regulations to maintain traffic flow and keep town resources accessible to residents.[9] This paper seeks to shed light on the motivation and reasoning for creating parking regulations in these municipalities. These regulations tend to take the form of complete restrictions on certain streets, time-limited parking, and resident-only parking. Critics of some of these parking regulations feel that the regulations unfairly restrict coastline access by forcing people to walking unreasonably far to access the coastline.[10] This paper provides an overview of how some coastal communities in Rhode Island have addressed parking regulations.

1 Narragansett

The town of Narragansett allows free on-street parking downtown,[11] and paid parking at its town beach,[12] but restricts parking in residential areas near rights-of-way.[13] Parking restrictions in the town have gained regional attention, from local residents, to tourists and surfers.[14]

In January 2021, the Narragansett Town Council voted to add on-street parking on Nichols, Louise, and Pilgrim Avenues, near public rights-of-way in the Point Judith area of Narragansett.[15] In the town council meeting concerning parking in that area, members expressed a desire to make it easier for

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[6] Antonia Noori Farzan, *Is this Wealthy RI Town Using Parking Tickets to Limit the Public's Access to the Beach?*, THE PROVIDENCE JOURNAL (July 22, 2021), https://perma.cc/N5UR-YTNV; Narragansett Town Council, *Narragansett Town Council*, YOUTUBE (Jan. 4, 2021), https://youtu.be/-wiOz7_w-y8 \.

[7] *Compare* R.I. GEN. LAWS § 31-21-4; *with* TIVERTON, R.I., CODE OF ORDINANCES §§ 78-61 – 78-114; WESTERLY, R.I., CODE OF ORDINANCES §§ 238-64 – 238-75; BARRINGTON, R.I., CODE OF ORDINANCES §§ 179-6 – 179-16; WARWICK, R.I., CODE OF ORDINANCES §§ 76-191-223; NARRAGANSETT, R.I., CODE OF ORDINANCES §§ 74-26 – 74-37.

[8] Email from Leah Feldman, Coastal Policy Analyst, Rhode Island Coastal Resources Management Council, to Matthew Lewicki, Sea Grant Law Fellow, Marine Affairs Institute Roger Williams University School of Law (Oct. 26, 2021, 4:20 PM EST) (on file with author).

[9] TIVERTON, R.I., CODE OF ORDINANCES §§ 78-61 – 78-114; WESTERLY, R.I., CODE OF ORDINANCES §§ 238-64 – 238-75; BARRINGTON, R.I., CODE OF ORDINANCES §§ 179-6 – 179-16; WARWICK, R.I., CODE OF ORDINANCES §§ 76-191-223; NARRAGANSETT, R.I., CODE OF ORDINANCES §§ 74-26 – 74-37.

[10] *See generally* Antonia Noori Farzan, *Barrington Council Resists Adding Parking Near Right-of-Ways; Denies 'Classist Plot,'* THE PROVIDENCE JOURNAL (Oct. 5, 2021), https://perma.cc/MU2U-WGAL.

[11] Philip Cozzolino, *Narragansett Eyes Additional Parking Options in the Pier*, THE NARRAGANSETT TIMES (Apr. 19, 2021), https://perma.cc/38Q9-T59F.

[12] Ryan Blessing, *Narragansett Considering Beach Fee Increases*, THE INDEPENDENT (Sep. 25, 2020) https://perma.cc/YC3E-CPL4.

[13] *See* Map of CRMC-Designated Rights-of-Way, https://perma.cc/52SN-Y8AK (click "ArcGIS Online Map of All CRMC-Designated Rights-of-Way to the Shore" hyperlink); *see also* Monica Allard Cox, *Public Access to the Rhode Island Coast*, RHODE ISLAND SEA GRANT (2004), https://perma.cc/M6PG-W4TM; Narragansett Town Clerk, Parking Regulations (May 10, 2021) (unpublished parking regulations) (on file with Narragansett Town Clerk, in accordance with NARRAGANSETT, R.I., CODE OF ORDINANCES §§ 74-35(a)).

[14] Narragansett Town Council, *Narragansett Town Council*, YOUTUBE (Jan. 4, 2021), https://youtu.be/-wiOz7_w-y8.

[15] Ryan Blessing, *Narragansett Town Council Moves to Expand Parking Near Point Judith*, THE INDEPENDENT (Jan. 7, 2021), https://perma.cc/9SEH-E8SZ.

town residents, visitors, and surfers, to access those rights-of-way.[16] However, council members also expressed that they believed the street may be too narrow to accommodate parking, a common concern amongst most of municipalities discussed in this paper.[17] Additionally, some residents of the neighborhood expressed worry that parking in the neighborhood would create traffic.[18] Local residents also stated that visitors who would park to access the rights-of-way in the past would change clothes, make noise, litter, and leave graffiti.[19] By contrast, many town residents, including Point Judith residents, but especially those living outside of the neighborhood, believed parking was essential to making the coastline truly accessible.[20] Commenters who traveled to Narragansett to surf said parking was essential to attract tourists and help the local economy.[21] While some parking does exist in the area, commenters claimed that it would require either walking far distances or walking down streets that were not suited for foot traffic.[22] Despite controversy, the town council ultimately voted in favor of adding on-street parking in the neighborhood, focusing on improving access to the rights-of-way nearby, but expressing concern over street width.[23]

While there was strong support to increase access to rights-of-way amongst Narragansett residents, data also suggests that resident-only parking restrictions are generally popular.[24] The example of parking in Point Judith illustrates an example in which the council removed parking restrictions which prevented even Narragansett residents from accessing the coast if they lived outside of the neighborhood.[25] By contrast, resident-only parking areas, such as at the town beach, are generally popular among Narragansett residents.[26] For example, in "a survey the town commissioned in September last year, 83 percent of respondents said they liked that the North, South and Cabana parking lots were restricted to resident/taxpayer-only from 5 to 8 p.m. daily….Many said they'd be willing to pay more to make up for any lost revenue by restricting out-of-towners more."[27]

While the former example may suggest there is strong support to increase coastline access for residents,[28] this study suggests that it is popular among residents to restrict non-residents from parking near the shore.[29] Narragansett generally follows the trend of other municipalities in that parking

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[16] Narragansett Town Council, *Narragansett Town Council*, YOUTUBE (Jan. 4, 2021), https://youtu.be/-wiOz7_w-y8.
[17] *Id.*
[18] *Id.*
[19] *Id.*
[20] Grace Kelly, *After Long Fight, More Parking for Surfers Approved in Point Judith*, THE WESTERLY SUN (Jan. 23, 2021), https://perma.cc/M3KY-YKML.
[21] Narragansett Town Council, *Narragansett Town Council*, YOUTUBE (Jan. 4, 2021), https://youtu.be/-wiOz7_w-y8.
[22] *Id.*
[23] *Id.*
[24] *Compare* Narragansett Town Council, *Narragansett Town Council*, YOUTUBE (Jan. 4, 2021), https://youtu.be/-wiOz7_w-y8; *with* Brian Amaral, *Looking for a Prime Beach Parking Spot this Summer? Think Again,* THE BOSTON GLOBE (Aug. 6, 2021), https://perma.cc/5NQ6-VZTB.
[25] *See* Narragansett Town Council, *Narragansett Town Council*, YOUTUBE (Jan. 4, 2021), https://youtu.be/-wiOz7_w-y8.
[26] Brian Amaral, *Looking for a Prime Beach Parking Spot this Summer? Think Again,* THE BOSTON GLOBE (Aug. 6, 2021), https://perma.cc/5NQ6-VZTB.
[27] *Id.*
[28] *See* Narragansett Town Council, *Narragansett Town Council*, YOUTUBE (Jan. 4, 2021), https://youtu.be/-wiOz7_w-y8.
[29] Brian Amaral, *Looking for a Prime Beach Parking Spot this Summer? Think Again,* THE BOSTON GLOBE (Aug. 6, 2021), https://perma.cc/5NQ6-VZTB.

regulations are strongly influenced by residents' opinions, and there is a tension between local residents and people who would like to drive to visit the water.[30]

2 Tiverton

Similar to other municipalities, Tiverton uses a combination of parking regulations, ranging from restricting parking on some streets at all times, restricting parking near beaches during the summer months, and resident-only parking areas on residential streets near Grinnell's Beach.[31] Tiverton's municipal code clearly establishes the intent behind residential parking regulations, provides some guidance on street width required for parking, and outlines the process residents must follow to request resident-only parking on a street.[32]

Unlike most other municipalities, Tiverton's municipal code provides that no one may park their car "in such a manner…as to leave less than ten feet of the width of roadway for the free movement of vehicular traffic."[33] While Tiverton implements other parking restrictions and restricts parking for reasons other than street width, this section of the municipal code provides some guidance on a how much roadway needs to be available for traffic to pass.[34] This is notable because other municipalities studied in this project do not have a similar provision, however, street width is often cited as a reason to restrict parking on residential streets.[35] Moreover, there is a general lack of guidance from the state legislature and municipal ordinances on best practices to regulate parking.[36]

Tiverton is also unique among the municipalities studied in that it provides a clear process to create resident-only parking.[37] The town council may only designate a street for resident-only parking after a petition "signed by at least [twenty-five] percent of the residents, abutting a specific street, within the residential parking district" is filed with the town clerk in advance of the meeting.[38] This contrasts with other municipalities studied, which do not establish a clear process of creating such parking restrictions.[39] As of now, the only streets in Tiverton which have resident-only parking are Narragansett Ave., Hillside Ave., Lawton Ave., Summit Ave., and Seaconnet Ave., all of which are located near Grinnell's Beach.[40] A complete ban on parking from June 1 through October 1 also

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[30] *See* Narragansett Town Council, *Narragansett Town Council*, YOUTUBE (Jan. 4, 2021), https://youtu.be/-wiOz7_w-y8.
[31] *See* TIVERTON, R.I., CODE OF ORDINANCES §§ 78-61 – 78-114; Town of Tiverton, https://perma.cc/73XQ-KU2K (last visited Oct. 31, 2021).
[32] TIVERTON, R.I., CODE OF ORDINANCES §§ 78-64, 78-101, 78-105.
[33] *Id.* § 78-64.
[34] *Id.*
[35] *See* Antonia Noori Farzan, *Is this Wealthy RI Town Using Parking Tickets to Limit the Public's Access to the Beach?*, THE PROVIDENCE JOURNAL (July 22, 2021), https://perma.cc/N5UR-YTNV; Narragansett Town Council, *Narragansett Town Council*, YOUTUBE (Jan. 4, 2021), https://youtu.be/-wiOz7_w-y8.
[36] *See* R.I. GEN. LAWS § 31-21-4; WESTERLY, R.I., CODE OF ORDINANCES §§ 238-64 – 238-75; BARRINGTON, R.I., CODE OF ORDINANCES §§ 179-6 – 179-16; WARWICK, R.I., CODE OF ORDINANCES §§ 76-191-223; NARRAGANSETT, R.I., CODE OF ORDINANCES §§ 74-26 – 74-37.
[37] TIVERTON, R.I., CODE OF ORDINANCES § 78-105.
[38] *Id.* §§ 78-104, 78-105.
[39] *See* WESTERLY, R.I., CODE OF ORDINANCES §§ 238-64 – 238-75; BARRINGTON, R.I., CODE OF ORDINANCES §§ 179-6 – 179-16; WARWICK, R.I., CODE OF ORDINANCES §§ 76-191-223; NARRAGANSETT, R.I., CODE OF ORDINANCES §§ 74-26 – 74-37.
[40] TIVERTON, R.I., CODE OF ORDINANCES § 78-112.

effectively bans street parking at the coast on Fogland Road and Highhill Road during beach season, blocking access to a local beach to both residents and non-residents that would need to drive to access it.[41] Effectively, these parking restrictions force people who live farther than walking distance from the beach to pay for parking at the beach rather than park on the street.[42] While resident-only parking in Tiverton still creates accessibility issues for people living farther than walking distance to the beach, it at least establishes a process that requires there to be consensus among twenty-five percent of neighbors that parking is an issue,[43] rather than the somewhat unstructured methods used by other municipalities.[44]

In addition to creating a clear process for establishing resident-only parking, the town code also includes a section detailing the purposes for residential parking regulations.[45] The code provides the following rationale:

> (1) Reduce high traffic volumes in certain congested residential districts.
> (2) Protect the residential districts from polluted air, excessive noise and refuse caused by the entry of such vehicles.
> (3) Protect the residents of the residential districts from unreasonable burdens in gaining access to their residence.
> (4) Preserve the character of the districts as predominantly residential districts.
> (5) Preserve the value of the property in the congested residential districts.
> (6) Promote traffic safety and the safety of children and other pedestrians in the congested residential districts.
> (7) Facilitate the movement of traffic in the event of accidents or other disasters by virtue of reduced traffic volumes.
> (8) Promote the peace, comfort, convenience and welfare of all residents, inhabitants and visitors of the town.
> (9) Promote public involvement in the designation of specific residential parking streets in the program.[46]

Many of these purposes listed fall in line with general public comment and city officials' commentary in other communities as well.[47]

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[41] *Id.* § 78-72.
[42] Town of Tiverton, https://perma.cc/FNM2-EQDA (last visited Oct. 31, 2021).
[43] TIVERTON, R.I., CODE OF ORDINANCES §§ 78-104, 78-105.
[44] *See* Antonia Noori Farzan, *Is this Wealthy RI Town Using Parking Tickets to Limit the Public's Access to the Beach?*, THE PROVIDENCE JOURNAL (July 22, 2021), https://perma.cc/N5UR-YTNV; Narragansett Town Council, *Narragansett Town Council*, YOUTUBE (Jan. 4, 2021), https://youtu.be/-wiOz7_w-y8.
[45] TIVERTON, R.I., CODE OF ORDINANCES § 78-101.
[46] *Id.*
[47] *See generally* Antonia Noori Farzan, *Waterfront Warwick neighborhoods are full of 'No Parking' signs. Many aren't legal*, THE PROVIDENCE JOURNAL (Sep. 22, 2021), https://perma.cc/FE6F-W4JS; *see* Antonia Noori Farzan, *Is this Wealthy RI Town Using Parking Tickets to Limit the Public's Access to the Beach?*, THE PROVIDENCE JOURNAL (July 22, 2021), https://perma.cc/N5UR-YTNV; Narragansett Town Council, *Narragansett Town Council*, YOUTUBE (Jan. 4, 2021), https://youtu.be/-wiOz7_w-y8.

Much like the other communities studied, Tiverton has established parking restrictions which effectively make parking impractical near beaches, especially during summer months.[48] Unlike most other municipalities studied, Tiverton's municipal code provides clear motivation for the town's parking regulations, which includes facilitating the movement of traffic and protecting "residents…from unreasonable burdens" to access to their homes, among others.[49] While the motivations and reasoning for regulating parking in Tiverton are not necessarily indicative of the motivations for parking regulations in other towns, they may serve as examples of reasons why other municipalities restrict parking in certain areas.

3 Barrington

The Town of Barrington has entirely prohibited parking on many streets near the coast, requiring that visitors either park at the town beach or at a nearby school's parking lot to access rights-of-way.[50] The town's parking restrictions have garnered attention in the past year after Barrington only allowed town residents to park at the town beach in response to the COVID-19 pandemic,[51] and after recent complaints from town residents who believe the rights-of-way in town are practically inaccessible to anyone who does not live close enough to walk to them.[52] In response, the town conducted a study to see if it would be appropriate to add street parking near rights-of-way and has since allowed non-residents to park at its beach.[53]

During portions of the summers of 2020 and 2021, Barrington closed its town beach parking lot to non-residents.[54] Town officials stated the change was in response to an influx of people who would otherwise be visiting larger state beaches with limited capacity as a result of the COVID-19 pandemic.[55] The town manager explained that part of the motivation for turning away non-residents was that Barrington residents had difficulty finding parking, but also pointed to incidents of non-residents drinking alcohol on the town beach and some groups of people not social distancing.[56] The nearest parking to the town beach and nearby rights-of-way is located "at Nayatt Elementary School [when school is not in session, requiring a] walk roughly half a mile to the beach," or "the skate park

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[48] TIVERTON, R.I., CODE OF ORDINANCES §§ 78-72, 78-112.
[49] *Id.* § 78-101.
[50] Antonia Noori Farzan, *Is this Wealthy RI Town Using Parking Tickets to Limit the Public's Access to the Beach?*, PROVIDENCE JOURNAL (July 22, 2021), https://perma.cc/N5UR-YTNV.
[51] Josh Bickford, *Barrington Beach Parking Now Open to Non-Residents*, EAST BAY RI (Aug. 11, 2021), https://perma.cc/8FZK-2S55.
[52] Antonia Noori Farzan, *Is this Wealthy RI Town Using Parking Tickets to Limit the Public's Access to the Beach?*, PROVIDENCE JOURNAL (July 22, 2021), https://perma.cc/N5UR-YTNV.
[53] Antonia Noori Farzan, *Barrington Council Resists Adding Parking Near Right-of-Ways; Denies 'Classist Plot,'* THE PROVIDENCE JOURNAL (Oct. 5, 2021), https://perma.cc/MU2U-WGAL; Josh Bickford, *Barrington Beach Parking Now Open to Non-Residents*, EAST BAY RI (Aug. 11, 2021), https://perma.cc/8FZK-2S55.
[54] Josh Bickford, *Barrington Beach Parking Now for Residents Only*, EAST BAY RI (July 31, 2020), https://perma.cc/L7J2-FAVF; Josh Bickford, *Barrington Beach Parking Now Open to Non-Residents*, EAST BAY RI (Aug. 11, 2021), https://perma.cc/8FZK-2S55.
[55] Josh Bickford, *Barrington Beach Parking Now Open to Non-Residents*, EAST BAY RI (Aug. 11, 2021), https://perma.cc/8FZK-2S55.
[56] Josh Bickford, *Barrington Beach Parking Now for Residents Only*, EAST BAY RI (July 31, 2020), https://perma.cc/L7J2-FAVF.

on Legion Way, and then [a] walk about a mile and a half on busy roads with no sidewalks," resulting in a situation which makes getting to the coastline in Barrington difficult if it requires driving from farther away.[57] During the last half of the summer of 2021, non-residents were allowed to park at the town beach during the week.[58] It is noteworthy that Rhode Island state beaches reopened at full capacity during the summer of 2021, yet the Barrington Town Beach still restricted non-residents from using the beach.[59] Maintaining the weekend ban for non-residents, while state beaches were open at full capacity during summer 2021, suggests that denying parking to non-residents may stem from other reasoning.[60]

In addition to parking restrictions placed at its town beach, Barrington also prohibits on-street parking near many public rights-of-way near the coast.[61] The town manager has stated that the "National Fire Protection Association recommends that roads be at least 20 feet wide so that emergency vehicles can easily pass through, which means that a street would need to be at least 26 feet wide in order to also have room for parking."[62] Some town residents believe these parking restrictions effectively make the rights-of-way to the coast inaccessible.[63] Town officials responded to residents' frustration by conducting a study, measuring street widths to see whether they would have enough room to allow parking.[64] After the study was conducted, the town's fire chief found that up to twenty streets could accommodate on-street parking.[65] The town manager said the town will consider those results alongside "'subjective criteria' to decide [whether] some parking bans should stay, due to 'quality of life' concerns, [ultimately recommending] that [the] council remove parking restrictions from [thirteen] of the streets on the list, while keeping bans in place for seven others — including several near Barrington Beach, like Chachapacassett Road, Governor Bradford Drive and Highland Avenue."[66] The town manager has not consulted the town traffic engineer regarding parking and street width. Other concerns arose from "gridlock traffic" and the concern that parking in residential neighborhoods would "fundamentally change the town."[67]

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[57] Antonia Noori Farzan, *Is this Wealthy RI Town Using Parking Tickets to Limit the Public's Access to the Beach?*, PROVIDENCE JOURNAL (July 22, 2021), https://perma.cc/N5UR-YTNV.
[58] Josh Bickford, *Barrington Beach Parking Now Open to Non-Residents*, EAST BAY RI (Aug. 11, 2021), https://perma.cc/8FZK-2S55.
[59] Amy Russo, *McKee: RI State Beaches to Open to Full Capacity this Summer*, THE PROVIDENCE JOURNAL (Apr. 29, 2021), https://perma.cc/TN8S-MCAU.
[60] Josh Bickford, *Barrington Beach Parking Now Open to Non-Residents*, EAST BAY RI (Aug. 11, 2021), https://perma.cc/8FZK-2S55.
[61] *See* BARRINGTON, R.I., CODE OF ORDINANCES § 179-10.
[62] Antonia Noori Farzan, *Is this Wealthy RI Town Using Parking Tickets to Limit the Public's Access to the Beach?*, PROVIDENCE JOURNAL (July 22, 2021), https://perma.cc/N5UR-YTNV.
[63] *Id. ("*"I was pretty aggravated that there were these public access points that I, as a member of the public, could not access,' Block said.").
[64] Antonia Noori Farzan, *Is this Wealthy RI Town Using Parking Tickets to Limit the Public's Access to the Beach?*, PROVIDENCE JOURNAL (July 22, 2021), https://perma.cc/N5UR-YTNV.
[65] Antonia Noori Farzan, *Barrington Council Resists Adding Parking Near Right-of-Ways; Denies 'Classist Plot,'* THE PROVIDENCE JOURNAL (Oct. 5, 2021), https://perma.cc/MU2U-WGAL.
[66] *Id.*
[67] *Id.*

In Barrington, it seems that the most influential factor that influences on-street parking is street width. However, it also appears that less-clearly-defined subjective factors may influence parking, especially at the town's beach, near the town's coastline, and at rights-of-way in the Nayatt neighborhood.[68]

4 Westerly

Westerly, much like Narraganset, is home to a large state beach.[69] Like some other municipalities, Westerly has adjusted some parking regulations in response to limited state beach capacity at Misquamicut during the COVID-19 pandemic, some of which have remained in place after the beach reopened at full capacity in the summer of 2021.[70] Generally, parking regulations in Westerly are business oriented to ensure that parking is available near businesses through time-limited, on-street parking.[71]

In one instance, ensuring there was on-street parking for a local dance and gymnastics studio, for example, out-weighed one town council member's concern that parking was interfering with the flow of traffic.[72] The town council sought to remove parking from Canal Street over concerns that one member of the council believed that parked cars on the street made driving on it difficult and dangerous.[73] A similar attempt failed in an earlier session because it would harm local businesses. Local businesses rely on the on-street parking on Canal Street.[74]

In a recent decision, the town council also voted to restrict parking on Spray Rock Road, at a scenic overlook near a right-of-way, to a limit of three hours.[75] At an earlier town council meeting, "Police Chief Shawn Lacey said the department has received several complaints about the spaces being taken for longer stretches of time."[76]

Westerly has also taken a unique approach to enforcing parking regulations in Watch Hill. The town council voted to double some fines from $75 to $150, citing higher-than-usual non-compliance in the neighborhood after parking capacity at Misquamicut was reduced because of COVID-19.[77] After state beaches have opened back up at full capacity, the council has decided to continue implementing the fine and making it permanent.[78]

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[68] *Id.*
[69] RHODE ISLAND STATE PARKS, https://perma.cc/G6PN-9AHZ (last visited Oct. 31, 2021).
[70] Dale P. Faulkner, *Westerly Councilors Consider Canal Street Parking Ban*, THE WESTERLY SUN (Aug. 5, 2021), https://perma.cc/FM33-LZG7.
[71] *See id.*; WESTERLY, R.I., CODE OF ORDINANCES §§ 238-64 – 238-75.
[72] Dale P. Faulkner, *Westerly Councilors Consider Canal Street Parking Ban*, THE WESTERLY SUN (Aug. 5, 2021), https://perma.cc/FM33-LZG7.
[73] *Id.*
[74] *Id.*
[75] Dale P. Faulkner, *Lacey Sworn in as Acting Town Manager; Rooney Recalls his Time Fondly*, THE WESTERLY SUN (Sep. 21, 2021), https://perma.cc/FVK3-KWAA.
[76] Dale P. Faulkner, *Westerly Councilors Consider Canal Street Parking Ban*, THE WESTERLY SUN (Aug. 5, 2021), https://perma.cc/FM33-LZG7.
[77] Joe Wojtas, *Westerly Doubles Parking Fines to $150 in Beach Areas*, THE DAY (July 19, 2021), https://perma.cc/BX4D-5FNN.
[78] WESTERLY, R.I., CODE OF ORDINANCES § 238-73.

Overall, it appears that there has been a strong focus on providing parking for local businesses in Westerly and ensuring turn-over at parking spots in the town.[79] While many of these parking regulations may help in ensuring there is parking for business patrons, some regulations, such as the time-limited parking at the right-of-way near Spray Rock Road, have the potential to harm access to rights-of-way.[80]

5 Warwick

While not at the forefront on town council meeting discussions,[81] parking near the coast has led to some controversy surrounding improperly-placed no-parking signs.[82] Recently, the town has faced a problem of improperly-placed "No Parking" signs and has attempted to reassess parking in the area to determine where parking should be allowed.[83] In that study, the City of Warwick has used street width as metric for determining whether streets can accommodate parking.[84]

Recently, improperly placed "no-parking" signs, some decades-old, have drawn criticism.[85] Many are placed near the coastline.[86] In the past, city officials have installed "no-parking" signs at residents' requests without any ordinance permitting the sign, and some residents have even installed signs themselves.[87] These signs were not approved by the town council and do not carry legal authority.[88] In response, Warwick has begun a traffic study to determine which signs should be allowed to stay after approval from the town council.[89] In addition to residents' requests, city officials use street width as criteria to determine if parking can be added: "To decide which signs actually serve a legitimate purpose, police have been measuring the width of each street to determine if there's adequate room for parking and observing the volume of traffic.[90] City staffers and council members have also been talking to residents to get input on which "No Parking" signs should stay."[91] Since beginning the process of reconciling improperly-placed signs with city ordinances, "the city has

[79] Dale P. Faulkner, *Westerly Councilors Consider Canal Street Parking Ban*, THE WESTERLY SUN (Aug. 5, 2021), https://perma.cc/FM33-LZG7.
[80] Dale P. Faulkner, *Lacey Sworn in as Acting Town Manager; Rooney Recalls his Time Fondly*, THE WESTERLY SUN (Sep. 21, 2021), https://perma.cc/FVK3-KWAA.
[81] Audiotape: City Council Meeting, City of Warwick (Sep. 20, 2021), http://audio.warwickri.gov/citycouncil/2021/warwickcitycouncil-09-20-21b.mp3.
[82] Antonia Noori Farzan, *Waterfront Warwick neighborhoods are full of 'No Parking' signs. Many aren't legal.* THE PROVIDENCE JOURNAL (Sep. 22, 2021), https://perma.cc/FE6F-W4JS.
[83] *Id.*
[84] *Id.*
[85] *Id.*
[86] R.J. Heim, *Signs, Signs Everywhere in Warwick, but Some aren't What They Seem*, WJAR (Sep. 22, 2021), https://perma.cc/BD5D-QTFB.
[87] Antonia Noori Farzan, *Waterfront Warwick neighborhoods are full of 'No Parking' signs. Many aren't legal.* THE PROVIDENCE JOURNAL (Sep. 22, 2021), https://perma.cc/FE6F-W4JS.
[88] *Id.*
[89] *Id.*
[90] *Id.*
[91] *Id.*

gotten pushback from only a small number of residents, [and t]he overwhelming majority [of residents] 'are just happy we're following a clear process' to determine which signs should stay."[92]

Overall, parking regulations in Warwick seems to have been influenced heavily in the past by coastal residents' complaints about parking. In recent years, the town has taken a more objective approach to determining whether on-street parking should be allowed by the coast, focusing on street width.[93] Considering the lack of public comment in a recent town meeting in which parking was on the agenda,[94] and generally positive interviews with city residents about removing improperly-placed signs by the coast,[95] Warwick generally seems less hostile toward allowing parking near rights-of-way. The town is currently in the process of rectifying the problem of improperly-placed "No Parking Signs," potentially creating the opportunity to hear from stakeholders.[96]

6 Conclusion

As a general matter, parking regulations are heavily influenced by local residents' desire to reduce the perceived burden of non-residents parking at or near the coastline, specifically at rights-of-way, including increased traffic, litter, and noise, among others.[97] Many residents do not believe parking is an essential component of coastline access.[98] By contrast, many people in support of easing parking regulations believe that the coastline is practically inaccessible to those that are not within walking distance and that much of the reasoning for stricter parking regulations is merely a guise for denying people access to the coast.[99] Such debates are currently playing out in towns like Barrington and Warwick, which are reevaluating their parking regulations.[100]

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[92] *Id.*
[93] *Id.*
[94] Audiotape: City Council Meeting, City of Warwick (Sep. 20, 2021), http://audio.warwickri.gov/citycouncil/2021/warwickcitycouncil-09-20-21b.mp3.
(No debate or public comment on series of parking restrictions passed with a unanimous vote.)
[95] Antonia Noori Farzan, *Waterfront Warwick neighborhoods are full of 'No Parking' signs. Many aren't legal.* THE PROVIDENCE JOURNAL (Sep. 22, 2021), https://perma.cc/FE6F-W4JS.
[96] *Id.*
[97] Narragansett Town Council, *Narragansett Town Council*, YOUTUBE (Jan. 4, 2021), https://youtu.be/-wiOz7_w-y8; *see* TIVERTON, R.I., CODE OF ORDINANCES § 78-101.
[98] Narragansett Town Council, *Narragansett Town Council*, YOUTUBE (Jan. 4, 2021), https://youtu.be/-wiOz7_w-y8; Antonia Noori Farzan, *Is this wealthy RI town using parking tickets to limit the public's access to the beach?*, PROVIDENCE JOURNAL (July 22, 2021), https://perma.cc/N5UR-YTNV.
[99] Antonia Noori Farzan, *Is this wealthy RI town using parking tickets to limit the public's access to the beach?*, PROVIDENCE JOURNAL (July 22, 2021), https://perma.cc/N5UR-YTNV;Narragansett Town Council, *Narragansett Town Council*, YOUTUBE (Jan. 4, 2021), https://youtu.be/-wiOz7_w-y8.
[100] Antonia Noori Farzan, *Waterfront Warwick neighborhoods are full of 'No Parking' signs. Many aren't legal.* THE PROVIDENCE JOURNAL (Sep. 22, 2021), https://perma.cc/FE6F-W4JS; Antonia Noori Farzan, *Is this wealthy RI town using parking tickets to limit the public's access to the beach?*, PROVIDENCE JOURNAL (July 22, 2021), https://perma.cc/N5UR-YTNV.

Town of Westerly
Rhode Island

DEPARTMENT OF
DEVELOPMENT SERVICES

Town Hall
45 Broad Street
Westerly, RI 02891

MEMORANDUM

DATE: **October 12, 2016**

TO: **Derrik Kennedy, Town Manager**

CC:

FROM: **Jay Parker, Zoning Official**

RE: **Westerly Rights-of-Ways Update Memo**

As a means of outlining where we are in current discussions and research associated with Town-wide Rights-of-Way (ROW) used for public access, this Memo outlines the extent of our research thus far. Initially, the Department of Development Services used GIS data and Tax Assessor information to determine current and potential Rights-of-Way (ROW) locations within the Town without taking ownership, legal easements, or State ROW designations into account. That research resulted in the initial identification of fifty (50) locations not including four (4) other Rhode Island Coastal Resources Management Council (CRMC) designated ROWs due to inconsistencies with their presumed locations.

On Wednesday, December 16, 2015 a Public Informational Meeting and Discussion was held at the Westerly Public Library where this topic was discussed with members of the public and various local and state authorities. Public comment and written responses associated with concerns with ROWs from that meeting (as well as those received thereafter) were reviewed and summarized by the Department. Those responses are also summarized herein.

Findings

After additional review and correction of the initial list, the identified public access ROWs list was reduced to forty-nine (49) locations after correcting several CRMC location discrepancies. This list includes CRMC Designated ROWs (currently legally existing), private property ROWs (as delineated on Tax Assessor's Maps), public property owned by the State of Rhode Island, record lots and non-record lots (areas associated with extensions or perpendicular segments of Town roadway ROWs) owned by the Town of Westerly, and property owned by the Westerly Municipal Land Trust, all of which provide access to either the Pawcatuck River, the Atlantic Ocean, or associated Salt Ponds within the Town. See attached Draft Plan for ROW locations.

In further refining this list (and aside from the eleven [11] locations already legally established as CRCM Designated ROWs), those locations that are owned by the State of Rhode (7) were eliminated from consideration as they are under State ownership and may not be appropriate for ROW designation at this time. This reduced the total number of potential locations to thirty-one (31) as indicated in Table 1.

Table 1: Total Overall Public Access Locations

	Existing	For Consideration
CRMC Designated ROWs	11	**0**
Private Property	1	**1**
State of Rhode Island	7	**0**
Town of Westerly	26	**26**
Record Lots	(3)	**-**
Non-Record Lots	(23)	**-**
Westerly Municipal Land Trust	4	**4**
Total	49	**31**

Table 2: Total Overall Public Access Locations

Priority Level	# of ROWs
A	16
A*x*	7
B	4
C	4
N/A	18
Total	**49**

The remaining thirty-one (31) locations were assessed by Staff and assigned with a 'Priority Level Index' corresponding to an approximated value as a public access point based on location and physical attributes which are summarized in Table 2. Those with high value were designated as Priority Level 'A' and reflect those locations that can support some form of public access (with or without parking) without apparent significant issue, pending title examination. Those designated Priority Level 'B' identify locations that represent marginal access points that may be impacted by the proximity of nearby residences and/or are located in an area with other ROW access points. Those identified as 'Priority Level 'C' indicate that ROW designation may not be appropriate given their proximity to residences, conspicuous locations, or other physical attributes. Locations where the Town has received public response challenging the ownership or legality of a public ROW designation are demarcated with an '*x*' immediately after their Priority Level designation.

Public Input

On Wednesday, December 16, 2015 and Thursday, June 23, 2016 public informational meetings and discussions were held in regards to ROWs in the Town where various stakeholders provided input on the topic. In addition to written commentary submitted to the Town, stakeholders voiced several general concerns regarding the overall status of ROWs, as well as concerns with specific locations that were or were not on the initial list developed by Staff. Commentary provided has been generally summarized and outlined below:

1. **General ROW Statements & Concerns**
   A. The Town should consider creating 'loading zones' at ROWs to better serve the public.
   B. Signage or additional signage should be installed for informational purposes. Stakeholders also questioned the legality of existing parking/signage restrictions at existing ROWs.
   C. The Town should consider installing bike racks at ROW locations.
   D. Clearly define the definition of access.
   E. Concerns regarding enforcement and the lack thereof.
   F. Clearly define and agree on the roles and responsibility of the Town Council and CRMC.

2. **Specific ROW Location Objections**
   A. **Shelter Harbor Fire District** - *Shelter Harbor Fire District includes only two public streets, part of Wagner Road and part of Rossini Road. Wagner Road terminates prior to the ROW at the end of it and the ROWs off of Rossini Road while adjacent to Rossini Road, are Shelter Harbor Fire District Property. All other roadways within the Shelter Harbor community are private and owned by the Fire District in fee simple - including property on Quonochontaug barrier beach known and as and accessed by the Sand Trail.*

      While this statement may be true, legal ownership would need to be confirmed via title examination if interest were maintained to include some or all of these locations for designation as Town ROW(s). The Rossini Road, Bach Road, and Schuman Road locations appear to be roadway extensions and not designated as parcels on Tax Assessor's Maps. The Sand Trail appears to be

designated as a parcel, however there is no parcel information on file associated with it.

B. **35 Ocean View Highway** - *Was a marked ROW (CRMC sign). Access ROW has been obfuscated. Had used this ROS since 1976 and recently learned that new property owners have blocked pathway access. (private property, no ROW indication, not apparent nor listed).*

There are is no indication at this point that this location was a ROW historically. There is a ROW (Oushwong Trail) located near this location but it is not located on or adjacent to 35 Ocean View Highway.

C. **Avondale Road** - *ROW was granted by Elizabeth Chapman, when she subdivided and sold her property on Avondale Road & deeded one large lot to the Westerly Land Trust, giving other neighbors/lots a private ROW in their deeds. Another respondent indicated they also had a Quit Claim Deed showing this is a private ROW.*

This is a parcel located adjacent to the 'Avondale Road' ROW that is on the list and therefore is not being considered for designation.

D. **Niantic Avenue** - Remove existing obstructions.

Historically, there have been obstructions placed in the roadway on Niantic Avenue to apparently prevent or deter shoreline access via this ROW.

E. **Sand Trail** - *Owned by the Weekapaug Fire District and its use is restricted by an Easement Agreement with the Town of Westerly dated April 19, 1998.*

This information has not yet been reviewed at this point in our research.

F. **Weekapaug Fire District** - *Owned by the Weekapaug Fire District and lies between 21 Spray Rock Road and other property owned by the Fire District. Access to this property is restricted to Weekapaug property owners who have deeded rights to this ROW. This is not a public ROW and is confirmed in a report of the Town Solicitor dated September 16, 2008.*

This information has not yet been reviewed at this point in our research, however, legal ownership would need to be confirmed via title examination if interest were maintained to include this location for designation as Town ROW.

G. **Williams Avenue** - *Privately owned by Elizabeth G. Riley via Quit Claim deed. Access is limited to those Weekapaug property owners who have a deeded right of access.*

In review of Tax Assessor's Map, this location appears to be a roadway extension and not delineated as a parcel, legal ownership would need to be confirmed via title examination if interest were maintained to include this location for designation as Town ROW.

H. **Kimball Ave & Atlantic Ave** - *Longtime beachgoers believed there was a ROW between 109 & 111 Atlantic Ave. at the intersection of Kimball Avenue.*

The Tax Assessor's Map does not indicate that there has been a legal ROW at this location nor is there any historical indication that it had been designated or used as such.

Going Forward

In taking the next steps in this project, the Town should determine which locations from the list should be considered for designation based on approach that would further public access while balancing potential disruptions to existing neighborhoods or areas where public access wasn't previously available. In doing so, all potential ROWs should be evaluated based on location and proximity to other ROWs, physical attributes, value of access in said location, and proximity to existing nearby residences or other establishments.

Once the list is refined and those locations desirous of ROW designation are selected another public informational hearing should be held to outline the findings and advise the general public as to which locations have been selected for designation. It may be appropriate at such time to have an Objection Form generated for distribution that would provide a means for someone to file a formal written objection and encourage them to submit any backup material with the objection form that they may have to support their dispute. It may also be appropriate to send letters announcing the public meeting to all property owner's within a certain distance of the ROW, as is done with legal public hearings held by the Zoning Board, Licensing Board, and Planning Board.

After the public informational meeting and receipt of Objection Forms, formal title examinations should be conducted to determine the legal status of these selected ROWs. Recently, Staff has discussed this project with Save The Bay (who is undertaking a similar project in recognizing other undesignated ROWs throughout the state) where they are performing similar title reviews of ROW locations by enlisting the help of the Roger Williams School of Law in conducting title research. After consulting with their legal counsel, Save The Bay has offered to share this service with the Town provided that our Town Solicitor is available to help provide guidance and be an additional resources at the local level. Further discussion with Save The Bay would be required to outline any additional details, particularly if our final ROW listing is considerable.

CRMC Designations

In completing the final list of ROWs, considerations should be made as to which of these ROWs the Town may want to suggest as becoming a CRMC Designated Right-of-Way. In doing so, ROWs that are formally designated as public by CRMC become subject to a level of protection which ensures the preservation of access to Rhode Island’s shore for this and future generations. In recent meetings with CRMC on this project it has been confirmed that CRMC will entertain and support any requests by the Town in pursuing CRMC designation on any legally-appropriate locations provided that the title examination of these locations is conducted. CRMC legal counsel will perform the back-end legal review to ensure designation is made appropriately.

Future Management

Into the future, Staff recommends assigning the management of Town Rights-of-Ways, inclusive of those that are CRMC Designated, to the Conservation Commission. In doing so the Conservation Commission would be responsible in ensuring that physical access remains open and that the ROWs are appropriately and cleanly maintained. One recommendation in doing so is for the Conservation Commission to consider an Adopt-A-Spot program whereby individual(s) or Associations can adopt a ROW and accept responsibility on periodic maintenance/clean-up.

Finally, a Management Plan (for all of the ROWs, collectively) should be developed and submitted to CRMC for approval. With a Management Plan in place, the Conservation Commission, potential Adopters, and the Town will have clear guidance on the limitations that each location may have and the level of improvement that can be made in these sensitive coastal areas that are subject to CRMC Rules & Regulations. Consideration should also be made as to potential improvements at specific ROWs to better serve public access and convenience, such as trash and/or recycling receptacles, bike racks, additional parking, loadings zones, etc.

Table 3: Identified Potential Rights-of-Way Locations

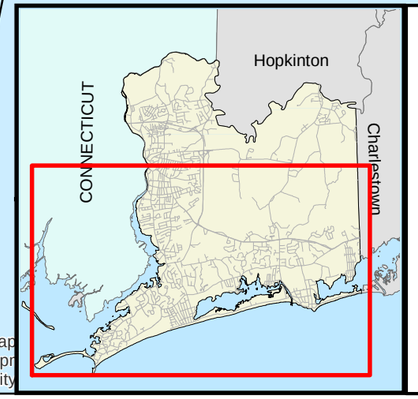
Name	Priority Level	Description	Parking	Ownership	CRMC Designated
Meadow Lark Drive	A	Meadow Lark Drive ROW	No (street extension)	Westerly Roadway ROW	No
Avondale Road	A	Located off southwest side of Avondale Road, marsh/wetland area	No (roadway)	Westerly Municipal Land Trust	No
Waters Edge North	A	End of road between residences	No (street extension)	Westerly Roadway ROW	No
Waters Edge South	A	End of road between residences	No (street extension)	Westerly Roadway ROW	No
Everett Avenue	A	End of road beach access	No (street extension)	Westerly Roadway ROW	No
Niantic Avenue	A	Side of road beach access	No (street extension)	Westerly Roadway ROW	No
Atlantic Avenue - West End	A	Western terminus of Atlantic Avenue	No (street extension)	Westerly Roadway ROW	No
Atlantic Avenue A	A	Opposite Maplewood Avenue	No (pathway only)	Town of Westerly	No
Atlantic Avenue B	A	Between Maplewood and Pleasant View Inn	No (pathway only)	Private	No
Atlantic Avenue C	A	Atlantic Avenue path to shore	No (pathway only)	Town of Westerly	No
Lookout at Weekapaug (Spray Rock Road)	A	Rocky beach lookout area with parking along Spray Rock Road	Yes (along roadway)	Westerly ROW	No
Harbor Drive	A	Westerly Land Trust property on Harbor Drive	No (Land Trust Property)	Westerly Municipal Land Trust	No
Shell Drive	A	Shell Drive	No (street extension)	Westerly Roadway ROW	No
Egret Lane	A	Egret Lane ROW	No (street extension)	Westerly Roadway ROW	No
Terrace Avenue	A	Terrace Avenue ROW	No (street extension)	Westerly Roadway ROW	No
Salt Pond Way	A	Salt Pond Way ROW	No (street extension)	Westerly Roadway ROW	No
Weekapaug Fire District ROW (Spring Ave)	A*x*	ROW between residence and Weekapaug FD Beach	No (Weekapaug FD?)	Westerly Roadway ROW	No
Sand Trail	A*x*	Weekapaug Fire District Beach Sand Trail	No (Weekapaug FD?)	Westerly Roadway ROW	No
Rossini Road #1	A*x*	Rossini Road ROW #1	No (Shelter Harbor FD?)	Westerly Roadway ROW	No
Bach Road	A*x*	Bach Road ROW	No (Shelter Harbor FD?)	Westerly Roadway ROW	No
Rossini Road #2	A*x*	Rossini Road ROW #2	No (Shelter Harbor FD?)	Westerly Roadway ROW	No
Schuman Road	A*x*	Schuman Road ROW	No (Shelter Harbor FD?)	Westerly Roadway ROW	No
Williams Avenue	A*x*	Williams Avenue ROW	No (Privately owned?)	Westerly Roadway ROW	No
Breach Drive	B	Breach Drive ROW	No (street extension)	Westerly Roadway ROW	No
Clam Shell Drive	B	Clam Shell Drive ROW	No (pathway only)	Westerly Roadway ROW	No
Snowberry Lane	B	Snowberry Lane ROW	No (pathway only)	Westerly Roadway ROW	No
Frank Hall Boat Yard North	B	Located immediately north of Frank Hall Boat	No (pathway only)	Westerly Roadway ROW	No

		Yard			
Name	**Priority Level**	**Description**	**Parking**	**Ownership**	**CRMC Designated**
Pasadena Avenue	C	Narrow strip between residences	No (pathway only)	Westerly ROW	No
Oushwong Trail	C	Between two residences, no access	No. Questionable	Westerly ROW	No
Westerly Land Trust Property at Winnapaug #1	C	Westerly Land Trust Property at Winnapaug #1	No (Land Trust Property)	Westerly Municipal Land Trust	No
Westerly Land Trust Property at Winnapaug #2	C	Westerly Land Trust property at Winnapaug #2	No (Land Trust Property)	Westerly Municipal Land Trust	No
Atlantic Avenue #1 (A-6)	N/A	Atlantic Avenue path to shore	No (pathway only)	Town of Westerly	Yes
Atlantic Avenue #2 (A-7)	N/A	Atlantic Avenue path to shore	No (pathway only)	Town of Westerly	Yes
Atlantic Avenue #4 (A-8)	N/A	On private property at 567 Atlantic Avenue	No	Private	Yes
Atlantic Avenue #5 (A-9)	N/A	Westerly Town Beach	Yes (actively used)	Town of Westerly	Yes
Atlantic Avenue #6 (A-10)	N/A	Between two residences	No (pathway only)	Private	Yes
Atlantic Avenue #8 (A-12)	N/A	On private property at 611 Atlantic Avenue	No	Private	Yes
Atlantic Avenue #7 (A-11)	N/A	Atlantic Avenue path to shore	No (pathway only)	Town of Westerly	Yes
Atlantic Avenue #9 (A-13)	N/A	Immediately west of the Windjammer	No (pathway only)	Town of Westerly	Yes
Bluff Avenue (A-2)	N/A	Walkway to East Beach	No (pathway only)	Westerly ROW	Yes
Frank Hall Boat Yard South (Lotteryville - [A-14])	N/A	Located immediately south of Frank Hall Boat Yard	No (street extension)	Westerly Roadway ROW	Yes
Manatuck Avenue (A-3)	N/A	End of road beach access	No (street extension)	Westerly Roadway ROW	Yes
RIDEM Boat Launch Downtown	N/A	RIDEM Boat Launch Downtown	Yes (actively used)	State of Rhode Island	No
RIDEM Weekapaug North-West	N/A	Over-flow breachway parking area and vegetated peninsula on north side of Atlantic Avenue behind Seafood Haven	Yes (State property)	State of Rhode Island	No
RIDEM Weekapaug South-East	N/A	Breachway parking area (east)	Yes (State property)	State of Rhode Island	No
RIDEM Misquamicut State Beach	N/A	RIDEM Misquamicut State Beach	Yes (actively used)	State of Rhode Island	No
Weekapaug Road ROW	N/A	Weekapaug Road ROW	No (roadway)	State of Rhode Island (Weekapaug Road ROW)	No
RIDEM Weekapaug North-East	N/A	Grass area off north-east corner of Atlantic Ave/Winnapaug Road Intersection	No	State of Rhode Island	No
RIDEM Weekapaug South-West	N/A	Breachway parking area (west)	Yes (State property)	State of Rhode Island	No

Name	*CRMC Designated*
Atlantic Avenue #1 (A-6)	Yes
Atlantic Avenue #2 (A-7)	Yes
Atlantic Avenue #4 (A-8)	Yes
Atlantic Avenue #5 (A-9)	Yes
Atlantic Avenue #6 (A-10)	Yes
Atlantic Avenue #7 (A-11)	Yes
Atlantic Avenue #8 (A-12)	Yes
Atlantic Avenue #9 (A-13)	Yes
Bluff Avenue (A-2)	Yes
Frank Hall Boat Yard South (Lotteryville - [A-14])	Yes
Manatuck Avenue (A-3)	Yes

Name	*CRMC Designated*
Atlantic Avenue - West End	No
Atlantic Avenue A	No
Atlantic Avenue B	No
Atlantic Avenue C	No
Avondale Road	No
Bach Road	No
Breach Drive	No
Clam Shell Drive	No
Egret Lane	No
Everett Avenue	No
Frank Hall Boat Yard North	No
Harbor Drive	No
Lookout at Weekapaug (Spray Rock Road)	No
Meadow Lark Drive	No
Niantic Avenue	No
Oushwong Trail	No
Pasadena Avenue	No
RIDEM Boat Launch Downtown	No
RIDEM Misquamicut State Beach	No
RIDEM Weekapaug North-East	No
RIDEM Weekapaug North-West	No
RIDEM Weekapaug South-East	No
RIDEM Weekapaug South-West	No
Rossini Road #1	No
Rossini Road #2	No
Salt Pond Way	No
Sand Trail	No
Schuman Road	No
Shell Drive	No
Snowberry Lane	No
Terrace Avenue	No
Waters Edge North	No
Waters Edge South	No
Weekapaug Fire District ROW	No
Weekapaug Road ROW	No
Westerly Land Trust Property at Winnapaug #1	No
Westerly Land Trust Property at Winnapaug #2	No
Williams Avenue	No

RIDEM Boat Launch Downtown
Meadow Lark Drive
Frank Hall Boat Yard North
Frank Hall Boat Yard South (Lotteryville - [A-14])
Westerly Land Trust Property at Winnapaug #2
Shell Drive
Harbor Drive
Westerly Land Trust Property at Winnapaug #1
Avondale Road
Misquamicut State Beach
Pasadena Avenue
Atlantic Avenue West End
Atlantic Avenue B
Atlantic Avenue A
Atlantic Avenue #9 (A-13)
Atlantic Avenue #5 (A-9)
Atlantic Avenue #7 (A-11)
Atlantic Avenue #6 (A-10)
Atlantic Avenue #2 (A-7)
Atlantic Avenue C
Atlantic Avenue #8 (A-12)
Atlantic Avenue #4 (A-8)
Atlantic Avenue #1 (A-6)
Snowberry Lane
Clam Shell Drive
Salt Pond Way
Terrace Avenue
Egret Lane
Weekapaug Road ROW
Breach Drive
Weekapaug North-West
Weekapaug South-West
Weekapaug North-East
Weekapaug South-East
Rossini Road #1
Bach Road
Rossini Road #2
Schuman Road
Williams Avenue
Sand Trail
Weekapaug Fire District ROW
Lookout at Weekapaug (Spray Rock Road)
Waters Edge North
Waters Edge South
Oushwong Trail
Manatuck Avenue (A-3)
Niantic Avenue
Everett Avenue
Bluff Avenue (A-2)



Town Right-of-Way Locations

Draft Plan

Legend

CRMC Designated

Other ROWs

March 2016 1 inch = 0.5 miles

Town of Westerly

Rhode Island

Sources: Esri, HERE, DeLorme, Intermap
Esri China (Hong Kong), swisstopo, Mapm
contributors, and the GIS user community

McGUNAGLE HENTZ, PC
ATTORNEYS AT LAW

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MEMORANDUM

TO: Derrik Kennedy, Town Manager

FROM: Nancy Letendre, Esq. AICP, Assistant Solicitor for Planning and Zoning

DATE: October 5, 2017

REGARDING: Westerly Rights-of-Way

I am in receipt of and have reviewed the Town Planner's March 14, 2016 Rights-of-Way memo and May 23, 2017 Rights-of-Way 'Phase I' memo. I have also conducted research into the title history and public records on the eight (8) 'Priority Level A Rights-of-Way' (ROW) suggested for formal CRMC designation. It is my opinion, that of these areas at least five (5) are public rights-of-way with access to tidal waters.

1. **Atlantic Avenue West End** – Atlantic Avenue is portrayed in the "Plat of Cottage Sites on Seaside Farm, Westerly Rhode Island. Belonging to B. Frank Clark, Earl C. Whaley, surveyor June 1903" (Bk 3 Page 30) and the subsequent "**Plat of Proposed Highway** through lands of WI & AA Saunders, BF Crandall & BF Clark, Pleasant View Beach, **January 1, 1905 (Bk 3 Page 29).**" Conveyances of parcels within the plat refer to the Atlantic Avenue. Thereby, title history does suggest a valid dedication for public use. While Town of Westerly records do not indicate a formal adoption of Atlantic Avenue as a public highway, Town records indicate that the municipality as plowed and maintained Atlantic Avenue for an extensive period of time.
2. **Everett Avenue** – Through **a quit claim deed dated October 27, 1890 and recorded September 9, 1891 in Book 30 at page 108** owners conveyed certain roads and avenues within the "Everett Farm Plat" to the Town of Westerly "for use and benefit of the public for road purposes only" including Niantic, Ninigret, **Everett,** Noank, Aquidneck, Sunset, Wauwinnett, Pawcatuck Avenues, Meadow Lane and The Westerly Road. Yet this conveyance excluding other roads and avenues in the Plat. *See also* "Plat of Cottage Sites, Everett Farm, Watch Hill, Washington County, State of Rhode Island made by Jacob S. Burnett, Lyneas Norton, Walter St. John Jones, Cincinnati, August 1, 1886, M. D. Burke, surveyor" September 17, 1886 (Bk 2 Page 21).

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3. **Terminus of "Meadow Lark Drive"** - While title history shows both an intent to allow public access to all the roadways in the former "Riverdale Gardens", the terminus of Meadow Lark Drive at the Pawkatuck River has never been "open" to public access. A "paper street", this portion of right-of-way requires the town to create and maintain access, an affirmative action indicating its acceptance, to be formally adopted as a public right-of-way. *See* "Dower Realty Company, Riverdale Gardens Westerly RI; scale 1 inch - 100 ft, revised to March 15, 1965." April 9, 1965 (Bk 10 Page7). *See also* deed dated July 16, 1965 from Dower Realty Company to James M. Davis and Margaret D. Davis of Lot 75 as shown on the Plat (Bk 86 page 411) 7/16/1965. "Conveyance is made together with the right to use all the avenues, roads, and streets and lanes designated on said Plat as now maybe open or maybe here after open for public ways for all purposes for which streets and highways are customarily used in said town of Westerly until such time as said Avenues, roads, streets and lanes are accepted by the town of Westerly or other authority as public highways." The open portion of Meadow Lark Drive and the other roadways in the area have been plowed and maintained by the municipality for an extensive period of time.
4. **Terminus of Terrace Avenue** - Although no specific deeds appear to be made to the town concerning this area, they have been clearly set out and designated in a recorded plat and subsequent conveyances of parcels within Weekapaug Terrace would appear to indicate a dedicative intent. "Plat of Weekapaug Terrace, Weekapaug Westerly Rhode Island scale 1' -80 ft; April 1924, Rossi and Lewis engineers." filed 4-1-1924 (Bk 3 Page 17). Terrace Avenue and the other roadways in the area have been plowed and maintained by the municipality for an extensive period of time.
5. **Lookout at Weekapaug –** Although no specific deeds appear to be made to the town concerning the streets of Weekapaug, they have been clearly set out and designated in a recorded plat and subsequent conveyances of parcels within Weekapaug would appear to indicate a dedicative intent. "Map of Building Sites at Weekapaug Point, Weekapaug Westerly Rhode Island scale 1' -80 ft; 1886 John L. Kenyon." filed March 11, 1915 (Bk x Page x). In this very early Plat, this portion of roadway is clearly indicated as a private way. By 1920, this portion of roadway was part of Meadow Avenue. *See* Map of Weekapaug Beach, dated August 27, 1920, revised April 1939, recorded on October 16, 1939 (Bk 6, Page 91). Meadow and Ninegret Avenues, including the portion now known as Spray Rock, and the other roadways in Weekapaug have been plowed and maintained by the municipality for an extensive period of time.

Atlantic Avenue 'A' and Atlantic Avenue 'C' - Despite their appearance on the Tax Assessors Map, I have found no information in the land evidence records that would indicate that the right-of-way at these two locations are "owned" by the Town of Westerly. Both locations appear on very early plat maps as rights-of-ways but there is no indication that they have been maintained by the municipality. Without further information, dedication and acceptance for public use at these two locations remains at issue.

Atlantic Avenue 'A' – Located at the terminus of Maplewood Avenue, this "10 foot wide strip from Atlantic Avenue running 50 ft" was **deeded as "a right-of-way only" from Thorp & Trainer Inc. to Samuel H. Davis**, March 12, 1925 (Book 49, Page 421) along with the majority of land including in plat "Revised Plan of Misquamicut Park, Property of Samuel H. Davis 1921, revised July 1924." July 24, 1925 (Bk 6, Page 45). Subsequent conveyances of parcels from the original Davis plat appear to grant property owners a private easement. "It is agreed and understood between the parties that the grantee herein named shall have and use with others of **the ten foot right of way of Samuel H. Davis from Atlantic Avenue to the ocean beach**, said right of way being located near the foot of Maplewood Avenue as shown on the plat."

Atlantic Avenue 'C' - Existing now as AP 167, Lot 10, it is referenced in a recent deed to Lot 11, 433 Atlantic Avenue, as a 12-foot right-of-way. Lot 11 is formerly known as parcel number 58 on "Plan of Pleasant View Beach Lots, Town of Westerly, R.I. scale 200ft to the inch by C. E. Chandler and S. B. Palmer, engineer's, Norwich Connecticut 1909." (Book 2 page 13) Lot 11 is described in part as "bounded northerly by Atlantic Avenue, westerly by land now or formerly of Anna C McNamara, southerly by the Atlantic Ocean, and easterly by a 12-foot right-of-way." (Book 365 page 140) Deed 12-6-1990 Bryden.

Niantic Avenue - While certain roads and avenues within the Everett Farm plat were deeded to the Town of Westerly "for use and benefit of the public for road purposes only", the area of the "sand trail" was excluded. Without clear information supporting dedication and acceptance for public use, beach access at this location must be considered private.

Through **a quit claim deed dated October 27, 1890 and recorded September 9, 1891 in Book 30 at page 108** owners conveyed certain roads and avenues within the "Everett Farm Plat" to the Town of Westerly "for use and benefit of the public for road purposes only" including **Niantic**, Ninigret, Everett, Noank, Aquidneck, Sunset, Wauwinnett, Pawcatuck Avenues, Meadow Lane and The Westerly Road. Yet this conveyance excluding this unnamed avenue to the beach (now a sand trail), Manatuck Avenue and Kidd's Way.

Town of Westerly

Harbor Management Plan

2016 Revised 10/28/19

As Adopted by the Westerly Town Council, October 28, 2019

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INTRODUCTION

The Westerly Harbor Plan is formulated in order to regulate the Town's coastal water resource uses with a long range vision for controlled growth and development of harbor and shoreline areas.

The legislative authorities are from the state, including the Rhode Island Coastal Resources Management Council and the Department of Environmental Management. In 1971 The General Assembly (RIGL 46-23) gave jurisdiction to CRMC to manage tidal waters below the high tide which are held in trust for the public, including the Special Area Management Plan (SAM) for the coastal ponds. The approval of municipal Harbor Management regulations and plans is stated under Section 300.15 of CRMC.

The Department of Environmental Management (DEM) has primary responsibility for implementing requirements of the Federal Clean Water Act, to protect and improve water quality standards.

The DEM Division of Fish and Wildlife manages fin and shell fisheries within the state for propagation, transplanting and protecting shellfish.

Chapter 4 of Title 46 of the General Laws of Rhode Island (Harbors and Harborlines) grants certain regulations by municipalities for public waters in their jurisdiction.

Activities can be controlled by Ordinance and an appointed Harbormaster.

Federal authority comes from the U.S. Army Corps of Engineers, requiring permits for all work subject to the ebb and flow of the tide, and regulation of navigation.

The role of the Harbor Management Plan (HMP) is to gather information, decide on issues, and implement the Ordinance. Required elements as per CRMC are:

1. Public Access
2. Water Quality
3. Mooring Management
4. Storm Preparedness
5. Any additional issues that a municipality wishes to address may also be included in the HMP.

The Plan must coordinate with the Comprehensive Plan (landside plan) of Westerly, and be approved by the Westerly Town Council and Coastal Resources Management Council.

Success for the Plan should also include cooperation with the Pawcatuck, Connecticut Harbor Plan for the river which is now in progress.

WESTERLY HMC MISSION STATEMENT

Three bodies of water act as boundaries to Westerly's coastal areas: the Pawcatuck River, which separates Westerly, Rhode Island from Pawcatuck, Connecticut; the Atlantic Ocean, which forms Westerly's shoreline boundary to the south and west; and Quonochontaug Pond to the east, shared by the Town of Westerly and the Town of Charlestown. There are also several salt ponds within Westerly's boundaries. All of these bodies of water define and accent the overall character of Westerly and are sought after as destinations by scores of visitors during the summer months.

The Westerly Harbor Management Planning Committee has been tasked with creating a Harbor Management Plan for these significant town resources. This plan must meet the acceptance criteria mandated by the Rhode Island Coastal Resources Management Council (CRMC) as it will become a state-approved Harbor Management Plan. The plan intends:

1. To encourage the responsible use of all of Westerly's waters and shoreline resources.
2. To provide for management and balance in the equitable distribution of commercial, transient and private moorings.
3. To preserve, maintain and expand public access to the water and waterfront in order to maximize the ability of residents and visitors to enjoy all coastal and marine resources.
4. To work with appropriate agencies in order to improve water quality.
5. To preserve CRMC water types; to provide for recreational and commercial interests while protecting open space, scenic vistas and wildlife habitats, wherever practicable.
6. To promote boating safety by monitoring and controlling speed limits, no-wake zones and noise factors while designating various zone activities and intensities.
7. To work hand-in-hand with all marine, harbor and environmental agencies at the local, state and federal levels, including coastal management programs of the towns of Stonington and Charlestown.
8. To address storm preparedness with the Town of Westerly, in order to establish or maintain policies that reduce damage from storms, especially for mooring-holders and all shoreline users.
9. To establish management review and dispute settlement procedures—such as appeals and fair-hearings—for relevant Harbor Management Committee policies and practices.

PHYSICAL DESCRIPTION

Westerly is mostly surrounded by water.

Starting on the East at the Charlestown line one and one quarter miles of barrier beach separate the Atlantic Ocean from Quonochontaug Pond culminating in a rocky peninsula at Weekapaug. A breach way one half mile east of the Town line in Charlestown provides access from the pond to the Atlantic Ocean.

From Weekapaug another five and three quarter miles of barrier beach extends all the way to Watch Hill Point. A breach way at Weekapaug provides access to Winnapaug pond which runs behind the Eastern half of the beach. Further west behind the beach is landlocked Maschaug Pond.

From Watch Hill Point a third barrier beach runs a mile and a half to Napatree Point and on its North or inshore side forms the Southern boundary of Little Narragansett Bay. The waters from Watch Hill Point to Napatree and between the shore and a range of reefs several hundred yards offshore are a major entrance from the ocean to Fishers Island Sound and beyond it to Long Island Sound. The tides run strong in Watch Hill Passage making the reef a favorite fishing spot.

Little Narragansett Bay is bounded on the West by the remnants of Sandy Point. Before the 1938 hurricane Sandy Point was an extension of Napatree and ran all the way North to the Connecticut shore where the Federal channel entered the Bay. Over the years the breach between Napatree and Sandy Point widened, Sandy Point separated into two (as shown in the picture above), then three smaller Islands and in the winter of 2007/8 the two southernmost islands disappeared and now (2009) only the northernmost remains.

There is now a mile of open water between Sandy Point and Napatree. Eroding sand from both ends has migrated into the Bay developing extensive shoals. A natural channel lies near the Southern (Napatree) shoal. It is privately marked in the summer and extensively used by small boats entering and leaving the Bay.

Little Narragansett Bay is bounded on the North by the Connecticut shore and on the East by the Rhode Island shore starting at Watch Hill Cove at the South, Foster Cove, Potter Cove, and Colonel Willie Cove to the North to the Pawcatuck River entrance. The tides run strong in Watch Hill Passage making the reef a favorite fishing spot and a boon for Westerly's commercial fishing fleet.

The Pawcatuck River, deriving its name from the Native American term, Paquatuck, meaning "clear, open or shallow tidal river", forms part of the border between Rhode Island and Connecticut. The River and its watershed span an area of 317 square miles – 260 in Rhode Island and 57 in Connecticut, stretches 23 miles North to South and 20 miles East to West and discharges 40,500 cubic feet per minute of fresh water into the estuary between Westerly and Pawcatuck Connecticut.

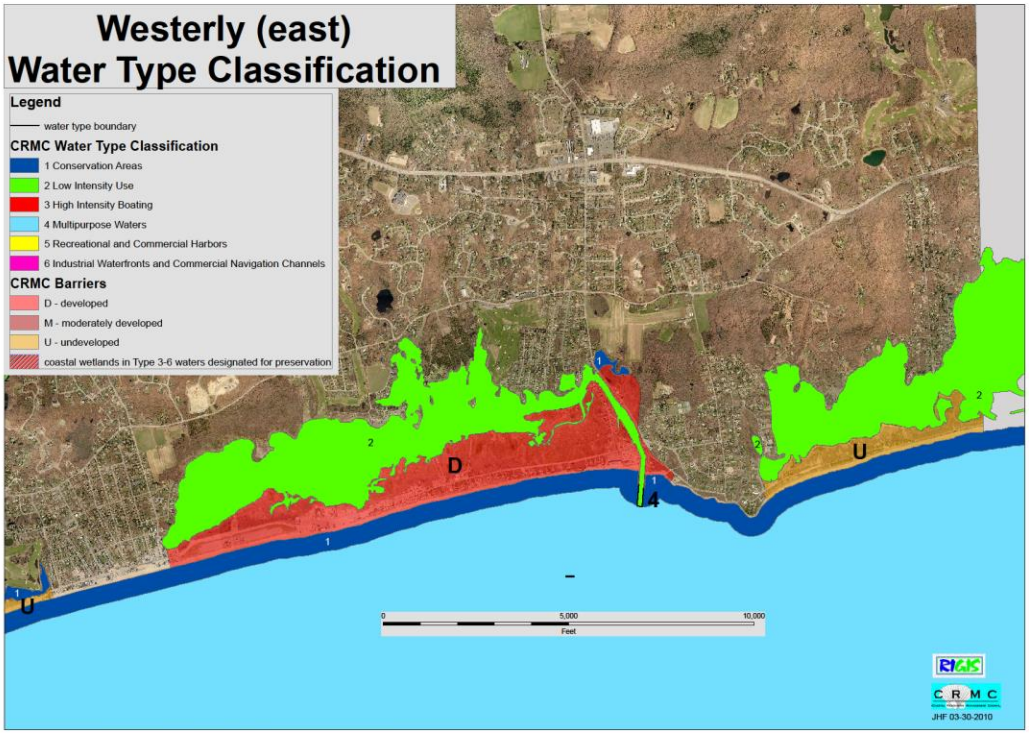
Harbor Boundaries

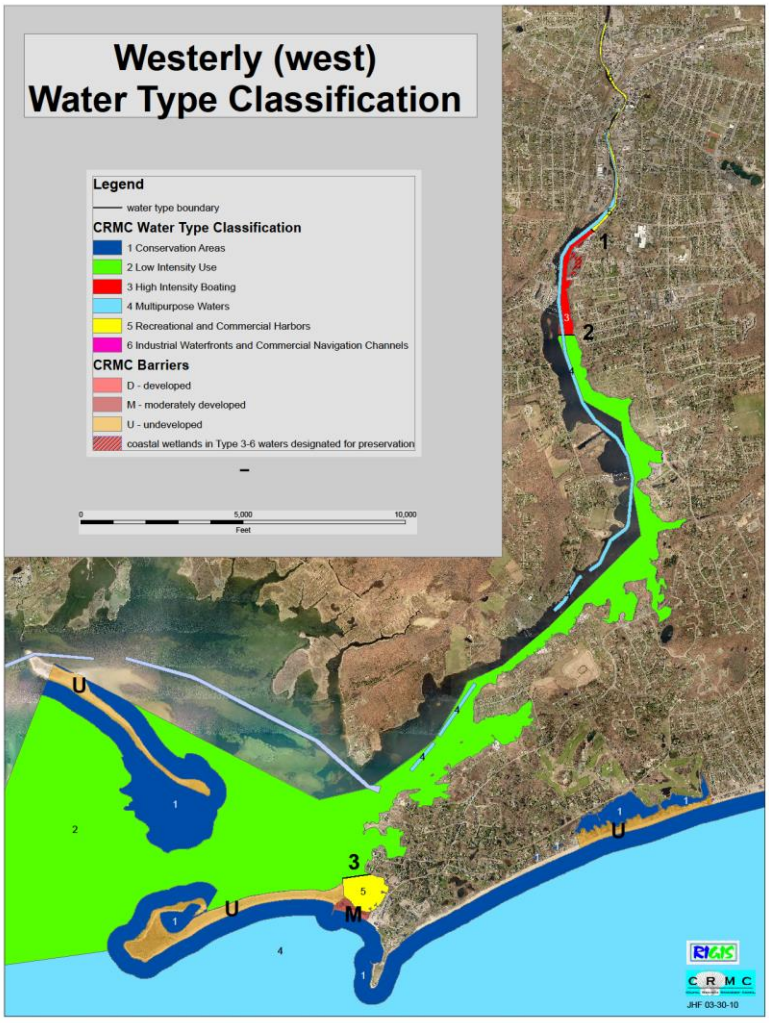
For the purpose of this Harbor Management Plan, the Harbor District consists of the waters of the Atlantic Ocean and Fishers Island Sound, as measured 500 feet from the shore, all of Quonochontaug Pond East to the Charlestown town line, all of Winnapaug Pond, the Rhode Island portion of Little Narragansett Bay to the Connecticut border and the Rhode Island side of the Pawcatuck River to the head of navigation in downtown Westerly.

Water Depths

Water depths in Quonochontaug Pond are estimated to be between five and nine feet although there are holes up to sixteen. Winnapaug Pond is estimated to be three to five feet with one hole of fourteen. Water depths in Little Narragansett Bay and the Pawcatuck River are shown on NOAA chart 13214. NOAA chart 13215 illustrates the southern shoreline from Watch Hill Point to Point Judith. There are no depths recorded on this chart for Winnapaug and Quonochontaug Ponds. The Federal channel is dredged to six feet at the Bay entrance at Sandy Point, seven feet to Pawcatuck Point decreasing to 4.1 feet in downtown Westerly. The Southerly extension to Watch Hill Cove is dredged to 9 feet. The informal "Cut", between Napatree Point and Sandy Point is generally five feet but three or four going over the bar on the Fishers Island Sound side.

Water Use Designations





Priority Uses

DEM, Division of Water Resources, has established surface water quality standards for the various harbors, inlets and waterways of the state. CRMC classifies the types of activities that can be conducted in the waters and on the adjacent lands.

DEM's four surface water quality classifications for seawater are described below:

Class SA - These waters are designated for shellfish harvesting for direct human consumption, primary and secondary contact recreational activities, and fish and wildlife habitat. They shall be suitable for aquacultural uses, navigation, and industrial cooling. These waters shall have good aesthetic value.

Class SB - These waters are designated for primary and secondary contact recreational activities; shellfish harvesting for controlled relay and depuration; and fish and wildlife

habitat. They shall be suitable for aquacultural uses, navigation, and industrial cooling. These waters shall have good aesthetic value.

Class SB1 - These waters are designated for primary and secondary contact recreational activities and fish and wildlife habitat. They shall be suitable for aquacultural uses, navigation, and industrial cooling. These waters shall have good aesthetic value. Primary contact recreational activities may be impacted due to pathogens from approved wastewater discharges. However all Class SB criteria must be met

Class SC - These waters are designated for secondary contact recreational activities, and fish and wildlife habitat. They shall be suitable for aquacultural uses, navigation, and industrial cooling. These waters shall have good aesthetic value.

The DEM surface water quality standards for the tidal waters in Westerly follow:

Tidal Pawcatuck River from Route 1 highway bridge to Pawcatuck Rock: **SB1**

Tidal Pawcatuck River from Pawcatuck Rock to a line from Rhodes Point, RI to Pawcatuck Point, CT. Westerly – **SB**

Little Narragansett Bay west of a line extending from Pawcatuck Point in Connecticut to Rhodes Point in Rhode Island, excluding the area described below: **SA**

Little Narragansett Bay including Watch Hill Cove, southeast of a line from the northernmost extension of land that forms Napatree Point to the westernmost point of land on the south side of the mouth of Fosters Cove: **SA{b}**

There are six water types defined by the CRMC. These are linked to the characteristics of the shoreline, as the activities on the adjacent waterfront are the primary factors determining the quality and uses of specific water sites.

Type 1
Waters abut shorelines in a natural undisturbed condition and are generally classified as conservation areas, with the goal of preserving and protecting these waters from adverse uses and activities. Included in this category is one or more of the following: (1) water areas that are within or adjacent to the boundaries of designated wildlife refuges and conservation areas, (2) water areas that have retained natural habitat or maintain scenic values of unique or unusual significance, and (3) water areas that are particularly unsuitable for structures due to their exposure to severe wave action, flooding, and erosion.

The Council's Goal is to preserve and protect Type 1 waters from activities and uses that have the potential to degrade scenic, wildlife, and plant habitat values, or which may adversely impact water quality or natural shoreline types.

Type 1 areas - Napatree Point, Sandy Point, the southern coastline, and a small northeast portion of Winnapaug Pond.

Priority uses include: Fishing, swimming, wildlife areas, conservation uses, and low intensity recreational activities.

Type 2
Low Intensity Use Areas: The Council's goal is to maintain and, where possible, restore the high scenic value, water quality, and natural habitat values of these areas, while providing for low-intensity uses that will not detract from these values. This category includes water in areas with high scenic values that support low-intensity recreational and residential uses. These waters include seasonal mooring areas where good water quality and fish and wildlife habitat are maintained.

Type 2 areas – Little Narragansett Bay, the Pawcatuck River up to Pier 65 Marina, The majority of Winnapaug Pond and Quonochontaug Pond.

Priority uses include: Fishing, swimming, conservation areas, maintenance of existing navigational channels, transient anchorage areas, residential boating facilities, launching ramps.

Type 3
High Intensity Recreational Boating Areas: The Council's goal is to preserve, protect, and where possible, enhance Type 3 areas for high-intensity boating and the services that support this activity. This category includes intensely utilized water areas where recreational boating activities dominate and where the adjacent shorelines are developed as marinas, boatyards, and associated water-enhanced and water-dependent businesses.

Type 3 area – The Pawcatuck River from Pier 65 to the Stillman Avenue bridge is the only area designated as Type 3.

Priority uses for Type 3 Waters include: public launching ramps, boatyards, marinas,

Type 4
The Council's goal is to maintain a balance among the diverse activities that must coexist in Type 4 waters. The changing characteristics of traditional activities and the development of new water-dependent uses shall, where possible, be accommodated in keeping with the principle that the Council shall work to preserve and restore ecological systems.

Type 4 areas – The designated channel from the Connecticut border up the Pawcatuck River is designated as Type 4.

Priority uses include: Recreational fishing, boating, water-dependent commercial, industrial, and/or high-intensity recreational activities.

Type 5

Commercial and Recreational Harbors: The Council's goals are to maintain a balance among diverse port-related activities, including recreational boating, commercial fishing, restaurants, and other water-enhanced businesses; to promote the efficient use of space; and to protect the scenic characteristics that make these areas valuable to tourism. These waters are adjacent to waterfront areas that support a variety of tourist, recreational, and commercial activities.

Type 5 areas – The only Type 5 area in the Town of Westerly is Watch Hill Cove.

Priority uses include: Berthing, mooring, servicing of recreational crafts, commercial fishing vessels or ferries, water-dependent, water-enhanced commerce, maintenance of navigational channels and removal of obstructions to navigation.

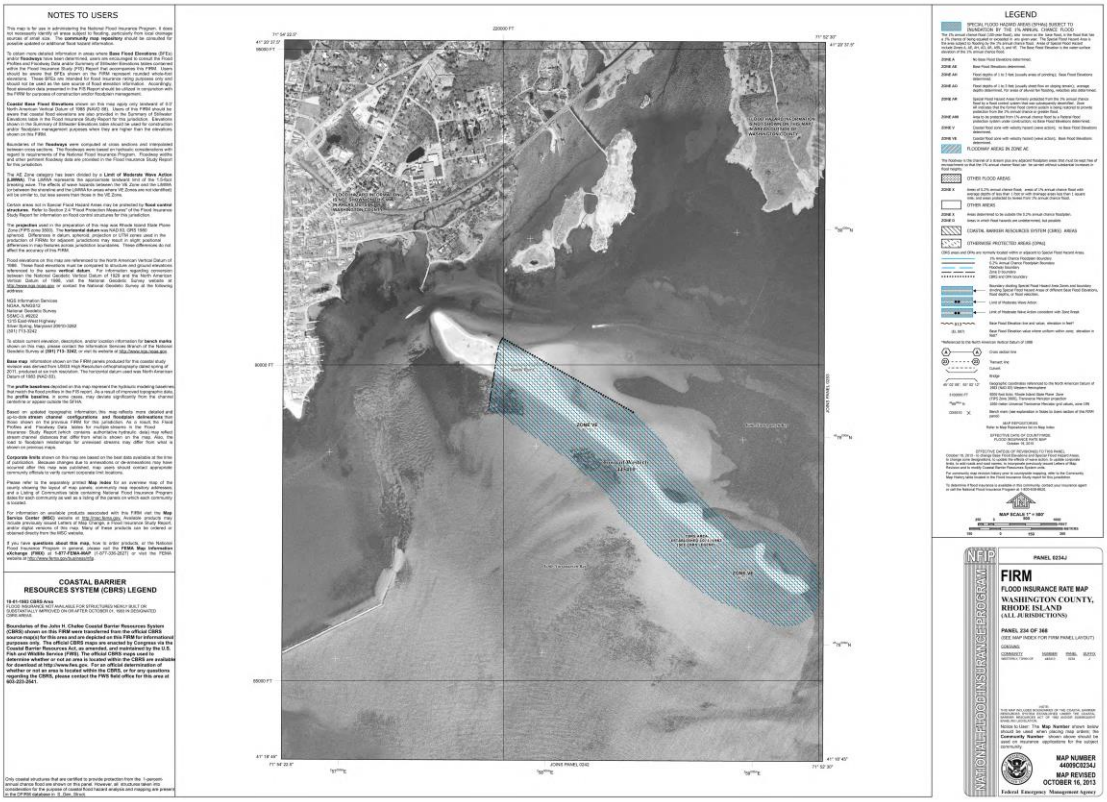
Type 6

There are no Type 6 designated areas in the Town of Westerly

FEMA Flood Plain Maps

1. Sandy Point
2. Napatree Point – Western End
3. Napatree Point – Eastern End to Winnapaug Pond
4. Block Island Sound
5. Quonochontaug Pond West
6. Quonochontaug Pond East
7. Quonochontaug Pond - Breachway
8. Pawcatuck River – South
9. Pawcatuck River – Mid
10. Pawcatuck River - South

Flood Plain Maps FEMA V-Zones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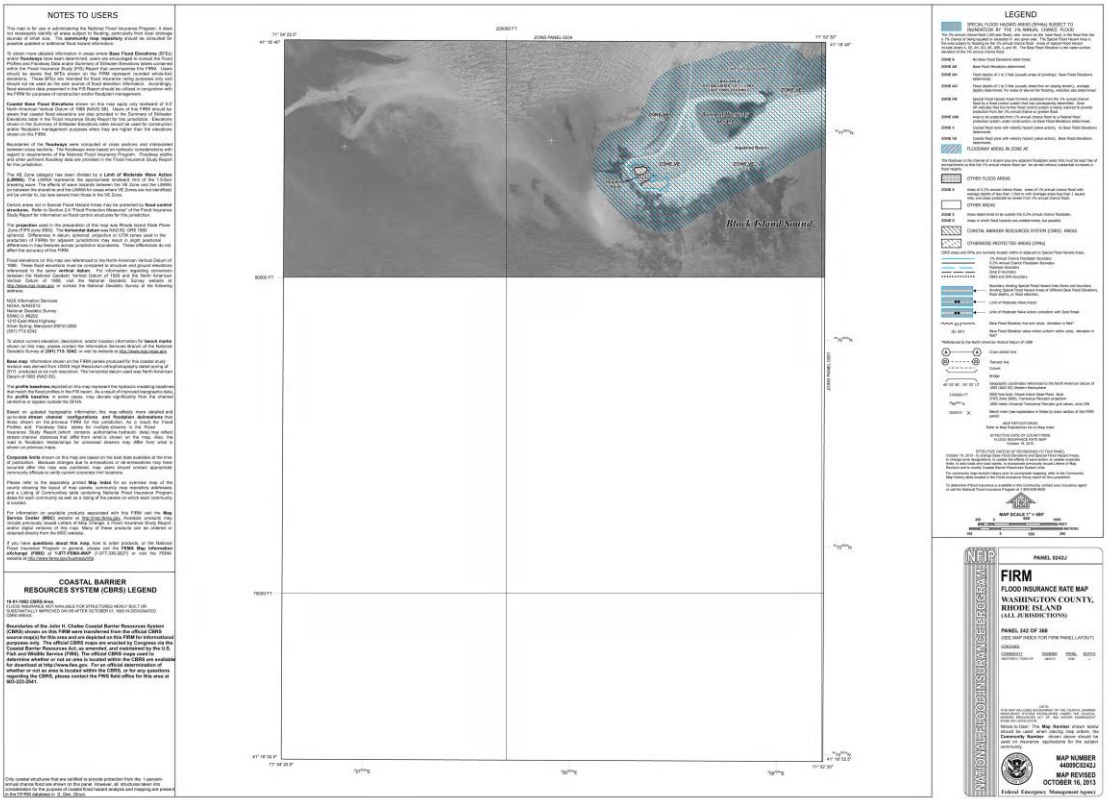
MAP REVISED OCTOBER 16, 2013
Federal Emergency Management Agency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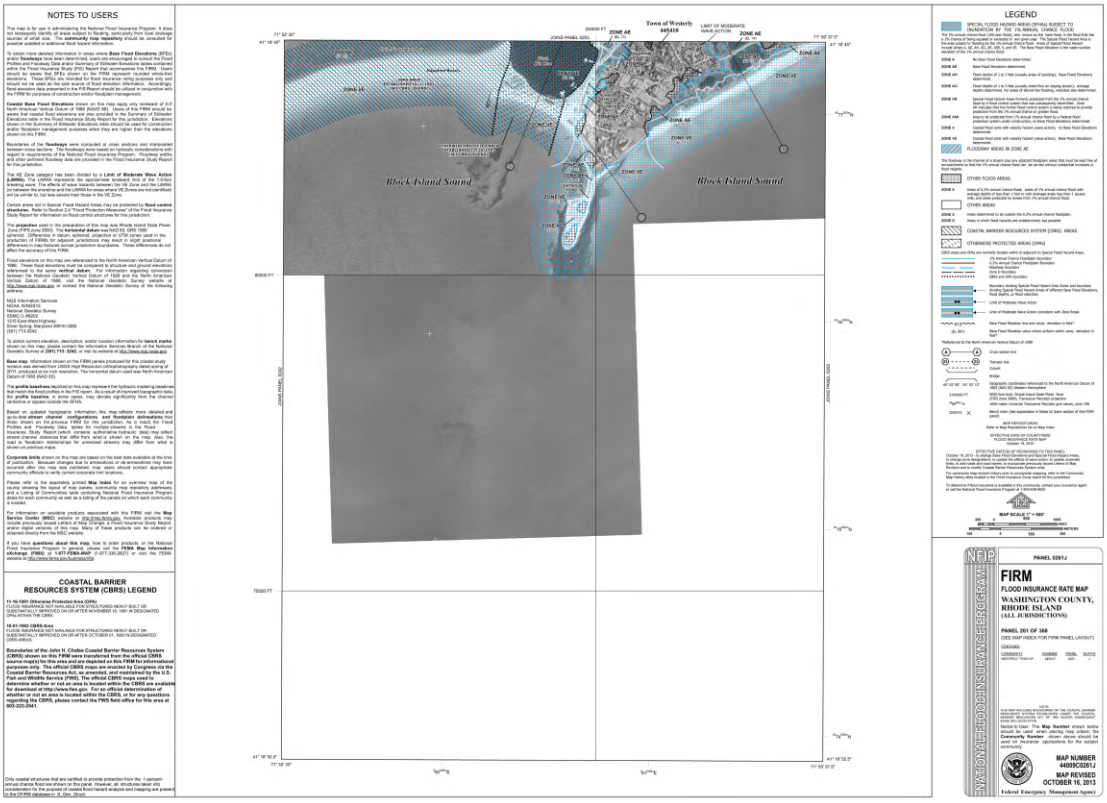
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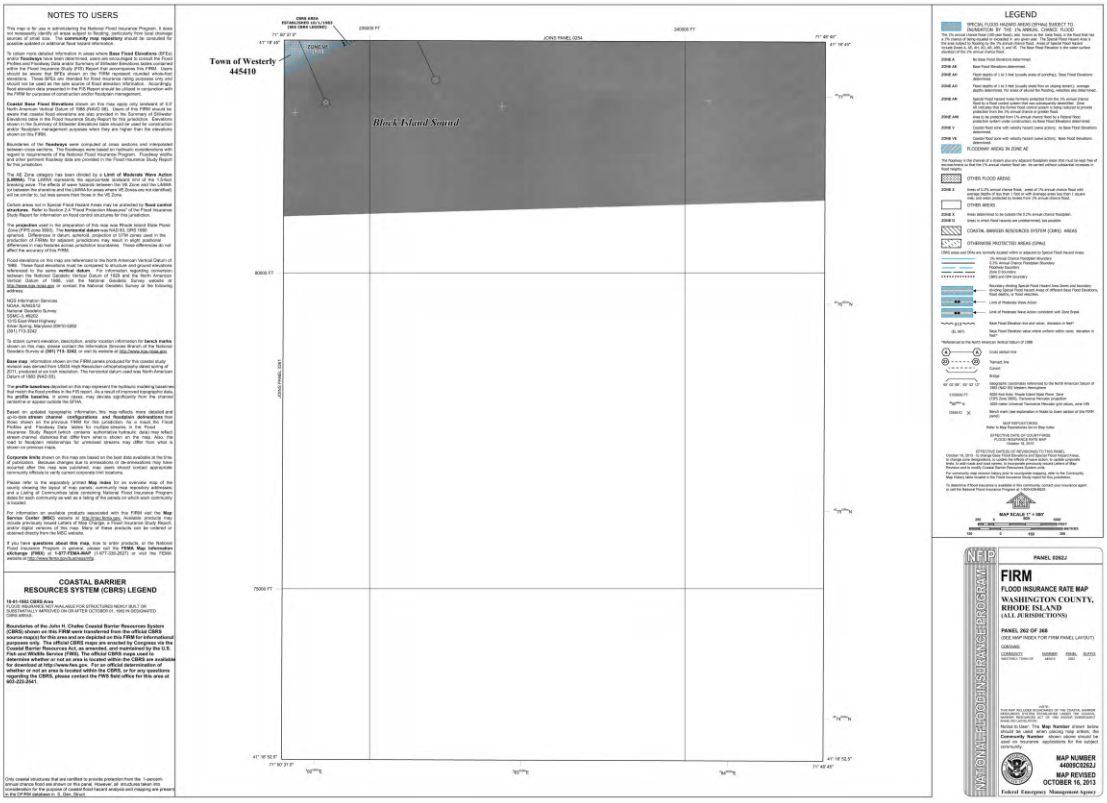
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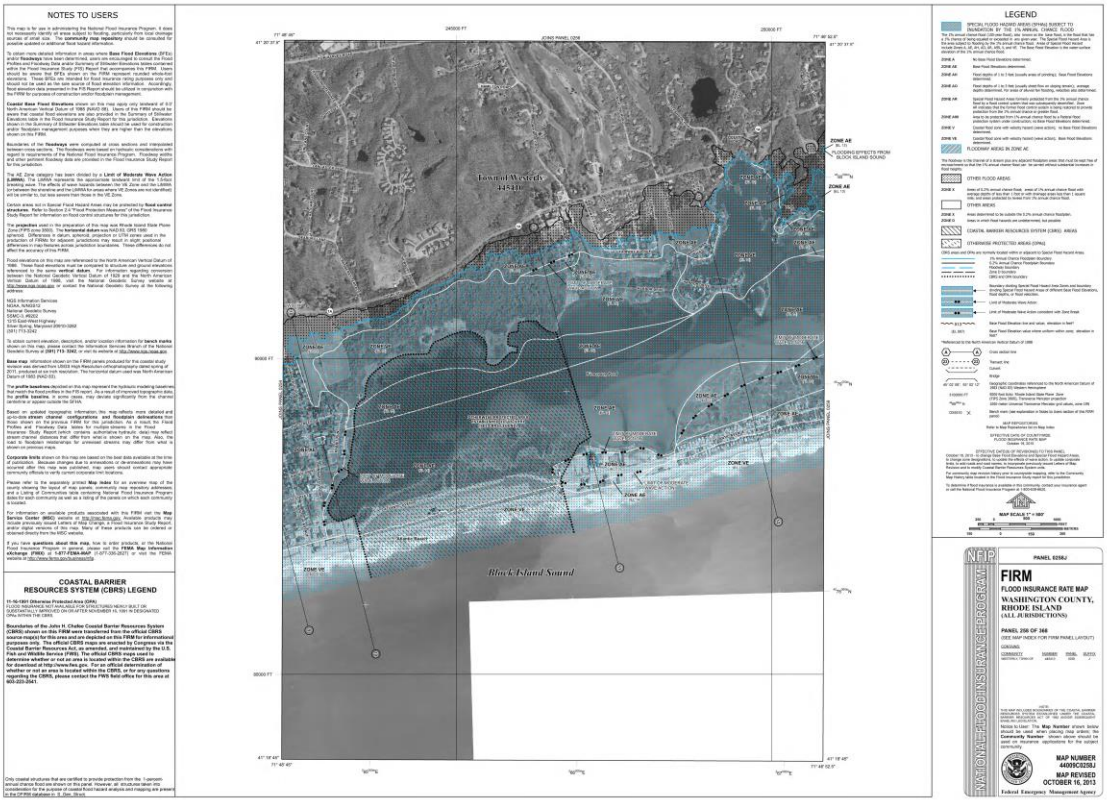
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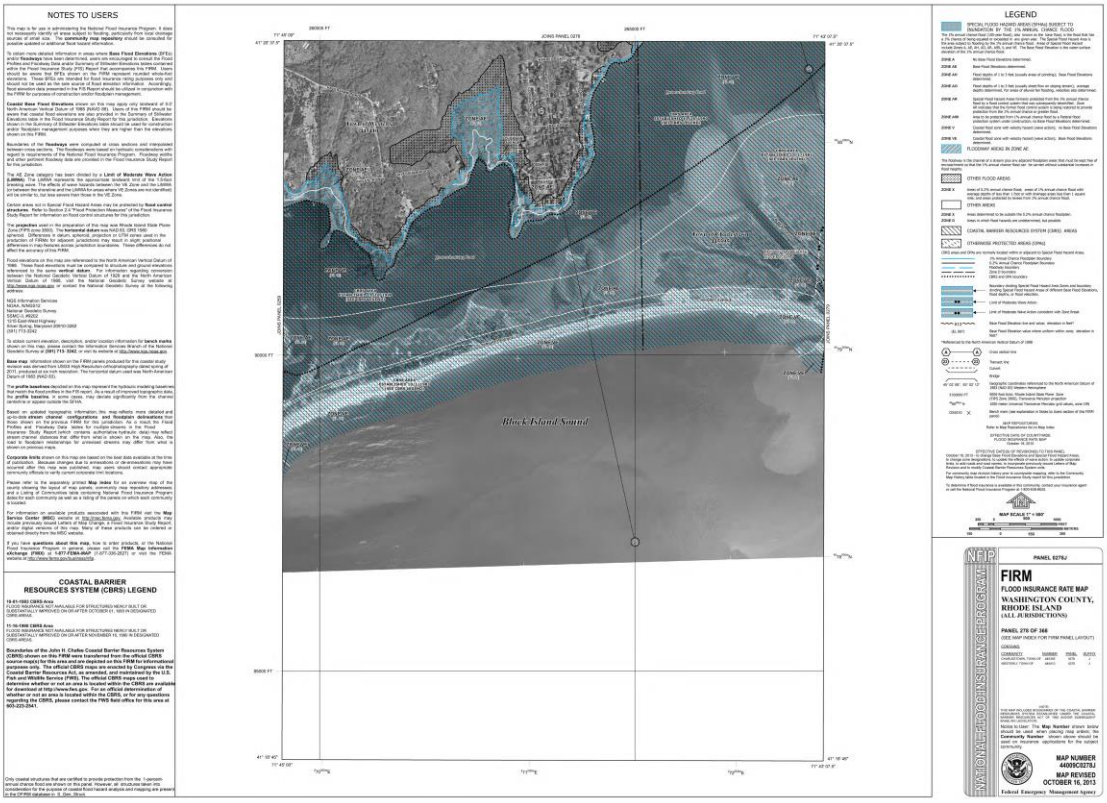
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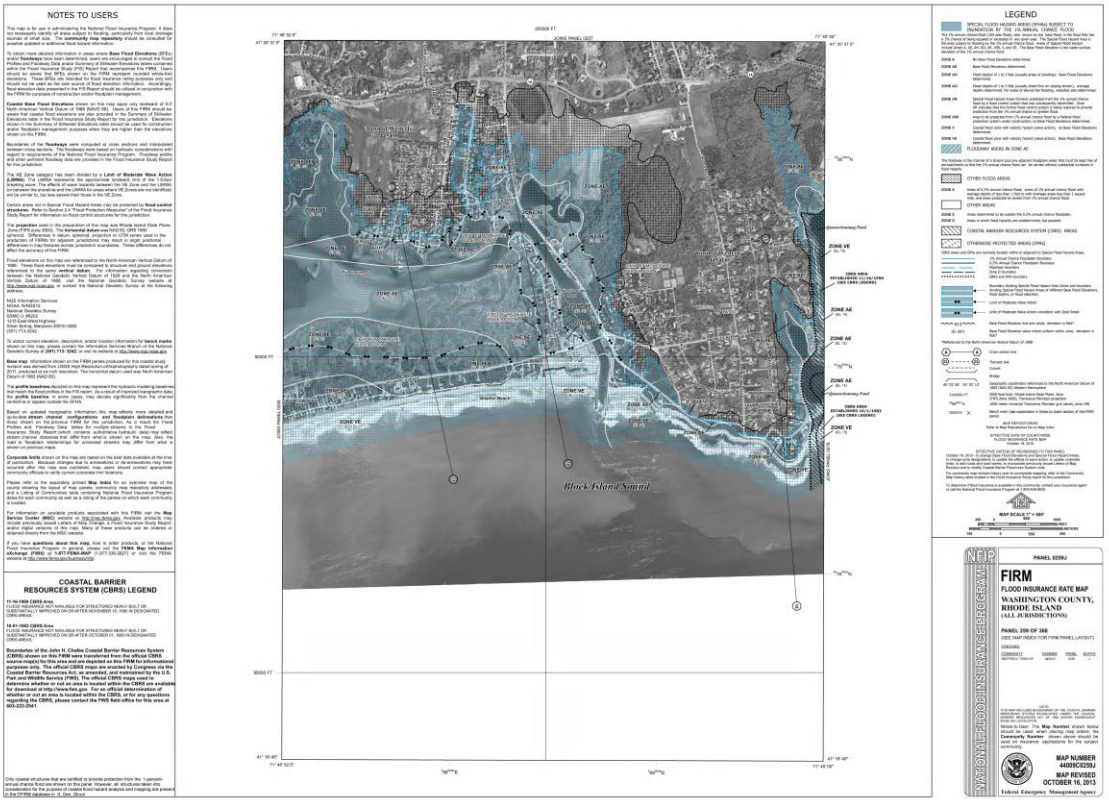
MAP REVISED OCTOBER 16, 2013
Federal Emergency Management Agency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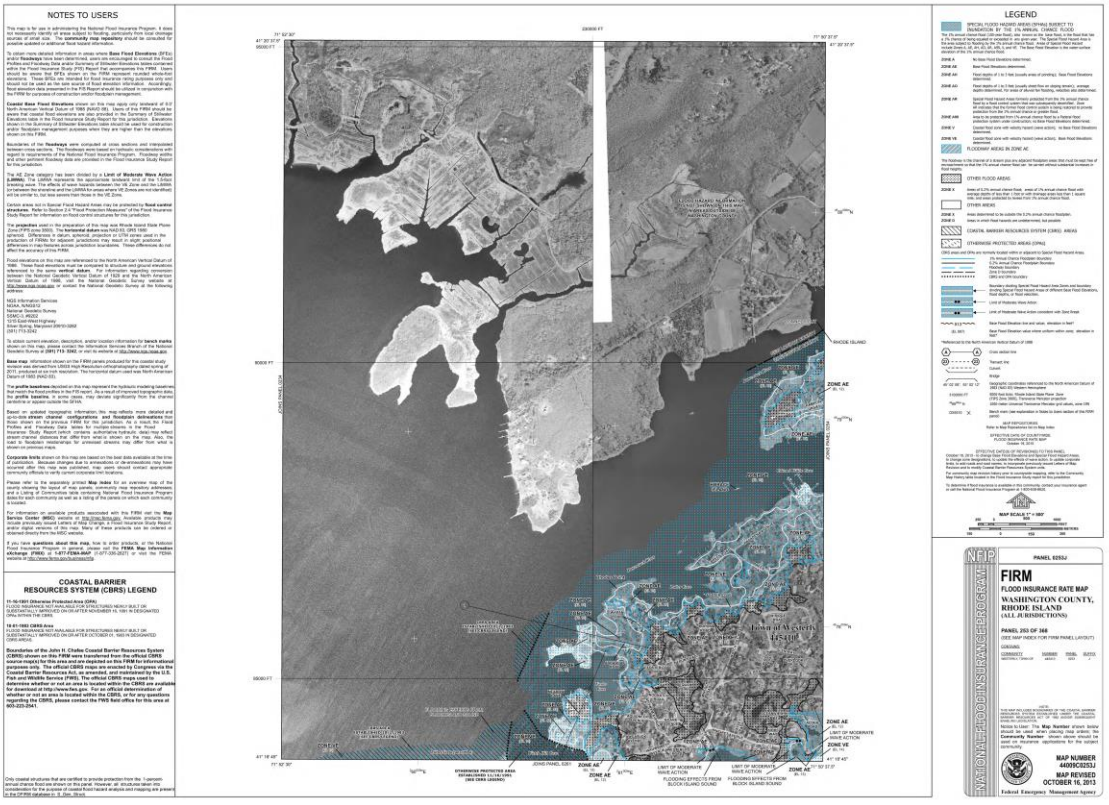
Block Island Sound
FIRM
FLOOD INSURANCE RATE MAP
WASHINGTON COUNTY, RHODE ISLAND (ALL JURISDICTIONS)
PANEL 259 OF 368
MAP NUMBER 44009C0259J
MAP REVISED OCTOBER 16, 2013
Federal Emergency Management Agency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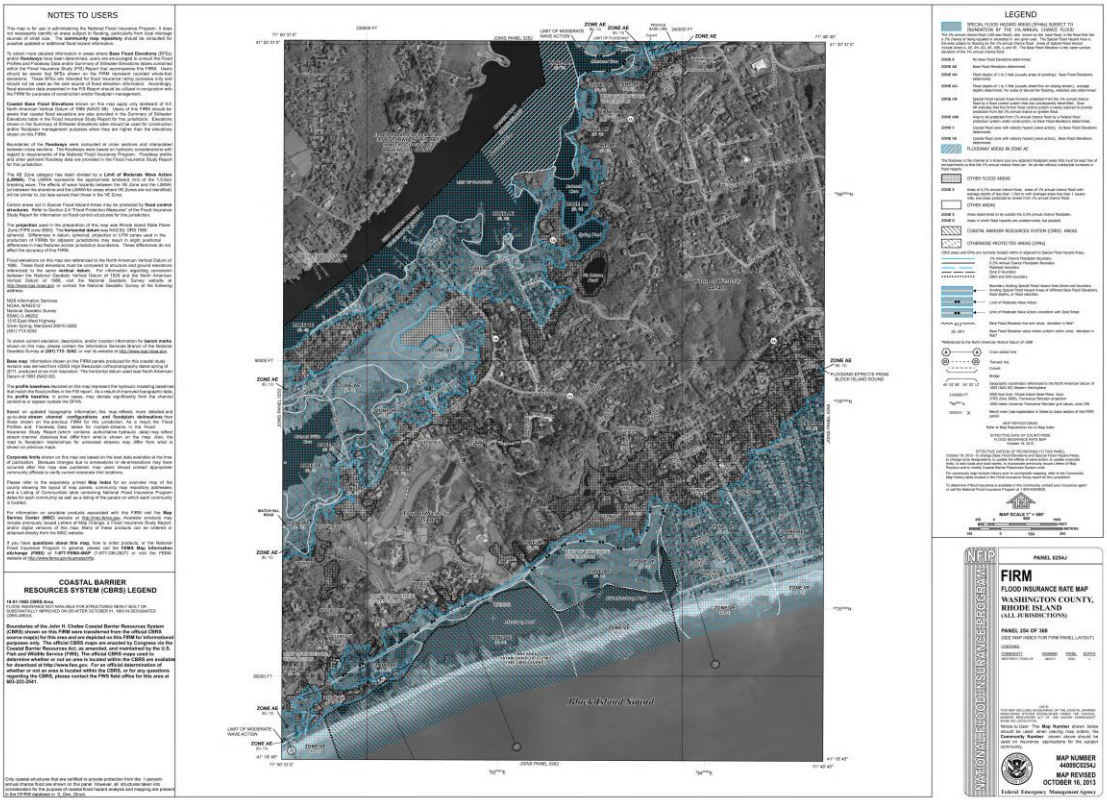
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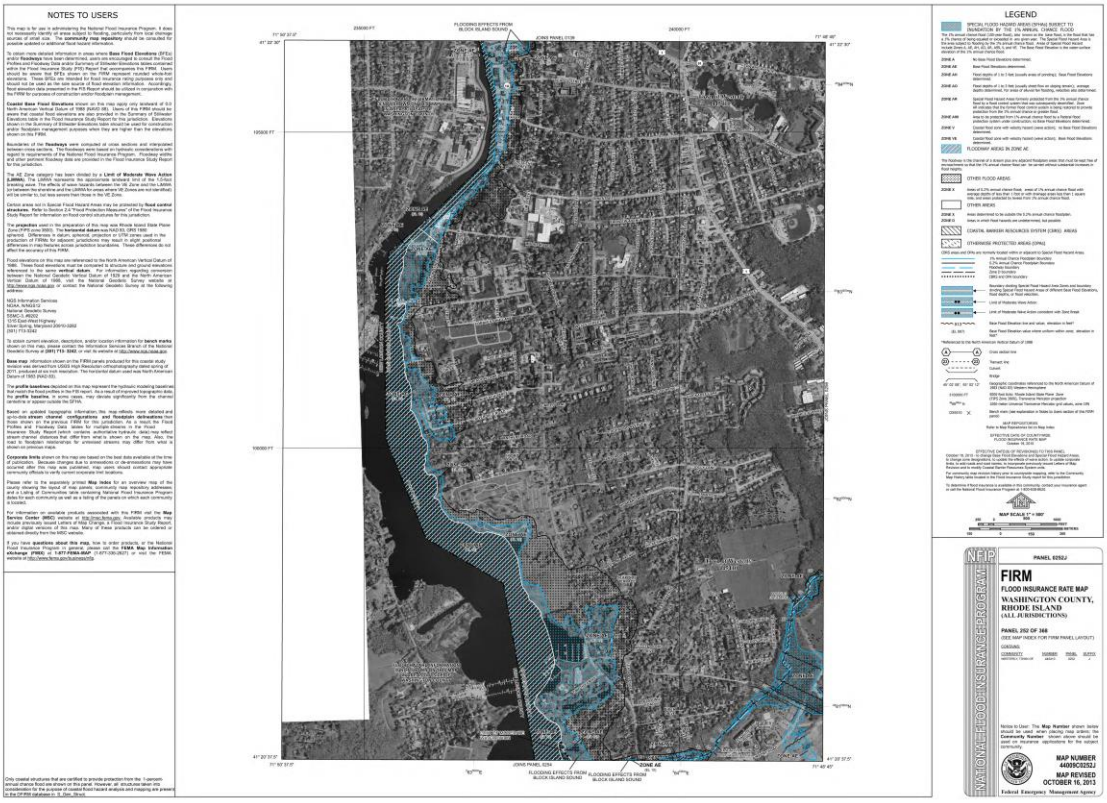
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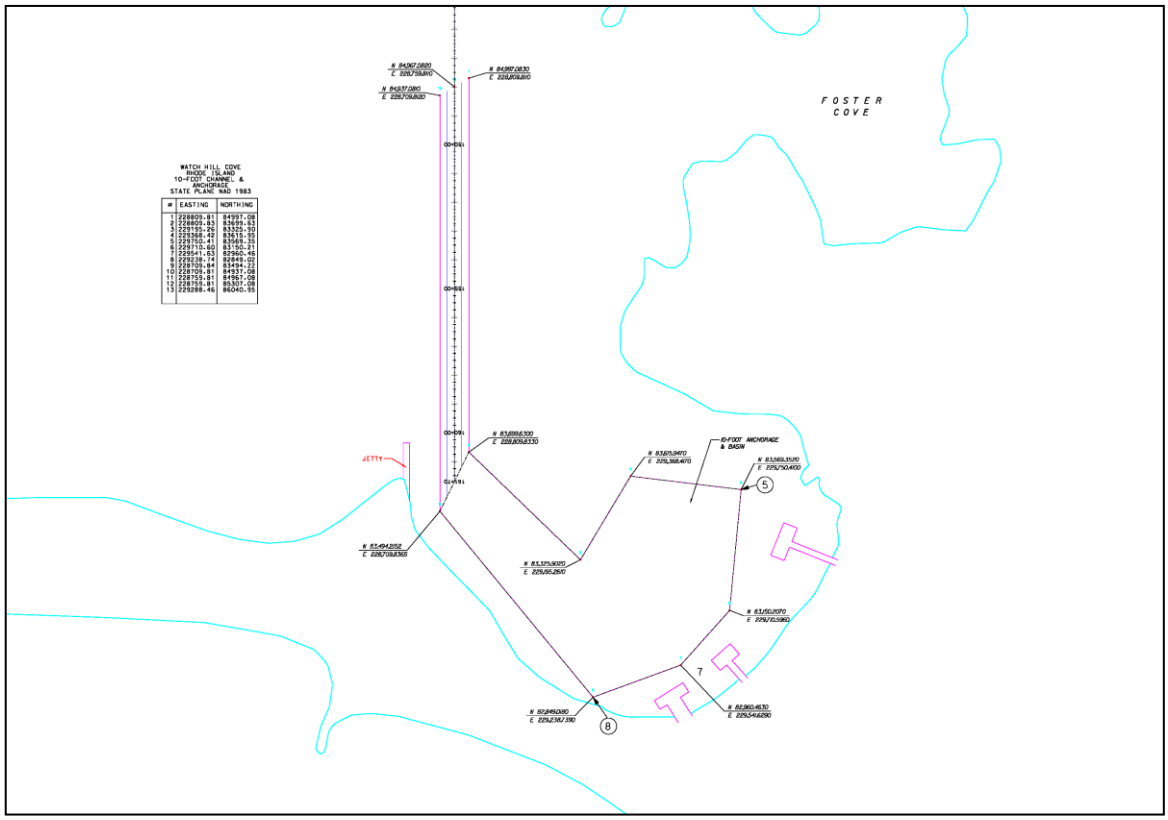
Federally Maintained channels and Dredged Areas

A Federally maintained channel starts at the entrance to Little Narragansett Bay at the Northern end of Sandy Point, continues along the Connecticut shore then Northeast up the Pawcatuck River to Westerly sometimes in Connecticut waters, sometimes in Rhode Island and sometimes in both: a branch leads South into Watch Hill Harbor. Most of Watch Hill Cove is a federally dredged area.

Army Corps of Engineers Map of the Federal Navigation Project at Watch Hill Cove



Note: Resolution 18/19-46 adopted on September 17, 2018 by the Town Council and Resolution 19/20-4 adopted on August 5, 2019 by the Town Council requested the Rhode Island Congressional delegation's assistance in securing the deauthorization of the anchorage portion of the Federal Navigation Project at Watch Hill Cove.

Fairways

A natural fairway runs east/west through the shoals between Napatree Point and Sandy Point and thence to the Federal channel at Osbrook (officially Pawcatuck) Point.

ISSUES

The continual movement of sand from Napatree and Sandy Point into Little Narragansett Bay is reducing the area of the Bay with water deep enough for boating, which includes sailboat racing, ski boating, sail boarding, fishing as well as anchoring at the same time as the demand for these activities is growing.

The ever increasing recreational use of Little Narragansett Bay has impacted the natural habitat of many species. See the Natural Resources section of this plan for a complete description.

Little Narragansett Bay and the Pawcatuck River lie within the political jurisdiction of two states and Towns; Stonington, Connecticut and Westerly, Rhode Island.

The Federal channel around the North end of Napatree Point and along the Connecticut shore is subject to repeated shoaling while the natural "Fisherman's Cut" between Napatree and Sandy Point stays open. Most of the small boat traffic from the Pawcatuck River to Fishers Island Sound, including powerboats up to around forty feet, uses the "Cut". The Federal channel is used mainly by deep draft sailboats, and larger powerboats plus small boats from the coves along the Connecticut shore.

RECOMMENDATIONS

The Westerly Harbor Management Plan should be coordinated with the Harbor Management plan of Pawcatuck, Connecticut.

The Town of Westerly should establish a fairway from Fishers Island Sound North of the private markers through the "Fisherman's Cut", South of Dennison Rock N24, and to the Federal channel buoy C23 at the mouth of the Pawcatuck River.

The Town should urge the Corps of Engineers to study the feasibility of dredging the "Cut" and making it the Federal channel into Little Narragansett Bay. Several (at least two) local agencies responding to a 2008 Corps of Engineers dredging Survey have made that recommendation.

HISTORY

Because the Town of Westerly is situated in close proximity to the Atlantic Ocean, with its large stretches of beaches, the Pawcatuck River, and the coastal ponds, it is only natural that the local Indian tribes were attracted to these waters where wildlife was abundant.

The first Europeans to visit the shores of Westerly were Dutch traders in search of furs, but they did not build any trading houses. It has been documented that the Pawcatuck River was discovered about 1614 by Captain Block, a Dutch navigator and explorer who went as far as Pawcatuck Rock where formerly salt and fresh water met until the channel was dug and the water became brackish further upstream. There is evidence that the Pawcatuck once emptied into the ocean near Watch Hill Point instead of its present direction toward Stonington Borough. It was changed in the beginning of this century by storms and waves on the sandy coastline.

Traditional reports have stated that John Babcock came from Newport with his wife Mary and became the first white settlers in Westerly as they traveled up Mastuxet Brook and established a forest retreat. Their son James was the first white child born within the town's limits. (Westerly and Its Witnesses, page 40).

During the time of European contact and settlement, Westerly's watershed area was inhabited by the Niantic, Pequot and Narragansett tribes. By the second half of the 17th century the Indians were trading with Europeans and selling land to them. In 1660 a company of Newport colonists purchased Misquamicut, which encompassed the present towns of Westerly, Charlestown, Hopkinton, and Richmond. The Connecticut Pequots had been subdued by Captain John Mason, Massachusetts gave up their claim to the land, and the Pawcatuck River became the dividing line between Rhode Island and Connecticut.

The Indians who inhabited both sides of the river were drawn to the extensive natural resources for their subsistence, and hunted for the abundant wildlife; waterfowl, fish, and shellfish which were concentrated along the river and bay. Their uses of the waters and wildlife did not significantly alter the characteristics of the watershed. Their heritage is evident today in many of Westerly's names—Sosoa, Ninigret, Mastuxet, Aquidneck, Manatuck, Misquamicut, etc. and as they occupied the land around the ponds - Winnapaug, Weekapaug, and Quonochontaug. Westerly's waters today are known for similar uses such as sport fishing, swimming, duck hunting, as well as recreational boating.

Until about 1860, it was impossible to bring a vessel loaded with freight up the river beyond Pawcatuck Rock. Cargoes were transferred to flat bottomed scows, called "lighters" and hauled or sailed to the wharves near Margin Street. Eventually funds were privately raised to dredge a channel. From the 1600s to the 19th century, the shipbuilding industry was extensive in this vicinity including steamboats, whalers, brigs and barks, many of which sailed the world for years at a time. In addition to shipbuilding, other

businesses grew on the location of three large wharves. They included stores such as groceries, hardware, marine supplies, a tannery, and the trade of gin, rum, and molasses drawn from the bung in the cellars of their buildings. A bung factory may have existed nearby, including Margin Street, and the area was given the name" Bungtown". It is interesting that eelgrass was landed by cargo as bedding for oxen in the quarries. The ox teams were also used to haul large timbers down to the river to lay the keels and build the ships. As the times changed, the Industrial Revolution shifted the focus to factories and dams along the river in the 1800s. (On the Banks of the Pawcatuck).

In the last few decades, industrial activities have somewhat declined and the river now is mostly residential, with several marinas, and many moorings, docks and slips. Although the commercial fishing fleet still exists, the beauty of the river and the bay has attracted residential development and increased recreational boating. There are numerous marinas on the two sides of the river, a dockominium, and many private docks, as well as the Westerly Yacht Club and the Watch Hill Yacht Club. In addition to the larger power boats and sailboats there are a number of smaller crafts; kayaks, canoes, sculls, and personal watercraft. The Bay is used extensively in the summer for recreational boating and mooring and anchoring areas as well as the gateway to the ocean through the channel and 'the cut'.

Quonochontaug and Winnapaug ponds have included important resources for inhabitants from Colonial times to the present. The Indians established camps and villages along the shoreline where fish and shellfish were abundant,. There has been archaeological evidence of Indian use of the salt ponds dating back 4000 years. The salt ponds were an important place of early contact between Europeans and the Niantic and Narragansett Indians. Agriculture and fishing were prevalent activities in the 19th century until urbanization began to dominate. Eventually rapidly developing residential areas occurred as people discovered the area.

Uses of Westerly's waters including the coastal salt ponds have included recreational and commercial fishing and shell fishing, aquaculture, recreational boating, swimming, duck hunting, windsurfing, waterskiing, and recreational boating.

References - Pawcatuck River Harbor Plan, Charlestown Harbor Plan, Westerly and It's Witnesses, On the Banks

WATER QUALITY

THE WATER QUALITY OF WESTERLY, RHODE ISLAND'S PAWCATUCK RIVER ESTUARY, LITTLE NARRAGANSETT BAY, AND THE COASTAL SALT PONDS WINNAPAUG AND QUONOCHONTAUG

The Pawcatuck River Estuary

Description. The Pawcatuck River (PR) drains 317 square miles of watershed, much of it in western Rhode Island. The river runs through the Town of Westerly and extends 5 miles to the mouth of Little Narragansett Bay. In this stretch, the PR becomes an estuary whereby the fresh water of the river mixes with the salt water of Little Narragansett Bay (LNB). At high tide, water in the middle reaches of the PR are brackish; and at low tide the river runs fresh for much of its reach from Westerly to Watch Hill.

Many water quality studies have been conducted on the Pawcatuck River Estuary (PRE); beginning in the 1800s and extending to the present. For this report we will define "water quality" as any dissolved or suspended constituent that affects the aquatic health of the water body. Thus, water temperature, dissolved oxygen, salinity, bacteria, and nutrients are all recognized as important constituents of water quality.

History. In the 1800s, many textile mills were sited on the Pawcatuck River and many dams were constructed to power the mills. These mills discharged "pollution" that damaged the water quality of the river. Construction of wastewater treatment plants in Stonington and Westerly contributed bacteria and nutrients that degraded the water quality of the river. Improved water quality conditions in the river and estuary began when the textile industry collapsed, reducing the volume of wastewater entering the river. Planned control and abatement of pollutant discharges began after the Clean Water Act was passed in 1972. With adoption of this act, standards for wastewater discharge from industrial and municipal plants were instituted and water quality improved.

What effect does water quality have on water bodies, such as the Pawcatuck River Estuary, Little Narragansett Bay, and the Coastal Salt Ponds? For the PRE, the input of fecal coliform bacteria from wastewater treatment facilities and stormwater overflow cause the pollution of shellfish that live in the bottom sediment. Since 1947, both the PRE and LNB have been closed to the recreational harvesting of shellfish. In addition, excess input of nutrients, notably nitrogen, cause excess production of algal blooms, deficits in the dissolved oxygen content of estuarine waters, and the eventual cause of "fish kills", both finfish and shellfish.

Water Quality Findings. Recently (2008-2010)), the Salt Ponds Coalition (SPC) in conjunction with Save The Bay has been conducting monthly water-quality surveys of the PRE and LNB. There are two wastewater treatment facilities in the freshwater portion of the PRE below Westerly, RI. Even with advanced wastewater treatment, the nitrate levels are more than 10 times above normal background levels of unpolluted water bodies. High nitrate concentrations fertilize high levels of phytoplankton that subsequently consume dissolved oxygen. Very high fecal coliform levels in river waters

below these facilities far exceed the standards for safe harvesting of shellfish and contact recreation. Thus, even with modern pollution abatement techniques that appear to be applied to wastewater treatment and storm water runoff, the freshwater portion of the Pawcatuck River Estuary is still polluted to the extent that human use of this aquatic resource is severely limited. As a result of its water monitoring program, Save The Bay and SPC have determined the Aquatic Health of two stations in the Pawcatuck River (WWTFN and WWTFS); north and south of Westerly's Sewage Treatment Facility. There are five estimates of the aquatic health index (AHI) for each station determined for the 2008-2010 sampling years. The first is dissolved oxygen (DO) which uses the lowest 20% DO saturation values during the summer months. Next is Secchi disk transparency which determines the clarity of the water column (does light reach the bottom?). Chlorophyll values, an estimate of the mass of phytoplankton in the surface water, are the third parameter used. Finally, various measures of the algae nutrient nitrogen are used to estimate the nutrient fertilization potential of the water column. These five parameters are assigned a numerical value: good aquatic health is greater than 65, fair + is 50-65, fair- is 35-50, and poor aquatic health is less than 35.

For the period 2008-2010, the WWTFN station had an aquatic health index (AHI) of 37, barely above the poor classification. The WWTFS station averaged 24, a decidedly poor aquatic health condition. There is one station sampled at the mouth of the PRE and this is noted as a Pawcatuck River Estuary station. The average AHI for this station is 46, a fair-aquatic health condition.

Water Quality Classification. The main stem of the Pawcatuck River, from the WWTFN station to the mouth of the river, has a Rhode Island Department of Environmental Management water-quality classification of category 5; that is impaired or threatened for one or more designated uses by a pollutant(s) and requires a TMDL. RIDEM has issued a TMDL for the Pawcatuck River in the summer of 2010. The estuarine portion of the PRE, as represented by a station located at the mouth, appears to possess much better water quality than the two river stations. There are essentially no dissolved oxygen deficits in the bottom water; nutrient concentrations are near background levels for "normal" waters; and the bacteria are much lower, although still above the "shellfish" standard but well below the level for contact recreation. Thus, one wonders why RIDEM uses a category 5 water-quality classification for this portion of the Pawcatuck River. It might be more appropriate to classify these waters as Category 2; attaining some of the designated uses.

Programs to Minimize Water Pollution. The Town of Westerly, R.I. Comprehensive Plan, adopted in 2010 by the Westerly Town Council, has established a Pawcatuck River corridor overlay district that restricts any increase in zoning density adjacent to the Pawcatuck River and Estuary. This corridor extends from the fresh Pawcatuck River, upstream from the Westerly Municipal well field, down to the northern edge of Watch Hill Cove.

The Town of Westerly, RI has instituted ordinances that implement a Phase II Storm Water Management Plan. The Town's zoning ordinance code includes an Erosion and

Sedimentation ordinance, which requires installation and maintenance of control measures and best management practices (BMPs) to control erosion and sedimentation for land development and subdivision activities. In addition, the Town has enacted Bio retention and Storm water Management ordinance. This ordinance requires the construction of Bio retention areas in order to reduce volume and velocity of storm water runoff and increase pollutant filtering.

Several years ago, Save The Bay identified point source input locations along the Pawcatuck River. This inventory will help the Town of Westerly to manage its Storm water Management Plan.

In 2010, RI Department of Environmental Management Office of Water Resources released its final report on the Total Maximum Daily Load Analysis for the Pawcatuck River and Little Narragansett Bay Waters. This analysis was based on bacteria measurements made over several years. These waters are included on Rhode Island's 2008 303(d) List of Impaired Waters and do not support their designated uses associated with the fecal coliform and/or enterococci bacteria. These uses include primary recreation for all waters and shellfish harvesting for those waters classified as SA. Class SA waters are designated for shellfish harvesting for direct human consumption, and primary and secondary contact recreational activities.

Organic Waste Disposal Plan.

The Town of Westerly presently maintains two pump-out boats that are shared with the Town of Stonington, CT. It addition, the Avondale Boat Yard and Westerly Yacht club maintain pump-out stations on the Rhode Island side Pawcatuck River. Norwest Marina maintains a pump-out station on the Connecticut side of the Pawcatuck River.

Inorganic Waste Disposal Plan – Consistent with the Town Charter the Town will:

A. Minimize increases in stormwater runoff from any development in order to reduce flooding, siltation, increases in stream temperature and stream bank erosion and maintain the integrity of stream channels

B. Minimize increases in nonpoint source pollution caused by stormwater runoff from development which would otherwise degrade local water quality.

C. Reduce stormwater runoff rates, soil erosion and nonpoint source pollution, wherever possible, through stormwater management controls and to ensure that these management controls are properly maintained and pose no threat to public safety

D. Provide and manage trash barrels/recycling containers at Municipal waterfront property for the collection of trash from boating and other waterfront activities.

Encourage Marina OMP Measures.

The Town will encourage operation and maintenance measures for the marinas located in Town waters. The Harbormaster will continuously examine the marinas conditions.

Restrict Boats at Shallow Water Habitat. Buoys marking the navigable channel are well sited and clearly visible in the Pawcatuck River and Estuary. Additional buoys must be installed to restrict boat traffic near shallow water habitats that provide ecological benefits, i.e. shellfish beds, submerged aquatic vegetation and spawning areas.

Recommendations. It is recommended that the Town of Westerly upgrade its Wastewater Treatment Facility so that the treated sewage effluent contains the minimum content of DIN (nitrate and ammonia) needed for the production of algae blooms. Also, the sewage treatment facility needs to remove more biologically-active solids from its effluent. These materials form the substrate for bacterial growth that is harmful to shellfish and human contact.

Little Narragansett Bay

Description. Little Narragansett Bay (LNB), at the southern end of the Pawcatuck River watershed, is shallow and provides protected waters for recreational boaters and a barrier beach at Napatree Point and Sandy Point that is used extensively by summer beach-goers.

The entire watershed area of the Pawcatuck River that drains into Little Narragansett Bay is 317 square miles. The surface area of LNB is 3.7 square miles. Thus, the Pawcatuck River chemistry has a tremendous influence on that of the Bay. The average water depth in LNB is 6.5 feet (2.0 meters).

Water Quality Findings. Save The Bay has established two monitoring stations in LNB; one adjacent to Sandy Point and one southeast of Barn Island. Water quality indices (AHI), derived by the Salt Ponds Coalition (SPC) for the Sandy Point site vary from 49 to 65 for the years 2008-2010, with an average of 55 for the three years. This average AHI indicates that the Sandy Point area of LNB has fair+ aquatic health. At the Barn Island site, the average AHI for the period 2008-2010 is 73, a value that indicates good aquatic health. At both sites, nitrate averages about 30 micrograms per liter; a value representative of "normal" conditions in Long Island Sound estuaries.

Fecal coliform bacteria counts are high at the Sandy Point site and the bacterium Enterococci spiked at levels unhealthy for contact recreation in the middle of the summer. The barrier beach at Sandy Point, like the beach at Napatree Point, is inhabited by a multitude of beach-goers during the summer months. However, in recent years (2010) the fecal coliform counts have declined. The Barn Island site has very low fecal coliform bacteria counts but there is a very large spike in Enterococci bacteria on occasion. One might conclude from the 2008-2010 water quality monitoring data that while Little Narragansett Bay appears to have reasonably good water quality with respect to dissolved oxygen and nutrients, the periodically-high bacteria counts indicate that human pressures exert a somewhat negative influence upon the Bay with respect to water use (taking of shellfish and contact recreation). Due to the contamination of LNB waters with bacteria (see above), much of the Bay has become prohibited to the harvest of shellfish.

Eelgrass is an important element of many bays that make up the coastal ecosystem of Long Island Sound. Eelgrass provides important nursery habitat to finfish and shellfish. Eelgrass is also an important food source for a variety of waterfowl that migrate within the Atlantic flyway. Finally, eelgrass assists in removing nutrients from the water column. Unfortunately, eelgrass has largely disappeared from Little Narragansett Bay. As late as the mid-1990s, LNB was cited as containing some of the most lush beds of eelgrass in the Long Island Sound ecosystem. Today, eelgrass has a very restricted distribution in the Bay. The reasons for this drastic decline in the abundance of eelgrass in LNB are not well understood. Coastal development, increased nutrient (nitrogen) additions to coastal waters, and blooms of nuisance algae have probably played a role in the loss of eelgrass. Recent reports by the United States Fish and Wildlife Service provide some hope that eelgrass beds may be returning to LNB. In 2006, there were 283 acres of eelgrass; in 2009, there were 343 acres of eelgrass.

There is one area, in waters off Napatree Point that apparently has no eelgrass. In the map provided by Save The Bay for the year 2012, there is no eelgrass present along the northeast shoreline off Napatree Point. In the summer these waters, located south of the mouth of the Pawcatuck River, are occupied on any given day, by at least 50 boats that are anchored into the bottom sediment. Often strong winds from the south affect this area. This anchoring, by itself, destroys the eelgrass; and dragging of anchors on windy days causes further destruction of these eelgrass beds.

Submerged Aquatic Vegetation highlighted in light blue.

Water Quality Classification. There are two small areas in LNB that RIDEM assigns a Category 5 water-quality classification. These represent 1.1 square miles of surface area while the Bay has a surface area of 3.7 square miles. Based on the above AHI data for two water-quality sampling stations in LNB, it is proposed that the remainder of the Bay be classed a Category 2.

Organic Waste Disposal Plan. The Town of Westerly presently maintains two pump-out boats that are shared with the Town of Stonington, CT.

Inorganic Waste Disposal Plan. There is no inorganic waste disposal plan for Little Narragansett Bay. The Watch Hill Fire District provides trash receptacles at the east entrance of Napatree Point.

Encourage Marina OMP Measures. There are no facilities located within Little Narragansett Bay.

Restrict Boats at Shallow Water Habitat. Buoys marking the navigable channel are well sited and clearly visible in Little Narragansett Bay.

Recommendations. The Westerly Harbor Management Commission recommends that the Rhode Island Department of Environmental Management be strongly urged to post signs that note that those areas with high fecal coliform bacteria counts in LNB are closed to recreational harvesting of shellfish.

Westerly's Coastal Salt Ponds- Winnapaug Pond

Description. Winnapaug Pond, formally known as Brightman Pond, is located at the western end of a chain of major coastal salt ponds along the southeastern shore of Rhode Island. Winnapaug Pond is shallow (mean depth at high tide about 4.5 feet) with many sand bars. The pond is particularly shallow at the eastern end and along the south shore. At low tide, substantial sand bars are visible at the eastern end of the pond. The south shore is rimmed with salt marsh while the north shore is occupied by single-family housing. The pond is connected to Block Island Sound by a breachway located at Weekapaug. The area of the pond's watershed is about 4 square miles while the surface area of the pond is 0.7 square miles. Winnapaug Pond has a low watershed area to pond surface area ratio of 6:1 and receives most of its freshwater input from groundwater.

Water Quality Findings. The Salt Ponds Coalition (SPC) has been monitoring the water quality of Winnapaug Pond since 2006. While water temperatures approach 25 degrees C in the summer, the dissolved oxygen remains high, generally above 5 mg/L. Because of the shallow depth of the pond and the prevailing southeast winds, aeration of the pond waters is sufficient to maintain these dissolved-oxygen concentrations. Chlorophyll concentrations average 5 parts per billion with a variation of 3 to 7 parts per billion. These chlorophyll concentrations classify Winnapaug Pond as mesotrophic, indicative of moderate algae growth.

In the main part of the pond, fecal coliform bacteria counts average 11 MPN/100ml with a variation between 3 and 19 MPN/100ml. The average fecal coliform count is below the shellfish standard of 14 MPN/100ml designated by the State Of Rhode Island's Department of Environmental Management.. However, the sampling site in Golf Course Cove that extends north of the main part of the pond at the eastern end had an average fecal coliform count of 19 MPN/100ml, above the shellfish standard.

The Aquatic Health Indices (AHI) for Winnapaug Pond for the years 2006, 2007, 2008, and 2010 indicate that the health of the pond may be improving. In 2006, the aquatic health was poor with low dissolved oxygen and too much nitrogen. In 2007, the aquatic

health was upgraded to fair- due to the fact that there were higher dissolved oxygen concentrations than in 2006. In 2008, the aquatic health was on the borderline between poor and fair- due to low dissolved oxygen and too much organic nitrogen. In 2010, the aquatic health of Winnapaug Pond was upgraded to nearly good with an AHI score of 62. There are four environmental parameters uses to construct the aquatic health index (AHI) for each station determined for the 2006-2010 sampling years. The first is dissolved oxygen (DO) which uses the lowest 20% DO saturation values during the summer months. Chlorophyll values, an estimate of the mass of phytoplankton in the surface water, is the second parameter used. Finally, various measures of the algae nutrient nitrogen are used to estimate the nutrient fertilization potential of the water column. These four parameters are assigned a numerical value: good aquatic health is greater than 65, fair + is 50-65, fair- is 35-50, and poor aquatic health is less than 35.

Water Quality Classification. Rhode Island Department of Environmental Management has given Winnapaug Pond an SA classification that means pond waters are suitable for bathing and contact recreation, shellfish harvesting for human consumption, and fish and wildlife habitat. However, fecal coliform bacteria monitoring by the Salt Ponds Coalition of waters in Golf Course Cove, located north of the main pond at the eastern end, average 19 MPN/100ml. The fecal coliform count exceeds Rhode Island's threshold of 14 MPN/100ml for safe consumption of harvested shellfish. The average fecal coliform count for the main part of Winnapaug Pond is 11 MPN/100ml, a value that allows the existence of an extensive aquaculture facility along the south shore.

Programs to Minimize Water Pollution. While there are no specific programs operative in Winnapaug Pond to minimize water pollution, the extensive aquaculture facility that grows oysters and clams may exert some control on water pollution. It is well known that shellfish filter large amounts of water during their life cycle and thus can reduce the quantity of organic nitrogen in the water column. This reduction of particulate organic matter may cause less utilization of dissolved oxygen that reacts with the organic detritus.

Organic Waste Disposal Plan. There is no pump-out boat or other pump-out facility in Winnapaug Pond.

Inorganic Waste Disposal Plan. None.

Encourage Marina OMP Measures. There are no facilities on Winnapaug Pond.

Restrict Boats at Shallow Water Habitat. There are no official channel markers in Winnapaug Pond. There are privately owned and maintained navigation markers. The Town will set markers to delineate Shallow Water Habitat.

Recommendations. Several years ago, the Town of Westerly installed a water line that drains the older, low-lying areas of Misquamicut when flooding occurs in the Westerly area. This water drain line is extended along Atlantic Avenue to near halfway along the south shore of Winnapaug Pond. There, it flows into a collection basin where waters are centrifuged for suspended sediment and the effluent discharged into the pond. There is no

treatment of this effluent to remove nutrients, organics, and metals. It is recommended that the Town of Westerly put a constructed wetland adjacent to the holding basin so that plants can filter and absorb dissolved and particulate contaminants before the effluent water reaches the waters of Winnapaug Pond.

Westerly Coastal Salt Ponds- Western Quonochontaug Pond

Description. Not all of Quonochontaug Pond, the salt pond that lies directly east of Winnapaug Pond, is situated in the Town of Westerly. The eastern basin of the pond is within the jurisdiction of the Town of Charlestown. This area includes the breachway between the pond and Block Island Sound as well as the only public access to Quonochontaug Pond. The major part of the pond lies within the jurisdiction of the Town of Westerly and includes the Narrows, the western basin, the extreme western basin, and the Weekapaug Yacht Basin.

The average depth of Quonochontaug Pond is 6 feet but there are extensive areas adjacent to the south shore that reach 13 feet. The watershed area is 4.2 square miles and the surface area of the pond is nearly 1.2 square miles. Groundwater inputs to the pond are twice as large as surface-water inputs.

The western and extreme western basins of Quonochontaug suffer from some oxygen depletion because the water residence times in these areas are several fold longer than that of the eastern basin that is influenced by the breachway to Block Island Sound. On any flood tidal cycle, all the oxygenated water from the breachway does not reach these basins; and, on the return ebb cycle, some of this water, especially in the farthest shallow areas, does not return to the breachway. Thus, some fraction of the water column stagnates in the western and extreme western basins and dissolved oxygen is consumed by respiration and reaction with dead organic matter.

Water Quality Findings. The Salt Ponds Coalition (SPC) has conducted extensive water-quality and nutrient monitoring in Quonochontaug Pond, beginning in May 2006. For the entire pond, SPC samples 5 stations, both surface and bottom waters. For the western and extreme western basins, SPC samples three deep-water stations. In the summertime, June to September, the dissolved oxygen of bottom waters is nearly 1 mG/L lower, on average, than surface waters. Occasionally, bottom waters go hypoxic in the summer (less than 2.5 mG/L dissolved oxygen). Summertime chlorophyll concentrations in Quonochontaug Pond average 3.9 ppb, a value that indicates that the pond is of moderate status with respect to eutrophication (nutrient enrichment).

The following table presents the average aquatic health index (AHI) for the three stations in the western and extreme western basins of Quonochontaug Pond.

Year	**Av. AHI**	**Factors**
2006	Fair+	Low summer DO, high DIN
2007	Fair+	Low summer DO, high DIN
2008	Fair+ to Good	Some low summer DO
2009	Good	No Problem Factors
2010	Fair+	Low summer DO

A glance at the table shows that the aquatic health of the western basins of Quonochontaug Pond is mostly Fair+ for the years 2006 to 2010. It looked as though the aquatic health was improving slightly between the years 2007 (Fair+) and 2008 and 2009 (good). However, the drastic floods in the spring of 2010 contributed large quantities of inorganic nitrogen to the pond which fueled more algal growth and caused the pond water quality to decline to Fair+. In any case, Quonochontaug Pond has the best aquatic health of all the major salt ponds in coastal Rhode Island.

Water Quality Classification. Rhode Island Department of Environmental Management has classified Quonochontaug Pond as SA. That means pond waters are suitable for bathing and contact recreation, shellfish harvesting for human consumption, and fish and wildlife habitat. Fecal coliform bacteria monitoring by the Salt Ponds Coalition ranks these waters as excellent with an average bacteria count of 5±4 MPN/100ml. This is the lowest average concentration of fecal coliform bacteria for all the coastal salt ponds.

Programs to Minimize Water Pollution. There are no specific programs to minimize water pollution in Quonochontaug Pond.

Organic Waste Disposal Plan. There are no pump-out facilities on Quonochontaug Pond.

Inorganic Waste Disposal Plan. None.

Encourage Marina OMP Measures. There are no facilities on Quonochontaug Pond.

Restrict Boats at Shallow Water Habitat. There are no official channel markers in Quonochontaug Pond except at the Breach way which is located in the Town of Charlestown. All markers within the Ponds are privately owned and maintained.

Recommendations. None

REFERENCE DATA

The references for the 2006 and 2009 Eelgrass studies of Little Narragansett Bay by the U. S. Fish and Wildlife Service are as follows:

Tiner, R., H. Bergquist, T. Halavik, and A. MacLachlan, 2006 Eelgrass Survey for Eastern Long Island Sound, Connecticut and New York. U. S. Fish and Wildlife Service, National Wetlands Inventory Program, Northeast Region, Hadley, MA. National Wetlands Inventory Report. 24 pp. plus Appendix.

Tiner, R., K. McGuckin, M. Fields, N. Fuhrman, T. Halavik, and A. MacLachlin. 2010, 2009 Eelgrass Survey for Eastern Long Island Sound, Connecticut and New York. U. S. Fish and Wildlife Service, National Wetlands Inventory Program, Northeast Region, Hadley, MA. National Wetlands Inventory Report. 15 pp. plus Appendix.

NATURAL RESOURCES

Westerly has some of the most important natural resources in the state. Its waters include the Pawcatuck River, Little Narragansett Bay, the Atlantic Ocean, and the ponds—Quonochontaug, Winnapaug and Maschaug. Westerly has many areas dedicated for the use of the public, including all Westerly residents. Our rights- of- way, beaches, which include the extensive state beach, river byway, state launch, and large area for transient anchorage are all accessible to the public and tourist industry. The waters are utilized mostly for recreational boating and swimming, recreational and commercial fishing, shell fishing and aquaculture, where there is acceptable water quality. These waters also support a small fleet of mostly artisanal fisherman that harvest the town and state's bountiful fish stocks.

The waters of the state in Westerly contain additional access through marinas, boatyards, yacht clubs, and shorefront businesses and hotels. Watch Hill harbor and Quonochontaug Pond are important attractions for boating and activities such as sailboat racing.
The river is a conduit for transportation between Westerly and the bay and ocean, and combines low-intensity activities such as small boat use, as well as larger high speed power boats. During the summer, it is very heavily traveled. Mooring fields are placed dependent upon water quality and attendant facilities.

As written in Westerly's mission statement, the Harbor Management Plan shall be developed to address these significant town resources, meeting the acceptance of CRMC criteria and the Westerly Town Council approval. The Plan shall define the use of Westerly's waters with a balance between citizens' use of the waters, recreational boating and protection of the environment.

A summary of the policy of CRMC ("Red Book")- Title 46 Chapter 23-1

(a), General Laws of Rhode Island- marks out a path which citizens should follow….
"Poorly planned development of this basic natural environment has potential of damaging or destroying the state's coastal resources and the policy of the state is to preserve, protect, develop, and, where possible, restore the coastal resources of the state for this and succeeding generations through comprehensive management for maximum benefit for society. Preservation and restoration of ecological systems shall be the primary guiding principal upon which environmental alteration of coastal resources will be measured, judged, and regulated.

(b) The implementation of these policies is necessary in order to secure the rights of the people of Rhode Island to the use and enjoyment of the natural resources of the state with due regard for the preservation of their values, and in order to allow the general assembly to fulfill its duty to provide for the conservation of the air, land, water, plant, animal, mineral, and other natural resources of the state, and to adopt all means necessary and proper by law to protect the natural environment of the people of the state by providing adequate resource planning for the control and regulation of the use of the natural

resources of the state and for the preservation, regeneration, and restoration of the natural environment of State.

Westerly's Natural Resources are greatly dependent on the state of the water quality. The river and sections of the bay have been closed to shell fishing since 1947 as the water did not comply with water standards set by the Department of Health. As a result of the failed standard, R.I.'s classification of the tidal Pawcatuck Basin is a "No Discharge Zone", which prohibits shellfish harvesting and prevents most waters from safe swimming.

A detailed account is discussed in the Water Quality Section.

LITTLE NARRAGANSETT BAY AND THE PAWCATUCK RIVER

I. INTRODUCTION

Before the improvement of roads, Little Narragansett Bay and the Pawcatuck River provided a water transportation route to the town of Westerly. These waters were also a source of fishing for the Native American population and the earliest European settlements. Since the 18th century, various industries developed along the shoreline. The Pawcatuck River became a major center for boat building, including whaling vessels, and later, steamboats. Today, these bodies of water provide an important resource for water activities such as boating, swimming, and fishing.

II. FINDINGS

In order to coordinate policies between Connecticut and Rhode Island for the Pawcatuck River, a document was developed in 1992-- The Pawcatuck River Estuary and Little Narragansett Bay: An Interstate Management Plan. Its goal was to gather information, to describe the status of the resources of the estuary and its watershed, and to recommend management strategies for its use and protection.

This area contains a wide variety of natural habitats which serve as the foundation for the estuarine ecosystem and a basis for highly productive and diverse wildlife populations. They include open water, sheltered coves, shallows and salt marshes on both sides of the river. The submerged aquatic vegetation such as eelgrass and seaweeds are providers of food sources and breeding grounds for fish and waterfowl. Wetlands are located in the river from south of the Stillmanville Bridge to Little Narragansett Bay. Some are extensive, such as Colonel Willie's Cove, and some are smaller fringe marshes. Eelgrass and other submerged aquatic vegetation are found in the bay and ponds. Many species of fish and birds, some threatened or endangered, are described in the Napatree Point Conservation area in the Beaches section.

THE PONDS

I.INTRODUCTION

The Westerly portion of Quonochontaug Pond has water depths which are varied with large shoal areas in many portions of the pond. Eelgrass beds and shellfish flats are found

at the Western end where clamming is very popular. Over the years, many wildlife species have been diminished, including some populations of scallops, oysters, flounder, eels, blue crabs, and horseshoe crabs. Eelgrass beds have been identified by the Coalition and a map will be found in the appendix.

Winnapaug Pond contains a permitted aquaculture business and both ponds have breach ways to the ocean. The salt ponds are detailed in the Water Quality section.

II. FINDINGS—also addressed in the Water Quality section-

The ponds and environs are subject to the CRMC Salt Ponds Region Special Area Management Plan (SAMP), with the primary focus to protect and restore water quality. Undisturbed zones along the perimeter of salt ponds and associated wetlands are important to protect the coastal environment. The benefits of vegetated buffers include erosion control, checking pollutant flows, protecting wildlife, and preserving scenic qualities.

The salt pond region includes a great diversity of habitats, such as barriers, salt water and brackish ponds and salt and fresh water wetlands. These natural resources result in an extremely important ecosystem for maintaining wildlife.

Wetlands are among the most productive ecosystems on the earth and the viability of the salt pond region depends on careful stewardship by human populations. Since failing septic systems and cesspools can be a major source of pollution, new systems are being required, such as denitrification plants.

Quonochontaug and Winnapaug Ponds and their surrounding low lands have a history of being susceptible to storm-surge flooding. In the hurricanes of 1938 and 1954, surge heights caused a great deal of destruction and erosion. Hurricane preparedness is especially important in this area. (According to SAMP): Ch 3-d, Ch 5- p18, Ch6- p11).

The CRMC SAMP established specific land use classifications for differing densities in municipal zoning areas. The Plan also addressed the pressures to develop building lots near wetlands and made recommendations to towns for re-zoning. As a result, a large section of land surrounding Quonochontaug Pond is 2 acre zoning. The classifications are described in the Water Quality section and Appendix

Wildlife and Conservation areas:

I. Napatree Point- a barrier beach extending westward from Watch Hill Cove lies between Little Narragansett Bay and Fishers Island Sound. Approximately 90% is owned by the Watch Hill Fire District, the remainder owned by a combination of the Watch Hill Conservancy, the State of Rhode Island, the Town of Westerly, and a few private owners. 70 acres are currently in conservation, and are managed as a wildlife refuge and recreation area by the Watch Hill Fire District, the Watch Hill Conservancy in conjunction with the U.S. Fish and Wildlife Service, R. I. CRMC and DEM. Many

studies have been done by several organizations including the National Heritage Foundation and the Audubon Society of R.I. as well as the R.I. Natural History Survey. The 1992 Interstate Management Plan identifies specific sites at Napatree Point, Sandy Point, and Little Narragansett Bay to be considered "critical", such as areas where endangered or threatened species are known to spawn, rest, reproduce, or feed their young.

In addition to Napatree Point, Little Narragansett Bay and Sandy Point are cited as abundant bird population nesting and shellfish spawning areas and have been identified by the 1991 U.S. Fish and Wildlife Northeast Coastal Areas Study as "Significant Coastal Habitats" for wildlife conservation.

Proper management of the recreational offshore uses of Napatree Point, and of the barrier system itself is essential to achieving protection of these areas. The public is invited to enjoy these areas for swimming, walking, sunbathing, boating etc., while adhering to regulations regarding the protection of the endangered and threatened species. The piping plover is federally threatened, the roseate tern is federally endangered, and least tern is state threatened. Ospreys and American oystercatchers are both "species of concern."

Recommendations are coordinated by the Watch Hill Fire District and the Watch Hill Conservancy acting with CRMC, DEM, and the U.S. Fish and Wildlife Service. Some areas may be marked and posted, designating preferred beaching areas for vessels during nesting seasons.

Posted regulations for the Napatree Point Conservation Area include provisions of the Westerly Code of Ordinances, as well as regulations for the protection of dunes, vegetation and animal species. Those relating to the piping plover are established by the U.S. Fish and Wildlife Service. Other agencies active in the protection of Napatree Point are CRMC and DEM. Signage may be developed indicating areas most suitable for beaching of boats, based on the location of paths across the dunes, and , seasonally, on nesting areas.

The U.S. Fish and Wildlife Service has adopted a recovery plan for the Atlantic Coast piping plover population as described in the Threatened Species, Beaches section.

II. Little Narragansett Bay- Transient Anchorage Area.

RECOMMENDATIONS

a. Education for the public- signage for the conservation area of Napatree beach and Sandy Point.

b. Protect shallows, wetlands, eelgrass beds, dunes and beach nesting areas.

c. Establish setbacks and buffer zones where appropriate, allowing for seasonal changes.

These shall be mapped and established by CRMC in conjunction with U.S. Fish and Wildlife.

d. Prohibit boats and activities in the "lagoon" area, with the exception of small kayaks and similarly powered vessels.

e. Prohibit activities which disturb wildlife such as water skiing, jet skiing and kite boarding during nesting seasons around sensitive areas as determined by CRMC in conjunction with U.S. Fish and Wildlife.

Additional Conservation Areas

The East Beach is monitored by the East Beach Association to help in accommodating public use of the beach and maintaining conservation of the nesting piping plovers. They have one of the highest piping plover populations in R.I.

Weekapaug and Shelter Harbor Beach environment and pond are monitored by the Salt Ponds Coalition and the Quonochontaug Beach Conservation Commission. The Salt Pond Coalition is the oldest continuously operating volunteer marine water-quality program in the nation. The Coalition has performed many water quality studies and mapping of eelgrass and shellfish beds. The ponds and environs are under the jurisdiction of the CRMC SAMP. See Appendix.

Biological Habitats

Westerly contains many wetlands, in coves and inlets, as well as fringe marshes located in the Pawcatuck River, the bay and the ponds. Submerged aquatic vegetation for wildlife feeding and spawning is found in Little Narragansett Bay, the river, and the ponds. Eelgrass beds in Little Narragansett Bay had been declining for several years, and scallop populations have been nonexistent.

However, a 2010 National Wetlands Inventory of the bay has shown an increase in the total areas of eelgrass beds, presently a total of 343 acres. Mapping has been done by the U.S. Fish and Wildlife Service, Save the Bay and the Salt Ponds Coalition. According to the USFWS there are no federally designated critical habitat areas in the Town of Westerly.

Intertidal flats and shellfish beds are found in the ponds and at Napatree Point, notably in the "lagoon" area. The main issue affecting the harvest of shellfish is water quality.

Swimming and surfing are basically limited to the Atlantic Ocean waters and some pond areas.

Anadromous fish runs have been established in the Northern Stillmanville area of the river. Smelt, alewives, shad, and salmon have been species of concern since the 1970s. Efforts toward their restoration have been ongoing by U.S. Fish and Wildlife.

Tidal Wetlands in the Pawcatuck River under CRMC jurisdiction are located on a shellfish map in the appendix.

Recreational Fishing is popular in Spring and Fall in the area where there may be bluefish, smelt, alewife, menhaden, and herring, although flounder, shad, and salmon are basically nonexistent. Oysters, quahogs, other clam species, and scallops also are not historically abundant due to contaminants. The river and bay as well as breach ways from the ponds give access to the Atlantic Ocean where bass, bluefish, and other fish are sought after. There are chartered fishing vessels, but no commercial fishing fleets as such.

Westerly's uniquely important natural resources have been extensively studied, described, and managed in order to move toward the essential proper combination of conservation and the citizen's use of the waters of the state.

Commercial Fishing – There are no commercial fishing facilities in the Town of Westerly.

Shellfish Beds and Spawning Areas – Despite the decline in historically abundant shellfish populations, the RI Shellfish Management Plan shows that recreational shellfishing occurs on shellfish beds in both Winnapaug and Quonochontaug Ponds.

In the current atmosphere of local, sustainable food sourcing, "green" practices including "hook to plate" and fuel conservation efforts, as well as, the resurgence of the artisanal fisherman, local commercial fishing should be encouraged and supported.

Commercial Fishing Recommendations

- Update data to more accurately reflect the current uses of all of Westerly's salt ponds and waterways including commercial fishing.
- Encourage the development of areas in all of Westerly's bodies of water that accommodate the business of providing fish and shellfish for local use.

THE BEACHES

I. INTRODUCTION

The Town of Westerly is blessed with an abundance of beautiful beaches, both public and private, that are accessible to local residents, private home owners, and the public. The Town owns two beaches off Atlantic Avenue, the State has a large beach also along Atlantic Avenue, and the beaches in all shoreline Fire Districts have provided enjoyment for its citizens and the public, and have brought many tourists to the area. The beaches and environs have provided excellent habitats for wildlife species, some of them threatened and requiring preservation management. Below is a summary of the beaches with associated regulations.

II. FINDINGS

A. WATCH HILL BEACHES

1. WATCH HILL BEACH

There is a beach with bathhouses owned by the Watch Hill Fire District located next to the carousel. The public is welcome but there is a fee for guests who are not in the Fire District. There is no on-street parking but there are private lots nearby.

2. EAST BEACH CONSERVATION AREA

This beautiful beach stretches from the Watch Hill Lighthouse all the way to the Misquamicut area. Cottage owners' land extends to the mean high tide mark on the beach. There is a public right of way from Bluff Avenue along a foot path that leads to the beach just east of the Watch Hill Lighthouse, with beautiful views of the summer homes, rocky cliff faces, and Block Island. There are no amenities or lifeguards. Paid parking is available in Watch Hill. At the road ending off Manatuck and Everett Avenues there are well marked paths that also provide easy access to the beach but there is no parking. The East Beach Association is composed of community members who help in accommodating the public use of the beach while maintaining conservation and litter control. As a consequence of their efforts, the East Beach contains one of the highest piping plover populations in Rhode Island. Litter control has become a problem with overflow from the receptacles.

3. NAPATREE POINT CONSERVATION AREA

At the southwestern tip of Rhode Island, Napatree Point is a long sandy barrier beach, extending west from Watch Hill Cove, terminating as a rocky outcrop known as a tombolo, separating the bay from the ocean. It offers a mile-long walk along the water's edge on the ocean and bay side. There are beautiful views from the high dunes and designated trails.

In 1899 the military built Fort Mansfield, and houses, hotels, wharves, and seawalls were constructed, all destroyed in the 1938 hurricane. Storms and hurricanes have continued to impact its configuration as it was once joined to Sandy Point extending to Connecticut and was located further in the ocean than at present. Approximately 90% of the Napatree property is owned by the Watch Hill Fire District, the remainder owned by a combination of the Watch Hill Conservancy, the State of Rhode Island, the Town of Westerly and a few private owners. About 70 acres of the land are currently in conservation, and are managed by the Watch Hill Fire District, the Watch Hill Conservancy, and the U.S. Fish and Wildlife Service as a wildlife refuge.

This area is one of the most important migratory shorebird stopover points on the East Coast and provides a foraging area for wading birds and year-round habitat for a variety of species. There are spectacular hawk, songbird, and monarch butterfly flights in autumn. The area also offers excellent fishing from the rocky shore near the ruined fort at the far end of the point. Napatree Point is accessible from two paved parking lots on Bay Street. Trash receptacles are available. The public is welcome to walk, swim, surf, sunbathe, fish, and enjoy this beautiful stretch of beach, bay and ocean.

Two studies by Rhode Island Natural History Survey, a non-profit organization, were completed in 2005 and 2010, and provide objective information about the condition of Napatree Point regarding recreational resources, wildlife, and migratory and nesting bird species. Their findings included the fact that dune and dune vegetation provide windbreak, shelter and food for wildlife. Over time, the public and free running dogs have created pathways crossing the dunes segmenting the habitats. Fourteen species have been identified by the State or Federal Government as rare, threatened, or endangered. These include the roseate tern, the least tern, and the federally "threatened" Piping Plover. The Piping Plover has been protected under many treaty and resource protection acts as well as Section 9 of the Endangered Species Act, which prohibits any person from harming or killing listed wildlife.

B. MISQUAMICUT BEACHES

1. COMMERCIAL BEACHES

There are approximately 17 commercial beaches stretching from the west end of Atlantic Avenue to the Weekapaug Breachway that the public can access. They include five hotel beaches, nine parking lots with beaches, two trailer/RV parks also with beaches, and one private beach club.

2. MISQUAMICUT FIRE DISTRICT BEACHES

There are three Misquamicut Fire District beaches along Atlantic Avenue. Two of these beaches have parking and restricted lots. Theses beaches are restricted to the residents of the Fire District and their guests.

3. MISQUAMICUT STATE BEACH (Indian word meaning "red salmon")
257 Atlantic Avenue

This beach runs the a significant length along Atlantic Avenue on the south side and is Rhode Island's largest state beach, with 3600 feet of frontage on the Atlantic Ocean. The beach is part of 102 acres of state-owned land that also borders Winnapaug Pond. Lifeguards are on duty all season and the beach has areas for body and board surfing, hiking, walking, and swimming. The large pavilion is accessible to people with disabilities, has an observation tower, rest rooms, showers, first aid, picnic tables/benches, concessions, refreshments and trash receptacles. The beach is extremely full during the summer and there is a fee for parking. The parking lot is open from Memorial Day to Labor Day.

5. WESTERLY'S NEW TOWN BEACH

Located on both sides of Atlantic Avenue, in close proximity to Misquamicut State Beach, this 3.12-acre town-owned property contains almost 300 feet of beach frontage and is open to the general public. Changing rooms are available. This stretch of beach is popular with surfers, who are encouraged to visit during summer evenings and off-season to minimize conflicts with other beachgoers and sunbathers. Parking is available for a fee, as are concessions, toilets and trash receptacles.

6. WESTERLY TOWN BEACH

Located south of Atlantic Avenue, this town-owned beach consists of approximately 10 acres with 550 feet of ocean frontage. The beach pavilion has showers, bathrooms, lifeguards, first aid, and a food concession stand. The beach is restricted to Westerly residents and their guests. Parking for the beach is available at two parking lots with a total of 400 spaces. Handicapped bathrooms and parking are available. From the bathhouse, there is a nice view of Winnapaug Pond to the north. There is a fee for

stickers for Westerly residents or taxpayers. Handicap access, picnic tables/benches, hiking, walking, and trash receptacles are available.

C. WEEKAPAUG BEACHES

1. QUONOCHONTAUG CONSERVATION AREA

Quonochontaug Beach is one of the few remaining undeveloped, privately owned barrier beaches in Rhode Island. The Quonochontaug Beach Conservation Commission (QBCC), an umbrella organization of the Nopes Island Conservation Association, Weekapaug Fire District, Shelter Harbor Fire District, Weekapaug Foundation for Conservation, Washington Trust Bank, and Shady Harbor Fire District, manages the area. Swimming areas with lifeguards are restricted to property owners and require a pass. The QBCC presently allows fishermen and the public to park at private parking lots during specified times, which are discussed below, and to gain pedestrian access to the beach and pond via well-marked trails off the sand trail that runs from the eastern end of Spray Rock Road to the Quonochontaug Breachway. Only private property owners are allowed to drive motor vehicles on the sand trail from June 15th to September 15th, and at no time are vehicles allowed on the beach face, sand dunes or vegetated areas. Over the past few years, the CRMC has restricted vehicular traffic on the sand trail for short periods of time (several days to weeks) from April 15th to September 15th when Piping Plovers are nesting near the sand trail. No parking is allowed along the sand trail. A pamphlet of regulations and guidelines for use of the site is available from the QBCC.

Parking at the private parking lots for those persons wishing to fish, shellfish or nature walk are permitted during the following periods:

Summer (06/16 – 09/14) Daytime: 7:00am to 6:00pm. No parking is permitted without a resident's car parking sticker or permit.

Evening and Nighttime: 6:00pm to 7:00am. Short-term parking for fishermen and the public is permitted, with no overnight parking.

During this season temporary parking will be permitted for the public in the specified parking areas at any time for fishing, shell fishing, and nature walking, with no overnight parking.

Additionally, there are approximately ten parking spaces just west of the sand trail which are available to the public anytime.

III. ISSUES

A. THREATENED SPECIES

With the increase in population and settlements along the shore, there has been a conflict between humans and coastal shorebirds' habitats. The migration of shorebirds requires them to "refuel" at coastal sites typically separated by hundreds or thousands of miles. As human populations grow, many essential coastal sites and nesting places are threatened with loss of key habitats causing species to decline and become endangered.

Of special importance to all the beaches is the protection and rehabilitation of Piping Plovers which have established breeding grounds there. The U. S. Fish and Wildlife Service has adopted a recovery plan with the goal of removing the Atlantic Coast piping plover population from the list of Endangered and Threatened Wildlife species by(1) achieving well distributed increases in numbers and productivity of breeding pairs, and (2) providing for long-term protection of breeding and wintering plovers and their habitats.

In addition, the Rhode Island Natural History Survey identified fifty-two species, including 14 which have been designated as rare, threatened, or endangered by the state or the federal government. Three of these are the roseate tern (federally endangered), piping plover (federally threatened), and the least tern (state threatened). Dunes and dune vegetation protection are essential for assistance in helping the survival of these species.

B. SAFETY

Where the beaches have no lifeguards, signs may be needed with warnings about big surf and dangerous currents. There needs to be special areas designated for surfers. Vehicles on the beach in the off season can create danger for pedestrians and those who are just sitting on the beach. Vehicles are not allowed at any time without a DEM issued permit. Though Town ordnance allows dogs on the public beaches during specified hours of the day, unless the owners religiously pick up droppings, bathers will be endangered. Litter that is taken in by visitors must be taken out. Care must be taken to respect property owner's land. Care must also be taken to protect nesting birds and threatened species from both pedestrians and pets. Rights of ways should be acknowledged and kept cleared.

IV. RECOMMENDATIONS

A. Provide education for pedestrians and boaters about endangered species.
B. Protect shallows, wetlands, eelgrass areas and dunes
C. Maintain signs for public education regarding litter and Town ordinances.
D. Put up signs with safety rules regarding high surf and currents, no lifeguards
E. Establish dune restoration for all barrier beaches.

SHORELINE PUBLIC ACCESS

ALL RIGHTS OF WAY MUST BE PROVEN TO BE PUBLIC OR PRIVATE

I. INTRODUCTION

An initial study by the Harbor Management Planning Commission in 2006 revealed approximately (35) public access points designated by the Town of Westerly and/or the Rhode Island Coastal Resources Management Council (CRMC) in the town of Westerly.

This identification process was difficult as some of these public access points had never been officially listed, acknowledged or legally clarified by the town. Some have been legally challenged by abutting property owners over the years; some have been used for years but never officially established or posted; some have been known for years but never officially used; some have been used frequently and never questioned, etc.

For the above reasons, the list included in the initial study is supplemented by a section entitled 'Prospective Future Sites and Site Ideas', a list of potential public access-points (or access ideas) that will be held until further research proves them either valid or invalid for public use. In other words, this is a list that should grow and become more firmly established as the Harbor Management Planning Commission of Westerly continues in its ongoing mission to 'preserve, maintain and expand public access to the water and the waterfront. (REFERENCE: 1992 Pawcatuck River Estuary and Little Narragansett Bay Study, done jointly by the RI CRMC and CT Department of Environmental Protection, p. 183 section 620.1 Protecting and Increasing Access, A. General Public Access Policies.: "1. The state and local governments should protect and increase public access, both physical and visual, to the Pawcatuck River Estuary and Little Narragansett Bay through adoption and adherence to common policies and standards, protection and development of existing sites, or sites where there exists an easement running to the public, and requiring the dedication of access where appropriate as a condition of new development and redevelopment.)

Currently, for instance, there is talk in the town of Westerly about possible additions and improvements to public access. A public river-walk, beginning along the Pawcatuck River near the downtown area, has been discussed by numerous agencies and councils (Westerly Land Trust, The Economic Planning Committee, etc.), including the Harbor Management Planning Commission, and this idea has been generally accepted as a desirable goal for the town. Though no specific plans have yet been presented, the idea is a positive one and will be reviewed by the Harbor Management Planning Commission as a desired addition to public access when an official proposal emerges.

There has also been some discussion about improved use of the waterways for transportation and/or recreational purposes, especially public transportation. Adding public dock space to the rivers, ponds, bays and/or coves of the Westerly area should be viewed as a desired goal as well, since Westerly has not utilized its waterways for public transport since the early 1900's.

In general, known access-points will be outlined here—29 designated sites of various types and descriptions in 2009. Where issues and questions remain, those sites will be listed as 'Prospective Future Sites and Site Ideas' at the end of the section.

2. FINDINGS

*Note: All directions (north/south/east/west) referred to in this section are 'by the compass'.

RIGHTS OF WAY TO THE SHORE (referenced from Westerly ROW book and 2004 RI CRMC Public Access manual)

Site #1--Avondale Road- (State designated ROW #A14). Located next to the Lotteryville Marina, this ROW is approximately 25-feet wide, covering 3776 square feet, and is bordered on its north side by a stone wall marking the boundary with the Frank Hall Boat Yard. There is a stone wharf and a launching ramp, both in need of repair. The site is posted. It appears to have been set up as a launching ramp, but the terrain at entry needs attention and upgrading. The exact size and dimensions of this parcel should be identified for possible upgrading. No parking nearby.

Site #2 & 2A- Water's Edge Road (Town-designated—previously Meadow lane.) Located at the end of Pawcatuck Avenue, running north/south, this ROW runs the entire length of Waters Edge Road, ending on the north side at Foster Cove and on the south side at Watch Hill Cove. The site is not posted. Access, is blocked by fencing and established undergrowth. On the south side, at Watch Hill Cove, the launching ramp is ill-maintained and the right-of-way has been narrowed by vegetative growth on one side and large rocks on the other. No turnaround is available. No parking is available.

Site #3- Fort Road (Access along Fort Road shoreline). Located off Bay Street, running along Watch Hill Cove adjacent to shops and cabanas, the pedestrian easement leads to Napatree Point, running along the seawall as a shoreline path and leading through a posted-gate to Napatree Beach. This ROW is heavily used in the summertime, moderately used in the off-season.

Site #4- Bluff Avenue, Watch Hill- (*Both Town and State-designated as CRMC ROW #A-2*) Located at the top of Larkin Road as it becomes Bluff Avenue. This ROW is pictured and described as a 40-foot wide road that leads to the beach. Now a pathway bordered by evergreens and beach rose bushes, about 10-feet wide at the Bluff Avenue entry, narrowing to approximately 6 feet as it winds down toward the beach. A town sign is posted at the entry-point. **This ROW should be kept clear and upgraded; it is heavily used in summer, moderately used off season.*

Site #5- Everett Avenue, Watch Hill- (Town-designated) Located just north of the Ocean House, this ROW is a path 30 feet wide and 260 feet long. There are private homes on both sides of the right-of-way. There is a sign posted at the right-of-way itself, designating this as a beach entry point, but no sign at the entry to Everett Avenue. This

access-point is heavily used in the summer season and has been utilized as a vehicular beach-entry point by fishermen during the off-season.

Site #6- Niantic Avenue, Watch Hill (Determined to be Private ROW)
This right-of-way was once posted with a Town sign, however a title search has revealed that the pathway is privately owned.

Site #7- Manatuck Avenue, Watch Hill—(*State-designated ROW—CRMC #A-3*). Located at the beach-end of Manatuck Avenue, this is a wide sandy path leading to the beachfront. It is posted with a RI CRMC right-of-way sign. It is heavily used during the summer months as a beach-access and used as a vehicular entry-point during the off season.

Site #8- Atlantic Avenue, Misquamicut- (Town-designated) This right-of-way is located at the very end of Atlantic Avenue, going west. It is, technically, the hurricane-eroded extension of Atlantic Avenue that once led to several summer cottages. There is a town sign posted, and a chained-and-posted entry-point. It has been historically utilized as a pedestrian and vehicular right-of-way, used heavily by the public both during the summer and in the off-season.

Site #9- Atlantic Ave, Misquamicut- (*Town-designated*). Located on the western end of Atlantic Avenue near pole #154, this is a ten-foot wide path to the shore, marked by a town ROW sign. It is bordered by a wooden fence and a thick growth of beach roses. There are private homes on both sides. This ROW is used moderately in the summer months as a beach-entrance.

Site #10- Atlantic Avenue, Misquamicut—(*State-designated ROW, RI CRMC #A-13*) Located near pole #91 near Atlantic Beach Park on the north side of the State Beach, between two buildings (Windjammer Lounge and a 3-story residential condominium). This right-of-way appears to coincide with a private parking-lot entrance. It is marked with a state shoreline access sign and appears to be utilized at least moderately in the summer season. It has also been used as a vehicular entry-point in the off-season.

Site #11 Atlantic Avenue, Misquamicut—(*State-designated ROW, RI CRMC #A-11*) Located near pole #72 on the east end of Atlantic Avenue, this right-of-way is marked and posted with a sign. It is well-marked and heavily-used in the summer season.

Site #12 Atlantic Avenue, Misquamicut—(Town-designated, State-designated, RI CRMC #A-6)- Located on the east end of Atlantic Avenue near pole #54, this right-of-way is a long sandy path to the beachfront. It is marked with a CRMC access sign and bordered with a snow-fence. This right-of-way has been used historically. It is used moderately in the summer season.

Site #13 Atlantic Avenue, Misquamicut—(Town-designated, State-designated, RI CRMC #A-7) Located on the east end of Atlantic Avenue (near pole #46), this right-of-way is

clearly posted with signs and appears to be used regularly in the summer season. It is a long sandy path bordered by a wood-framed, chain link fence.

With the help of CRMC personnel (Kevin Cute & Janet Freedman) several additional state-designated ROW's, previously not mentioned, were reviewed. These are included below. These ROW's may or may not be accessible, but they have been designated by the state as legitimate ROW's. In some cases, accessibility may be possible, however, and every effort should be made to clear them and open them to pedestrians.

Site #A-12, state-designated ---This ROW is located between telephone poles #19-20, and street numbers 601-611, at the Weekapaug end of Atlantic Avenue. The site is not passable. Starting from Atlantic Avenue, the ROW crosses Phragmites marsh, thick brush, a sand dune and a boulder revetment. The boulder revetment encroaches on the 'beach' to the east as depicted on a Westerly Plat map of 1909. The revetment impedes lateral access along the shore at high tide.

Site #A-8, state-designated---Moving from site A-12 along Atlantic Avenue toward Watch Hill, this ROW is located between telephone poles #29-30, and street numbers 563-567. The ROW is not passable at present. Starting from Atlantic Avenue, it crosses thick brush and a boulder revetment. The boulder revetment along this section of shoreline is approximately at the 'foot of bank', possibly encroaching on the 'beach' in places.

Site #A10, state-designated---This ROW is located between telephone poles #39-40, and street numbers 523-529, at the Weekapaug end of Atlantic Avenue. There is a walkway (private?) leading to the beach that is connected to a ground-level deck, adjacent to 529 Atlantic Avenue.
If the exact dimensions and location of this ROW can be determined, reopening it to public use should not be difficult.

Site #A-9, state-designated—This ROW passes through the Westerly Town Beach between telephone poles #80-81. Pedestrian access through this town-owned shorefront property is permitted.

Site #16A—West Beach Road, Charlestown—This ROW was not included in the initial list as it is located in Charlestown. It does, however, provide public water and boat access to Quonochontaug Pond, a portion of which is located in the Town of Westerly and a portion in Charlestown. This RI state access area has a boat-launch ramp and ample parking. It is located at the end of West Beach Road, adjacent to the Quonochontaug breach way in Charlestown.

WEEKAPAUG AREA—

Site #14 Atlantic Avenue, Misquamicut/ Weekapaug Bridge—(*State-designated (DEM) fishing area*) Located on both sides of the Weekapaug Bridge, these state-designated parking areas for fishing, allow fishermen and pedestrians access to the Breachway and

the shoreline. From the west side parking area, a vehicle-path leads along the Breachway to the shore. This is used in the off-season as a vehicular access for fishermen; it is used in the summer season as a pedestrian right-of-way to the Breachway and the shore.

Site #15 Spray Rock Road overlook, Weekapaug (sea-walled scenic overlook and shoreline access.) Located at a scenic bend in Spray Rock Road, this parking area (time-limited in summer) has been used as a scenic overlook and shoreline access for fishermen and surfers for many years. Parking in the off-season is not time-limited.

Site #16 Spray Rock Road, Weekapaug (*State-designated pedestrian and vehicular ROW*) Located at the north end of Spray Rock Road, abutting the Weekapaug Yacht Club, this gravel-to-sand road leads to the Quonochontaug breach-way (4X4 vehicles only on sand road to breach-way). By an agreement reached in Superior Court in 1997 (CA# 94-321/ dated 2-26-97) this roadway (with limited public parking near the entrance) is available to all residents as a pedestrian access-path and to property owners and other authorized vehicles (such as fishermen with permits) who wish to reach the shoreline or the Quonochontaug breach-way in Charlestown. Harbor Management members, town officials and concerned groups (such as fishermen) must continue to maintain and improve both pedestrian and vehicular right-of-way access to this Westerly/Charlestown shoreline area.

PUBLIC BEACH ACCESS

Site #17- Misquamicut State Beach, Atlantic Avenue. (RI Department of Environmental Management (DEM))—Located on the west end/south side of Atlantic Avenue, this is Rhode Island's largest state-owned beach with 3600 feet of frontage on the Atlantic Ocean. The parking lot and facilities (bathrooms, changing rooms, snack bars) are open for the summer season (Memorial Day to Labor Day) for an entrance fee; in the off season there is no charge for parking. Pedestrian access always welcome. The beach is part of 102 acres of state-owned land that also borders Winnapaug Pond.

Site #18- New Westerly Town Beach (Wuskenau), Atlantic Avenue, Misquamicut—Located just to the east of the State Beach, with parking on both north and south sides of Atlantic Avenue, this new town beach has almost 300 feet of beach frontage and is open to the general public for a fee. Facilities (bathrooms, showers, changing rooms, concessions) available. Lifeguards on duty during summer season.

Site #19 Westerly Town Beach, Atlantic Avenue, Misquamicut—Located on the south side of Atlantic Avenue, also east of the State beach, abutting an RV park, this 10-acre beachfront property has 550 feet of ocean frontage. Attendance is restricted to permitted Westerly taxpayers. Two parking lots available, on north and south sides of Atlantic Avenue, 400 total parking spaces. The beach pavilion has facilities (showers, bathrooms, concessions). Lifeguards on duty during the summer season.

BOATING, FISHING AND SCENIC ACCESS

Site #20- Main Street Boat Launch, Westerly—(*State-owned)* Located on the Pawcatuck River, near Westerly's Town center on Main Street between Union and School Streets, this concrete boat launch is in excellent condition and has ample parking for vehicles and trailers. No fee.

Site #21- Viking Marina, Margin Street, Westerly—(privately owned) Located off Margin Street on the tidal portion of the Pawcatuck River, this is a privately owned marina with one small boat ramp available for public use for a fee. The ramp is 10 feet wide. Public parking is located one-half mile away.

Site #22- Margin Street Launch, Westerly—(town-managed) Located on the right as you pull into the Westerly Marina, the Margin Street Launch is a town boat ramp, restricted to use by town residents. Parking is available on site for 15 to 20 cars with trailers. No fee for Westerly residents. (*the boat launching ramp should be upgraded.)

Site #23- River Bend Cemetery, Scenic access—Located on Beach Street (Rte 1A). This beautiful old cemetery does not offer ideal access to the river (though it does have an old boat launch area) but there are great scenic views and interesting, ornate gravestones. Excellent for birders. Park on interior roads only.

Site #24- Frank Hall Boatyard, Avondale (privately-owned)--Located on India Point Road on the Pawcatuck River in Avondale. Dockage and parking for a fee.

Site #25- Lotteryville Marina, Avondale (privately-owned)—Located on Avondale Road on the Pawcatuck River, this very old marina has a boat ramp available to nonmembers during the week for a fee. Parking is limited on week-ends.

Site #26 – Avondale Boat Yard, 47 Avondale Road (privately owned)

Site #27- Watch Hill Boatyard, Watch Hill (privately-owned)—Located on Pasadena Avenue at Colonel Willie's Cove (Pawcatuck River), this site offers public access: boat ramp, moorings, transient docking and parking, for a fee. Parking sometimes difficult in summer on week-ends.

Site #28- Watch Hill Dock, Watch Hill—Located off Bay Street in Watch Hill village, this Watch Hill Fire District dock (run by the Frank Hall Boatyard) is available for pick-up, drop-off and temporary tie-up of small watercraft. A waterfront park with benches is nearby. Public parking nearby is time-limited.

Site #29- Watch Hill Lighthouse, Watch Hill—Located on Larkin Road/ Bluff Avenue, pedestrians (handicapped or seniors in vehicles) may access this granite lighthouse, built in 1856, to fish from the seawall or experience the beautiful views of the coastline. Lighthouse museum open two half-days/week. No parking available, though there is parking within walking distance used heavily by fishermen in the off-season.

3. ISSUES

**Some access-points are overgrown, partially obstructed, or without proper identification and care:*

Site #2—Waters Edge South. The launching ramp is ill-maintained and the right-of-way has been narrowed by growth on one side and large rocks on the other. Lack of nearby parking will limit the use of this site but it should be fine for kayaks and small boats.

Site 2A---Waters Edge North. The present fence is fine as a travel barrier. But, the site is not maintained. Undergrowth blocks access to the riverbank and completely obscures the state-line marker.

Site #4/ Bluff Avenue—A narrowing pathway, with some large rocks, make it difficult and possibly dangerous to pass, especially when carrying beach chairs, coolers, surf-boards and/or other items.

**Some access points have unrealized potential for access:*

Site #1—Avondale Road—There may be space enough for parking and if the wharf and ramp were upgraded this could be a public boat launch site (for small boats) much closer to Little Narragansett Bay than the state boat launch area in downtown Westerly.

Prospective site #1---Meadowlark Drive—This undeveloped town road leads to the Pawcatuck River and what appears to be an old launching ramp. By itself, it has limited potential but it is adjacent to the town-owned sewer plant, where there may be under-utilized land. This land could be developed for parking and other uses, if the town agrees.

Prospective site #2—Avondale Road—This land may be mostly wetlands but could be developed as a visual access site, for bird-watching, etc., and possibly some walking access. It is presently owned by the Westerly Land Trust and is marked as a Right of Way (R/W) on the Town plat maps.

Prospective sites (and ideas) to salt ponds —There is no public boat access to the salt ponds (Winnapaug, Quonochontaug, etc.). The entire shoreline should be studied for such locations.

**Some public access points have been lost or diminished by 'privatization':*

Examples: there are two town-designated sites in Misquamicut, one entering Winnapaug Pond and one located, supposedly, just west of Winnapaug Road on Atlantic Avenue. Apparently, these sites have simply been blocked or obscured. There is also a site in Watch Hill, off Wapan and Arraquat Roads, that the town ROW book identifies as a public access point, but, after a close inspection, there is no apparent sign of it; this site has either mistakenly identified or has been erased by privatization.

**Some public access-points have been used but never officially listed:*

Examples of such sights are Snowberry Lane, Salt Pond Way, Egret Lane. These sites, and others listed in the Prospective Sites section, lead to Winnapaug salt pond and are therefore potential public access-points.

4. POLICIES

- All ROWs must be proven to be public or private

- The Town shall not allow any future 'privatization' of existing public access points.
- The Town will actively support efforts to maintain and protect all public access points to the shore.
- Where necessary, the town will support the physical improvements of the shoreline access areas on a priority basis to ensure safe and easy access.
- The Town will support and encourage the efforts of the Planning Board in the creation of new access points for all new waterfront development.
- The Town will support the participation of citizens and community organizations in the physical restoration, upgrading and maintenance of rights of way. (As it did by officially enacting the CRMC's Adopt-An-Accessway program in 2008).
- The Town will examine possibilities for the acquisition, through donation or purchase of lands adjacent to access points, for open space and recreation as funds become available, including acquisition for public dock space wherever feasible.
- The Town should not abandon or ignore any public shoreline access points.
- The Town should continually explore the potential for additional public shoreline access points, including municipal paper streets (streets shown on maps), dedicated easements,, buried cables, washed-out town roads, etc.

5. RECOMMENDATIONS

PA1- The Harbor Commission should continue its efforts to determine which public access points need improvements. These areas should be prioritized and targeted for improvements to ensure safe access to the shore. The Harbor Commission should work with all appropriate town agencies (Town Council, Planning and Zoning Boards, Town Administration, Economic Planning Committee, etc.) to seek funds for improvements.

Action Agents: Harbor Commission, Town Council, Town Administrators, Harbormaster, all related committees and councils.
Time Frame: Ongoing

The town should improve the following sites:

Site #1—Avondale Road—the ramp should be improved, the stone wharf upgraded or replaced with a floating dock. The site should be surveyed and measured, cleared and, if possible, partly surfaced for parking, the remainder landscaped.

Prospective Site #1—Meadowlark Drive---The Commission should find out if the land surrounding the sewer plant is reserved for expansion or upgrade. If it is not, the Town should develop a plan for a launching ramp here, possibly a public dock. The entrance would be from Meadowlark Drive, parking could be on what is now sewer department property. The site could be landscaped to separate it from the sewer plant and the neighbors.

Prospective site #2---Avondale Road—The Commission is exploring possible access here, with the Westerly Land Trust, the current owner, who may have similar public access interests.

Prospective site (idea) #6 Salt Pond Way, et al—Winnapaug Pond—The town should establish and develop a small-boat launching area into Winnapaug Pond, at one or both of the town-owned parking lots opposite the town beaches on Atlantic Avenue. Although the water is too shallow for deep-keel launching, small boats such as kayaks, canoes, sailfish, etc., could easily access this pond. A path to the pond, a minimal launch ramp, a small floating dock and signage is all that is needed here.
PA2- The Harbor Commission should coordinate with Town Administrators on a plan for long-term maintenance of rights-of- way, including: regular site checks, regular trash removal, periodic mowing and/or removal of obstructions and/or landscape improvements.
Such programs as the CRMC-sponsored Adopt-An-Accessway program, which will provide oversight to rights-of-way in town, especially those that lead to beaches, should be continued and supported. Also, where needed, signs to identify each right-of-way should be erected and illegal 'no parking' signs should be removed.

Action Agents: Harbor Commission, Town Administrators, Harbormaster, Adopt-An-Accessway participants (East Beach Association, Conservation Groups, RI Mobile Sports fishermen, Save the Bay, etc.) and other related community agencies.
Time Frame: Ongoing

The town should improve the following sites if feasible:

Site #4—Bluff Avenue—Rocks creating blockage in the path should be removed, the accessible path widened and made more easily traversable.

Site #2—Waters Edge South—The ramp should be upgraded and the brush and rocks removed to clear the full authorized width. It should be possible for cars to turn around without encroaching, or entering, neighboring properties.

Site #2A—Waters Edge North—The site should be cleared and landscaped with grass or gravel. The site should be developed to provide visual access to Foster Cove, Little Narragansett Bay and the Pawcatuck River, and pedestrian access to the state boundary marker. A sign describing the marker should be erected .

PA3- Waterfront development should not restrict or diminish public access. The Town shall require that new or expanded developments provide some form of public access (such as boardwalks, walls or walkways) to compensate fully for any interference with or loss of access.

Action Agents: Town Council, Town Administrators, Planning and Zoning Boards, other related agencies.
Time Frame: Ongoing

PA4- The Town should begin planning for a public dock. There is no public dock in Westerly at this time. The Town should seek out appropriate and feasible locations for a public dock.

Action Agents: Harbor Commission, Town Planner, Planning Board, Harbor Master, Town Administrators, appropriate fire districts or boards.
Time Frame: Ongoing

PA5- Inventory paper streets (map reviews), dedicated easements, and buried utilities as they may provide opportunities for potential new public access points.

Action Agents: Harbor Commission, Town Council, Administrators, Dept. of Public Works.
Time Frame: Ongoing

PA6- Continue to identify shoreline public access points for potential to be designated as such by RI CRMC.

Action Agents: Harbor Commission, Town Council, CRMC sub-Committee.
Time Frame: Ongoing.

PA7—Submit all town-designated access points to RI Coastal Resources Management Council for state review and designation.

6. PROSPECTIVE FUTURE SITES AND SITE IDEAS:

Prospective site #1/ Meadowlark Drive—(town-designated)-Located at the river-end of Meadow Lark Drive, this site could easily be included in the above site list without much research, but there are some questions about its borders, abutting owners, etc. The site, once fully listed, is a good site for possible public use, public dock, parking lot, etc. It has been ignored as an access point for several years. The Harbor Commission should determine whether the land surrounding the sewer plant is reserved for expansion or upgrade. If not, the Town should develop a plan for a launching ramp here, possibly a public dock. The entrance would be from Meadowlark Drive, parking could be on what is now sewer department property. The site could be landscaped to separate it from the sewer plant and the neighbors.

Prospective site #2-- Avondale Road- (Town-designated) Located between Champlin Drive and Watch Hill Road, bordering Colonel Willie Cove, this ROW is a small peninsula of land (owned by the Westerly Land Trust). There is currently no sign. As

noted in the town ROW book, there is land for parking nearby, but this is also unidentified at present. In a residential neighborhood, the ROW is noted on town plat maps. Though used minimally at present, this could be utilized as a wildlife-viewing site, but its true boundaries would first have to be accurately determined and the cooperation of the Westerly Land Trust enlisted.

Prospective Site #3- Winnapaug Road, Misquamicut—(Town-designated—*research needed*) Located near the intersection of Atlantic Avenue and Winnapaug Road, near the Sea Shell Motel, this ROW leads to Winnapaug Pond and it is difficult to locate. It is described in the town's list as being 'so close to a major recreation facility, no development or further action is recommended at this time.'

Prospective Site #4/ Atlantic Avenue, Misquamicut—(Town-designated—*research needed*) Town lists this as 'located just west of the intersection of Winnapaug Road and Atlantic Avenue.' It could not be located. Further study is necessary.

Prospective Site #5/ Salt Pond Way—(town road? town-designated? *research needed*) Located off Cove Road in Weekapaug, this pond entrance appears to be a public launching area abutting the shore end of a town road, but there is a sign posted stating it is '*not a public launch*'. There is no group of individual identified on the sign. More study is needed to clarify this shoreline access-point. (It could be that because this area is at the end of a town road, public access to the pond (public trust) is automatically assigned, but abutting property owners do not want a public launch here.)

Prospective Site #6/ Winnapaug Road, Misquamicut—(Town-designated—*research needed*) Located near the intersection of Atlantic Avenue and Winnapaug Road, near the Sea Shell Motel, this ROW leads to Winnapaug Pond and it is difficult to locate. It is described in the town's list as being 'so close to a major recreation facility, no development or further action is recommended at this time.

Prospective Site (idea) #7--A public river-walk, beginning along the Pawcatuck River near the downtown area, has been discussed by numerous agencies and councils (Westerly Land Trust, The Economic Planning Committee, etc.), including the Harbor Management Planning Commission, and this idea has been generally accepted as a desirable goal for the town. Though no specific plans have yet been presented, the idea should be reviewed by the Harbor Management Planning Commission and other groups as a desired addition to public access. An actual proposal should then be made, outlining location, dimension specifics, work plans, timelines, etc.

Prospective Site (idea) #8—Improvements in the use of the main waterways for transportation and/or recreational purposes, especially public transportation. Adding public dock space to the rivers, bays and/or coves of the Westerly area should be viewed as a desired goal as well, since Westerly has not utilized its waterways for public transport since the early 1900's. The Town should review the feasibility of constructing public docks on Town owned or acquired properties.

Prospective Site (idea) #9---Improvements in the use of the salt ponds for small boat-launching and small boat access. There are several points, including pond-side areas behind the Town and State beaches that should be investigated for this purpose.

Prospective Site (idea) #10---Several potential public access sites on the Winnapaug salt pond should be investigated for access as well. These include: Snowberry Lane; Egret Lane; et al.

Prospective Site (idea) #11—Westerly Town plat 86/ lots 56 & 61. This is town-owned riverfront property on Margin Street (upriver from the Town sewer plant) that should be considered as a potential town dock site. It is mentioned in the Comprehensive Plan.

The Town will engage CRMC in the investigation of all potential ROW listed as Prospective Future Sites.

HARBOR FACILITIES AND BOAT RAMPS

Harbor Facilities consist of public, private, and commercial marinas, yacht clubs boatyards docks and boat ramps.

1. FINDINGS

Publicly Owned Structures

The State owns a launch ramp and pier on Main Street in Downtown Westerly. There is parking for approximately 40 cars with trailers.

Privately Owned Structures.

Shelter Harbor Fire District

Shelter Harbor Fire District has 75 private moorings at Groves dock on the Northern shore of Quonochontaug Pond just west of the Charlestown line. There are no slips, two docks and a swimming dock. There is a private boat ramp that accommodates boats up to 26 feet. The facility is accessed by a dredged channel. There is no fuel available and no pump-out facility. There are twenty parking spaces for Shelter Harbor residents only.

Weekapaug Yacht Club

Weekapaug Yacht Club is located on the Southwestern shore of Quonochontaug Pond. There are no docks or slips available to the public. There is a private launch ramp. Boats up to 24 feet can be launched at this ramp. This facility is accessed by dredged waters; minimum approach depth is approximately 5 feet. There is no fuel available. There is no pump-out facility here or anywhere on the pond. On site there are 20 parking spaces for Yacht Club Members. The Weekapaug Yacht Club seasonally maintains its' own aids to navigation. There are 73 moorings for vessels between 10 and 22 feet, some are privately owned and some are owned by the Yacht Club.

Weekapaug Fire District

Weekapaug Fire District has 28 slips on the East side of the breech way into Winnapaug Pond. There are no moorings. There is a boat launch for vessels up to 24 feet for use by Fire District members. There is a defined Marina Perimeter. There is neither fuel available nor pump-out facility. There are parking spaces for 28 to 30 cars.

The Watch Hill Fire District Docks

The Watch Hill Fire District docks are located in Watch Hill Harbor on the eastern most edge of Little Narragansett Bay. Comprised of three sets of docks; The Watch Hill Dock, The Plympton Dock and the Maxon Dock, the Watch Hill Fire District Docks are leased out and operated as a public docking facility. There are approximately 16 seasonal slips and 6 transient slips which are open to the public on a first come, first served basis. In addition, there is a dinghy float which provides free public access to the shoreline. The facility has a Defined Marina Perimeter. There is no gas or diesel fuel available. The Watch Hill Docks are serviced by the Westerly Pump-out Boat. Parking for the Watch Hill Docks is located at the northern edge of the harbor. This is a designated parking lot which accommodates approximately 25 cars.

Watch Hill Yacht Club

The Watch Hill Yacht Club is a private yacht club located at the south eastern edge of Little Narragansett Bay. The Watch Hill Yacht Club has one slip for the WHYC launch and a float approximately 140 long for the temporary dockage of small boats. The lower level of the clubhouse deck provides temporary docking space for four vessels. Roughly 14 small boats are dry stacked on a moored floating dock at the facility as well. The Watch Hill Yacht club has a Defined Marina Perimeter and is accessed through a dredged channel. There is no fuel available. Boats at the Watch Hill Yacht Club are serviced by the Westerly Pump-out Boat. Parking is located in a designated lot south of the Club. This lot has a 46 car capacity. In addition, there is a remote lot located on Larkin Road that accommodates approximately 18 cars and 5 boat trailers.

The Yacht Club owns and controls a dinghy dock used by the Junior Sailing association, a string mooring capable of holding five small boats (17 feet or under), five visitors moorings in the outer harbor West of the North South entrance channel, four moorings East of the channel and six moorings in Watch Hill Cove. There are approximately 100 private moorings in Watch Hill Harbor, most of them owned by Yacht Club members.

Watch Hill Boat Yard

Watch Hill Boat yard is located at 21 Pasadena Avenue and is accessed through a marked channel into Col Willie Cove at R4 at the mouth of the Pawcatuck River. It is a full service marina with onsite land storage during the winter months. There are 81 slips on four separate docks. It includes a boat launch ramp. Neither gas nor diesel is available. There is a Defined Marina Perimeter with 27 moorings. There are parking spots for 92 cars. Watch Hill Boat Yard is serviced by the Westerly Pump-out Boats.

Avondale Boat Yard

Avondale Boat Yard is located at marker C7, on the Pawcatuck River. Avondale Boat Yard is a full service marina with onsite land storage during the winter months. There are 96 slips. There is no boat launch available at this facility. Avondale Boat Yard does have

a Defined Marina Perimeter. Both gas and diesel fuels are available as is a MSD pump-out facility. Parking is undesignated; exact parking numbers change seasonally with the onsite storage of boats. There are currently 3 moorings with permits issued for a total of 10.

Lotteryville Marina

Lotteryville Marina is a marina located between C7 and C8 on the Pawcatuck River. There are 3 docks with a total of 75 slips at this facility. In addition, there are 15 outhauls. There is a launch ramp which can accommodate vessels up to 30 feet. Lotteryville Marina does have a Defined Marina Perimeter. There is no fuel available at this facility. Parking is on site and totals 75 spaces. The Westerly Pump-out Boat services boats at this marina. Lotteryville Marina has a total of 20 moorings which can accommodate vessels up to 40 feet.

Frank Hall Boat Yard

Frank Hall Boat Yard is a full service marina located at N8 on the Pawcatuck River. There are 2 dock structures with a total of 110 slips. There are 17 moorings with a permit total of 18. There is a 35 ton Marine Travelift at this facility. There is no launch ramp. Frank Hall Boat Yard has a Defined Marina Perimeter. There is no fuel available. Vessels at this site are serviced by the Westerly Pump-out Boat. There is a maximum of 130 parking spaces which are undesignated and change seasonally with the onsite storage of boats.

Gray's Boat Yard

Gray's Boat Yard is located at 91 Watch Hill Road Gray's Boat Yard has a total of 78 slips over 5 docks. The facility has a boat launching ramp which can accommodate boats up to 33 feet. The launching ramp is for use by the boat yard and its customers only. The marina has a Defined Marina Perimeter. There is no fuel available at this site. The Westerly Pump-out Boat services this marina. There are 52 parking places on site. Gray's Boat Yard seasonally maintains aids to navigation. There are 3 moorings which can moor vessels from 19' to 32'.

Westerly Yacht Club

Westerly Yacht Club is located on the Pawcatuck River just above the narrows at Pawcatuck Rock and just below where the River widens dramatically into Thompson Cove. It has seven finger docks aggregating 251 boat slips and 21 moorings offshore just east of the Federal channel. It has its own pump-out facility open to the public. There is fuel available.

Westerly Marina

Westerly Marina is located at 41 Margin Street in the Town of Westerly on the Pawcatuck River. There are 50 slips on two separate docks. There is a public launch ramp for residents of Westerly; capacity unknown. There is no fuel available. The Westerly Pump-out boat services this location. There are 100 undesignated parking spaces. There are no moorings. A defined Marina Perimeter application is in process.

Pier 65 Marina

Pier 65 Marina has 15 slips, no moorings. It has a Travelift. No fuel is available. The Westerly Pump-out boat services the facility. There is limited parking.

Viking Marina

Viking Marina is located at 19 Margin Street, the most Northern marina in Westerly on the Pawcatuck River. The site has 50 slips on one floating dock, no moorings. There is a 25 Ton Straddle Lift, a boat launch ramp, and onsite land storage during the winter. There is no fuel available. The Westerly Pump-out boat services the facility. There are sixty parking spaces.

Commercial Fishing Facilities - There are no commercial fishing facilities in the Town of Westerly

Boardwalks - There are no Boardwalks in the Town of Westerly

Swimming Areas - There are no formally designated swimming areas in the Town of Westerly. There are areas that have been buoyed off by some of the beaches that delineate areas of which boaters must avoid.

Windsurfing - There are no official areas that are exclusive to windsurfing. Historically, windsurfing has been enjoyed in several areas off of Misquamicut Beach, Watch Hill Beach, Napatree Point and Winnapaug Pond to name a few.

Turning Basins – There are no Turning Basins in the Town of Westerly.

Special Anchorage Areas – Watch Hill Cove and Thompson Cove are designated Special Anchorage Areas.

Municipal Shoreline Zoning District – There are no Municipal Shoreline Zoning Districts in the Town of Westerly.

SUMMARY OF DOCKS, SLIPS AND MOORINGS IN THE TOWN OF WESTERLY (2015)*

LOCATION	DOCKS	SLIPS	MOORINGS
PRIVATE DOCKS (CRMC LIST)			
Individual			
Winnapaug Pond	55		
Weekapaug	29		42
Quonochontaug	2		
Shelter Harbor	27		
Pawcatuck River	90		
Colonel Willie Cove	15		19
Fisher Island Sound	1		
Other			
Shelter Harbor Fire District	2		75
Weekapaug Yacht Club			73
Weekapaug Fire District		28	
Watch Hill Fire District		22	
Watch Hill Yacht Club	3		73
Watch Hill Cove- privately owned			48
Watch Hill Boat Yard		81	27
Avondale Boat Yard		96	3
Frank Hall Boat Yard		110	18
Gray's Boat Yard		78	3
Westerly Yacht Club		251	21
Westerly Marina		50	
Pier 65		15	
Viking Boat Yard		50	
Watch Hill – Breakwater West			6
TOTAL	224	781	336

*To be updated based on 2019 registration numbers

TRANSIENT ANCHORAGE

I. PRIVILEGES AND RESTRICTIONS:

Transient anchorage is a privilege given to all boaters through the public trust doctrine. All open waters are under the ultimate control of State and the Federal Governments. All boaters have the right to safely anchor in areas that are not protected or restricted by these governments and their appropriate agencies (Army Corps of Engineers, Coastal Resources Management, Departments of Environmental Management, etc.) for reasons of safety, water quality and/or environmental protection. Such restrictions may be assigned either permanently or temporarily for a wide variety of reasons, some of which are identified in the sections that follow:

a.) Boaters may anchor in coastal areas of local waters except in federal navigation channels, navigation fairways, government protected shellfish transplant beds (aquaculture), legal mooring fields, legally identified swimming areas, right-of-way ingress and egress areas, boat-launching areas and other locations as may be identified by appropriate government agencies.
b.) No vessel anchored under such conditions shall be left unattended in the night-time hours between sunset and sunrise. Owners and/or operators of such vessels may go ashore, but must be available to tend to the vessel in the event of heavy weather.
c.) It shall be the vessel owner's and/or operator's responsibility to remain clear of all moored vessels and other protected areas or structures as identified in the above section a.)

There are at least two areas used for transient anchorage near the shores of the Town of Westerly: 1. Little Narragansett Bay, north of Napatree Point 2.) Little Narragansett Bay on the northeastern side of Sandy Point.
These are very popular anchorage areas in the summertime. Anchoring in these areas falls within the public trust doctrine laws, as long as transient users follow the rules outlined above.

a.) Little Narragansett Bay, just north of Napatree Point, has been a highly-used anchorage area for many years. On busy week-ends, as many as 200 boats could anchor here. It is, therefore, imperative that all state and federal guidelines are followed, and all enforceable local laws are obeyed.
b.) Sandy Point has also been a highly popular anchorage area that accommodates many boats on a busy summer week-end. It is imperative that this area be

monitored closely, that state and federal guidelines for use are followed *and all enforceable laws obeyed.*

It is not the intent or purpose of this Harbor Plan to eliminate or discourage the use of these areas by boaters. But, it is the purpose of this Harbor Plan to clearly outline the laws and rules that should be followed in order to insure the continued and future use of these areas by visiting boaters. Most of those rules have been identified in the sections above. The Westerly Harbor Commission will meet with all appropriate agents of state and federal governments whenever necessary in order to coordinate efforts and insure that these highly popular anchorage areas remain open for continued use.

PUMP-OUT BOATS AND STATIONS

To protect against the dumping of human waste into our local waters, the town of Westerly has employed the use of pump-out boats and pump-out stations. A pump-out station on the Pawcatuck River at the Westerly Yacht Club may be used by anyone, free of charge. Avondale Boat Yard has a pump-out station, there is a fee. At least one pump-out boat circulates through the river and harbors (*May thru October*) on busy days. More boats will be added according to state requirements. (VHF marine channel 8). *It is against state law to dump any kind of pollutant into public waters, except by permit. Violators will be fined.* The Harbor Commission would like to establish more free and accessible pump-out stations.

CONSERVATION AREAS

Currently, the Rhode Island Department of Environmental Management is monitoring (by Memorandum of Understanding—MOU) two privately-owned conservation areas, one on Napatree Point (on lots owned by WHFD and WH Conservancy) and the other on Sandy Point , also owned by a private organization (*Avalonia Corp.*). These areas have been declared important to the survival of several 'threatened' species, including the piping plover and the least tern. These projects, while on-going because of the enlistment of official (*US Fish & Wildlife)* services by private agencies, will not, in any major way, impact shoreline and water rights, as long as citizens use waterways and public anchorage areas responsibly.

FUTURE RESTRICTIONS

All future restrictions to these waters must be approved by state and/or federal agencies. The imposition of any major restrictions on these open waters are appropriate only when it can be clearly shown that such restrictions are necessary to protect the environment (*and/or to ensure*) the health and safety of (*citizens*).

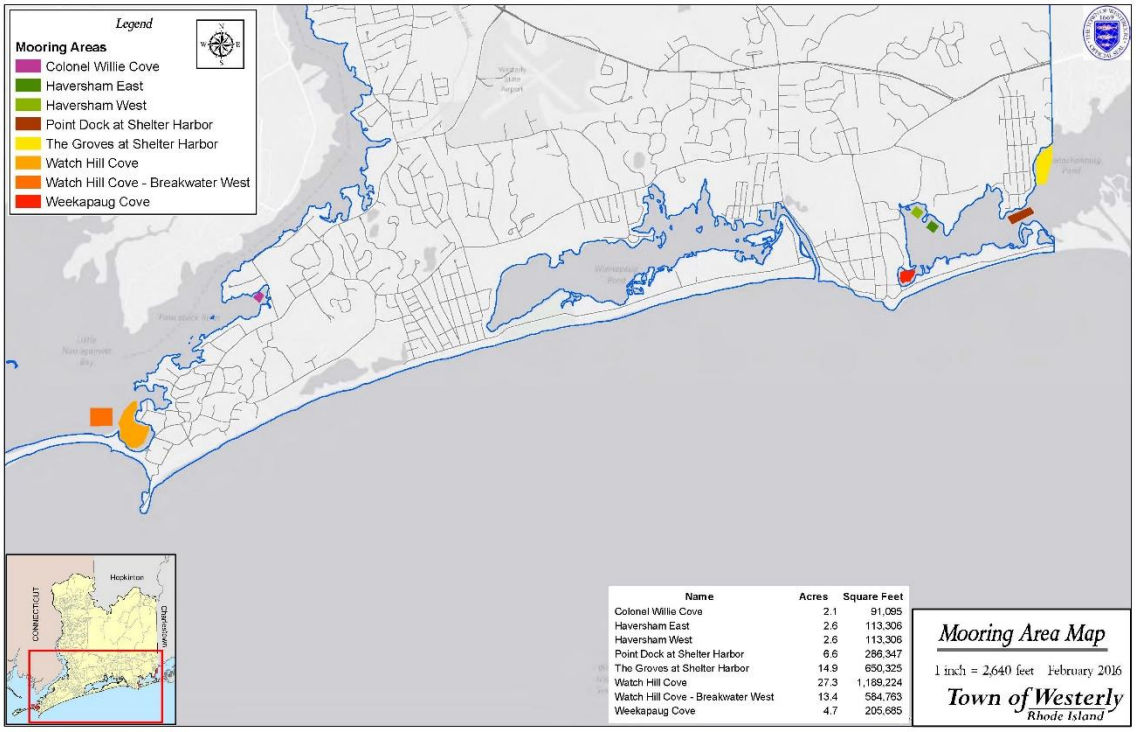
MOORING MANAGEMENT

FINDINGS

There are approximately 440 moorings in the Town of Westerly; several in the Western half of Quonochontaug Pond, a few in Winnapaug Pond, and the majority are located along the Rhode Island side of the Pawcatuck River including Little Narragansett Bay.

None are publicly owned.

INDENTIFIED MOORING AREAS*



*Map to be updated once proposed mooring field maps are approved by CRMC.

There are eight identified mooring areas in the Town of Westerly prior to June 1, 2019. Resolution 18/19-158 adopted by Town Council on June 17, 2019 authorizes the Harbor Master to temporarily grandfather specific moorings in Breakwater West for as long as the current permit holder qualifies for renewal, on the condition that the owner provides verification that the mooring was installed prior to September 1,2015. No other additional mooring permits will be granted within the transient anchorage area known as Breakwater West.

Details of the individual fields are as follows:

I. Quonochaontaug Pond

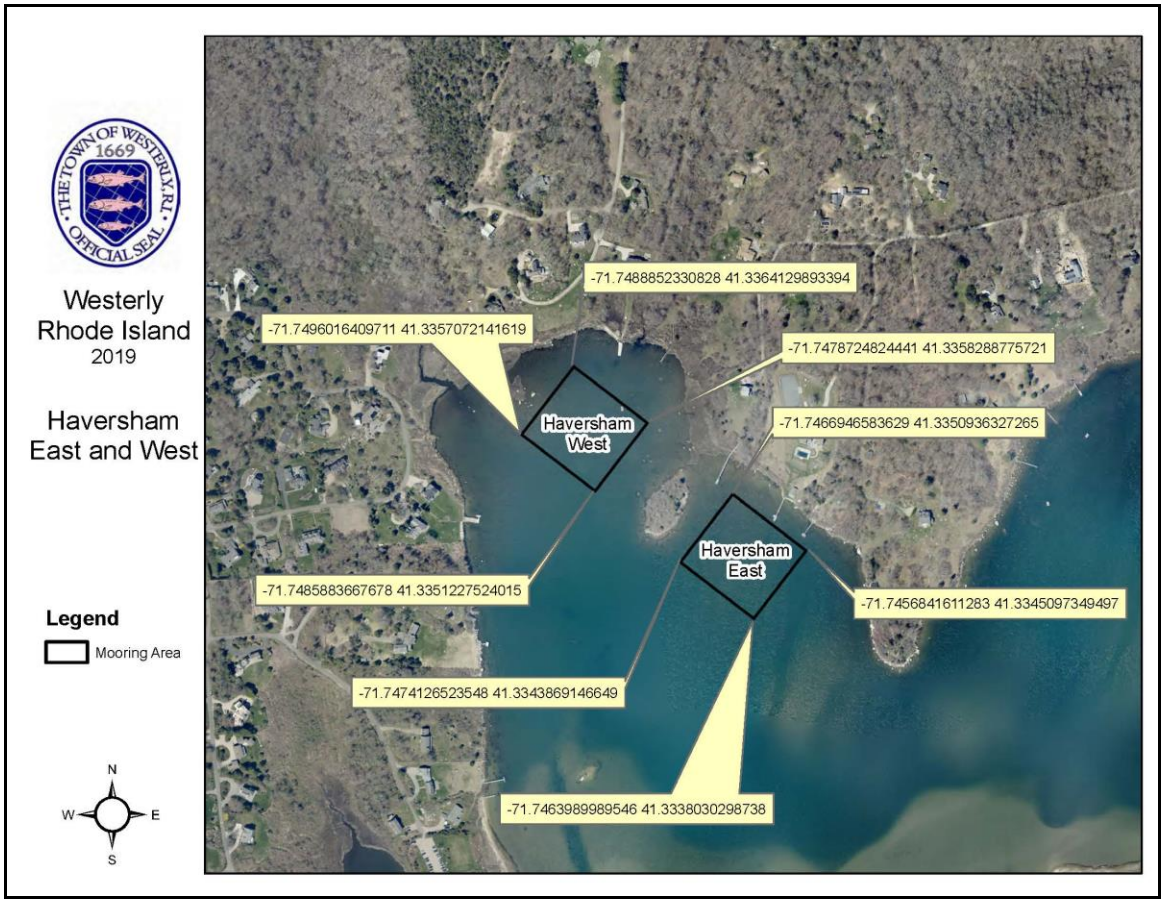
The Westerly portion of the Quonochontaug Pond is completely surrounded by private property which includes Weekapaug, Shelter Harbor, and the Haversham areas. The only public access is from the Charlestown end of the pond adjacent to the Quonochontaug Breach Way, on West Beach Road.

There are 27 riparian/non-riparian moorings in the Westerly half of Quonochontaug Pond. Additional review is needed to determine the total riparian and non-riparian moorings in this area. Note: Data as of 2015. Mooring data will be updated after 2019 data analysis is completed.

A. Haversham West

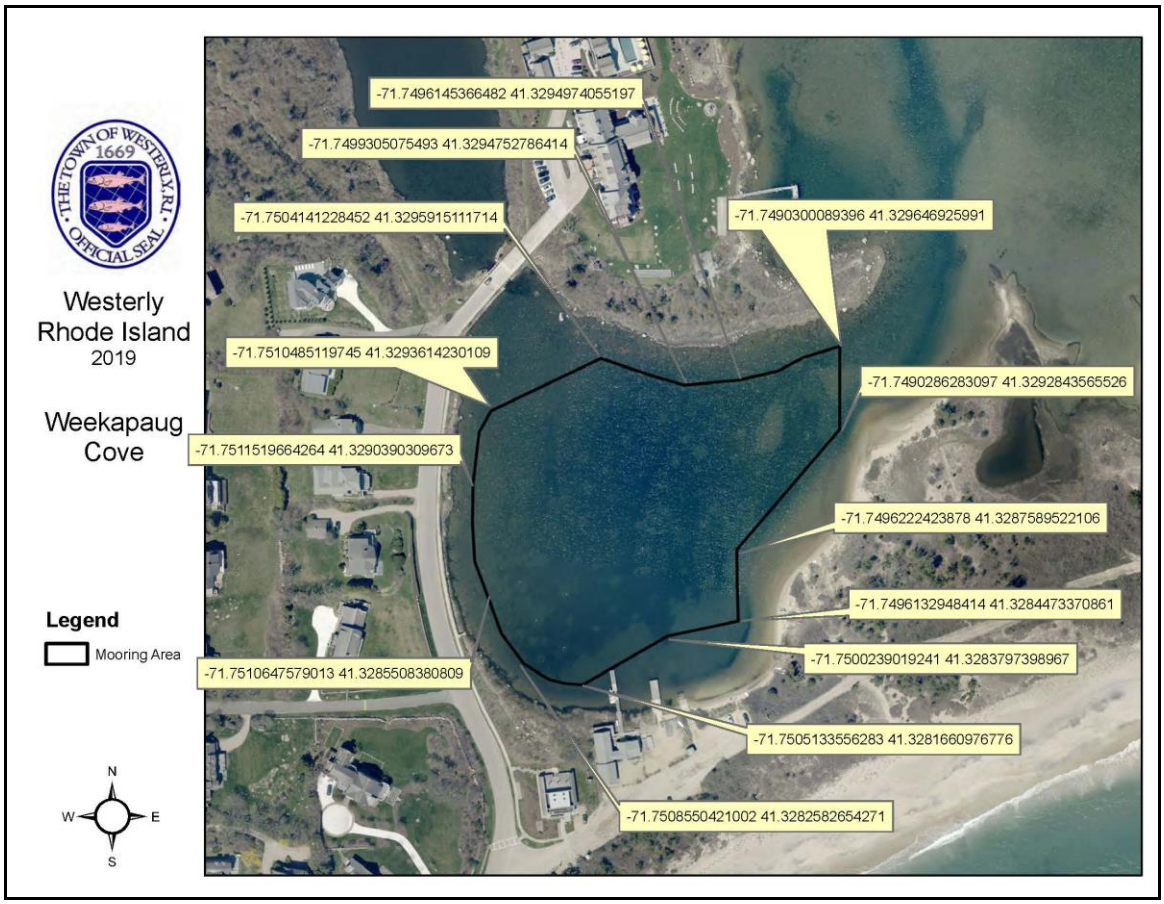
B. Haversham East

Proposed 2019 Mooring Area Map:



C. Weekapaug Cove

There are 73 moorings at the Weekapaug Yacht Club which is located at the southwestern end of the Pond. All the moorings are currently owned by the Club, or its members, who come from the five Fire Districts surrounding the Quonochontaug Pond. The Club has a volunteer Harbormaster, has mooring standards and inspection requirements. The Club assigns vacant moorings. Note: Data as of 2015. Mooring data will be updated after 2019 data analysis is completed.
Proposed 2019 Mooring Area Map:

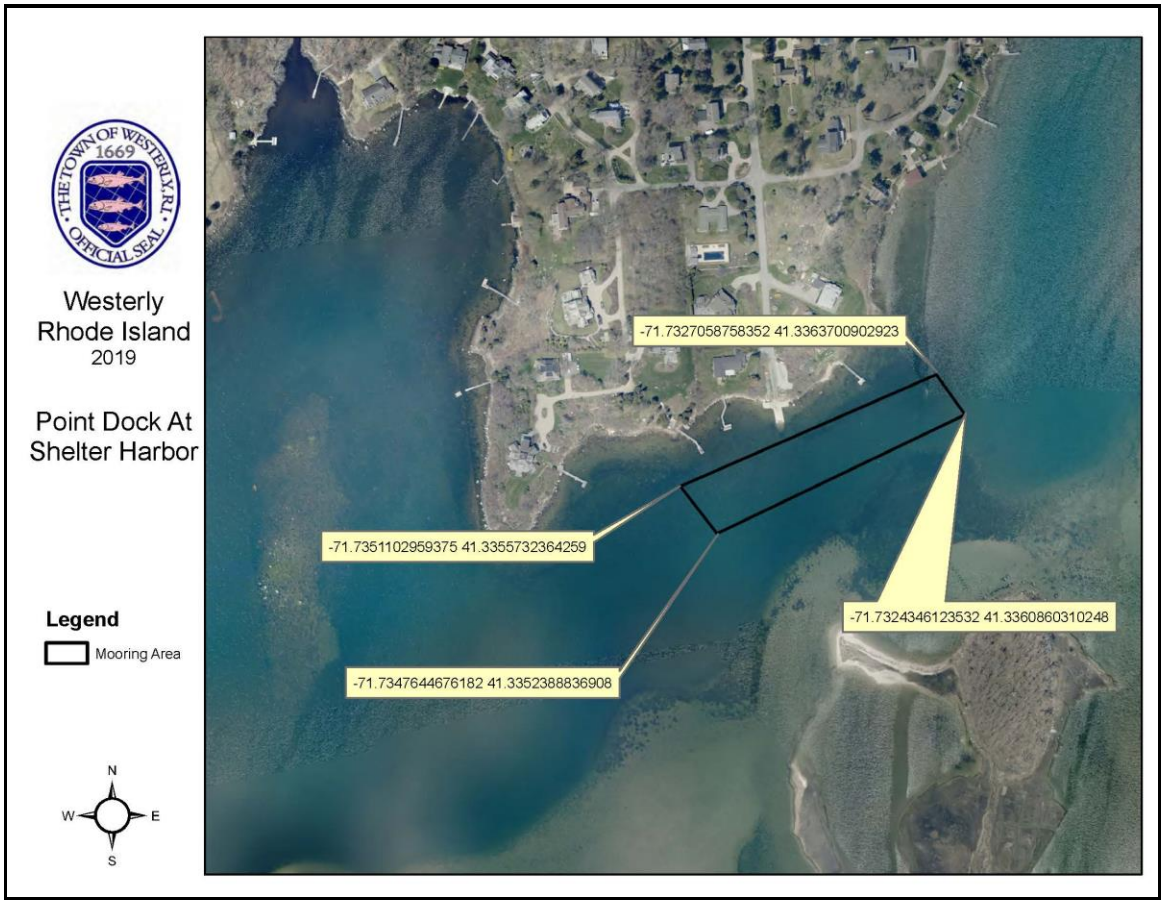


D. Shelter Harbor

There are 103 moorings operated by the Shelter Harbor Fire District at Groves's Dock and Point Dock which are located on eastern and northern shores just west of the Charlestown line. All the moorings in this area are currently owned by residents of the Shelter Harbor Fire District. The Fire District has a volunteer harbormaster. Note: Data as of 2015. Mooring data will be updated after 2019 data analysis is completed.

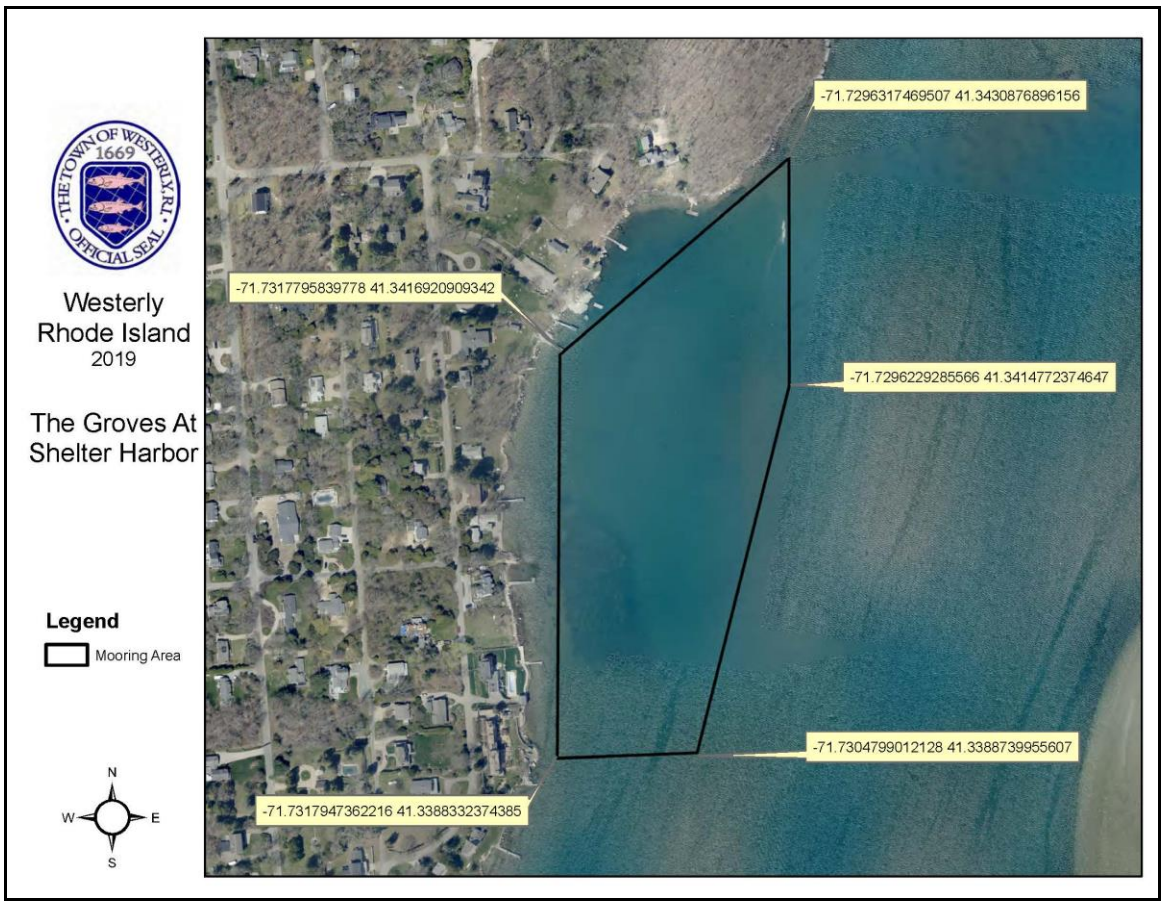
1. Point Dock at Shelter Harbor

Proposed 2019 Mooring Area Map:



2. Groves at Shelter Harbor

Proposed 2019 Mooring Area Map:



II. Winnapaug Pond and the channel leading to the Weekapaug Breachway

There are no mooring fields in Winnapaug Pond. There are a number of moorings located in this area which are all Littoral moorings. The number of moorings has not been documented to date.

III. Pawcatuck River

Along the Rhode Island side of the Pawcatuck River there are 64 Commercial moorings with defined marina perimeters; 3 at Avondale Boat Yard, 20 at Lotteryville Marina, 17 at Frank Hall Boat Yard, 3 at Gray's Boat Yard, and 21 (though not verified) at the Westerly Yacht Club.

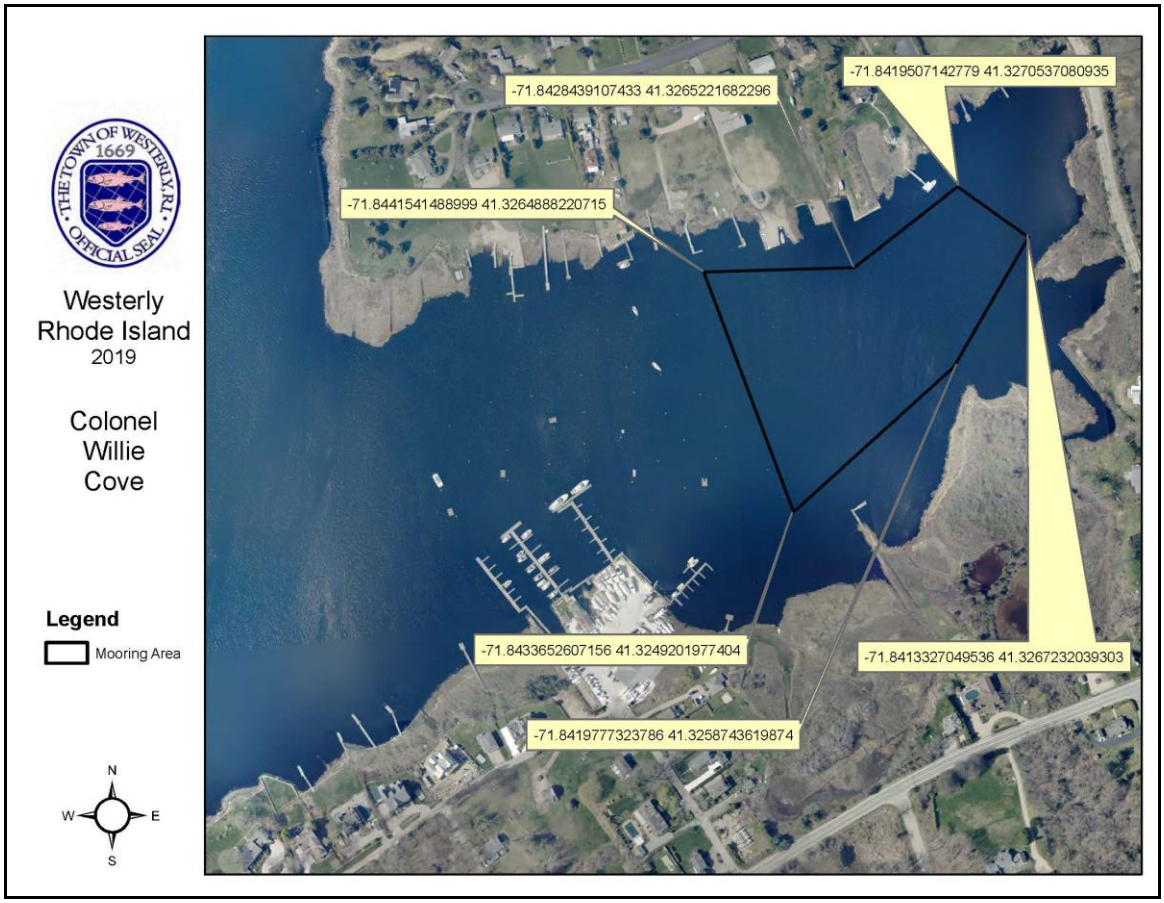
There are 27 littoral moorings along the Pawcatuck River on the Westerly side.

There are also marinas and individual moorings along the Connecticut side of the River.

A. Colonel Willie Cove

Colonel Willie Cove is a multi-use cove. Much of the cove is utilized by Watch Hill Boat Yard, which has 27 moorings within the guidelines of their Marina Perimeter Permit. There are 15 riparian docks located at the north side of the cove. There are approximately 23 privately owned moorings in this area, the majority of which are owned by residents of Champlin Drive. There is a homeowner's association which owns two lots and a deeded private road on this cove which allows residents access to this area. Additional information is needed to determine the number of riparian and non-riparian moorings. Note: Data as of 2015. Mooring data will be updated after 2019 data analysis is completed.

Proposed 2019 Mooring Area Map:



B. Thompsons Cove which includes the Westerly Yacht Club

C. Mastuxet Cove

D. Potter's Cove

E. Babcock Cove

F. One Unnamed Cove

IV. Little Narragansett Bay

Napatree Point which forms the southern boundary of Little Narragansett Bay is made up of lots which are privately owned. The Watch Hill Fire District and the Watch Hill Conservancy own the majority of these lots. There are seven privately owned lots, one owned by the State of Rhode Island, and one by the Town of Westerly. This area is accessible by foot from Watch Hill or by boat.

A. Watch Hill Cove-Breakwater West. There are five WHYC transient moorings just west of the Watch Hill entrance channel, there are currently approximately 5 privately owned moorings just South and West of them and 4 littoral moorings off of private property midway out Napatree Point. There are 3 privately owned moorings west near the "Lagoon". These are the only moorings in Little Narragansett Bay.

B. Watch Hill Cove

There are 120 moorings in the Watch Hill Cove area which includes the Cove itself as well as the areas immediately adjacent to the Federal entrance channel. The channel and the southern two thirds of Watch Hill Harbor is designated a Federal Navigation Area (It was dredged by the Corps of Engineers in the late 1940s). There are approximately 80 privately owned moorings in the dredged area.

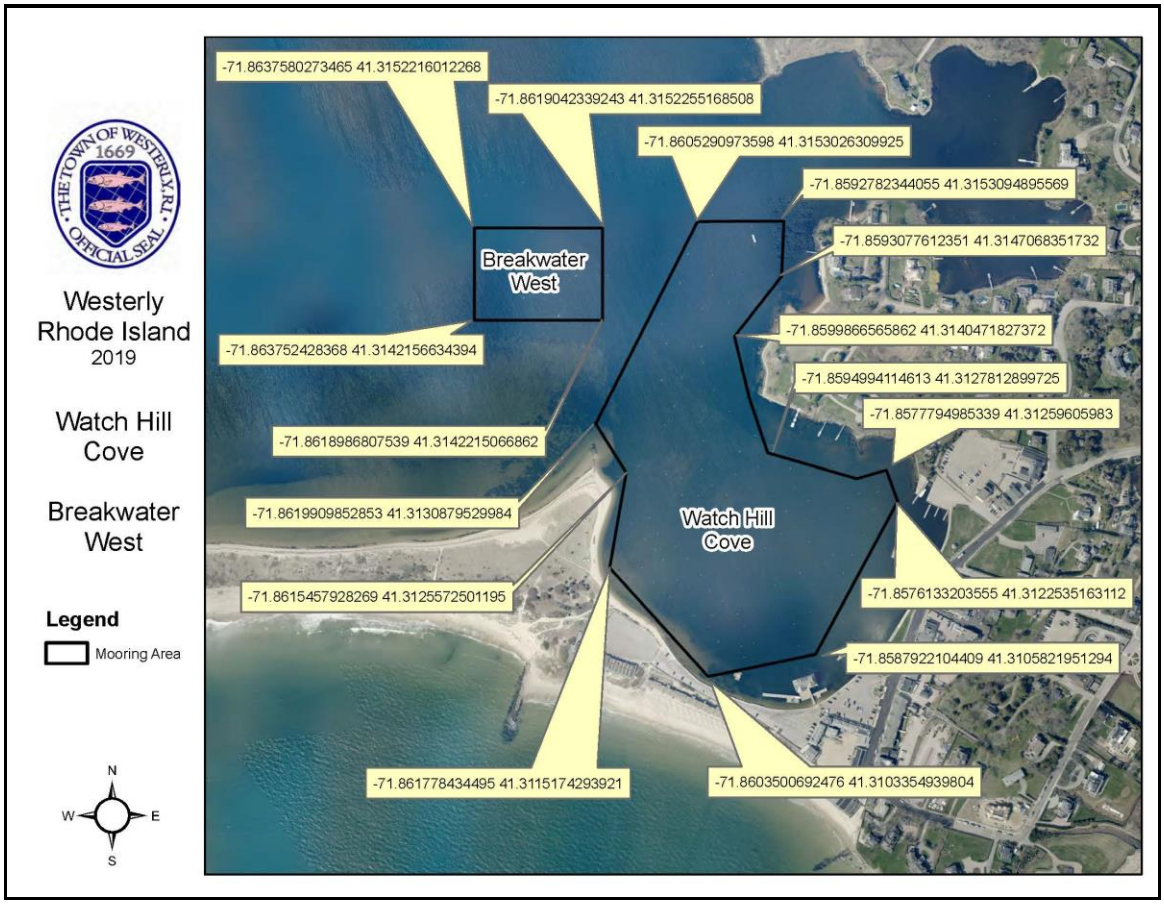
Most of the land around the harbor is owned by the Watch Hill Fire District, the balance is owned by private citizens. Most of the moorings in this area are owned by Watch Hill Yacht Club members, some by the Club itself including five reserved for transients.

The Watch Hill Yacht Club maintains a data base for all of the moorings in the harbor. The Yacht Club enforces a schedule of minimum mooring standards and requires scheduled inspections.

There is a public boat launch on the north side of the cove. It is located at the south end of Water's Edge Road. Note: Data as of 2015. Mooring data will be updated after 2019 data analysis is completed.

Resolution 18/19-158 adopted by Town Council on June 17, 2019 authorizes the Harbor Master to temporarily grandfather specific moorings in Breakwater West for as long as the current permit holder qualifies for renewal, on the condition that the owner provides verification that the mooring was installed prior to September 1,2015. No other additional mooring permits will be granted within the transient anchorage area known as Breakwater West.

Proposed 2019 Mooring Area Map:



C. Foster Cove

There are five littoral moorings.

ISSUES

Moorings and mooring fields along one side of the Pawcatuck River may effect siting on the other as well as the Federal Navigation channel.

There are no consistent standards on mooring weights or inspection requirements between the several yacht clubs and marinas, nor for the private moorings. Many of the private moorings are unregistered, and of uncertain size and inspection status.

When dredged the southern two thirds of Watch Hill Harbor was intended as a special anchorage area. Over the years it has become populated with personal moorings. Federal Anchorage areas must, by definition, be accessible to all the citizens of the United States on an equal and equitable basis (U.S. ACE, 1990). As this area has historically been used as a mooring area the use is inconsistent with its Federal Anchorage designation.

A transient mooring field in Little Narragansett Bay would inevitably take away space from other uses of the bay for recreation and for public anchoring of boats which is how this area has historically been used.

The mooring areas within the Town of Westerly are at or close to capacity. The turnover of existing moorings in some areas is insufficient to satisfy the demand.

There have been problems in the past with unregistered moorings being illegally placed, as well as, abandoned moorings. Both actions negatively impact the availability of mooring space and the efficient and equitable allocation of moorings.

The Watch Hill Yacht Club, The Weekapaug Yacht Club, the Shelter Harbor Fire District, the Avondale Recreational Boating Club and the Haversham Neighborhood Group have successfully provided the management and administration of the moorings in their mooring areas in the past, and in doing so have provided access, which is otherwise difficult, to their moorings.
There are no CRMC approved mooring areas in the Town of Westerly.

Recommendations
The Westerly Harbor Commission will identify and seek CRMC approval of the following mooring fields in the Town of Westerly:
Watch Hill Cove, Colonel Willie Cove, Weekapaug Cove, Haversham East, Haversham West, Point Dock at Shelter Harbor and The Groves at Shelter Harbor.

The Town will seek approval by CRMC to conditionally authorize by attrition the proposed Watch Hill Cove-Breakwater West mooring field. The specific moorings that were identified prior to September 1, 2015 will be temporarily grandfathered for as long as the current permit holder qualifies for renewal, on the condition that the Owner provides verification that the mooring was installed prior to September 1, 2015. There will be no new mooring permits granted within the conditionally proposed mooring field.

All mooring fields shall be available to residents and non-residents per CRMC's "no greater than 3:1" resident to non-resident mooring allocation policy. All mooring fields shall be available to residents and non-residents through a mooring permit issued by the Town of Westerly. Completed as per adoption of new Chapter 86 and Resolution 18/19-118.

Mooring and mooring field siting along the Pawcatuck River should be coordinated with the Stonington Harbor Commission and managed to keep the Federal channel open.

The Town of Westerly should seek the deauthorization of the federal navigation project at Watch Hill Cove. Completed as per Resolution 18/19-46 and Resolution 19/20-4.

The Town needs to enforce that all moorings be located within the defined mooring area perimeters set forth, with the exception of littoral moorings.

All moorings must be permitted by the town. Completed as per adoption of new Chapter 86.

Mooring fees should be based on the costs of the services provided.

All newly proposed mooring fields or proposed changes to existing CRMC approved mooring fields should be sited to ensure that tides and currents aid in flushing the mooring area, avoid adverse effects on water quality, and not significantly to effect finfish and or shellfish resources, wetlands, submerged aquatic vegetation and aquatic habitat, as per appropriate State regulations.

The Town should maintain, and continue to update, the mooring field mapping, database, and GIS coordinates of all moorings and of permanent structures such as docks.

The Harbormaster should be provided with the necessary ordinances, staff, and resources to manage the mooring fields including: keeping an accurate count, the precise location, and waiting list for moorings, as described in the Harbor Ordinance Mooring Assignment section.

The number of the mooring must be stenciled or somehow affixed to the mooring ball so it is clearly visible above the water.

The harbormaster may approve informal variances to mooring tackle specifications, other than those minimum standards described herein, for specific cases if such specifications are inappropriate for the area in which a mooring will be located. The harbormaster must file such variance with the harbor commission.

The Harbor Commission may amend or add to these Mooring Standards on recommendation of the Harbormaster.

Minimum mooring standards must be established for all moorings. A proposed set of standards is suggested below:

MINIMUM MOORING STANDARDS FOR THE TOWN OF WESTERLY

Winnapaug and Quonochontaug Ponds & Pawcatuck River above N "4"					
Boat Length	Mushroom*	Bottom Chain#	Top Chain#	Pennant-Double$	Pennant-Single$
Up to 12 ft	50	3/8"	5/16"		1/2"
Up to 14 ft	75	3/8"	5/16"		1/2"
Up to 17 ft	100	3/8"	3/8"		1/2"
Up to 20 ft	150	1/2"	3/8"		1/2"
Up to 24 ft	200	1/2"	1/2"		5/8"
Up to 29 ft	300	5/8"	1/2"		5/8"
Up to 39 ft	500	3/4"	5/8"	5/8"	3/4"
Up to 49 ft	1000	3/4"	5/8"	3/4"	1"

Little Narragansett Bay, Watch Hill Cove, Foster and Potter Cover and Colonel Willie Cove					
Boat Length	Mushroom*	Bottom Chain#	Top Chain#	Pennant-Double$	Pennant-Single$
Under 20 ft	200	5/8"	1/2"	1/2"	5/8"
Under 25 ft	300	3/4"	1/2"	5/8"	3/4"
Under 30 ft	500	3/4"	1/2"	5/8"	3/4"
Under 35 ft	800	3/4"	1/2"	3/4"	1"
Under 40 ft	1000	1"	5/8"	1"	
Under 55 ft	2000	1"	5/8"	1-1/4"	

Mushroom or Pyramid. Any other anchor must be approved by the Harbor Master.

Bottom chain length must equal one and one half times the mean high water depth. Top chain length must equal the water depth. Pennant length must be two and one half times the height of the bow chocks above the water plus the distance to the cleat or mooring bit.

$ Double pennants or bridles are recommended

A swivel is required between heavy chain and light chain. No other swivels are to be used. All shackles and swivels must be safety wired and be one size bigger than the chain to which they attach. Chafing gear is required on all pennants

POLICIES

There will be equitable and efficient allocation of available mooring space to residents and non-residents, consistent respectively, with the CRMC guidelines of no greater than 3:1 resident to non-resident mooring allocation policy.

The Federal Anchorage area must be accessible to all US Citizens on an equal and equitable basis. Recommendation: De-authorize Watch Hill Cove and bring usage consistent with CRMC's no greater than 3:1 resident to non-resident mooring allocation policy.

Moorings must be located within the defined perimeters of designated mooring fields with the exception of littoral moorings.

Moorings must be occupied as the primary berth for the vessel.

There are two types of moorings in the Town of Westerly; Riparian Moorings and private moorings located within an approved public mooring field.
Mooring areas must be established so, not to interfere with the free and unobstructed use of channels, fairways or shore side facilities within the harbor. Public mooring areas shall provide a 50 foot setback from all residential docks, piers, floats, public launching ramps, federal navigation channels, fairways and anchorages. Setback limits from littoral moorings and shoreline public rights-of-way shall be sufficient to allow for ingress and egress and to prevent interference with the exercise of private or public rights in these areas.

There will be no moorings in Federal Navigation areas. (The Commission will request De-authorization of Watch Hill Cove).

No mooring field will be expanded unless it is ensured that tides and currents can aid in the flushing of the mooring area.

No mooring field will be expanded unless water quality can be ensured.

No swimming and water skiing allowed in designated channels, fairways and mooring areas.

Mooring areas will not be sited in areas where they may substantially interfere with access to designated shellfish management areas, traditional fishing grounds and defined by the CRMC, public recreational areas, and conservation areas.

Mooring areas will not be sited where they may cause significant adverse effects on fish and shell fish resources, wetlands, submerged aquatic vegetation, or other important aquatic habitat areas.
Mooring areas will be sited to ensure adequate and accessible marine pump-out facilities and dump stations which are maintained and operational.

LIMIT OF MOORING TRANSFERS

No private mooring permit shall be sold, assigned or otherwise transferred by a permit holder under any circumstance.

i. At such time as existing mooring tackle becomes available for sale, the owner shall notify the Harbormaster. The Harbormaster shall assign the associated mooring space to the person next on the waiting list whose boat can be safely secured to and held in place by this mooring tackle per the Minimum Mooring Standards established in this harbor management plan. The mooring tackle owner may then sell the mooring tackle in its location to this person; or, remove the mooring within ten business days at the mooring owner's expense or if this occurs during the winter by May 31.

ii. The new applicant has 10 business days to complete the permitting process. After 10 business days they will waive their right to the mooring and it will be offered to the next individual on the waiting list.

All requests for relocation of existing permitted moorings in Public Mooring Areas must be submitted to the Harbormaster. Information for such a request must meet the requirements listed for a mooring permit application, show proof of a valid mooring permit issued for the previous or current year and clearly state the reasons for a mooring relocation. The Harbormaster will approve or deny the request based upon availability of space and the type and size characteristics of the vessel involved.

MOORING MANAGEMENT

There are few outhauls located in the Town of Westerly. Outhauls are subjected to the application process as outlined in the Harbor Ordinance.

IMPLEMENTATION – By the Town pending the adoption of the Westerly Harbor Ordinance.

MANAGEMENT OF HARBOR ACTIVITIES

1. FINDINGS

Westerly currently has the Police Chief operating as Harbormaster but with limited authority without an enabling Harbor Ordinance. The town has a 15’ Hard Bottom Inflatable with a 40 hpYamaha. This boat has previously been used for patrol in the ponds, but has not been used for the last three seasons. A second Hard Bottom Inflatable is 22 feet with a 225 hp Mercury (?). This boat has been in use, but not recently. There is no budget for Harbor Management expenses, nor any revenue source to fund them

The Town Council has appointed a Harbor Management Commission to draft a Harbor Management Plan and Ordinance.

Harbor activities take place in three non-contiguous bodies of water. The getting from any one site to either of the others by boat involves traversing several miles of Atlantic Ocean and navigating a breech way that requires local knowledge.

The Harbormaster is currently the Chief of Police. The Harbor Patrol was last manned by the School Resource Officers of the Westerly Police Department. The Harbormaster and the Harbor Patrol will play an important role in harbor management activities, including: enforcement of the Harbor Ordinance; mooring management including managing disputes and placement of moorings; contributing to public safety and emergency response; and, control of wrecks and debris.

2. RECOMMENDATIONS

(a) Per RIGL 46-4-6.17 the Harbormaster will be an employee of the Town, not necessarily the Chief of Police. He/she will be empowered to act for the Town Council and the Harbor Commission to enforce the Policies of the Town and the Harbor Ordinance. Specific duties include, but are not necessarily limited to:

1) Administering designated mooring areas.
2) Issuing permits for all moorings.
3) Keeping records of the location, size, and ownership of all moorings.
4) Managing such Assistant Harbormasters as the Council may appoint
5) Preparing and making available a current waiting list for mooring permits.
6) Enforcing any ordinance or provision of the Harbor Management Plan, the Harbor Ordinance or any state boating laws as applicable.
7) Enforcing regulations in the Special Anchorage Area.
8) The Harbormaster will be an ex officio, nonvoting member of the Harbor Commission.

This recommendation has been addressed and completed.

(b) Assistant Harbormasters will be volunteers recommended by the Harbor Commission and appointed by the Town Council to assist in the administration of harbor matters in specific areas. When a vacancy arises, areas with an Assistant Harbormaster shall nominate a qualified individual to serve as the Assistant Harbormaster for their area. Initially, it is the recommendation of the Harbor Commission that individuals who currently are acting in an unofficial capacity, be officially appointed, as they are probably the most knowledgeable people within their specific areas. The Assistant Harbormasters or the entities that they represent must own a boat to insure proper enforcement of the Harbor Ordinance.
This recommendation has been addressed and completed.

(c) The Harbor Patrol will be employed by the Town on a per diem basis. The Harbor Patrol will function to assist in enforcement of the Harbor Ordinance under the

supervision of the Harbormaster. Differing from past practice, the Harbor Patrol would operate on a specified schedule throughout the boating season.
This recommendation has been addressed and completed.

(d) There will be a permanent Harbor Commission of seven members selected from the community and appointed by the Town Council - 2 year staggered terms.

1) The Harbor Commission will continually review activities in the harbor and develop and recommend additional policies, rules and regulations for the Harbor Management Plan subject to the Town Council approval and CRMC review as appropriate.

2) The Harbor Commission will assist in the management of the harbor through close coordination with the harbormaster and act as Board of Appeals to hear complaints from individuals aggrieved by enforcement of implementation of the Harbor Management Plan

3) Maintaining mooring and enforcing standards.

4) Approval of Inspection Contractors

These recommendations are in process.

PROPOSED BUDGET: - This was originally cost in 12/08 and was based on the current pay of the Town Pump-out boat attendants and fuel prices. Current costs would have to be reevaluated.*

Harbor Master	$10,000 annually	
Harbor Patrol 22’	$20,000 annually approximate 1200 hours per year	
22’ HBI	$ 4,200 fuel	
	$ 1,500 maintenance	
Harbor Patrol 15’	$ 4,500 annually approximate 300 hours per year	
15’ HBI	$ 1,000 fuel	
	$ 500 maintenance	
	$41,700	
+10% Capital Expense	$ 4,170	
Estimated Expense	$45,870	
Estimated Income	$45,000	approximately 450 moorings @ $100/yr

Fees to be collected and managed by the Town Clerks Office.
*Note: The proposed budget listed above is outdated and not applicable at this time.

The Harbor Management Budget is intended to be self-sustaining and will be included in the annual Town Budget beginning with the FY 2020/2021 Budget.

STORM PREPAREDNESS

Storm Preparedness

1. Findings

Westerly has been impacted by several types of natural hazards over the years. These hazards include hurricanes, tropical storms, thunder storms, river flooding, and nor'easters, sudden freezes, and winter ice. The most active time for these storms (other than nor'easters and winter ice) is during the boating season. While hurricanes, tropical storms, nor'easters and winter ice typically have several days warning, thunder storms and their damaging winds and lightning can come in a matter of hours.

The identified natural hazards can have damaging effects in the boating community, but to greater degrees. Hurricanes and tropical storms have winds that are in excess of 40 knots and can be in the area for 24hrs. They also have a surge upwards of 18 feet depending on the category of the storm. This surge is usually in and out with a single tide cycle. Nor'easters have strong winds and may last for several days with above normal tides for several tide cycles. Thunder storms are of short duration but their rapid onset and the possibility of downbursts and lightning strikes make these the most difficult to plan for.

In the mooring areas boats are in close proximity to each other so that even one boat either dragging its mooring or parting its line would cause havoc in the mooring field. In the anchorage boats that are improperly anchored or too many rafted together would also have the potential for heavy damage.

Storm surge could have a devastating effect on boats on moorings and at anchor as it decreases the scope and thus the holding power. This surge would also put a much greater strain on piers, pilings, floats and waterfront facilities and structures.

All of Westerly's waters are susceptible to these hazards as they lie in flood zones and velocity zones. Given the uses of the waterways and adjacent properties planning, mitigation, response, and recovery policies are imperative.

2. Risks

The surge and flooding from storms can cause great damage. The height of the water causes decreased scope on boats on moorings or at anchor. The effect of the surge on boats at fixed piers and pilings is on the lines that are set for the normal tide range and thus the lines and cleats are put under great strain. In addition to the height there is an increased flow causing more drag on the boats and structures. As the surge increases the damage increases tenfold. A surge of six feet at time of high tide may over-top the barrier beaches and cause debris to enter the flow. This height will also cause flooding in the marinas, boat yards, and yacht clubs. Most floating piers will remain with their associated pilings but the leverage may cause some to fail. Fixed piers will most likely have their electrical boxes under water. In the storage facilities boats on stands and blocks will most

likely stay in place but there are always loose blocking, dumpsters, and other items that will add to the floating debris. As the height increases floating piers may over-top their pilings and join the debris field.

Wind is another major factor in these storms. As the speed increases, the drag on boats and facilities increases multi-fold. As the duration of the wind increases things like covers, sails, canvas surrounds, and other like items begin to fail. Open face buildings used for storage and work building with large openings will also fail.

Ice from a storm can weigh heavily on standing and running rigging as well as outriggers and deck gear to the point of capsize. A flash freeze can cause damage to exposed waterlines on the wharfs, piers, and floats. A hard freeze can cause damage to all facilities on the water including floats, piles, seawalls, mooring floats, winter stakes and boats.

3. Preparedness, Response, Recovery, Mitigation

The Harbormaster will be responsible for the coordination of harbor activities related to preparedness, response, recovery, and mitigation. This will be done in coordination of the Dir. of Public Safety, Dir. Of Emergency Management, and other department heads. Preparedness, response and recovery – The harbormaster will implement the following preparedness and response plan 96 hours prior to a severe storm event or as necessary for unpredictable events.

Preparedness - The following is a guideline for preparedness assuming the threat is a tropical cyclone. This Emergency Action Plan (EAP) can be altered for use in other natural hazard scenarios.

Level 3 – 96 hours

1. Keep track of time & expenses throughout **entire event**
2. If it is a tropical cyclone (tropical storm or hurricane), begin tracking and monitoring weather reports and releases from the National Weather Service (NWS) at 0500, 1100, 1700, and 2300 hours (forecast/advisory & discussion).
3. Contact any services under contract for after event deployment
4. Ensure that staff have their own houses in order and personal “go packs” are ready
5. Monitor harbor traffic as it increases during marina/boaters preparedness
6. Keep fuel tanks full and spare batteries charged
7. Inventory and update first aid and other onboard supplies (vessels, vehicles, & headquarters)
8. Contact local marinas for status reports and relay to boaters
9. Maintain radio watch
10. Alert boating community, encourage early action to safe harbor, setting storm lines, or hauling.
11. Open Cimalore field lot for trailed boat storage
12. Alert remaining marine interests to impending storm event

13. Advise USCG (United States Coast Guard) MSO (Marine Safety Office) Pvd. (Providence) of the situation
14. Monitor activity on Pawcatuck River
15. Document waterfront with photographs & video
16. Establish communications with the Westerly EOC (Emergency Operations Center)

Level 2 – 48 Hours

1. Continue action items of Level 3
2. Contact mooring owners who are not in compliance with preparedness plan
3. Assist waterfront community with special request if possible
4. Continue to monitor river traffic and document (photograph)
5. Haul Town of Westerly (Town) pump-out boats and confirm when patrol boat will be hauled
6. Confirm assistants have own house in order and confirm emergency work schedule
7. Remove Town storage boxes from flood plain
8. Establish line of communications with Town Department of Public Works (DPW), Police Department (PD), Dunn's Corners Fire Department (DCFD), Misquamicut Fire Department (MFD), Watch Hill Fire Department (WHFD), & Westerly Fire Department (WFD) through the Westerly EOC (if open)
9. Update boating community to hazardous conditions as required
10. Curtail regular business activities
11. Begin increased patrols of waterways to ensure proper precautions are being taken
12. Update USCG MSO Pvd. as required
13. Document those insisting on remaining with boat during storm

Level 1 – 24 hours

1. Final patrol of area documenting preparations of marine interests
2. Fuel and haul patrol boats
3. Survey & document shoreline marine interests from shore
4. Lay in "comfort" supplies in office
5. Update USCG MSO Pvd. as required
6. Continue level 3 & 2 activities as required
7. Check NWS Taunton weather products for local updates along with National Hurricane Center (NHC) storm products
8. Have all personnel hunker down as winds approach 40kn

Response – The Town of Westerly will not deploy watercraft during any major weather event. The harbormaster will forward calls for assistance to the USCG Point Judith if east of Watch Hill and to USCG New London if to the west. The Harbormaster and staff will make a record of all calls so that they can be addressed when conditions allow re-entry. The Harbormaster shall stay in communications with the Westerly EOC and shall monitor marine frequencies.

Recovery – Once the area can be safely re-entered the harbormaster shall re-establish the office as an operational unit. This will include, but not be limited to, re-launching the unit's boats, take immediate action to locate and provide aid to survivors, take any and all actions to minimize further risk to life and property, reopen the waterfront for recovery efforts.

To accomplish these goals the following action list is to be followed when possible. Saving a life is the number one priority.

Immediate 24 hours

1. Assess readiness of the unit and correct any deficiencies
2. Complete a rapid assessment of damage and report this to the EOC for possible assistance& forward report to USCG MSO Pvd. Document with photographs and video when practical
3. Contact pre-established contracted services if required
4. Initiate safety/security watches where necessary
5. Alert maritime community to unsafe conditions

Midterm day 2 through 14

1. Complete a comprehensive inventory of damage and document with photographs and video and forward to the EOC and USCG MSO Pvd.
2. Prioritize damaged areas for cleanup
3. Assist emergency situations as appropriate
4. Notify appropriate parties of damage to their property
5. Provide USCG MSO Pvd. with updates as required
6. Assist in moving floating debris staging areas
7. Assist Town, State and Federal agencies as required
8. Maintain communications with EOC

Long term days 15 through 90

1. Assemble staff for after action report for submission to Dir. Of Public Safety and Harbor Commission
2. Review mitigation list and prioritize items for inclusion in recovery actions
3. Complete a survey of damages to ensure all damage is documented
4. Request Harbor Commission have an open meeting to address concerns of the maritime community
5. Review actions taken before, during, and after the storm and adjust EAPs as required
6. Update Hazard Mitigation Plan

Mitigation – There are actions that can be taken on a long term basis that can reduce the effects of natural hazards. Other actions are short term and are taken as the hazard is approaching. While many mitigation actions are the same for most hazards, some are

hazard specific. There are three primary groups involved in mitigation, marina facilities, individuals, and government.

Marina facilities – This group includes all marina facilities as defined by the Coastal Resource Management Council (CRMC) such as boat yards, marinas, yacht clubs, associations, and fire districts with water facilities. These facilities will have 90 days from the passage of this document to provide the Harbormaster with a hazard mitigation plan. These plans will be updated on an annual basis. The Harbormaster will coordinate a meeting with facility personnel so the plans will be consistent with Town policies. These plans shall include, but not be limited to, the following:

1. Name, address, telephone number and e-mail address of facility
2. Primary and secondary contact person with telephone number, cellular telephone number and e-mail address
3. VHF channel that is monitored
4. List of facility staff that will be active during preparation, response, and recovery
5. List of hazardous materials stored on site. This information can extracted from the facilities Environmental Operations and Maintenance Plan
6. Inventory of equipment that may be used in recovery
7. Debris disposal plan
8. List of preparation, response and recovery activities and timing

Boaters – Mooring owners will be required to submit a storm preparedness plan. The Harbormaster shall create a preparedness questionnaire that is to be sent out with the mooring permit application or renewal and must be completed for the permit to be approved. The Harbormaster shall develop and/or acquire informational pamphlets about preparedness and distribute these to all boaters by various means.

Boat owners are encouraged to leave their boat during a major weather event. THE TOWN WILL NOT DEPLOY WATERCRAFT DURING A MAJOR WEATHER EVENT.

The Town has developed mooring standards that maximize safety during normal weather conditions. With impending hazardous weather the mooring owner must decide to either vacate the mooring or take adequate steps to insure the boat will stay with its mooring. These steps would include, but not be limited to, improving the connections between the mooring chain and pennant, extending the scope, installing chafe gear, remove/secure sails and canvas, secure deck gear, clean out scuppers & deck drains, make sure batteries are charged and bilge pumps are in working order.
Boaters who keep their boat in a slip and do not haul, should double up the lines and add slack to account for the higher tides and/or surge, installing chafe gear, remove/secure sails and canvas, secure deck gear, clean out scuppers & deck drains, make sure batteries are charged and bilge pumps are in working order.
Boaters at anchor should consider a multi-point anchoring system along with all the actions of those boats at moorings.

Waterfront property - Waterfront property owners and those in flood zones along the river are expected to take the necessary precautions to protect their property to insure as best as possible that they do not add to the debris field with unsecured items from their property.

Government – The Harbormaster shall assist through educational materials, and other means, in preparing the waterfront community for a major weather event. The Harbormaster shall assist other Town agencies in getting the shoreline interests of the Town in order.

Long term mitigation projects

The Harbormaster shall assist the Town Planner in forming long term mitigation actions consistent with the "Natural Hazard Risk Assessment & Mitigation Strategy" that is currently at FEMA for review. These actions include:

1. Debris management – identifying areas to stage river, harbor, and beach debris for removal to proper facility. In some cases this may require specialized equipment that can grab debris from the water.
2. Seawalls, river walls & jetty – inspect structure on routine basis and repair as needed. Identify grants that may pay for major repair/replacement projects.
3. Barrier beaches and shorefront – replenish dunes, plant vegetation, remove impervious surfaces, plan to plug walk-overs prior to storm Identify grants for funding and conservation groups for manpower for planting projects.

Other mitigation activities for the Harbormaster

1. Maintain contact lists of marinas (etcetera), waterfront businesses, neighboring harbormasters, USCG, towing & salvage companies, and environmental response companies.
2. Develop methods to increase scope within mooring field without losing maximization of the field.
3. Conduct a hurricane workshop prior to June to assess the Storm Preparedness plan of the Town and familiarize participants with the plan and what is expected by the Town and participants.
4. Set up meetings with local yacht clubs and associations to discuss storm preparedness and boating safety. Have printed materials available and demonstrative exhibits that show the effects of weathered chain, chaffed lines, and other pertinent preventable failures.

Town of Westerly Code Chapter 86 "Boats, Waterways and Harbor Management" **Town Ordinance 2019-1957; May 13, 2019.**

Boats, Waterways and Harbor Management

Article I
General Provisions

§ 86-1 Purpose and jurisdiction.

A. The purpose of this chapter is to:

(1) Act upon the authority conferred upon the Town Council pursuant to RIGL 46-4-6.17;

(2) Manage the waters of the Town and balance the diverse uses of the waters and waterfront;

(3) Maintain and improve shoreline public access and water quality;

(4) Continue to support opportunities for commercial fishing and recreational boating; and

(5) Remain consistent with the goals and policies of the Westerly Harbor Management Plan (WHMP), the Town Comprehensive Plan, the State Coastal Resource Management Program, the State Department of Environmental Management, and the U.S. Army Corps of Engineers.

B. The coastal waters and harbor areas of the Town of Westerly under the jurisdiction of the chapter include those waters within one mile from the Atlantic beaches from the Charlestown line to Sandy point; Quonochontaug Pond west of the Charlestown line; Winnapaug Pond; three miles from Sandy Point and Napatree Point into Fishers Island Sound or to the New York or Connecticut state lines including the fairway from Fishers Island Sound to Little Narragansett Bay; and the Rhode Island side of Little Narragansett Bay and the Pawcatuck River from the head of navigation in downtown Westerly around Pawcatuck Point to the Connecticut border at Sandy Point.

§ 86-2 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

ANCHORING

To secure a vessel temporarily to the bottom by dropping an anchor from a vessel.

ARTISANAL FISHERMAN

A small-scale commercial fisherman harvesting for subsistence or local, small markets, generally using traditional fishing techniques, single handed, and under thirty-foot boats. They are considered vital for sustainable livelihoods and food security.

BOAT LAUNCHING RAMP

Any man-made or natural facility used for the launching or retrieval of boats.

CHANNEL

Any designated and/or maintained water area except for a fairway reserved for unobstructed movement of vessels.

COMMERCIAL FISHERMAN

An active full-time fisherman with a current commercial license and a working commercial vessel.

COMMERCIAL MOORING

The rental, lease, management, maintenance and/or operation for financial compensation or for purposes other than private use.

CUT, THE

The passage from Little Narragansett Bay to Fishers Island Sound. The Cut is specifically defined as that area between the westernmost and easternmost of the fishermen's buoys off the shoals north of Napatree and 200 feet north of them. These buoys are located differently each year as the shoals shift; the location of The Cut shifts accordingly.

FAIRWAY

Any locally designated and/or maintained water area reserved for the unobstructed movement of vessels.

HARBOR COMMISSION

The body established to advise the Town Council on the provisions of this chapter and the management of the harbors.

HARBORMASTER

For the purposes of enforcing any provision of this chapter, including the issuance of summonses for violation of any provision herein, any individual appointed by the Town Manager as Harbormaster pursuant to the Town Charter.

HEADWAY SPEED

The slowest speed at which a personal watercraft or vessel can be operated and maintain steerageway.

MARINA

Any dock, pier, wharf, float, floating business or combination of such facilities that accommodate five or more recreational boats.

MARINA MOORING FIELD

Any mooring area managed by a marina that has applied for and received a permit with a defined marina perimeter from CRMC.

MEAN HIGH WATER (MHW)

The average height of the high waters over an 18.6-year period. Mean high water (MHW) is the average of all the high water heights observed over an 18.6-year period; this period is referred to as the National Tidal Datum Epoch.

MOOR

To permanently secure a vessel to the submerged land of a water body by use of mooring tackle.

MOORING AREA

Any designated area managed by the Town of Westerly where five or more recreational vessels are moored.

MOORING SPACE

The location where a vessel is secured to the submerged land of a waterway by mooring tackle.

MOORING TACKLE

All hardware used to secure a vessel at a mooring.

MOTORBOAT

Any vessel propelled in whole or in part by mechanical means, either inboard or outboard and using a motor powered by gasoline, diesel fuel, naphtha, kerosene, steam or fuel oil.

NONRESIDENT

Any individual, business or corporation which does not meet the definition of resident.

OPERATOR

A person who operates or who has charge of the navigation or use of a watercraft.

OUTHAUL

A recreational boating facility that consists of a non-single-point anchoring device, for the purpose of securing a boat in tidal waters and retrieving it from shore.

PERSONAL WATERCRAFT

A vessel which uses an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than the conventional method of sitting or standing inside the vessel.

PRIVATE MOORING

A mooring registered and occupied by the boat owner. Private moorings are not to be used to generate financial or other compensation by permit holder.

PUBLIC MOORING AREA

Mooring areas managed by municipal or state agencies and as delineated in the CRMC approved Westerly Harbor Management Plan.

QUALIFIED INSPECTOR

A corporate entity in the business of inspecting mooring tackle which is in good standing with the Rhode Island Secretary of State and carries the requisite liability insurance.

RECREATIONAL BOATING FACILITY

Marinas, launching ramps, residential and limited recreational boating facilities, recreational wharves, piers, slips, floats or floating docks and recreational mooring areas.

RESIDENT

An individual residing in Westerly a minimum of 183 days per year and verified by either voter identification or a Rhode Island driver's license with a Westerly address.

RIPARIAN

"Riparian mooring" means mooring tackle owned by a riparian property owner under a permit granted by the Harbormaster and located within the coastal waters bordering that property as bounded by the seaward extension of that property's lateral lot lines. Said mooring may or may not be located within a CRMC approved mooring field.

VESSEL

Every description of watercraft, other than a seaplane on water, used or capable of being used as a method of transportation on water. (Specifically excluded by this definition are houseboats.)

WATERWAYS

All navigable lakes, rivers, streams, ponds or other bodies of water located within or partly within the boundaries of the Town including the coastal waters. See § **86-1**.

§ 86-3 Deposit of revenue.

All revenue generated by the Town boat launching fee, mooring permit fees, qualified mooring inspectors, other fees of this chapter, and fines levied under the authority of this chapter shall be deposited in a dedicated account to be used for mooring management and the administration and implementation of the Town Harbor Management Plan and this chapter.

§ 86-4 Liability.

Persons using the coastal waters and the harbor areas of the Town shall assume all risk of personal injury and damage or loss to their property. The Town assumes no risk due to accident, fire, theft, vandalism, wind, storm surge, or acts of God.

§ 86-5 Obedience to Harbormaster and police.

Boat operators shall obey lawful directions given to them by the Harbormaster, Deputy Harbormasters, or by any police officer employed by the Westerly Police Department in enforcement of the provisions of this chapter, as well as all boating laws as are covered under the provisions of the Federal Safe Boating Act of 1971 and such amendments as shall have been made thereto. Such boat operators immediately upon being instructed by the Harbormaster or a police officer employed by the Westerly Police Department, by voice or such sound device as may be used, shall allow boarding by such officer and shall

comply with the lawful direction of such officer. Checking of all required safety equipment, as well as proper registrations of vessels under power, shall be considered a lawful direction of said officers. Any person in violation of this section shall be subject to the fine identified in the violation schedule contained within § **86-6** of this chapter.

§ 86-6 Harbor management uniform violation schedule.

A. Every owner, master, or person in charge of any vessel who shall neglect or refuse to obey the direction of the Harbormaster or deputy Harbormaster or a police officer employed by the Westerly Police Department, or violates any rule or regulation promulgated under RIGL 1956 §§ 46-4-1 et seq. or 46-22-1 et seq., not specifically set forth in Rhode Island Department of Environmental Management's penalty schedule shall be subject to a fine under this chapter of $100.

B. The Town Council herein adopts penalties for boating violations, consistent with state law.

Penalty Schedule For Boating Violations

Offense	**Fine**
Vessel registration: RIGL 46-22-3	
Unregistered	Violation. Up to $100
Numbers not displayed	Violation. Up to $100
Possession of a vessel with the hull ID number altered, removed, or destroyed	Up to $500
Vessel operation:	
Excessive speed or wake: RIGL 46-22-9.5	
Up to 10 miles	$25
11 miles to 15 miles	$50
16 miles to 20 miles	$75
21 miles to 25 miles	$100
Over 25 miles, per mile	$5
Improper operation in swimming area or restricted area, RIGL 46-22-9	Up to $1,000

Penalty Schedule For Boating Violations	
Offense	**Fine**
Operation in a reckless manner, RIGL 46-22-9	Up to $1,000
Refusal to stop when ordered, RIGL 46-22-9	Up to $1,000
Inadequate boat personnel	Up to $200
Underaged boat personnel	Up to $200
Failure to use personal flotation devices	Up to $200
Operation outside time limits	Up to $200
Any other personal watercraft offense of RIGL 46-27-2 not specified herein	Up to $500
Interference with another vessel	Up to $100
Caused an accident	Up to $100
Failure to submit accident report	Up to $100
Interference in SCUBA diving area	Up to $100
Vessel equipment:	
Improper light installation	Up to $100
Improper use of lights	Up to $100
Improper sound producing appliance	Up to $100
Improper personal flotation devices	Up to $100
Improper personal flotation devices for children under 10	Up to $100
Improper fire extinguisher	Up to $100
Improper muffling device	Up to $100
Miscellaneous:	

Penalty Schedule For Boating Violations	
Offense	**Fine**
Unmarked SCUBA area	Up to $100
Unauthorized racing/regatta	Up to $100
Unauthorized docking/mooring	Up to $100
Failure to render assistance	Up to $100
Obstruction of right-of-way	Up to $100

§ 86-7 Enforcement.

A. Harbormaster and Assistant Harbormaster.

(1) The Harbormaster shall be appointed by the Town Manager.

(2) The Assistant Harbormaster shall be appointed by the Harbormaster on an as-needed basis.

(3) The harbor patrol shall consist of the Harbormaster, Assistant Harbormaster, and any other personnel engaged for enforcement of this chapter, including officers of the Town of Westerly Police Department.

(4) Each boating season Deputy Harbormasters may be assigned to each of the Town mooring areas by the Harbormaster. The Deputy Harbormasters shall assist the Harbormasters in the safety patrol of each mooring area, but shall not have enforcement authority.

B. The Harbormasters and harbor patrol shall enforce this chapter as follows:

(1) The Harbormaster and harbor patrol of the Town are authorized to make arrests and to take other steps to enforce the provisions of this chapter and, in the exercise thereof, shall have the authority to stop and board any vessel within the water subject to the jurisdiction of the Town pursuant to RIGL 46-22-17.

(2) Any patrol boat used for the service of the Town shall keep a log through the police department.

(3) All regulations relating to the Town's boating regulation program shall be maintained by the offices of the Town Manager and Town Clerk, and all violations shall be processed by the harbor patrol in accordance with provisions of law applicable thereto.

(4) The Harbormaster shall appoint a designee who shall take charge in the absence of the Harbormaster and shall perform such other duties as delegated by the Harbormaster.

C. Enforcement of operation and equipping of vessels. Local provisions governing operation of vessels and activities within the waterways shall be consistent with state law.

(1) The Town Council adopts all of the provisions of RIGL 1956, 46-22-1 et seq., relating to the operation and equipment of vessels and motorboats within the water subject to the jurisdiction of the Town.

(2) The Town Council adopts all of the provisions of RIGL 1956, 46-27-1 et seq., relating to the operation of personal watercrafts.

D. Hours of operation. The harbor department shall be staffed as determined by the Harbormaster in consultation with the Town Manager.

§ 86-8 Procedure for payment of boating violation fines.

A. Payment without personal appearance. Any member of the harbor patrol and any other duly authorized enforcement officer who charges any person with an offense as set forth in this chapter, in addition to issuing a summons for the offense, shall provide the offending operator with a form which will allow the offender to dispose of the charge without the necessity of personally appearing before the municipal court, provided that any operator who has been guilty of a third or subsequent boating violation within 12 months of the first offense must appear before the municipal court on the date specified on the summons, and may not dispose of the third or subsequent offense administratively. This section shall apply to both resident and nonresident operators.

B. Method of payment. If the offending operator elects to dispose of the charge without personally appearing before the municipal court, he or she shall execute the form indicated and return it to the municipal court not later than 20 days from the date of the summons either by mailing or delivering the form and summons to the municipal court clerk or the clerk's designee with a check or money order in the amount indicated by the fine schedule on the form.

C. Schedule of violations. Those violations set forth in § **86-6** of this chapter may be handled administratively through the method described in this section, provided however that this list is not exclusive, and jurisdiction may be conferred on the municipal court with regard to other violations consistent with the Rhode Island General Laws, and these ordinances.

D. Failure to answer. In the event an operator fails to answer within 20 days, then he or she shall have waived his or her right to dispose of the offense without personal appearance, and the person charged with such violation must appear before the municipal court on the date specified on the summons.

E. Adjudication. Adjudication of boating violations contained in this chapter shall be before the municipal court and conducted in the same manner as for cases involving motor vehicle violations as set forth in Chapter **15** of the Westerly Code of Ordinances.

§ 86-9 Pumpouts and outhauls.

A. The Town shall ensure that all pumpouts, whether land-based or on a vessel, are maintained, accessible, and operational at all times.

B. Outhauls shall be managed and administered consistent with CRMC regulations.

§ 86-10 Storm preparedness.

The Town Harbormaster and Town Council shall be guided by the Harbor Management Plan and the Town's Emergency Operation Plan when taking action in the event of a storm.

§ 86-11 Harbor Commission.

A. There shall be a Harbor Commission, which shall perform the duties and exercise the powers conferred upon it by state law or this chapter. The board may consist of five members appointed by the Council to serve for three-year staggered terms. Of the first members appointed under this Charter, two shall be designated to serve one-year terms, two shall be designated to serve two-year terms, and the remaining one shall serve a three-year term.

B. Harbor Commission membership may represent groups most concerned with management of harbor resources. Members usually include commercial and recreational fishermen, marina operators, riparian property owners, recreational boaters, and commercial waterfront businesses. In addition, the municipal Planning and Zoning Boards, and the Town Council may be represented on the Commission. Consideration may also be given to representatives from other interest groups such as conservation, shellfish, and historical organizations since these agencies frequently regulate activities that affect harbor usage. For municipalities which share a common boundary intersecting a waterbody, there may also be ex-officio representation from each of the adjacent community's Harbor Commissions. Finally, the local Harbormaster may take an active role in Commission activities.

C. The duties of the Harbor Management Commission are to advise the Town Council on the provisions of Chapter **86** and the management of the harbors.

§ 86-12 through § 86-19. (Reserved)

Article II
Supplemental Harbor Regulations

§ 86-20 Violations and penalties.

Any person in violation of a provision of this article shall be subject to the fine identified in the violation schedule contained within § **86-6** of this chapter.

§ 86-21 Special events.

The Harbormaster shall be notified in writing of certain special events, such as swimming races, regattas, marine parades, or other marine and maritime activities that may from time to time be held on or in the coastal waters and harbor areas under the jurisdiction of the Town. No person shall operate a motorboat in a motorboat race in the waters within the Town unless the motorboat race has received a special event license in accordance with Chapter **221** of the Town Code.

§ 86-22 Restrictions within certain waterways.

A. No motorboat having a rated horsepower exceeding five shall be operated or used on that certain body of water located in said Town known either as Chapman's Pond or Burden's Pond.

B. No vessel of any description shall be anchored, moored or beached in that area of Little Narragansett Bay adjacent to the public anchorage known as the "Kitchen" and referred to as the "Lagoon" of Napatree Point. Only vessels powered by oar or paddle shall be permitted to navigate in said waters and shall be permitted to embark and disembark passengers for a period not exceeding five minutes.

C. Speeds within Weekapaug Breachway. Operators of powered craft shall not operate their vessels, ships, boats, jet skis, personal watercraft or the like at a speed greater than five miles per hour or at no wake, whichever is slower, from the entrance to the Weekapaug Breachway at its intersection with the Weekapaug Bridge and continuing down the breachway past its intersection with Winnapaug Pond until a line from the southwestern most point of Lot #5 of Assessor's Plat #142 in a line bisecting Winnapaug Pond due south until it meets Lot #15 of Assessor's Plat #156.

D. Operation of personal watercraft on Quonochontaug Pond is prohibited.

E. No person shall swim in the breachway of the Winnapaug Pond, said area defined as being the southernmost extension of said such breachway into the sea and thence running north to its intersection with the Weekapaug Bridge; thereafter, running further north inland from said bridge to a point identified by the conclusion of the breachway wall to the west and the beginning of private homes to the east or in the breachway of Quonochontaug Pond, or in any other breachway within the jurisdiction of the Town.

§ 86-23 Navigation fairways.

The following navigation fairways are established and activity within the fairways conducted in accordance with the parameters to be forwarded to the Coastal Resources Management Council for the U.S. Coast Guard establishment:

A. From Fishers Island Sound through the privately marked Cut between Napatree Point and Sandy Point, South of Nun D in Little Narragansett Bay, and thence to the entrance to the Pawcatuck River at G23.

B. From N22 off Pawcatuck Point to R2 and C1 at the entrance to Watch Hill Cove.

§ 86-24 Vessels, water skis and other operations.

A. No person shall operate a vessel for towing a person or persons on water skis, or a surfboard, or similar device in any designated channels, fairways and mooring areas.

B. No person shall operate a vessel on any waters of this Town for towing a person or persons on water skis, or a surfboard, or similar device unless there is in the vessel a person at least 12 years of age, in addition to the operator, in a position to observe the progress of the person or persons being towed. There shall be aboard the vessel, in addition to those required for the persons aboard the vessel, at least one life preserver, life belt, or ring buoy for the person or persons being towed.

C. No person shall operate a vessel on any waters of the Town towing a person or persons on water skis, a surfboard, or similar device, nor shall any person engage in water skiing, surfboarding, or similar activity at any time between the hours from one hour after sunset to one hour before sunrise.

D. No person shall operate or manipulate any vessel, tow rope, or other device by which the direction or location of water skis, a surfboard, or similar device may be affected or controlled in such a way as to cause the water skis, surfboard, or similar device, or any person thereon to collide with or strike against any object or person.

§ 86-25 Jumping off bridges.

No person shall jump off any bridge traversing any waterway within the Town of Westerly.

§ 86-26 Sanitation and waste disposal.

The owners or operators of all vessels operated, moored or anchored within the waters under the jurisdiction of the Harbormaster shall not permit acts contrary to the public health or sanitary regulations, including such laws, ordinances, rules and regulations as shall be promulgated by the federal, state or local body in authority.

A. No rubbish, cans, debris, garbage, raw sewage, dead fish or other offal shall be discharged upon or into the waters under the jurisdiction of the Harbormaster.

B. No petroleum products shall be dumped or pumped onto or into the waters of the Town.

§ 86-27 Houseboats and floating businesses; pollution control requirements.

The use of a motorboat or sailboat as a residence is allowed only within a marina. The operator of a motorboat or sailboat used as residence shall contact the Harbormaster within 16 hours of mooring or docking to ensure compliance with harbor regulations regarding pollution as outlined in this chapter. The owners or operators of all vessels operated, moored, or anchored within the waters and the jurisdiction of the Harbormaster shall not permit acts contrary to the public health or sanitary regulations including such laws, ordinances, rules, and regulations as shall be promulgated by federal, state or local authority.

§ 86-28 Derelict boats, motors and structures.

A. No derelict boats, motors or piers, wharves or docks shall be allowed in or upon the Town's waters or shores.

B. The Harbormaster may take custody and control of abandoned vessels, structures and moorings located in the coastal waters and harbor areas of the Town and remove, store or otherwise dispose of such vessel, structure or mooring at the expense and sole risk of the owner of the abandoned vessel or structure. Reasonable notice of such removal, storage, or disposal shall be publicly advertised.

C. The Harbormaster shall assume all the duties and powers of the commissioner of wrecks and shipwrecked goods as detailed in the RIGL 1956, 46-10-1 et seq.

§ 86-29 (Reserved)

Article III
Anchoring and Docking

§ 86-30 Violations and penalties.

Any person in violation of a provision of this article shall be subject to the fine identified in the violation schedule contained within § **86-6** of this chapter.

§ 86-31 Anchoring and anchorages.

A. Every vessel entering a harbor shall be anchored by the person in command thereof according to the direction of the Harbormaster.

B. All vessels not anchored according to the direction of the Harbormaster shall be forthwith moved by the crew under his direction, and if any such vessel has not sufficient crew to move the same, such vessel shall be moved by the Harbormaster, and the expense thereof shall be paid by the owner or master of such vessel, and may be recovered by the Harbormaster of such owner or master, by an action in the name of the Town before any court of competent jurisdiction.

C. The following areas are established for use as transient anchorage:

(1) Little Narragansett Bay North of Napatree Point but not further north than a line running from the inner exit of the privately marked channel of The Cut from Fishers Island Sound toward the Northern boundary of Foster Cove and between North South lines at 72° 52.600 feet and 500 feet West of R2 at the entrance to Watch Hill Harbor.

(2) Little Narragansett Bay on the inner (Eastern or Northern) side of Sandy Point South of the Connecticut border and East to a North South line through G13.

D. A vessel may anchor overnight on its own anchor in the two transient anchorage areas in Little Narragansett Bay defined above. No vessel anchored under such conditions shall be left unattended between 1/2 hour after sunset and 1/2 hour before sunrise. Owners and/or operators of such vessels may go ashore but must be available to tend the vessel in the event of heavy weather. It shall be the vessel owner's and/or operator's responsibility to remain clear of all moored vessels, and other structures. Vessels staying more than seven nights must get specific approval from the Harbormaster. No permanent live aboards are allowed.

§ 86-32 Rafting.

Vessels may raft on a single mooring or anchor when such activity does not interfere with the proper functioning or safety of adjacent single moorings or vessel anchorages and according to the limits, number and/or length, set by the mooring owner or anchored boat owner.

§ 86-33 Docking and ranking.

A. The owner or person in charge shall, as soon as may be after such vessel is made fast to any wharf or other vessel, cause the lower yards to be cock-billed and the top sail yards to be braced fore and aft, and the jibboom of any vessel shall be rigged in whenever so directed by the Harbormaster.

B. Vessels shall not in any case be placed alongside of any wharf in said harbor more than three deep without permission of the Harbormaster.

§ 86-34 Awaiting tide for free passage by deep draft vessels.

Every vessel drawing more than seven feet of water and approaching the harbor at any other time than at high tide shall anchor outside the channel until the tide shall warrant a free passage.

§ 86-35 Obstructing passage of vessels.

A. No warps, lines or fishing gear shall be in or passed across any channel, fairway or dock and no boat shall be anchored in the channel or fairway in a manner which obstructs vessels passing along the same.

B. Stakes shall not be driven to be used for mooring any vessel or boat, or for tying up any fish, lobster or bait can unless in the judgment of the Harbormaster their use would not be an obstruction.

C. Mooring shall not be located so that vessels or boats when lying to the same shall block any channel or approach to any channel, or obstruct the approach to piers, docks or other moorings in the vicinity.

D. The placement of fish nets is prohibited in all navigation fairways and mooring fields.

E. No person or persons shall obstruct any channel, fairway or dock in a manner which obstructs vessels passing along same.

§ 86-36 through § 86-39. (Reserved)

Article IV
Public Use and Access to the Water

§ 86-40 A right to public use and access.

One of the key components of the Westerly Harbor Management Plan is securing and maintaining public access to the shore, coastal waters and mooring areas. Public access is possible through rights-of-way that traverse different types of environments and may be of either public or private ownership. The Town of Westerly shall maintain an inventory of rights-of-way and points for public access to the shoreline, coast waters and mooring fields in the Westerly Harbor Management Plan.

§ 86-41 Points of public access to mooring fields.

Locations designated as points of public access to mooring fields are contained in the Westerly Harbor Management Plan.

§ 86-42 Interruption of access prohibited.

A. No person shall block, barricade or in any way impede the public use of or access to designated public rights-of-way to the water as defined by the RI CRMC or the Town of Westerly.

B. No person shall store a vessel, vehicle or structure on a designated public right-of-way to the water as defined by the CRMC or the Town of Westerly.

C. Any vessel, vehicle, structure or debris in violation of this section shall be subject to removal at the direction of the Harbormaster, any assistant Harbormaster or any police officer. The cost of such removal shall be the responsibility of the owner of said vessel, vehicle, structure or debris.

§ 86-43 through § 86-48. (Reserved)

§ 86-49 Violations and penalties.

Any person in violation of a provision of this article shall be subject to the fine identified in the violation schedule contained within § **86-6** of this chapter.

Article V
Mooring Fields and Moorings

§ 86-50 Violations and penalties.

Any person in violation of a provision of this article shall be subject to the fine identified in the violation schedule contained within § **86-6** of this chapter.

§ 86-51 Mooring placement and siting.

A. Mooring field designations. Certain waters of the Town shall be designated as mooring fields. Those waters authorized for the placement of permitted moorings shall be located in accordance with all policies of the Town's Harbor Management Plan, the policies and requirements of the Coastal Resources Management Council's

guidelines for the development of municipal harbor management plans, and the CRMC's management procedures for siting mooring fields. All moorings shall be placed within the perimeters of each mooring field so that the scope of each mooring and vessel do not extend beyond the mooring field boundaries. Any revisions to the size, and/or location of these mooring field designations shall require the approval of the Town Council with advice from the Harbor Commission, and the Coastal Resources Management Council before the revisions may take effect.

B. Maximum number of moorings. Based on the findings of the harbor management plan, there shall be a maximum number of moorings in each mooring field.

C. Moorings associated with residential waterfront properties. Moorings used in conjunction with residential waterfront property may be placed in the coastal water and harbor areas of the Town in those waters immediately adjacent to the upland residential waterfront property with the exception of shellfish transplant areas. The mooring permit holder must comply with all mooring permit application requirements and receive a mooring permit from the Town as described herein, and the mooring must meet all mooring tackle standards and inspections as set forth in this chapter and any applicable regulations before such placement will be permitted. Up to four moorings may be placed in the general vicinity of each residential waterfront property in accordance with the definition for a riparian mooring and this subsection. All mooring placements, including temporary moorings, shall be in accordance with the Harbor Management Plan.

D. Mooring field siting standards. All designated mooring fields sited within the coastal waters and harbor areas of the Town shall be set back a minimum distance of 50 feet from all piers, floats and public launching ramps; and from riparian moorings and shoreline rights-of-way a distance which is sufficient to allow ingress and egress and to prevent interference with the exercise of private and public rights of access to the waterways.

E. All new and significantly expanded mooring fields shall be sited to ensure that tides and currents aid in flushing the mooring area.

F. All new and significantly expanded mooring areas shall be sited to avoid adverse effects on water quality.

G. Mooring areas shall be sited in a manner which does not substantially interfere with designated shellfish management areas, traditional fishing grounds, public recreational areas and conservation areas.

H. Mooring area shall be sited in a manner which does not significantly effect finfish and/or shellfish resources, wetlands, submerged aquatic vegetation and aquatic habitat.

I. Mooring areas shall be adequately serviced by pumpout facilities that are accessible, operational, and maintained.

J. Pumpout service shall be provided on a published scheduled basis for all moorings and dock slips.

K. Live aboard activity (such as that which occurs with destination type mooring fields and sheltered harbors) is prohibited in all SA waters. The Harbormaster shall make annual assessments in order to confirm that the use of moorings does not include live aboard activity.

L. All harbor activities shall be managed in accordance with the regulations, statements, and ordinances contained in the Town's Harbor Management Plan.

§ 86-52 Mooring permits; general requirements.

A. Mooring permit required. No mooring shall be located, or maintained, in the coastal waters and harbor areas of the Town until a permit has been issued for the use of such moorings by the Harbormaster.

B. Placement of moorings. The Harbormaster directs the placement of the moorings within the mooring field boundaries and the Harbormaster determines that mooring tackle conforms to the specifications and standards set forth in all applicable regulations and any conditions of the permit.

C. Transfer of mooring permits. No mooring permit shall be sold, assigned or otherwise transferred by a permit holder. Assignments of all mooring permits shall be made only by the Harbormaster's office.

D. Reassignment of mooring permits by Harbormaster's office. When an existing mooring permit becomes available, the owner shall notify the Harbormaster and arrange for the inspection of the mooring site within 30 days. The Harbormaster may immediately permit the space to the person next on the waiting list whose boat fits the mooring.

E. New moorings. Available spaces for new moorings shall be assigned by the Harbormaster to the person next on the waiting list whose boat fits the space.

F. Change of vessel. Mooring permit holders who plan a change in vessel on their mooring must file a new mooring permit application. Failure to comply with this regulation can result in forfeiture of the mooring.

G. Request for a mooring permit.

(1) All requests for mooring permits shall be submitted to the Harbormaster via the e-permitting system provided by the Town.

(2) An application shall be accompanied by the appropriate fee and shall be received by the Office of the Harbormaster.

(3) A complete and accurate mooring permit application must be submitted before the Harbormaster can act to approve or deny such application.

(4) The Harbormaster shall determine if a mooring permit can be issued only after all provisions of the Harbor Management Plan, this article and all applicable regulations are met; provided that mooring space is available.

(5) Mooring tackle must be installed by a professional mooring service, and confirmation received by the Harbormaster within 15 days from the date of approval or said mooring permit shall be forfeited.

H. Permit renewals for all moorings shall occur annually. Applications for renewals of a valid mooring permit shall be submitted to the Harbormaster through the e-permitting system.

(1) The Harbormaster shall open e-permitting for the renewal of permits by email notice before January 1st of each year to those persons who held valid mooring permits the previous year. Email notice shall be sent to the email address listed on their last e-permit application.

(2) Online renewal, accompanied by the appropriate fee and a current copy of the permitted boat's registration and documentation, must be received by March 1. After March 1, a late fee of $50 will be applied for applications received.

(3) It shall be the responsibility of the mooring permit holder to notify the Harbormaster of any change in information reported through e-permitting.

(4) If a mooring permit holder does not receive a renewal notice through e-permitting, it is their responsibility to contact the Harbormaster's office.

(5) Upon receipt of the complete renewal registration and fee, the Harbormaster's office shall forward to the permit holder the required mooring identification.

I. Relocation of existing permitted mooring.

(1) All requests for relocation of existing permitted moorings must be submitted to the Harbormaster. Information for such a request must meet the requirements of the e-permitting system, as well as proof of a valid mooring permit issued for the previous or current year. The reasons for a mooring relocation must be clearly stated in the request.

(2) Action on the relocation request will be taken by the Harbormaster based upon availability of space in the desired mooring field, the requirements of this chapter, and the type and size characteristics of the vessel.

(3) Any request received by the Harbormaster that is not complete shall be returned to the applicant and no action will be taken on the request.

J. Failure to renew an existing valid mooring permit. Failure to renew an existing valid mooring permit in accordance with the provisions of these regulations shall result in the permitted owner's forfeiture of all his or her privileges in the previously

permitted mooring space. Upon the written request of the Harbormaster, the permit holder shall immediately remove the mooring tackle from the mooring space. If the permit holder does not remove the mooring tackle within 30 days of the written request, the Harbormaster may remove the now abandoned mooring tackle at the permit holder's expense.

K. Forfeiture of mooring space. Any permit holder shall be deemed to have forfeited his or her mooring space by reason of any one of the following:

(1) Failure to comply with any of the requirements of this chapter;

(2) Removal of mooring and mooring tackle and notification to the Harbormaster that the mooring has been forfeited;

(3) Failure to respond to the Harbormaster's notice that the mooring does not comply with the mooring tackle standards set forth in this chapter and all applicable regulations, or that the mooring has been displaced or moved from its permitted location without approval.

(4) Failure to display the mooring identification on the mooring buoy and boat.

(5) Failure to resurface, repair or replace mooring tackle within 60 days after being advised to do so by the Harbormaster.

L. Removal of mooring from forfeited mooring space. The Harbormaster shall notify the mooring owner advising of the reason for forfeiture as stated above. The mooring owner shall be given 10 business days to comply. If mooring has not been removed in the time frame, the Harbormaster's office shall cause the mooring to be removed at the owner's expense. If a boat is tied to the mooring, the boat will also be removed and stored at the owner's expense.

M. Available spaces. As of March 1 of each year, the Harbormaster shall determine the number of mooring permits available for mooring placement. The number of permits available shall equal the number of spaces authorized by this article, minus the sum of all acceptable mooring permit renewal applications. The available mooring permits shall be made available first to those persons whose names appear on the waiting list whose boat fits the mooring space.

N. Initial assignment of mooring permits. In accordance with Town Council resolution 18/19-118, adopted March 25, 2019, a mooring permit shall be issued for existing moorings and any relocated moorings that are verified by a professional mooring service to be capable of safely holding the vessel intended to be secured to the mooring tackle prior to the occupation of such mooring in accordance with the e-permitting procedures established by Council. Through this process of e-permitting, applicants will be identified as either residents or nonresidents and mooring permits will be distributed on a no greater than 3:1 basis (three residents for every one nonresident). The Harbormaster shall at all times maintain a list of all mooring permits assigned.

O. Waiting list. When no mooring permits are available for existing or relocated moorings, applicants shall be placed on a waiting list for a designated mooring field. The Harbormaster shall mail the forms for the annual waiting list renewal the first week in January. The annual waiting list fee must be received by March 1. If the annual fee is not received by the March 1 deadline the applicant will be removed from the waiting list. The Harbormaster shall submit an updated waiting list to the harbor commission and Town Council twice a year on or near April 15 and October 15. The waiting list shall remain available on the webpage for Harbormaster's office at all times. The waiting list shall show the names of the persons desiring mooring space, the date of application, and the area in which such space is.

P. Occupancy of mooring.

(1) No vessel shall occupy a mooring other than the one for which it has been permitted. The Harbormaster shall have the authority to move or cause to be moved any vessel violating the provisions of this section, at the expense and risk of the vessel owner.

(2) Temporary guest use. For temporary guest use of a mooring by a vessel other than the one permitted, for a period not exceeding seven days, the mooring owner, or his agent, must notify the Harbormaster upon the vessel's arrival at the mooring. Upon written request by the mooring owner, the Harbormaster may, for good cause, allow a temporary guest use of a mooring for a period greater than seven days.

(3) Any mooring which is not used for one year shall be considered abandoned and must be removed by its owner from the mooring area. This period may be extended if extenuating circumstances are presented to the Harbormaster on a timely basis. If the owner fails to remove the mooring upon order of the Harbormaster, the owner will be billed for the cost of the mooring removal and storage if applicable.

(4) It shall be a violation for any vessel to attach, use or occupy any mooring that fails to comply with any section of this chapter.

Q. Preference to Westerly residents. In the assignment of initial mooring space and the reallocation of existing mooring space, Westerly residents shall be given priority over nonresidents. However, a nonresident shall not lose priority to a resident more than three times before such nonresident is given first priority to an appropriate mooring space unless the mooring field is within a federal navigation project that the Town of Westerly has agreed in writing to certain covenants thereto, then mooring allocations shall meet the Army Corps of Engineers requirement of open to all on a fair and equitable basis.

R. The rate charged for all mooring permits shall be in accordance with the fee schedule in § **121-1** of the Town Code.

S. The Harbormaster shall have the authority to remove or relocate any mooring in violation of an applicable provision of either Chapter **86** or the Harbor Management Plan.

T. Moorings in violation. The Harbormaster shall notify a mooring permit holder of a violation by certified mail. Any mooring permit holder whose mooring has been deemed in violation must contact the Harbormaster's office within 15 days of the violation notice. No one shall remove, take, discard or dispose of any violation sticker, violation decal or violation pennant from any mooring without the permission of the Westerly Harbormaster.

§ 86-53 Mooring permit application process.

A. All applications for mooring permits shall be made through the e-permitting system maintained by the Town of Westerly and under the administration of the Harbormaster. Each applicant shall provide such information as requested by the Harbormaster, and in the least, the following information:

(1) Name, address, telephone number (home and cell), and e-mail address (if applicable) of owner;

(2) Vessel name, active registration number, hull identification number (HIN), length (feet), type, and color and documentation number of the boat to be on the mooring;

(3) Proof of ownership of the vessel;

(4) Emergency contact name and telephone;

(5) Mooring classification, actual anchor weight, mooring type;

(6) Appropriate registration fee;

(7) Type of marine sanitation device, if any, and need for pumpout boat pennant (please note that all boats with type 3 MSDs are required to utilize the Town's mooring pumpout boat service and must have a pennant);

(8) Area(s) where applicant would like to locate mooring, prioritized;

(9) Proof of waterfront property ownership, if applicable, must include utility bill, plat map and driver's license; and

(10) Proof of residency (driver's license).

B. The Town may, from time to time, update the e-permitting system.

§ 86-54 Minimum tackle standards, inspections and standards.

Mooring gear and tackle used in the Town shall meet or exceed those specified in the current edition of Chapman's Piloting & Seamanship. The Harbormaster may approve informal variances to mooring tackle specifications, other than those minimum standards described herein, for specific cases if such specifications are inappropriate for the area in which a mooring will be located. The Harbormaster must file such variance with the Harbor Commission. Inspections and services are to be completed as defined in the Westerly Harbor Management Plan.

§ 86-55 through § 86-59. (Reserved)

This map is not the product of a Professional Land Survey. It was created by the Town of Westerly for general reference, informational, planning or guidance use, and is not a legally authoritative source as to location of natural or manmade features. Proper interpretation of this map may require the assistance of appropriate professional services. The Town of Westerly makes no warranty, express or implied, related to the spatial accuracy, reliability, completeness, or currentness of this map.

2020 Comprehensive Plan

Westerly Harbor Management Plan
Rights of Way to the Shore
REC-M3

NORTH STONINGTON

STONINGTON

HOPKINTON

CHARLESTOWN

Town-Designated Rights-of-Way
(Some of which may be under investigation)

- **1** - Avondale Road
- **2** - Waters Edge Road North
- **2A** - Waters Edge Road South
- **3** - Fort Road
- **4** - Bluff Avenue
- **5** - Everett Avenue
- **6** - Niantic Avenue*
- **7** - Manatuck Ave
- **8** - Atlantic Avenue
- **9** - Atlantic Avenue
- **10** - Atlantic Avenue
- **11** - Atlantic Avenue
- **12** - Atlantic Avenue
- **13** - Atlantic Avenue
- **14** - Atlantic Avenue West
- **14A** - Atlantic Avenue East
- **15** - Spray Rock Road
- **16** - Ninigret Ave/Sand Trail

* Refer to Section 2.5 – Water Access.

CANAL ST
OAK ST
MAIN ST
SCHOOL ST
WELLS ST
BRADFORD RD
216
91
3
78
1
1A
Chapman Pond
Pawcatuck River
WINNAPAUG RD
ATLANTIC AVE
WEEKAPAUG RD
NOYES NECK RD
Winnapaug Pond
Quonochontaug Pond
Little Narragansett Bay
Block Island Sound
OCEAN VIEW HWY

#A-14 #A-2 #A-3 #A-6 #A-7 #A-8 #A-9 #A-10 #A-11 #A-12 #A-13

1 2 2A 3 4 5 6 7 8 9 10 11 12 13 14 14A 15 16

0.5 0.25 0 0.5 1 Miles

N W E S

Legend

- Town-Designated Right-of-Way
- RI CRMC-Designated Right-of-Way
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

RI CRMC-Designated Rights-of-Way

- **#A-2** - Bluff Avenue
- **#A-3** - Manatuck Avenue
- **#A-6** - Atlantic Avenue #1
- **#A-7** - Atlantic Avenue #2
- **#A-8** - Atlantic Avenue #4
- **#A-9** - Atlantic Avenue #5
- **#A-10** - Atlantic Avenue #6
- **#A-11** - Atlantic Avenue #7
- **#A-12** - Atlantic Avenue #8
- **#A-13** - Atlantic Avenue #9
- **#A-14** - Lotteryville Marina

April 2021

NEGEO New England GeoSystems

MASON & ASSOCIATES, INC. Environmental Consulting & Projects

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 116
Wakefield, RI 02879-1900

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Fax (401) 783-2069

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ASSENT

ASSENT

CRMC File No.: 2020-09-108 CRMC Assent No.: A2020-09-108

RECEIVED FOR RECORD
WESTERLY RI

TOWN MANAGER'S OFFICE
WESTERLY RI
FEB 18 2021
RECEIVED

Whereas, **Town of Westerly**
of **45 Broad Street**
Westerly, RI 02891

has applied to the Coastal Resources Management Council for assent to: construct a public kayak rack within the public road right-of-way at the seaward terminus of Water's Edge Road in Westerly. As currently proposed, no public parking will be provided at this time, and represents that they are the owner(s) of the riparian rights attached to the property involved and submitted plans of the work to be done.

Now, said Council, having fully considered said application in accordance with all the regulations as set forth in the Administrative Procedures Act does hereby authorize said applicant, subject to the provisions of Title 46, Chapter 23 of the General Laws of Rhode Island, 1956, as amended, and all laws which are or may be in force applicable thereto: **construct a public kayak rack within the public road right-of-way at the seaward terminus of Water's Edge Road in Westerly. As currently proposed, no public parking will be provided at this time**; located at Waters Edge Road, Westerly, RI, in accordance with said plans submitted to this Council and approved by this Council. All work being permitted must be completed on or before **February 12, 2024** after which date this assent is null and void, (unless written application requesting an extension is received by CRMC sixty (60) days prior to expiration date).

Applicant agrees that as a condition to the granting of this assent, members of the Coastal Resources Management Council or its staff shall have access to applicant's property to make on-site inspections to insure compliance with the assent.

Licensee shall be fully and completely liable to State, and shall waive any claims against State for contribution or otherwise, and shall indemnify, defend, and save harmless State and its agencies, employees, officers, directors, and agents with respect to any and all liability, damages (including damages to land, aquatic life, and other natural resources), expenses, causes of action, suits, claims, costs (including testing, auditing, surveying, and investigating costs), fees (including attorneys' fees and costs), penalties (civil and criminal), and response, cleanup, or remediation costs assessed against or imposed upon Licensee, State, or the Property, as a result of Licensee's control of the Property, or Licensee's use, disposal, transportation, generation and/or sale of Hazardous Substances or that of Licensee's employees, agents, assigns, sublicensees, contractors, subcontractors, permittees, or invitees.

Nothing in this assent shall be construed to impair the legal rights of this granting authority or of any person. By this assent the granting authority by no manner, shape, or form assumes any liability or responsibility implied, or in fact, for the stability or permanence of said project; nor by this assent is there any liability implied or in fact assumed or imposed on the granting authority. Further, the granting authority by its representatives or duly authorized agents shall have the right to inspect said project at all times including, but not limited to, the construction, completion, and all times thereafter.

This Assent is granted with the specific proviso that the construction authorized therein will be maintained in good condition by the owner thereof, his heirs, successors, or assigns for a period of fifty (50) years from the date thereof, after which time this permission shall terminate necessitating either complete removal or a new application.

RECEIVED
FEB 18 2021
COASTAL RESOURCES
MANAGEMENT COUNCIL

Permits issued by the CRMC are issued for a finite period of time, confer no property rights, and are valid only with the conditions and stipulations under which they are granted. Permits imply no guarantee of renewal, and may be subject to denial, revocation, or modification.

If this matter appeared before the full Council, a copy of the legal decision from this proceeding may be acquired by contacting the CRMC office in writing.

A copy of this Assent shall be kept on site during construction.

Application for future alteration of the shoreline or other construction or alteration within the CRMC jurisdiction shall be submitted to the CRMC for review prior to commencing such activity.

All applicable policies, prohibitions, and standards of the RICRMP shall be upheld.
All local, state or federal ordinances and regulations must be complied with.

Please be advised that as a further conditions of this Assent, it is hereby stipulated that you and/or your agents shall comply at all times with Federal and State Water Quality Standards and other State standards and regulations regarding water quality, and shall exercise such supervision over and control of these facilities to prevent the dumping or discarding or refuse, sanitary wastes and other pollutants in the tidal waters, either from vessels docked at said facilities or from land adjacent thereto.

No work that involves alteration to wetlands or waters of the United States shall be done under this Assent until the required Federal Permit has been obtained.

Non-compliance with this assent shall result in legal action and/or revocation of this permit.

CAUTION:

The limits of authorized work shall be only for that which was approved by the CRMC. Any activities or alterations in which deviate from this assent or what was detailed on the CRMC approved plans will require a separate application and review. Additionally, if the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then this permit may be found to be null and void. Plans for any future alteration of the shoreline or construction or alteration within the 200' zone of CRMC jurisdiction or in coastal waters must be submitted for review to the CRMC prior to commencing such activity. Permits, licenses or easements issued by the Council are valid only with the conditions and stipulation under which they are granted and imply no guarantee of renewal. The initial application or an application for renewal may be subject to denial or modification. If an application is granted, said permit, license and easement may be subject to revocation and/or modification for failure to comply with the conditions and stipulations under which the same was issued or for other good cause.

ATTENTION: ALL STRUCTURES AND FILLED AREAS IN THE TIDAL, COASTAL, OR NAVIGABLE WATERS OF THE STATE OF RHODE ISLAND ARE SUBJECT TO:

1. The Superior Property Rights of the State of Rhode Island in the Submerged and Submersible Lands of the Coastal, Tidal, and Navigable Waters;
2. The Superior Navigation Servitude of the United States;
3. The Police Powers of the State of Rhode Island and the United States to regulate Structures in the Tidal, Coastal, or Navigable Waters.

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COASTAL RESOURCES

THE SUBMERGED AND SUBMERSIBLE LANDS OF THE TIDAL, COASTAL, AND NAVIGABLE WATERS OF THE STATE ARE OWNED BY THE STATE AND HELD IN TRUST FOR THE PUBLIC. CONVEYANCE OF THESE LANDS IS ILLEGAL; TITLES PURPORTING TO TRANSFER SUCH LANDS ARE VOID. ASSENTS THAT INVOLVE THE FILLING OR USE OF THE STATES SUBMERGED LANDS ARE GRANTED WITH THE PROVISO THAT IT IS SUBJECT TO THE IMPOSITION OF A USAGE FEE TO BE ESTABLISHED BY THE COASTAL RESOURCES MANAGEMENT COUNCIL.

The lands adjacent to tidal waters and/or access to these lands may be impacted or rendered unusable in the future due to sea level rise, storm surge, and shoreline erosion. Online resources including STORMTOOLS, Shoreline Change Maps, and Sea Levels Affecting Marshes Model (SLAMM) Maps can be accessed through the CRMC website (www.crmc.ri.gov). The Council recommends the use of these resources to evaluate the flood extent and inundation from sea level rise, storm surge and erosion and damages to land, aquatic life, loss of public access and other natural resources on and near the site of the above assent. The project life may be shortened by these processes and may require additional adaptation measure up to and including relocation of the project. By issuing this assent the granting authority neither explicitly nor implicitly assumes any liability or responsibility for the stability or permanence of said project under future climate and shoreline conditions.

SPECIFIC STIPULATIONS OF APPROVAL

General Stipulations

A. The applicant shall record this assent in its entirety in the land evidence records of the Town of Westerly within thirty (30) days of the date of assent issuance. Certification by the Town Clerk's office that this stipulation has been complied with shall be furnished to Coastal Resources Management Council by the applicant within fifteen (15) days thereafter. Failure to comply with provision will render this assent null and void.

B. For the purpose of this permit, the coastal feature shall be the coastal wetland; and the inland edge of the coastal feature shall be the inland edge of the coastal wetland.

C. The approved location plan(s) shall be those attached to this CRMC Assent. Except as stipulated or modified herein, all details and specifications thereon shall be strictly adhered to. Any and all changes require written approval from this office.

D. This CRMC Assent approves the location of the kayak rack within the Water's Edge Road right-of-way and within an existing area of lawn as shown on the attached plan. No building plans have been submitted to the CRMC for approval. Accordingly, the structure shall be adequately anchored to resist displacement by flooding, waves and wind as determined to be sufficient by the local building official.

E. As agreed in a January 29, 2021 meeting between CRMC Staff, the Town of Westerly and interested parties, work shall be limited to installation of the kayak rack only. There shall be no improvements to the existing informal small craft launching area at the shoreline or the roadway right-of-way leading to the launching area. Specifically, no fill may be placed below MHW and the salt marsh bordering the launching area may not be disturbed. If such work is desired in the future, a CRMC application must be submitted. As discussed during the January meeting, any filling below mean high water (MHW) shall require a public access plan consistent with Section 1.3.6 of the red book (650-RICR-20-00-01). In this regard, it is CRMC staff's position that an appropriate public access plan associated with a small craft launching area and public kayak rack associated with a public road should involve provisions for public parking.

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F. As of the date of assent issuance, all naturally existing vegetation bordering the shoreline in this area is to remain in an undisturbed natural condition to serve as a coastal buffer zone. Any and all activities or alterations within the coastal buffer zone not specifically addressed herein including mowing, pruning, trimming, thinning, require written authorization from the CRMC.

G. Vegetation within the salt marsh bordering the shoreline in this area shall remain in an undisturbed condition.

H. No alterations (vegetative or otherwise) are allowed on the coastal feature(s) or in the waterway adjacent to the site.

I. Other than for kayak rack footings, no earthwork is authorized by this permit.

In Witness Whereof, said Coastal Resources Management Council has hereto set their hands and seal this **12th day of February in the year two-thousand-and-twenty-one.**

Jeffrey M. Willis, Executive Director
Coastal Resources Management Council

/ajt

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FEB 18 2021
COASTAL RESOURCES MANAGEMENT COUNCIL

TOWN OF WESTERLY, RHODE ISLAND

COMPREHENSIVE COMMUNITY PLAN

2020 – 2040

ADOPTED JANUARY 20, 2021

REVISED MAY 5, 2021 BASED ON STATEWIDE PLANNING COMMENTS

ACKNOWLEDGEMENTS

The Town of Westerly extends its sincere thanks to the many residents, community advocates, business leaders, stakeholders, and staff who have participated in the creation of this Comprehensive Plan. The sharing of your knowledge and experiences and the volunteering of your skills and time has been instrumental to the future we have envisioned herein.

Town Manager J. Mark Rooney

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New England GeoSystems

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Part I
COMMUNITY LAND USE | Vision, Strategies, & Implementation

Chapter 1
THE VISION

Section 1.1 – Preamble

The 2020 Comprehensive Plan (Plan) was the subject of a public hearing held by the Westerly Planning Board on June 2nd, 9th and 23rd, 2020. On July 21, 2020, the Westerly Planning Board approved the Plan for submission to the Town Council with a recommendation that the Plan be adopted as an ordinance. The Town Council, following its public hearing on January 4, 2021, took official action to incorporate the Plan into the Code of Ordinances as Chapter 10. The Westerly Planning Board's approval and the Town Council's adoption of this Plan signify that the vision, goals, policies, and actions will best serve and protect the public interest over the next decade, or two. For more information on public engagement see Section 2.3 of this Plan.

Section 1.2 – Introduction

This Plan for the Town of Westerly (the Town) is the community land-use program that will guide all land-use and physical development in Westerly from now to the end of 2040. The primary objectives of this Plan are to achieve an appropriate balance between conservation and development and to establish a resilient community in all functions – from water supply maintenance to economic development. Managing growth and protecting cultural and natural resources are complex and delicate tasks. This Plan intends to ensure that both are accomplished in a way which enhances the quality of life for all residents. The Town encourages growth which recognizes its assets and enhances opportunity while at the same time maintaining Westerly's cherished sense of place. It is important to all residents, property owners, and local businesses that the Town's vision, goals, policies, and actions are aligned with contemporary local needs and its longstanding aim to protect and preserve the natural environment upon which all aspects of the community rely.

This Plan also looks to the future in anticipation of the community's ever-changing needs and environment. New aspects of land use in the twenty-first century require new approaches to zoning, urban design, building construction, infrastructure, and economic activity. Unlike the 2010 Comprehensive Plan, each component of this Plan incorporates resiliency and aesthetic standards.

The goals, policies, and actions of this Plan express the commitment of the Town to its general aim of balance between the built and natural environments. This Plan was developed by the Westerly Planning Board with considerable input and support from the Town – both as a municipal corporation and as a collective of its private citizens. This Plan represents the policies and objectives of the citizens of Westerly.

Section 1.3 – Vision

This Plan aims for Westerly to be a community which celebrates its history and traditions, values the practices of conservation and preservation, and strives for a prosperous future for its citizens and businesses. It maintains and builds upon its predecessor – the 2010 Comprehensive Plan.

The vision for the Town of Westerly is to preserve and enhance its quality of life for all generations as a safe, resilient, and compassionate community with a healthy environment, a distinctive heritage, extraordinary cultural and natural resources, a strong, stable, equitable economy, and a responsible and publicly-engaged government.

This Plan is the device by which all future proposals and initiatives – whether for conservation, development, or resiliency – shall be measured. Each proposal or initiative will be evaluated based on whether it advances the vision of the future as expressed in this Plan. This Plan itself is a document that changes only upon careful evaluation and with the deliberate intent to ensure that the needs and conditions which affect the public interest require adjustments in public policy. While the Plan is not a fluid document, the need for regular and disciplined evaluation of its progress and appropriateness is integral to realizing the vision for the future of Westerly.

In developing this Plan, an important set of values evolved that complements the vision and will influence the conservation, development, and resiliency efforts of Westerly for the next two decades. These values are described below to assist readers in understanding this Plan and further guide how to implement the vision of this Plan successfully and appropriately. These values are intended to be examined, as applicable, during any official review or consideration by the Town that requires a positive finding of consistency with the Comprehensive Plan. Each is written as a "policy" item followed by its implications as part of this Plan's implementation. When addressing each of the general purposes of the Land Development and Subdivision Regulations and the purposes of the Zoning Ordinance, Town officials and staff shall be guided by the following values:

1. **Protect the integrity of the Town's existing residential development pattern with limited changes to density.**
   Residential districts shall reflect the actual development patterns in the community which the Plan intends to preserve. In areas vulnerable to flood hazards or sea level rise, in the aquifer protection or recharge area, contain suburban sprawl. Increase residential density in areas with public sewer and water by providing more options for multi-family development, including apartments and multi-family structures of 2 to 4 units, to meet the needs of low- and moderate-income households.

2. **Focus on redevelopment and revitalization of industrial districts and mill villages.**
   Mill villages and industrial districts shall retain traditional character and include a mix of uses.

3. **Permit commercial uses through innovative development regulations and techniques.**
   Commercial sprawl shall be avoided. Instead, integrate new commerce and maximize the development potential in existing commercial districts. Provide for shared or maximum parking requirements. Provide incentives to develop outparcels for single tenant retailers in the parking lots of strip malls. Continue to break down silos and be flexible with where businesses locate (e.g. "medical retail" moving into strip malls).

4. **Preserve Westerly's waters, open space, and natural resources.**
   The conservation and protection of coastal waters, freshwater ponds, rivers, wetlands, scenic viewscapes, and environmentally sensitive lands, including beaches, shall be addressed when considering potential future growth.

5. **Protect and expand critical public services, especially public water supply quality and availability and wastewater treatment facilities.**
   Water supply protection and potential expansion, and protection by berm or otherwise, of the Town's wastewater treatment plant are highly important issues for immediate consideration.

6. **Maximize traffic safety and mobility by maintaining local road surfaces, introducing traffic calming tools where appropriate, and re-engineering traffic patterns with related storm water infrastructure.**
   Development shall not outpace the capacity of roadways and related storm water controls. Traffic safety can be enhanced by the installation of traffic calming tools.

7. **Limit automobile traffic through support of commuter rail, Rhode Island Public Transit Authority (RIPTA) and other public transportation services, and establishment of local pedestrian and bicycle networks where public safety concerns can be met.**
   Take full advantage of Westerly's strategic location on the Northeast Corridor (NEC), protect, and diversify transportation assets, and connect neighborhoods and commerce with recreational and healthy aging opportunities.

8. **Promote diversity in the type and the vitality of locally owned businesses.**
   New businesses will take on different forms (e.g. telecommuting, virtual reality, artificial intelligence), need different types of spaces (e.g. home offices, incubators, co-ops), and different infrastructure (e.g. telecommunications, broadband).

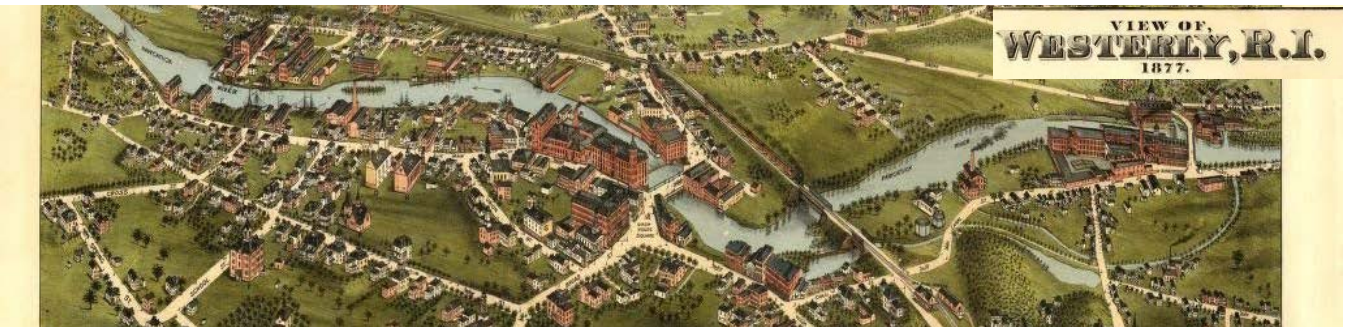
9. **Encourage a range of viable housing options for all income and age groups.**
   Units that cost less because they are small and efficiently designed, such as micro-apartments, and in many cases do not come with a parking space, are an underappreciated, but potentially important, component of the housing market benefiting the middle-income workforce, as are multi-family homes and other shared-living spaces.

10. **Support institutions such as Westerly Public Schools, Westerly Hospital, emergency responders, and numerous and diverse public-private partnerships and non-profit organizations throughout Westerly.**
    People choose to live where their children can receive a good education, where they have access to quality healthcare, where they feel safe, and where they can participate in and contribute to community activities. The missions, functions, and vision of these institutions are intended to support the entire community.

11. **Explore the role this Comprehensive Plan should play in identifying local health issues and promoting the long-term health of the community as well as ensuring emergency preparedness.**
    Inventory public health topics such as recreation, public safety, clean water, active transportation, emergency transportation, living conditions, mental health, substance abuse, food security, infectious diseases, etc. Explicitly include public health related goals, objectives, and policies in future planning to include age-friendly and ability-friendly considerations.

12. **Implement the Plan while maintaining the sound financial condition of the Town government.** The Capital Improvement Program (CIP) shall be consistent with this Plan and will serve the following functions:
    a. Orderly and efficient provision of facilities and services through long-range capital facilities planning;
    b. Address deficiencies, if any, to accommodate desired future growth and development;
    c. Maintain adopted level of service standards through sound and timely investment in the Town's capital resources and to the extent financially possible in any given fiscal year; and,
    d. Budget maintenance expenditures and operating costs for all facilities and services, and project such costs out five years in the CIP required each fiscal year.

The future vision for the Town is entirely consistent with *Land Use 2025*, prepared by the Statewide Planning Program, Rhode Island Department of Administration, Division of Planning in April 2006, which articulates a robust vision for the State of Rhode Island's future that includes a strong economy, a healthy environment, and a rich quality of life. *Land Use 2025* is the guide to all planning and development in the State. In Section 2.9 of this Plan, the Town of Westerly describes its long-term priorities and relates them directly to the goals of *Land Use 2025*.



Chapter 2
OVERVIEW

Section 2.1 – Purpose and Intent

Rhode Island General Law (RIGL) §45-22.2, the Rhode Island Comprehensive Planning and Land Use Regulation Act, requires each municipality in the State to adopt and maintain a comprehensive plan. State law requires that the Plan provide the basis and rationale for all long-term physical development decisions of the municipality. Consistency between local land-use regulations and the Plan also avoids conflicting requirements, as well as reactive land-use regulations and decisions. According to RIGL §45-22.2-5(b), all municipalities must:

> "prepare, adopt, amend, and maintain comprehensive plans, including implementation programs, that relate development to land capacity, protect natural resources, promote a balance of housing choices, encourage economic development, preserve and protect open space, recreational, historic and cultural resources, provide for orderly provision of facilities and services, and are consistent with the goals, findings, intent, and other provisions of this Chapter and the laws of the state."

Further, RIGL §45-22.2-6(b) specifically states a comprehensive plan is to be "internally consistent in its policies, forecasts, and standards" and shall include assessments and discussion in those planning areas enumerated in that same section.

This Plan satisfies the State mandate from 1992 and is the most recent reiteration of long-range comprehensive planning in the Town which first began in the 1960s. It is also the third Comprehensive Plan to be adopted by the Town since the Rhode Island Comprehensive Planning and Land Use Regulation Act's passage in 1988. The first Comprehensive Plan was adopted in 1992 and amended in 2007 through an update of its data as well as its goals, policies, and actions. Three years later, it was repealed and replaced by the 2010 Comprehensive Plan. With the adoption of this Plan by the Town Council, the 2010 Comprehensive Plan is also repealed and replaced.

> **The 2020 Comprehensive Plan is intended to satisfy the requirements of the Rhode Island Comprehensive Planning and Land Use Regulation Act, as amended through 2016, and the Standards and Guidance Manual, as amended through 2018.**

Through the Town Council's incorporation of this Plan into the Code of Ordinances as Section 10 under Part I, Administrative Legislation, this Plan becomes not only an official statement of Westerly's future direction and the guiding document for future capital improvements, but also is legally binding on all future land-use decisions made within its jurisdiction. After approval by the Rhode Island Division of Statewide Planning for consistency with the goals, findings and intent of State land-use policy, other State agency activities and projects will also be required to adhere to the terms and conditions outlined in this Plan.

This Plan is intended to be an appraisal tool against which all future land-use proposals and initiatives will be measured. Each land-use application, policy initiative, and capital transaction that comes before the Town Council, Boards, Commissions, Committees, and Town personnel will be evaluated based on how each proposal advances or detracts from the Vision for the future of Westerly expressed in Chapter 1, and further iterated in Section 2.8 – The Future, as well as the goals, policies, and actions of this Plan.

Section 2.2 – Summary of the Plan

The Comprehensive Plan Ordinance for the Town of Westerly consists of five parts:

- **Part I – Community Land Use | Vision, Strategies & Implementation**
- **Part II – Inventory & Analysis**
- **Part III – Mapped Figures**
- **Part IV – Glossary**

Part I introduces the Town of Westerly's Vision, documents local characteristics and land use, housing, the natural environment, economic development, and provision of services. It reveals policy priorities for conservation, development services, and infrastructure needs, and maintains and builds upon the 2010 Comprehensive Community Plan's vision. Land Use and Implementation, two definitive components of the Comprehensive Plan, are showcased in Part I. "Land Use" demonstrates the interrelationship between the competing uses, capacity of land, and the availability of facilities and services to changes in demographics, population density, and building intensity. "Implementation" provides well-defined structure for the Community's Vision through goals, policies, and actions, developed based on broad public input and a thorough inventory of the Town's assets and characteristics described in Part II.

Part II of this Plan contains important background information and citations to support the priorities and policies this Plan sets out. This part is central to this Plan's development and provides empirical data on recent and existing conditions addressing all planning areas required by the State, as approved in January 2016. Part II consists of nine (9) Chapters, as outlined below, addressing those planning areas required by the State.

Chapter	Title	Planning Area(s)
1	Sustainable Natural Resources	Natural Resources, Agriculture, Water Supply
2	Open Space and Recreation	Natural Resources, Recreation
3	Historic and Cultural Resources	Historic and Cultural Resources
4	Housing Opportunities	Housing
5	Economic Vitality	Economic Development, Agriculture
6	Services and Facilities	Services and Facilities, Energy
7	Infrastructure and Energy	Services and Facilities, Energy, Water Supply
8	Transportation Network	Transportation
9	Natural Hazards and Resiliency	Natural Hazards and Climate Change

Part III of this Plan includes the mapped figures , with general descriptions of each map provided and referenced to the planning area in focus. These mapped figures visually describe planning policy and may be used for information, guidance, and illustrative purposes. However, as noted on each map, no warranty can be made relating to spatial accuracy, reliability, or completeness of the mapped figures, as none were the product of a professional land survey. Similarly, each mapped figure is a contemporary visual, which means it may become less current or accurate over time.

A wide collection of datasets made available from various Town departments, including the Assessment Department, the Department of Development Services, the Information Technology (IT) Department, and the Department of Public Works (DPW), were used to produce these mapped figures, as well as data obtained from the Rhode Island Geographic Information System (RIGIS). Datasets are layered and included within each map to create visualizations that can be relied on to make inferences. The mapped figures included in this Plan meet the mapping standards set forth in the *Rhode Island Comprehensive Planning Standards Guidance Handbook #15: Mapping for Comprehensive Plans*, approved by the Rhode Island State Planning Council in January 2016, including titles, legends, and distinguishable symbology.

Part IV is a glossary of acronyms and planning terms and concepts.

Section 2.3 – Public Engagement and Plan Development

In the Comprehensive Planning and Land Use Regulation Act, the State establishes a series of goals which provide overall direction and consistency for State and municipal agencies in the comprehensive planning process. One of these goals is:

> "To encourage the involvement of all citizens in the formulation, review, and adoption, or amendment of the comprehensive plan."

Public engagement is an essential cornerstone of land-use planning. The primary obligation of professional planning is to conscientiously attain the concept of the public interest through continuous and open discussion. Opportunities for public engagement have been provided throughout the development of this Plan, with meaningful impact made by citizens and stakeholders on the policies and programs that may affect those same citizens and stakeholders.

During the initial stages of this Plan's development, a newly constituted Comprehensive Plan Citizens Advisory Committee (CPCAC), with the support of the Office of Planning, created a work plan and schedule for 2015, including target dates for public meetings of the CPCAC and its several subcommittees. Visioning sessions and policy discussions began when the consultant, Mason & Associates, Inc., was retained. Town staff and the consultant prepared for and attended no fewer than twenty (20) public meetings, including four public workshops with the full CPCAC, weekly and/or biweekly coordination meetings with topical subcommittees, Town staff, and public officials, a day-long stakeholder's review workshop and overview of the Comprehensive Plan, a stakeholder meeting specifically to discuss housing and social service needs of the community, and a joint Town staff-public workshop addressing natural hazards.

In August 2015, the CPCAC revised the goals, policies, and actions contained in the 2010 Comprehensive Plan and began the consideration of new land-use policies in answer to the new expectations of the Rhode Island Comprehensive Planning and Land Use Regulation Act and in anticipation of the release of standards and guidance from the Rhode Island Division of Statewide Planning.

Mason & Associates, Inc. was re-engaged in December 2015 and there was a substantial increase in the scope of professional planning services required to produce a re-write of the 2010 Comprehensive Plan. The result was the release of a first draft in June 2016. This coincided with the State's release of its standards and guidance manuals (*Rhode Island Comprehensive Planning Standards Guidance Handbook Series,* approved by the Rhode Island State Planning Council in January 2016). A copy was also submitted to the Rhode Island Statewide Planning Program for initial review and comments from State agencies. Public meetings of the CPCAC and a first-tier review of the draft resumed in July 2016 and concluded in February 2018.

As per the Rhode Island Comprehensive Planning and Land Use Act, Planning Boards have the sole responsibility for performing all those actions necessary to prepare a comprehensive plan for a municipality. The Westerly

Planning Board began its review of the draft in October 2017 with some initial discussion. Upon the conclusion of the CPCAC's review, the Planning Board resumed its direct preparation of the Comprehensive Plan. In 2018, the Planning Board convened no fewer than ten (10) public workshop meetings reviewing the draft goals, policies, and actions. Simultaneously, the Department of Development Services engaged in discussion of the core elements of the plan (i.e. historic and cultural resources, housing, and economic development) with the Zoning Board of Review, Architectural Review Board (ARB), and the Economic Development Commission (EDC). As this second-tier review progressed, comments received from the CPCAC and State agencies were considered and incorporated into the draft.

The Department of Development Services assumed the coordination and preparation of the draft in February 2019. Over the next several months, the core elements of the Plan were completed. The Department of Development Services concluded the data update and collection, writing and editing, and the update and regeneration of the mapping. During this period, other municipal departments and stakeholders provided their comments and recommendations as well.

In Spring 2019, the Town began the process of certification within the newly established State of Rhode Island's Municipal Resilience Program. In August 2019, the Department of Development Services organized a Community Resilience Building (CRB) Workshop led by The Nature Conservancy in partnership with the Rhode Island Infrastructure Bank. This facilitated discussion was well attended by community stakeholders and engaged professionals. The CRB's Risk Matrix, the assessment of the climate vulnerabilities outlined in the October 2018 *State of Rhode Island State Hazard Mitigation Plan*, prepared by the Rhode Island Emergency Management Agency (RIEMA), and the results of the CRB workshop have informed the resiliency policies in this Plan and initiated a series of discussions regarding sea-level rise and resiliency throughout the community.

A survey of Westerly businesses was conducted by the EDC during August and September of 2019. The EDC solicited input from businesses on how the Town could best provide support for economic growth and development. Survey cards were mailed to the addresses on file with the Town Tax Assessor for the 1,507 "Businesses with Taxable Assets." Seventy-one businesses (5%) responded to the survey and, although the sample size was relatively small, the respondents represented 16 industries and a geographical dispersion which coincided with the business population.

The questions were a mix of 28 closed and open-ended questions including business challenges, satisfaction levels, town services, and recommended prioritization of resources. The survey results provided the following potential areas of focus:

- Build a year-round economy
- Attract and develop a skilled work force

- Promote Westerly and proactively attract new business
- Protect the Westerly "charm"
- Maintain and improve roads and sidewalks
- Address the need for additional parking in the downtown business district
- Manage stormwater and drainage
- Simplify business entry to Westerly
- Improve communication with the business community

The Comprehensive Plan supports these initiatives and has considered them in developing specific action items for economic vitality.

In October 2019, Comprehensive Plan preparation included a facilitated work session involving members of the business community in the evaluation of the draft 2020 Comprehensive Plan's economic development actions. The Development Services Team, consisting of seven (7) Town staff members, led twenty-seven (27) residents and business owners in a discussion of strategies for continued "Economic Vitality" and preparation for action implementation.

The Planning Board took an active role in the preparation of the Comprehensive Plan, with the public release of the official working draft on November 4, 2019. The document was posted on the Town's official website and open for public comment through February 14, 2020. Arrangements for public input also included a Planning Board public work session on November 21, 2019. The Town Council held its own work session on December 2, 2019 and received public input from individual residents and organizations including the Ocean Community Chamber of Commerce, Westerly Land Trust, Winnapaug Golf Course, and former CPCAC Chair, Gail Mallard.

At the Westerly Planning Board's direction, the Department of Development Services edited the draft Comprehensive Plan, incorporating changes from public comments. The document published on the Town's official website on February 24, 2020 was intended to be the penultimate draft. The Planning Board's public hearing was planned and advertised to be on March 24, 2020, but the Covid-19 Pandemic halted all public gatherings except those essential for the conduct of emergency services. During this delay, more attention was given to incorporating public comments and fine-tuning illustrations.

The Planning Board began a public hearing on June 2, 2020 that concluded on June 23, 2020. At the Board's direction, the Department of Development Services edited the draft to incorporate changes from public comments and Board consensus. The Planning Board deliberated on the final document at its regular business meeting on July 21, 2020. The Board forwarded its recommendation of the land-use policies and activities for the period of 2020 to 2040 to the Town Council for consideration and adoption as an ordinance of the Town.

The Town Council held several work sessions on the 2020-2040 Comprehensive Community Plan in the months of August and September 2020 during which the Council reviewed each Chapter. At the Town Council's direction, the Department of Development Services edited the draft to incorporate changes from Town Council and public comments based on Town Council consensus. The Town Council then advertised and began a public hearing on October 6th, during which it received the Planning Board's recommendation and entertained public testimony. The public hearing was continued to October 14th for further public testimony. At the conclusion of the public hearing, the Town Council referred the document back to the Planning Board with particular focus on the portions of the Comprehensive Plan that relate to rights-of-way to the shore/river and reference to residential accessory uses on golf courses. At the conclusion of the Planning Board's November 17th public hearing, a recommendation on the revised Plan was sent to the Town Council for adoption.

A second public hearing began on January 4, 2021. The Town Council voted on January 20, 2021 to incorporate the Plan into the Code of Ordinances as Chapter 10. With the adoption of this Comprehensive Plan document by the Westerly Town Council, the 2010 Comprehensive Plan was repealed and replaced.

Section 2.4 – Using the Plan

The adoption of this Plan commits to a coordinated and inspirational vision for the future of Westerly. Its success will be evident in its committed use by elected and appointed officials, appointed members of public bodies, municipal staff, residents, businesses, public-private partnerships, and non-profit organizations.

- Elected officials will use this Plan to align their priorities with the community's vision of the future as described in this Plan and should use this information in adopting local codes and ordinances that support this Plan's goals. This Plan provides both background information and leverage for elected officials to fulfill their legislative responsibilities and to dedicate financial and administrative support to implement the specific actions identified within this Plan.
- Local boards and commissions will assess the desirability of development applications by their conformity to this Plan, adopt policies and procedures that actively assist those initiatives in furtherance of the Plan's goals, and develop budgets and/or investment alternatives that are consistent with those described in the Plan.
- Municipal staff will use this Plan when interpreting legislative mandates and regulations, making administrative decisions, enforcing development-related codes, and establishing priorities for work efforts. This Plan provides an overarching framework for developing individual and team objectives, as well as a context for the many daily decisions that are made in providing services to the citizens of Westerly.
- Finally, residents, businesses, public-private partnerships, and non-profit organizations will use this Plan as a reference when making residential or commercial location choices, supporting programs to preserve cultural and natural resources, appealing for financial or legislative support, and evaluating the effectiveness of local government and elected officials.

Section 2.5 – Consistency in Land-use Regulation

This Plan contains the public policies that the Town arrived at through detailed study and analysis and codified after public hearing and adoption, in accordance with the Town Charter and State law. Consistency with this Plan is a requirement of all local land-use regulations and all subsequent land development actions. There must also be internal consistency between the goals, policies, and actions within this Plan.

Consistency in land-use regulation between the state and municipal governments provides coordination through uniform standards and review procedures, which guide administration and decision-making processes. The consistency doctrine is also applied to land-use policies and priorities through standards and a uniform procedure for the review and approval of municipal comprehensive plans and state guide plans and their consistency with overall State goals, objectives, standards, and applicable performance measures. The result is mutual consistency between State actions and programs, municipal comprehensive plans, and municipal policies and actions.

Consistency with this Plan is not a discretionary matter. State law mandates that a municipality achieve consistency between all local development regulations, including its land development and subdivision regulations, comprehensive plan, capital improvement program, and zoning ordinance. The standard by which a land-use decision or Town action is evaluated is not merely general consistency with the comprehensive plan. To find consistency, all local land-use regulations and all subsequent actions must be in basic harmony with the priorities and purpose of the comprehensive plan - expressed in the vision and values articulated in Section 1.3

and further iterated in Section 2.8 of this Plan. In addition, the goals, policies, and actions of the comprehensive plan must be construed such that they can be reconciled with each other.

A land-use regulation is consistent with the comprehensive plan if the aspects of development allowed are not in conflict with or detract from the vision, and instead advance or assist in moving forward the vision, values, goals, objectives, policies, land uses, densities, and intensities directed by the comprehensive plan. To achieve consistency with the comprehensive plan, a land development regulation, new or existing, must regulate the subject aspects of development in a way that not only does not conflict with the relevant provisions of the comprehensive plan, but also implements applicable provisions of the comprehensive plan.

Section 2.6 – Land Use and Zoning

Land-use planning in the Town of Westerly is a deliberative process that requires collaboration between regulators, like Town and State agencies, and consumers, such as developers, businesses, and residents. Land-use planning is effective when incorporated into the Zoning Ordinance. The land-use planning process, in the spirit of serving the public interest, is guided by the goals, policies, and actions of this Plan.

The current use of land in Westerly is illustrated in the **2011 Land Cover (LUZ-M1)** figure, so named for the year in which the orthophotography was captured to produce this most recent land cover/land-use dataset . The land-use classifications in the dataset were based on the same Anderson Level III coding as preceding datasets and indicate the most apparent use of property within the Town as identified from the 2011 orthophotography (visit the RIGIS website for a more in-depth description of this dataset or any other datasets made available). As noted on this illustration, no warranty can be made relating to spatial accuracy, reliability, or completeness of the data, as it was not the product of a professional land survey. This mapped figure is a contemporary visual which means it may become less current or accurate over time.

Subsection 2.6.1 – State Land-use Policy

The intent of *Land Use 2025* is to eliminate sprawl and protect the natural resources of the State. To achieve this goal, it encourages an urban/rural model that concentrates new development into established areas and selective growth centers. Further, it identifies an Urban Services Boundary (USB) within which areas that either provide public sewer and water or are planned to do so in the near future reside, and where higher density and infill development might be considered. *Land Use 2025* encourages the conservation of natural resources through cluster development, conservation development, and/or transfer of development rights in areas that have development potential.

The four goals articulated in *Land Use 2025* provided a constant touchpoint for the development of this Plan and the vision of Westerly's future. These goals include:

1. Build the Greenspace and Greenways System
2. Achieve Excellence in Community Design
3. Develop First-class Supporting Infrastructure
4. Implement the Vision

In Section 2.9 of this Plan, the Town describes its long-term priorities and relates them directly to the goals of *Land Use 2025*.

Subsection 2.6.2 – Evolution of Existing Westerly Zoning

The Town of Westerly last comprehensively updated its Zoning Ordinance in 1998, though numerous amendments have been adopted since. The Zoning Ordinance is a critical tool for controlling the type, density, and appearance of development within the Town. The Town implements the goals and policies of the Comprehensive Plan through the diligent application and enforcement of the Zoning Ordinance. The Zoning Ordinance, as adopted, codified and, from time-to-time, amended by the Westerly Town Council, should be consulted for the permitted uses and the physical forms associated with development in each of the various zoning districts.

The Town recognizes that a comprehensive update of Chapter 260 of the Town Code - the Zoning Ordinance - is needed. Housekeeping changes such as proofreading errors and the removal of duplications will improve the document. The incorporation of changes made to RIGL since 1998 will ensure consistency with legal authority and process requirements. The Department of Development Services anticipates a full transition to online submissions of land development applications during the term of this Plan, which may require special state enabling and subsequent zoning ordinance changes.

Modern conceptual code amendments are also suggested, including:

- Shared parking and parking maximums,
- Neighborhood planning,
- Affordable-by-design housing, and
- Transit-oriented development (TOD).

For convenient reference in this Plan, datasets were provided by the IT Department to illustrate existing zoning districts on the figure Zoning (LUZ-M2). This illustration follows the zoning district classifications described in the 1998 Zoning Ordinance but is not the official Zoning Map. A separate figure, entitled **Zoning Overlays (LUZ-M3)**, also presents all Overlay Districts.

Westerly's land development and subdivision regulations deal specifically with land disturbance activities, the development of land into subdivisions, and large-scale development projects. Land development regulations include specifications for landscaping, parking lots, rights-of-way, and other design considerations. Following the approval of this Plan, the land development regulations will be revisited by Town staff and consultants to ensure best practices for infrastructure and environmental protection are considered in all development.

Today's concerns over aging infrastructure and tomorrow's concerns regarding natural hazards and sea level rise must be considered in the discussion of regulatory changes. Findings of the Planning Board relative to subdivisions and land development projects must demonstrate that the development is consistent with the adopted comprehensive plan. This consistency is a valuable tool for communities, who can set their vision for the future in their comprehensive plan and then implement it through the Planning Board.

Subsection 2.6.3 – Official Westerly Zoning Map

The Official Zoning Map, as occasionally amended by official action of the Town Council, has been used for all planning and zoning related reviews and approvals to date. The Town's Official Zoning Map had, until recently, been a black and white rendering since its adoption in 1998.

The document entitled "Town of Westerly, R.I. — Official Zoning Key Map Sheets 1 - 188; Scale 1-inch equals 1,200 feet, Date: October 16, 1998, Cherenzia and Associates, LTD", has been available in the Town Clerk's Office since its adoption. The black and white rendering with cross hatching and unevenly weighted lines was the official record of the zoning district boundaries in 1998. Unable to update the Zoning Map itself, all zoning

changes from 1998 through September 2015, were recorded in the "Table of Zoning Map Amendments" – *Attachment 12* to Chapter 260 of the Westerly Code (Zoning Ordinance).

Beginning in 2018, the Zoning Office undertook an analysis of the 1998 Zoning Ordinance update. Considering modern Geographic Information System (GIS) mapping tools, the 1998 map was extremely imprecise. New GIS electronic mapping tools presented a means by which the Town can clearly communicate the exact Zoning District assigned to a property. A Zoning Map update commenced. The "Official Zoning Map, Town of Westerly, Rhode Island, July 1, 2019," has been adopted and is considered an integral part of the Zoning Ordinance.

Effective July 1, 2019 the Town Council approved revisions to §260-16 of the Zoning Ordinance, titled "Zoning Map," and adopted electronic GIS zoning map as the official zoning map of the Town of Westerly. The new online map is extremely accurate, accessible to the public online, and incorporates all Zoning Map changes made between 1998 and 2019. The electronic version of the Zoning Map is to be immediately updated by the Town Clerk, Zoning Official and IT Department, thereby maintaining an accurate real time Zoning Map in perpetuity.

The Zoning Ordinance now provides that:

- the location and boundaries of zoning districts, including zoning overlay districts, shall be prepared and administered in a digital format;
- the zoning map shall be available for viewing and on file in the Town Clerk's Office in digital and hard copy, such as paper, format;
- the zoning map shall also be available for viewing on the official Town of Westerly website.

In the event of a conflict between the digital and hard-copy formats of the zoning map, the digital zoning map shall govern.

Figure **Zoning (LUZ-M2)** is an illustration based on the same GIS data that is available online. This mapped figure is not a survey or a boundary plan. As an illustration, it is designed to meet the mapping standards set forth in the *Rhode Island Comprehensive Planning Standards Guidance Handbook #15: Mapping for Comprehensive Plans,* approved by the Rhode Island State Planning Council in January 2016, including titles, legends, and distinguishable symbology.

Section 2.7 – Community Character

Perhaps more than anything else, a comprehensive plan is intended to encourage the preservation of a community's unique values and character while setting forth the vision, goals, policies, and actions that will guide that community in shaping its future. This section addresses the makeup of the Town of Westerly, its history, the specific character of its constituent neighborhoods, and the concerns and aspirations of its citizens.

Maintaining the character of Westerly is important to the future of this special place. The combination of features and characteristics of the various neighborhoods make Westerly unique from other towns, which is an important reason why people want to visit and reside here. The same river and oceanfront that served Westerly's earliest residents, today provide some of the biggest challenges to the sustainability and vitality of the quality of life developed here.

Residents want to preserve the strong identity that is deeply felt by inhabitants and visitors, and they value the diverse built and natural assets of the community. Residents also recognize the importance of economic development and employment opportunities, as well as housing for all income and age levels. All of these considerations are made in an era when changes in climate bring additional challenges. The key to achieving these goals is to balance potentially competing needs through careful planning for new residential and commercial development and redevelopment of underutilized areas while providing for public health and safety, environmental resiliency, and community well-being into the future. This approach would allow the Town

to maintain the quality and vitality of locally based businesses and provide housing that will allow residents to live, work, and retire in the community while preserving small-town charm.

Building on the existing character and composition of the Town, the design for the future of Westerly should offer an organized, functional, and attractive place to live, work, and visit. However, achieving this vision will require careful planning and decisions that reinforce the best aspects of the community's character. The objective is to allow Westerly to grow and prosper while maintaining the quality of life that all enjoy.

Subsection 2.7.1 – Community Make-up and Concerns

The citizens of Westerly have long held a strong affection for their community. They see it as a special place with a character all its own. This character is rooted in its spectacular location along the Pawcatuck River and the Atlantic Ocean, as well as the charm and heritage of its historic, urban neighborhoods and its tranquil, rural areas.

Westerly was first inhabited by the Mohegan, Narragansett, and Pequot tribes. During this extended period, the area was named Mishquamicuk (anglicized as Misquamicut), or "land of red fish," in reference to the Atlantic salmon, which were once prevalent in the land's surrounding waters and which today appear on the Town's seal. Diversification of the population began in the seventeenth century with English colonization. Immigrant families who came to work in the Town's mills and quarries during its industrial boom in the later nineteenth and early twentieth century further diversified the population. Many families who vacationed and summered along the shoreline also came to permanently take residence in the Town. Despite the range of its origins, the local citizenry remains united in the pride they feel for the elements that give the Town its special character.

There is universal appreciation of the architecturally and aesthetically significant downtown core. Centered around beautiful Wilcox Park, the Downtown is bounded by Broad Street, Canal Street and High Street – all with largely preserved nineteenth and early twentieth century streetscapes and the ambiance of community of an earlier age. Its sensitive renovation in the late twentieth century has become a source of great civic pride. Westerly's shoreline communities, including magnificent beaches (the first open-ocean beaches along the New England coast as one travels east from New York) and marine waters are enjoyed by beachgoers as well as boaters and fishers. Together with their largely residential architectural treasures (which are another source of pleasure and pride for the residents of the Town), most Westerly residents speak of the Town as a place where they feel comfortable and safe. However, residents share great concern regarding over-development and climate change, which could erode the landscapes of the community and potentially threaten the overall quality of life in the Town.

Housing opportunities and the limited availability of employment for area residents continue to be concerns. There is a recognition that commercial sprawl has turned a significant portion of Route 1, including Granite Street, Franklin Street and Post Road, into a generic commercial arterial strip which lacks character. There is a strong desire to reverse this trend and refocus development that promotes a sense of place and a reflection of small-town charm. Traffic and congestion during the summer months regularly clogs the gateways into the Town, and parking is an issue in Downtown and other popular destinations such as the commercial waterfronts along Bay Street in Watch Hill and Atlantic Avenue in Misquamicut. While Route 78 is advantageous to the mitigation of traffic congestion downtown during the summer season, it physically divides several of Westerly's neighborhoods. The perception is that Route 78 also diverts commerce from downtown throughout the year.

Residential development, particularly in shoreline communities, raises concerns about the loss of open space and scenic views, as well as the degradation of the salt ponds. There is concern that over-utilized and/or unregulated development will erode the environmental integrity of the shoreline and salt ponds. Residents of the Town have expressed widespread commitment to the preservation of open space and the protection of the

Town's natural resources within eco-sensitive areas. Natural hazards continue to be a major concern for the Town due to historical experience with significantly destructive hurricanes and tropical storms, such as the Great Hurricane of 1938, Hurricane Carol in 1954, Hurricane Bob in 1991, and Superstorm Sandy in 2012. Other major flooding events not associated with hurricanes or tropical storms have also substantially impacted the Town, such as the Great Rhode Island Flood of 2010.

Subsection 2.7.2 – Climate

The National Oceanic and Atmospheric Administration (NOAA) places the Town of Westerly within the humid continental climate zone, described as having mild to warm summers and cold winters. Recorded temperatures are indicative of this, ranging from an average temperature of 30 degrees Fahrenheit (°F) in January to an average temperature of 72.2°F in July, based on data collected from 2000-2019 (NOAA Online Weather Data). Mean annual precipitation in Westerly totaled 43.96 inches during the same time period. While major storm events do not often occur in the area, Westerly has been impacted by several tropical cyclones, blizzards and nor'easters, including the Great New England Hurricane of 1938, Hurricane Carol in 1954, the Blizzard of 1978, the Great Rhode Island Flood of 2010, and Hurricane Sandy in 2012.

Climate change will impact Westerly's natural environment and the infrastructure on which residents and commerce depend. As the south coast of Rhode Island experiences warmer air and water temperatures, there is the potential for more extreme weather events such as droughts, intense precipitation, severe storms, and flooding. The local economy and government services need to prepare now for the challenges to come. Increasing rates of sea level rise, shorter winters and longer summers, and less snowfall and ice coverage will affect residents' and visitors' experiences in the Town. Climate change has the potential to pose significant risks to Westerly's water, wastewater, surface transportation, and energy infrastructures and utilities. Protection of the natural environment and the health, welfare, and economic well-being of the community is essential to the Town's vitality.

Subsection 2.7.3 – Sustainable Development

Characteristics of a site or area can present significant difficulties in construction and long-term viability, even if an intended use is permitted by local zoning. Environmental factors (e.g. hazardous waste, pollution and flooding, erosion) have always been a consideration in land-use planning. Sustainable development is a concept which measures the relationship between population, resources, environment, and economy. The ability of a community to sustain a population and activity at a certain quality of life is influenced by both social and economic development and the natural environment.

Sustainable development meets the needs of the current community without jeopardizing the ability of future generations to meet their needs and enjoy the benefit of development. The effective and sustainable use of land involves a matching of site conditions with the specific requirements and potential impacts of different land uses. Significant costs to the environment, and society in general, may result where land is used for purposes that it is not physically capable of sustaining. Failing to use land within its capability may have serious consequences. Common environmental concerns occurring both on and off-site include foundation instability, flooding, soil erosion and sedimentation, contamination and eutrophication (degradation resulting from increased nutrient inputs) of water bodies, and release of acid solutions resulting from drought, dredging, and/or draining of wetlands and river channels, especially in saline coastal waters. High maintenance costs may also be incurred if land is used outside its capability.

Subsection 2.7.4 – Sustainable Tourism

Tourism related industries have been a hallmark of Westerly for over a century. Tourism has been and will continue to be a major economic driver for the community. This Plan supports protecting assets such as beautiful beaches, natural habitats, and renowned resorts while expanding enjoyment for tourists and identifying initiatives that help expand the "season." This Plan introduces sustainable and diversified tourism. The concept of "sustainable tourism" is that tourism should support the Town, rather than the Town supporting tourism. If the Town is made better for its residents, it will be better for tourists too. Sustainable tourism provides a low impact on the environment and local culture, while helping to generate future employment for residents. Long-term sustainability requires a suitable balance between environmental, economic, and socio-cultural aspects of tourism development.

This Plan seeks development that is a positive experience for local people, local businesses, tourism companies, and tourists themselves. Authentic places attract tourists seeking a variety of unique experiences – not the same restaurants, shopping, and activities as everywhere else. If tourists come, other tourists will come too. Consequently, it is important to maintain, through regulation and other means, Westerly's scenic quality – an authentic downtown, riverfront, barrier beaches, and New England village commercial districts.

Subsection 2.7.5 – Westerly Neighborhoods

In addition to its notable Downtown, Westerly is comprised of several distinct communities, each with its individual character and history. Like Downtown, several of these communities are designated as Historic Districts listed in the National Register of Historic Places (NRHP). Several communities are also serviced by fire districts that provide local quasi-municipal functions funded by special district real estate property taxes. Each community takes great pride in their individual character. For instance, twenty years ago, the Weekapaug Foundation for Conservation developed and successfully implemented a process of establishing a greenway around Weekapaug through the acquisition of land and securing limitations on development rights.

Figure **Neighborhoods (NBH-M1)** is a record of Westerly's local neighborhoods as identified through the involvement of residents, neighborhood association representatives, and Town staff. A total of 29 neighborhoods were recognized. Using available information through RIGIS, the Town's land evidence records and other maps and information, these neighborhoods evolved into the 19 Neighborhood Planning Areas indicated figure **Neighborhood Planning Areas (NBH-M2)**. These Neighborhood Planning Areas are used to facilitate the discussion of the Town's future land use. Neighborhood planning is described in Section 3.6.

Downtown Westerly and Surrounding Area

Downtown Westerly has developed as the commercial and civic center of the Town. This area is divided into four neighborhoods which include Downtown and Main Street, Wilcox East, Granite Street and State Street, and the North End. The Downtown and Main Street area is anchored by a green core, Wilcox Park, and is defined by commercial streets (Broad Street, High Street and Main Street) and a residential roadway (Grove Avenue) that surround it. Along Broad Street are significant late nineteenth and early twentieth century eclectic masonry structures, including Christ Church, Westerly Library, the Town Hall and Municipal Court House, a US Post Office, and the headquarters of the Washington Trust Company. The former Industrial Trust Bank building and the Ocean Community Young Men's Christian Association (YMCA) located on High Street, the United Theatre (currently undergoing restoration), and the Martin House (also known as the former Savoy Hotel) on Canal Street are also located in this area. Along High Street, two-story brick commercial buildings have storefronts with office and/or residential space above. Other significant structures downtown include the Westerly Armory and Westerly Train Station on Railroad Avenue. Main Street, which runs from Broad Street and the Pawcatuck

Bridge to Beach Street and Margin Street, is largely commercial; however, redevelopment of a significant portion of the area has been discussed in the past through such initiatives as the Westerly KeepSpace program. Recent attention has been given to revitalizing the Pawcatuck River corridor, connecting neighborhoods through public riverfront access while encouraging investment in the community.

Wilcox East, located on Granite Hill, to the east of Wilcox Park, also contains a mix of professional and residential uses with an active neighborhood association. Stately nineteenth century houses line both sides of Elm Street and include Greek Revival, Gothic Revival, Italianate, and Second Empire structures. Similar styles of residential structures are also situated along Margin Street. Outside of these locations, the area surrounding the central core of downtown from the railroad on the north to Wells Street on the south and from the Pawcatuck River on the west to Granite Street on the east, is primarily nineteenth century and early twentieth century small lot, single and multi-family residential homes, identified by two- and three-story large frame structures. A significant number of the buildings are close to the street or infringe on standard setbacks and are primarily zoned as high density residential. While the zoning district allows for a variety of housing types, some of the more traditional residential architecture in this area would not be allowed within the current zoning code because the existing development configurations exhibit setbacks that are smaller than the code allows. The street pattern in the core area generally consists of irregular grid arrangements.

Generally, north of the Northeast Corridor (NEC) is considered the North End, a late nineteenth century neighborhood which became the home of successive waves of European immigrants who came to Westerly to work in the textile mills and granite quarries. The former Village of Stillmanville once extended over the Pawcatuck River (the Stillmanville Bridge still exists today) into the Village of Pawcatuck in Stonington, Connecticut. Today, its portion in Westerly has been largely supplanted by the North End, as well as the southern extent of the Potter Hill area. In recent years, the Town, together with multiple private and public funding sources, has made a concerted effort to revitalize the North End while preserving its historic character. These efforts are most visible on Pierce and Pond Streets, where there have been many restorations of buildings and landscapes.

Mill Villages

Along the northern bounds of Westerly, bounded by the Pawcatuck River as it flows west and south, are the mill villages, which developed as distinct clusters of workforce housing, each with its own iconic mill – Bradford, Potter Hill, and White Rock. Typical land uses in the mill villages include industrial, residential, open space, vacant land, and undevelopable land. These areas have a significant number of nineteenth and early twentieth century structures.

Most homes in these neighborhoods are two or two-and-a-half story single-family or duplex structures. Zoning in this district varies between low, medium, and high density residential, industrial, and open space/recreation. As in downtown, some of the existing traditional and residential architecture in this area would not be allowed by the current zoning code because existing development configurations exhibit setbacks that are smaller than the current code allows. The street pattern in this area includes concentrations of irregular grids surrounded

and connected by winding roads. While not defined by its own mill, the Boombridge neighborhood also shares some of these characteristics due to its location between White Rock and Potter Hill.

Shore Communities

Along Route 1A are the coastal communities of Avondale, Chin Hill, Haversham, Misquamicut, Sea Glen, Shelter Harbor, Watch Hill, Weekapaug, and Weekapaug Terrace. Each area exhibits its own distinctive character, but all have the common element of an above-average concentration of seasonal and summer homes. Two of these areas, Watch Hill and Misquamicut, attract particularly large concentrations of visitors to their shoreline commercial areas each summer. In recent years, large areas of farmland surrounding these communities have been preserved from subdivision and development by the Westerly Municipal Land Trust (WMLT), as well as by the Audubon Society of Rhode Island, the Weekapaug Foundation for Conservation, and the Westerly Land Trust (WLT).

Avondale, situated along the Pawcatuck River just north of Watch Hill, was primarily a fishing and boat-building village originally named Lotteryville. This area, which is predominantly residential with several interspersed boatyards and marinas, continues to retain its quaint waterfront character. To the west of Avondale, lie the neighborhoods of Chin Hill and Sea Glen. Bounded by the southern extent of the Dunn's Corners area to the east, Chin Hill and Sea Glen are residential neighborhoods largely developed in the 1980s and 1990s with a small number of tourist and recreation-oriented businesses.

In the late nineteenth and early twentieth centuries, Watch Hill transformed itself first into a colony of grand hotels and, soon after, a community of large summer cottages, mostly in Shingle Style, Arts and Craft, and Colonial Revival. However, an eclectic mix of Norman and Mediterranean designs are also interspersed throughout this area. Watch Hill's Bay Street has always been a vibrant commercial center along Watch Hill Cove at the estuary of the Pawcatuck River and Little Narragansett Bay. Napatree Point, which extends westward from the village, is a 1.5-mile barrier beach containing the Napatree Point Conservation Area and is enjoyed by summer beach-goers and naturalists who know it as one of the prime shore bird and migratory bird preserves in New England. Watch Hill's Flying Horse Carousel is arguably the oldest "merry-go-round" in the US and Watch Hill Lighthouse has served as a beacon at Watch Hill Point since the colonial era.

Misquamicut, once known as Pleasant View, is located between Watch Hill and Weekapaug, and lies between the Atlantic Ocean and Winnapaug Pond. Its principal roadway, Atlantic Avenue, contains a mix of uses, including residential, commercial, and mixed developments, and includes three prominent beaches: Misquamicut State Beach, Wuskenau Beach, and Westerly Town Beach. Residential lots within Misquamicut are small, and many of its mid-twentieth century structures are generally modest in size. However, existing houses in this highly desirable area are frequently being renovated or replaced. New or renovated structures are frequently constructed larger and completed for year-round occupancy. Many of these properties are in flood zones and are being built more resiliently to varying heights above base flood elevations.

Weekapaug and Shelter Harbor are primarily residential, except for an inn located in each community. Haversham, which lies between Weekapaug and Shelter Harbor, is entirely residential. Weekapaug surrounds the western end of Quonochontaug Pond and meets the Atlantic Ocean at Weekapaug Point and along its barrier beach, extending east towards Charlestown. Haversham and Shelter Harbor lie along the northern shore

of Quonochontaug Pond. The predominant architectural character of the residential structures within Weekapaug is Shingle Style while the architecture of Shelter Harbor, which was developed in the early twentieth century as a music colony, is more eclectic in character.

Downtown Periphery

To the east of Tower Street and Granite Street (Route 1) are the Boiling Springs, Indian Hills (not to be confused with the Indian Plantations development in the Dunn's Corners neighborhood), and Tower Street neighborhoods. These areas are all largely residential with businesses lining Post Road (Route 1). At the juncture of Granite Street and Franklin Street, the roadway becomes more intensely commercial with larger structures and developments. This commercial area, which includes small pockets of residential development, is bounded to the east by Airport Road (so named because it is adjacent to Westerly State Airport [WST]) and Route 78.

South of Granite Street and State Street are the neighborhoods of East Avenue, Riverbend, and the Yacht Club. These areas lie between the Pawcatuck River and Mastuxet Brook and have built environments which serve as a transition between the urban character of downtown and the coastal character of the shore communities.

The central portion of the Town (located north of Route 1 and east of Route 78) is a largely undeveloped area dominated by Chapman Pond and Aguntaug Swamp (also called Chapman Swamp or Crandall Swamp), one of the largest freshwater wetland complexes in Rhode Island. While the northern segment of Pound Road is lined by numerous homes, much of this centrally located neighborhood is either preserved for habitat protection or impacted by wetlands that prohibit development. A small concentration of state and municipal facilities exists in an area north and west of Chapman Pond and east of Route 78.

Dunn's Corners (Route 1 Corridor)

North of Shore Road and many of the previously mentioned coastal neighborhoods, commercial strip development straddles the Post Road segment of Route 1 like the sprawl that has inundated portions of other historic East Coast communities. Based on typical post-World War II development, this area does not exhibit characteristics of the rest of the Town. Typical land uses in the Route 1 corridor include commercial and residential uses interspersed with vacant properties. The area consists of residential subdivisions and small shopping centers, including several local and national retail stores, small businesses, and motels. Residential structures consist of predominantly single-family and condominium development. Typical architectural styles of residential structures range from modern to post-modern to new urbanism styles. Commercial structures typically are consistent with national trademark forms commonly referred to as "box stores" and others typically associated with small scale strip developments.

Residential subdivision housing units are consistently set slightly back from the street. Commercial structures are typically set back a considerable distance from the street with large parking areas in front of the structure. Zoning in this area includes medium and high density residential and highway commercial. Road patterns in this area are winding and feature a substantial number of cul-de-sacs. Most minor roads are connected to Route 1 but do not have interconnectivity with other minor roads.

Along Dunn's Corners-Bradford Road, one of only two major roads in this area leading to Bradford from Post Road, there are some sparse residential developments and the Town's largest concentration of remaining

working farmland. The other major road in this area is Route 91 (Westerly-Bradford Road) which connects downtown to the rural areas to the east. This entire area presents environmental challenges for development and has the lowest zoning density in Westerly. Neighborhoods in this area include McGowan Corners and Woody Hill.

Subsection 2.7.6 – Regional Considerations

Westerly's identity as a resort community began in the 1830s with the building of the first of several grand hotels in Watch Hill. These attracted a clientele from as far away as the Midwest. Initially, these visitors arrived by train at Stonington and from there by ferry. By the early 1880s, when the first major farm tract in Watch Hill was subdivided for building sites, Westerly's transition to a location for summer homes began. At about the same time, a substantial summer community was established in Weekapaug, and shortly thereafter, a simpler one was established at Pleasant View (today known as Misquamicut). The Westerly State Airport was established as a state-owned airport in 1939, according to AirNav, LLC, and is a regional asset for local businesses and residents. Notably, it provides corporate aviation service and public passenger service and creates a clear nexus between Westerly and Block Island, a popular vacation destination for the region. The airport may also aid in emergency preparedness as a possible alternative evacuation method and/or supplier of necessary goods. Westerly's position as a regional tourist destination remains a large contributor to the local economy.

Westerly today is also an important center in southern Rhode Island for commercial and professional services, the arts and education. In addition to jobs in Town, some residents commute to New London, Groton or the metro-Providence area or use technology to become self-employed or to work remotely from their company's location. In the future, jobs that require advanced training and specialized skills are likely to become a bigger share of the employment mix. To achieve continuing economic growth, Westerly will need to focus on providing quality education at all levels and actively encouraging companies with high-value jobs to locate here. Westerly will also need to work to improve commuting opportunities so that residents have access to employment located in other areas of Rhode Island and neighboring states.

The accommodation services industry will continue to be an important part of Westerly's economy. Visitors who come to enjoy beautiful beaches and other amenities bring an important source of jobs and income, and they also bring increased traffic and other stresses on the Town during the summer. Maintaining a balance among the competing needs of seasonal residents, year-round residents, and short-term visitors will be an important key to continuing a high quality of life in Westerly.

This Plan encourages regional solutions that take advantage of opportunities to improve economic competitiveness, infrastructure, transportation, communications, and emergency preparedness. To accomplish this goal requires collaboration and cooperation among all neighboring governments and Westerly. The Town desires to work in partnership to coordinate future development efforts with existing infrastructure and resiliency planning on a regional basis.

The Town coordinates with the Town of Stonington in Connecticut on issues of mutual interest, such as water quality concerns within the Pawcatuck River, downtown Westerly-Pawcatuck revitalization, shared water systems, the Westerly Train Station, emergency management, and economic development. The Town will continue to support coordination of municipal services with Stonington, including the identification of areas where improved coordination between the State of Rhode Island and State of Connecticut will leverage state and federal funding opportunities.

The Town will continue to identify resources and programs of mutual benefit with neighboring Rhode Island communities, such as Hopkinton and Charlestown, for recreation, leisure, and quality of life. The Wood-Pawcatuck Watershed Association (WPWA) is one of Westerly's regional partners in land and water preservation.

Through WPWA, Westerly is united with other municipalities in southern Rhode Island and southeastern Connecticut on common causes.

Section 2.8 – The Future

As stated in the preceding chapter, this Plan envisions Westerly as a safe, resilient, and compassionate community that has preserved and enhanced its quality of life, its distinctive heritage, and its extraordinary cultural and natural resources for all generations. The Plan also requires dedication to a strong, stable, equitable economy and a responsible and publicly engaged government. Looking forward to 2040 evokes an image of what the future holds.

A Vision for Westerly

- Westerly will remain a unique and special place, retaining its distinctive neighborhoods, history, traditions, and natural beauty, while growing in a way to meet its residents' needs for a vibrant place to live, raise and educate families, and work.
- Westerly will have contained sprawl, blight, sign pollution, and the development of housing and commercial space will have been thoughtfully managed to meet the needs of residents of all generations and will have promoted a prosperous economy with as little impact on the natural environment as possible.
- Downtown Westerly will be a welcoming and attractive gateway for visitors arriving by public transportation or otherwise, a premier cultural center for all, continue its legacy as an Historic District and Arts Center, and will be well-connected to all neighborhoods through its public spaces, programs, events, and services of community-wide interest.
- Westerly will have secured its water supply for the twenty-first century and carried out its extensive programs of infrastructure maintenance and revitalization, including water, sewer, and stormwater management systems, while maintaining and upgrading of town facilities in a timely fashion.
- The shoreline, Pawcatuck River, salt ponds, and greenspace will remain Westerly's trademarks, with public rights-of-way carefully managed and maintained both to ensure accessibility and to sustain their uses while preserving their health and natural beauty for future generations to enjoy.
- Westerly will have achieved a condition of economic and physical resilience to natural and man-made events.

Section 2.9 – Long-term Priorities

Protecting Open Space, Scenic Viewscapes, and Important Land Features

Since the adoption of Westerly's Comprehensive Plan in 1992, substantial areas of open space have been acquired for preservation and recreation. Public/private and non-profit entities have been active and successful in the purchase/dedication of lands for open space and, in some cases, the purchase of development rights.

Most recently, 433 acres in Bradford, known as the Lucey properties, was acquired for passive recreation, open space, and aquifer protection. This parcel is contiguous with the state-owned Woody Hill Management Area (722 acres) and the non-profit Westerly Land Trust's Wahaneeta Preserve (84 acres), thus creating Westerly's first green belt – extending more than 12,000 contiguous acres. The Town of Westerly also purchased 41 acres on Springbrook Road within a wellhead protection area. This purchase was also associated with restrictions placed on the adjacent White Rock Quarry concerning mining practices so mining operations would not adversely affect

the Town's wellheads (located near this land). This land purchase was funded through the Westerly Water Department, requiring a minor increase in town water fees.

Federal, state, and local government contributions to future acquisitions are likely to be reduced or eliminated in the current economic and political climate. Therefore, the Town, private and non-profit organizations will continue to use traditional methods of property acquisition as well as other strategies to achieve its objectives without taxpayer dollars.

Proactive approaches at the earliest stages of the regulatory process, rather than reactive responses at later time, have been valuable in achieving the Town's desired objectives.

All Town entities involved in land-use regulations and permitting will remain cognizant of newer regulatory alternatives, consider their implementation and be flexible in their use so the development authorized also protects important greenspace and greenway systems.

Long-term Priority Continued from the 2010 Comprehensive Plan

The Town of Westerly must employ and support a full array of public, charitable, private, and multi-sector strategies to acquire and/or otherwise protect areas of open space and important natural land features.

Additional Long-term Priority for 2020-2040

The Town of Westerly must promote physical resiliency by conserving areas of open space and important natural land features.

While great achievements have been made in the acquisition of open spaces and natural resource areas of significant importance, it is equally imperative that these lands are conserved for years to come. Projections have become increasingly certain that Westerly, like nearly all other coastal communities world-wide, must be prepared for sea level rise (SLR) and more frequent and intense storm events.

Westerly's salt marshes are its most productive ecological natural communities, yet as sea level rise accelerates, the salt marshes are lost. Open space must be available for salt marshes to migrate inland as sea level rises, and not just for the twenty-year term of this Plan. Maintaining undeveloped lands in their natural state will be one of the most effective actions for the Town to undertake and support over the next two decades.

Healthy Places through Greenspace Connections and a Multi-Modal Transportation Network

As noted above, while more needs to be accomplished, great strides have been achieved in the protection of open space, important land features, and public right-of-way access to both the shore and the Pawcatuck River. However, there has been little progress in access to these areas by means other than automobiles. If the last twenty years has created a culture of open space acquisition and protection, the challenge of the next twenty years is the creation of a greenspace system of connections and access other than by automobiles. Alternative multimodal transportation in the Town could include walking, biking, public transit (trains and buses), water taxis, and private boats.

The public outreach which occurred in relation to the 2010 Comprehensive Plan indicated widespread support for the creation of biking and walking trails and paths. The State of Rhode Island's initiatives to create such facilities for the East Bay and South Kingstown–Narragansett have been largely successful. While the 2010 Comprehensive Plan called for the establishment of such facilities generally, it prioritized the creation of a discrete specific scenic coastal loop. A component of this proposal is the Misquamicut multi-use path, which would connect the sidewalks on the east and west side of the state beach along the road, with opportunities for small

areas to observe Winnapaug Pond and learn more about it through interpretive signage. The project is in active discussion between the Town and State agencies as of January 2020.

In the development of this Plan, the value placed on integrating walking and biking remains strong, as long as public safety concerns can be met. Other concepts proposed are:

- Require 'multi-modal transportation analyses' for development projects to include pedestrian, bicycle, public transportation, water access, shared motor vehicle, and private motor vehicle access.
- Pass a Complete Streets resolution, a Smart Growth policy, that directs the Town's Department of Development Services and Engineering Department to routinely design an entire right of way to enable safe access for all users, regardless of age, ability, or mode of transportation.

Long-term Priority Continued from the 2010 Comprehensive Plan

The Town of Westerly must connect greenspace, recreational land, and commercial areas by means and methods other than automobiles.

Additional Long-term Priority for 2020-2040

The Town of Westerly will empower and improve opportunities for the public to voice their values, ideas, and concerns regarding transportation choice and the impact on health.

While Westerly continues to integrate bike lanes and sidewalks into its street system, a second focus will be on programs that provide transportation assistance to healthy food outlets, active recreation opportunities, and other social and health service agencies. Residents strongly associate themselves with the neighborhoods in which they reside. Personal health and lifestyle habits influence where people choose to live. Neighborhood Plans will open areas within Westerly to small-scale, context-sensitive mixed –use development and recreation opportunities that support a healthy lifestyle.

Achieving Excellence in Community Design

The Zoning Ordinance, adopted in 1998 to implement the 1992 Comprehensive Plan, initiated development plan review (DPR) by the Planning Board for all uses other than one- and two-family homes. It also introduced general development standards. Since then, refinements and additional provisions have been added.

In October 2006, development standards for the Shore Commercial-Watch Hill (SC-WH) zoning district elevated DPR to include context sensitive standards. The entire area of that district is within the Watch Hill Historic District – listed in the NRHP. The Zoning Ordinance provides standards that are intended to reflect the character-generating elements of the historic district for the Planning Board to apply in its DPR of proposed development in Watch Hill. There are five other Westerly neighborhoods listed in the NRHP. Excellence in design requires a study of each of these areas and the development and adoption of standards for each, as was achieved in the SC-WH district.

DPR has been a very useful development tool for the Town. The Planning Board, joined by the ARB in 2010, has made effective use of DPR to initiate improved design within the public realm. Serving in an advisory capacity to the Planning Board and the Zoning Board of Review, the ARB provides comments and improvements in site design, function, and aesthetics on all commercial, industrial, institutional, and multifamily residential developments during DPR.

Currently applied on a site-by-site basis, the scope and the standards to be applied in DPR need to be revisited. As with earlier initiatives, the limits of public support and acceptance may pose a challenge. However, the

character of Westerly is already substantially defined by existing structures and uses, many of which are facing challenges that require redevelopment, renovations, and revitalization. There is an opportunity for achieving more than excellence in community design.

Additional Long-term Priority for 2020-2040

The Town of Westerly will achieve excellence in community design through the application of context sensitive development standards and best practices.

DPR is a method to preserve the Town's natural environment, enhance its built environment, improve its visual character, and sustain a high quality of life through review of plans for new development and redevelopment of existing uses. DPR is context sensitive and utilizes best practices. High standards of design, landscaping (including landscaped parking lots), improved community appearance, preservation and protection of environmental quality, buffering and screening of conflicting land uses from other land uses and from public streets, and traffic and pedestrian safety are goals to be achieved through development plan review.

Vital Neighborhoods

The successful revitalization of the historic Westerly downtown and the enhanced development of the Downtown Revitalization Area, which encompasses and surrounds it, will require a spirit of cooperation, creativity, and flexibility. Transforming the appearance of the commercial corridor to a distinctive, inviting, safe, commercial, professional, and residential area reflective of the Town's character will require its own study and solution.

In this Plan, the Town maintains its commitment to the revitalization of Downtown. The existing character of the Town's other constituent neighborhoods require the evaluation of each neighborhood's specific needs before redevelopment and revitalization can occur.

Long-term Priority Continued from the 2010 Comprehensive Plan

The Town of Westerly must make the Downtown, the traditional core of Westerly, the focus of its redevelopment and revitalization efforts.

Additional Long-term Priority Continued for 2020-2040

The Town of Westerly must preserve the unique character and importance of each constituent neighborhood and evaluate opportunities for redevelopment and revitalization in each.

Westerly contains six (6) neighborhoods listed in the NRHP. This Plan identifies nineteen (19) Neighborhood Planning Areas in total. Excellence in design requires a study of each of these areas and the development and adoption of standards for redevelopment and revitalization for each. The character of Westerly is already substantially defined by existing structures and uses, many of which are facing challenges that require redevelopment, renovations, and revitalization.

Recent experience should be a strong signal that Westerly officials appreciate both the values and challenges presented in neighborhood revitalization. Westerly officials will work cooperatively to achieve preservation of iconic places while using the means at their disposal to accommodate the financial challenges such undertakings present. The North End Neighborhood Revitalization Plan was designed on key planning concepts that included recommendations for a range of affordable housing options, comprehensive code enforcement, improved neighborhood amenities, and the integration of a broad array of social services to support the needs of North End residents. Through a series of neighborhood revitalization plans, the Town of Westerly intends to apply these same concepts to other areas of Town.

This Plan recommends small area plans for each of the Town's neighborhoods. Small area plans cover a specific geography (neighborhood, corridor, or district) that often has a cohesive set of characteristics. The preservation of the unique character of each Neighborhood Planning Area and recognition of its distinct values requires thoughtful evaluation and community engagement to inform the Town's choices and efforts for redevelopment and revitalization.

Maintaining and Developing Exceptional Public Infrastructure

Achieving the future vision of Westerly requires that the Town maintain and further develop first-class supporting infrastructure in critical areas such as water, sewer, stormwater, and facilities. While outside of their direct control, municipal officials must also lead the coordination, planning, and implementation of private utilities (electricity, telecommunications, gas, and alternative energy) with respect to capacity and supply, as the Town addresses its own infrastructure issues, including maintenance, repair, and replacement. This effort also requires ongoing coordination with adjoining communities. The repair and extension of public sidewalks is also essential to connecting the areas of greenspace and greenways of the Town.

The 2010 Comprehensive Plan's priority of maintaining and developing high quality infrastructure and coordination of private utilities is still relevant to this Plan. However, based on the Town's experience with natural hazards, storm surges, and future conditions anticipated to result from climate change, this priority has taken on even more significance.

Long-term Priority Revised for 2020-2040

The Town of Westerly must maintain and develop first-class supporting infrastructure that will be resilient when the community is faced with weather hazards, the effects of climate change, and other catastrophic events.

There is an important connection between the capital improvement program (CIP) and the effective implementation of this Plan. The Town's approach to the budgeting for capital improvements, maintenance expenditures, and operating costs must be consistent with land-use policies and development needs of the community, as well as fiscally and operationally responsible.

The Westerly Planning Board has a legal responsibility to review the Town's capital improvement requests annually and meet with the Town Manager and Finance Director to review Department plans for the budgeting of both capital improvements and maintenance expenditures as outlined in each year's CIP. The Planning Board's interaction with the Finance Department and involvement in the CIP process is required for:

- Orderly and efficient provision of facilities and services through long-range capital facilities planning,
- Incorporating new technological advancements into facilities and services,
- Addressing deficiencies, if any, to accommodate desired future growth, and
- Training personnel in the skills and knowledge needed to maintain adopted level of service standards.

Risk assessment and mitigation must become a regular part of this discussion. Prioritization of action items needed to build community resilience and development of a variety of finance options to address those needs are critical steps in protecting the Town's residents and economic vitality. The Town of Westerly's participation in the State's Municipal Resilience Program, Resilient Rhody, has kicked off this initiative. This Plan requires the Town to establish a new protocol for the development of the CIP, which will allow the Town to maintain and develop first-class supporting infrastructure that is resilient.

Potable Water

The availability of a high quality and abundant municipal water supply for industrial and domestic use and fire suppression is essential. Achieving this goal requires protection of the water supply sources. Continued concentration on the maintenance and enhancement of the water distribution systems is essential. The prioritized program of assessment and replacement of the mechanical and distribution elements of the system needs to remain at the forefront. The vulnerability of the municipal water supply and private wells to climate hazards must be part of any assessment. Point source and non-point sources pollutants must be identified, and water quality issues must be reconciled.

Wastewater

In addition to the public health aspects of the municipal sewer system, the availability of a properly functioning system enables development to be concentrated and greenspace to be protected. For example, the amount of land preservation at Champlin Woods at Winnapaug Pond could not have been achieved without the availability of municipal sanitary sewers. If Downtown Westerly is to be a centerpiece of future development, adequate treatment capacity and transmission line integrity are necessary. Similarly, adequate sewer capacity is essential to economic development, affordable and LMI qualified housing development, redevelopment, and retrofitting of underutilized structures and property throughout the community.

For Westerly, the first step toward achieving a first-class wastewater system is two-fold: berming the existing wastewater facility to protect it from catastrophic weather events and eventual climate change and a firm commitment to eliminate the excessive stormwater and groundwater infiltration into the system. The certainty of future flooding and sea level rise makes it essential that the capacity of existing sewer treatment be evaluated to avert catastrophe. Construction of the additional components of the sewer treatment plant needed to improve its design capacity and identification of potential areas of system expansion need to be part of a periodically updated facilities plan. This plan will enable the Town to be ready to obtain any and all federal, state, and/or private funds available for such purposes. It will also allow these needs to be part of the Town's prioritized long-term capital investment program of maintenance and future expansion of the municipal sewer system.

Stormwater

The Town of Westerly contains an aged stormwater drainage network that requires routine maintenance, repairs, and improvements. The network consists of structures, channels, underground pipes, historical stone culverts, and detention/retention basins that collect, treat, and carry stormwater runoff to various points of discharge. Due to a lack of historical mapping for the stormwater drainage network, the Town has had difficulty with maintaining the existing network and identifying areas of deficient drainage infrastructure and sources of bacterial contamination. Mapping of the town-wide stormwater drainage system will create a documented inventory of drainage assets, help to provide a systemic program for routine maintenance activities, and identify areas where further investigation, repairs, or improvements are needed. The Town also looks to improve the stormwater drainage system and incorporate green infrastructure best management practices for the purpose of reducing bacterial loadings from stormwater discharges to surface water to comply with State regulatory criteria. Identifying portions of the stormwater network that are failing, insufficient, or in need of improvement will enable the Town to create a priority list and identify available funding opportunities.

Solid Waste Disposal

Capacity at the Rhode Island Resource Recovery Corporation (RIRRC) facility in Johnston is limited and the State encourages cities and towns to reduce waste generation and recycle more to meet its 35% recycling rate and 50% overall diversion rate goals. Because municipalities are charged by the ton to dispose of municipal waste at the facility, reducing waste brought to the landfill saves the community money. Less waste in the landfill reduces the likelihood of environmental impacts such as groundwater contamination. Many of the everyday items that are thrown away from homes, schools, hospitals, and businesses can be recycled or reused, including product

packaging, grass clippings, furniture, clothing, bottles, food scraps, newspapers, and appliances. The Town needs to reduce waste generation and increase recycling in not only municipal operations, but also among residents and businesses. Currently, the number of households that use the transfer station is not tracked and commercial and residential trash is collected in the same fashion. Hopkinton residents also utilize the Westerly transfer station. According to the RIRRC 2019 Municipal Summary, the actual total solid waste received from Westerly (and Hopkinton) yielded a recycling rate of 32.1% and an overall diversion rate (all items diverted from the landfill) of 33.3% in 2019. Other services under consideration are the recycling of food scraps, composting, and new outreach programs. Westerly continues to push towards improved recycling numbers and an overall diversion rate of over 50%.

Chapter 3
LAND USE AND ZONING

Land is a limited and precious resource. Land-use planning and regulations seek to find an appropriate balance among the rights of property owners, their neighbors, and protection of this valuable resource. Land-use planning and regulations determine the appearance of a community, what uses will be allowed, and how those uses will be arranged to best meet the needs of the community. This chapter examines the physical characteristics of the land in Westerly, how the land is currently being used, and the environmental qualities and constraints affecting the land. The analysis of existing conditions forms the basis for the future land-use plan for the community, the goal of which is to strike the appropriate balance between conservation and development and focus on resiliency. Land policies that protect, preserve, rehabilitate, and redevelop existing built resources will address the vison of this Plan while maintaining a friendly and safe community that has preserved its quality of life for all generations, protected its distinctive heritage and extraordinary cultural and natural resources, and dedicated itself to a vital economy.

This Plan seeks to maintain the distinctions between urban and rural development patterns within the Town. To that end, growth is encouraged within the Town's Urban Services Boundary. This is more than a "boundary" in the traditional sense of the word. More than a boundary on a map, it is a strategy that focuses new growth and redevelopment, as well as public and private investments, where services are already available and will be maximized. The Town's Urban Services Boundaries include areas in Potter Hill, Indian Hills, Ledward Avenue, Shore Road, and other areas along Route 1. Figure **Future Land Use (FLU-M1)** provides an illustration of potential sewer service extensions. The Town desires to continue a dialogue with developers and their neighbors regarding future programing of sewer service as a capital improvement.

The Urban Service Boundary, as shown on the figure **Future Land Use (FLU-M1)**, is characterized by having a full array of utilities, including public water and sanitary sewer systems. Higher density development is found within these areas. In areas outside of the Urban Service Boundary, Westerly neighborhoods are distinctly rural. Neighborhoods including Bradford, much of Dunn's Corners, Haversham, and Weekapaug rely on on-site wastewater treatment systems (OWTS). Development at a much lower density is encouraged in these areas that are home to critical resources such as the Town's public drinking water supply. In addition to local regulation, land use and development in substantial areas of Westerly is also subject to other state regulatory authorities (e.g., Rhode Island Department of Environmental Management [RIDEM] and Rhode Island Coastal Resources Management Council [RICRMC]), as well as federal regulatory authorities such as the Federal Aviation Administration (FAA) and Federal Emergency Management Agency (FEMA).

Section 3.1 – Existing Land Use

This existing land-use/land cover inventory was completed using RIGIS data contributed by RIDEM, the Rhode Island Statewide Planning Program, and Photo Science, Inc. and is visualized in figure **2011 Land Cover (LUZ-M1)**, This mapped figure combines the existing land uses/covers in Westerly into the following broader land-use/covers categories, consistent with the Anderson Level III coding and RIGIS Land Use/Land Cover (LULC) descriptions: Agriculture, Commercial, Community Facilities, Developed Recreation, Conservation/Open Space, Industrial, Residential, Undeveloped/Unprotected, Water, and Wetland.

These categories combined contain an area of approximately 31.0 square miles (19,827 acres). Land cover is an oversimplification of categories of uses and not a true snapshot of actual physical occupation of land by use. For example, the table does not include conservation lands acquired after 2011. The land cover analysis however does provide an adequate view of the overall development pattern of the community.

The following table presents a more visual presentation of information provided in the following subsections:

Table 1. Existing Land Cover, 2011

Land Cover	Area (acres)	Percent of Land Total
Agriculture includes active farmlands (croplands, pastures, and orchards) and idle farmlands (abandoned or inactive croplands, pastures, and orchards), with the exception of those with conservation protection from development.	370	2.3%
Commercial includes all commercial uses consisting of retail, services, and professional uses	514	3.2%
Community Facilities includes institutional facilities (schools, places of religious worship, government buildings, community safety facilities, hospital), the airport, railroads, roadways, other transportation uses, public utilities, and the transfer station	581	3.6%
Developed Recreation Includes developed recreation uses (all recreation without conservation protection from development)	391	2.4%
Conservation/Open Space includes cemeteries and land with conservation protection from development	5,229	32.3%
Industrial includes manufacturing, design, assembly, etc.	151	0.9%
Residential includes all residential uses	4,887	30.2%
Undeveloped/Unprotected includes undeveloped land that is not protected from development, including sandy areas, rock outcrops, forest, brushland, vacant land, beaches, barren areas, mines, quarries, and gravel pits, and transitional (urban open) areas	4,056	25.0%
Land Total	16,179	100%

Land Cover	Area (acres)	Percent of Land Total
Water includes all open water bodies with the exceptions of Winnapaug and Quonochontaug ponds	1,200	-
Wetland Includes all RIGIS mapped wetlands	2,448	-

Source: RIGIS Land Use and Land Cover (2011) dataset
RIGIS State and Local Conservation Lands dataset
RIGIS Wetlands (1993) dataset
RIGIS lakes and ponds dataset

Subsection 3.1.1 – Agriculture

The agricultural land cover category includes four (4) large and several small actively farmed lands within the Town. Agricultural covers include croplands, pastures, vineyards, dairies, and orchards. There are 370 acres of actively farmed land in Westerly, which accounts for 2.3% of the combined total land area. This category does not include agricultural lands that have conservation protection from development, which are included in the Conservation/Open Space category. The largest concentration of agricultural land is located along Dunn's Corners-Bradford Road, just east of the central portion of the Town. There are also several areas of farmland along Shore Road and additional farmland can be found west of the airport. In the northern portion of the Town, several smaller areas of land are currently used for agriculture. Zoned low-density residential, these areas could potentially be developed. Under Rhode Island's land-use policy, however, the preservation of farmland is encouraged.

Subsection 3.1.2 – Commercial

Westerly has 514 acres of commercially developed land cover, or 3.2% of total land area in the Town. Large scale development is located predominantly in two areas:

- Along the Route 1 corridor (Granite Street and Franklin Street) from Tower Street to Route 78 (Westerly Bypass or Veteran's Way)
- Around the intersection of Route 1 (Post Road), Dunn's Corners-Bradford Road, and Langworthy Road

There is also a defined historic downtown bounded by the Pawcatuck River and encompassing portions of Main Street, Broad Street, High Street, Canal Street, and Railroad Avenue. Two other substantial mixed-use commercial areas exist along the shore; one is on Bay Street in the Watch Hill neighborhood and the other is on portions of Atlantic Avenue in the Misquamicut neighborhood. Smaller commercial areas are scattered throughout the Town.

Vacant and under-utilized parcels within the existing Commercial Highway and General Commercial zoning districts require a plan for sustainable future buildout.

Subsection 3.1.3 – Community Facilities

Community facilities include institutions such as schools, places of religious worship, government buildings, and hospitals, and areas dedicated to the transportation network, public utilities, and landfills. Altogether, these uses cover 581 acres, or 3.6% of the Town's land area. Westerly State Airport is the largest of these areas, while other facilities of significance include the Westerly Transfer Station (located between Westerly Bypass [Route 78] and Chapman Pond), the Northeast Corridor rail line, Westerly Bypass itself, and electrical transmission lines.

Subsection 3.1.4 –Developed Recreation

This land-use category accounts for 391 acres of land, or 2.4% of the Town's land area, and includes developed recreation uses, such as golf courses, urban parks, and athletic fields. Many developed recreation lands are not reflected in this category total due to conservation easements being placed on the land. For example, there are four (4) golf courses in the Town; however, only two (2) of these are included in the developed recreation category. The other two golf courses have conservation protection from development and are included in the Conservation/Open Space category described below. Several athletic complexes similarly contain conservation protection from development and are thus not included in this category. Continued investment in parks and other open space for recreation will yield long-term recreational opportunities and ensure public health.

Subsection 3.1.5 – Conservation/Open Space

This land-use category accounts for 5,229 acres of land, or 32.3% of the Town's land area, and includes cemeteries and land with conservation protection from development. The largest single conservation area is the Woody Hill Management Area. Other land has been acquired and preserved by private conservation organizations and fire districts. Distinctions between private and public conservation lands are depicted on Figure **Conservation Lands (NAT-M6)** and described in Table 2-1 of Part II, Chapter 2, Section 2.1 of this Plan. Some of this protected land includes agricultural land and/or developed recreation areas, such as golf courses, with conservation restrictions. Large tracts of agricultural land protected by development are located along Dunn's Corners-Bradford Road, Shore Road, and Airport Road. Golf courses included in this category include Shelter Harbor Golf Course along Route 1 and Weekapaug Golf Course along Shore Road. These lands are not included in Agriculture and Developed Recreation land cover categories.

Subsection 3.1.6 – Industrial

Industrial uses include manufacturing establishments, sand and gravel extraction, and quarrying operations. There are 151 acres of land dedicated to industrial uses in Westerly, making up 0.9% of total land area. Manufacturing operations are in the Airport Industrial Park, Bradford, and along Canal Street and Beach Street. Industry changes from the historical use of mills to mixed use with more flexibility and variety have provided new opportunities for redevelopment.

Subsection 3.1.7 – Residential

Residential land use occupies 4,887 acres of land representing 30.2% of the Town's land area. Residential development is primarily concentrated in the western and southern portions of the Town. There are also several areas of residential development in Bradford. The highest densities of residential development are found south and west of Westerly Bypass, which developed as an extension of the historical town center. Along the southern shore area, much of the residential development is a combination of year-round and seasonal housing, with an increasing trend toward year-round use. The greatest density along the shore is in Misquamicut, between Little Maschaug and Winnapaug Ponds. Low-density development is prominent in the Northeast quadrant of Town, outside of the sewer service area. Residential development borders many acres of conservation land, open space, and agricultural lands.

Subsection 3.1.8 – Undeveloped/Unprotected

Undeveloped/unprotected land as land cover is a catch-all category. Along with land classified as abandoned, without use, or falling within the provisions of Westerly Code Chapter 95 (Commercial and Residential Properties Real Estate Non-Utilization Tax), or attached to another land use, this category also includes land with severe constraints to development such inland sandy soils, and rock outcrops, as well as natural areas that are not currently protected from developed by conservation restrictions. Over twenty-five percent (25%) of land in the Town, 4,056 acres, falls into this undeveloped/unprotected category. This land that is not preserved and has development potential is located across the Town of Westerly but is most concentrated outside of the existing Urban Services Boundary. Part of this area is made up of quarrying operations. The largest of these areas are White Rock and the lower portion of Potter Hill, while additional operations are present in Bradford.

Subsection 3.1.9 – Water

Areas classified as water include open water bodies, the Pawcatuck River, and Little Narragansett Bay. These water bodies cover 1,200 acres within the Town. The largest of these areas are the coastal salt ponds, Quonochontaug, Winnapaug, and Maschaug Ponds, and the inland freshwater Chapman Pond (with contiguous wetlands in Newton Marsh and Aguntaug Swamp). Unsuitable as drinking water reservoirs, these water bodies are essential as natural stormwater management infrastructure and as the site of critical habitat areas.

Subsection 3.1.10 – Wetland

Areas classified as wetlands include only those identified in the RIGIS online dataset, which total 2,448 acres. Inaccuracies in this dataset are well known, and wetland delineations should be performed by qualified professionals to gain an accurate assessment of wetland locations in the Town. The largest contiguous wetland area is the Crandall Swamp, located between Route 78 and Dunn's Corners-Bradford Road. Additional wetland areas surround the coastal salt ponds and the Woody Hill Management Area. Wetlands provide numerous ecosystem services, including flood and storm surge protection, water quality enhancement, wildlife habitat. Unsuitable as drinking water reservoirs, these water bodies are essential as natural stormwater management infrastructure and as the site of critical habitat areas

Section 3.2 – State Land-use Policy

A brief description of State land-use policy provides context for the new direction of Town of Westerly's land development planning.

In April 2006, the Rhode Island Department of Administration completed *Land Use 2025*. The goal of *Land Use 2025* is to eliminate sprawl and protect the natural resources of the State. The plan encourages an urban/rural model for the State that concentrates new development into established areas, together with some rural centers, and identifies urban service boundaries. Within the urban service boundaries are areas that either provide public sewer and water or are planned to do so in the near future, and where higher density and infill development might be considered. The Town of Westerly's existing land-use pattern follows this core-periphery pattern encouraged by State policy, at a microscale.

In *Land Use 2025*, a number of villages around the State were identified as potential "Growth Centers." However, *Land Use 2025* notes, "The 'Centers' depicted are for illustrative purposes and are not intended to designate specific geographic boundaries." According to a 2002 annual report by the Governor's Growth Planning Council entitled *Growth Centers: Recommendations for Encouraging Growth and Investment in Economically and Environmentally Sound Locations in Rhode Island*, "*Growth centers are dynamic and efficient centers for*

development that have a core of commercial and community services, residential development, and natural and built landmarks and boundaries that provide a sense of place."

Chosen by the State as a rural center for sustainable redevelopment, Bradford neighborhood consists of the historic Bradford Mill, a diverse and affordable housing stock, and some neighborhood businesses, as well as waterfront property on the Pawcatuck River. Bradford is a diverse community and has seen significant residential growth in the last half-century. Comprised of both longstanding and new neighborhoods (e.g. Historic Village of Bradford, Woody Hill, McGowan Corners, Pound Round, Fieldstone Estates, Capalbo Drive, and Church Street), Bradford is also a beautiful ecological and wooded wildlife sanctuary conserved by public and private entities. Bradford, formerly Niantic (and even another name before that), was renamed during the Industrial Revolution when a fabric manufacturing company from Bradford, England, developed the local mill village. Quarrying was also prominent in years past as well as "Main Street" businesses (now called North and South Main Streets) and a railroad connection. Potential growth opportunities in Bradford include new homes and businesses, a revitalized job center at the Historic Mill property, integrating into existing recreational facilities the capacity for more age-friendly and ability-friendly activities, and the reintroduction of community services. The Historic Bradford Mill property is a brownfield and has no municipal wastewater system. Reinvestment in Bradford as a village with a mix of redevelopment and new uses is very possible due to existing access to natural gas and public water, despite the need to improve sewer service to the area.

In an era of fiscal constraint, the State has targeted much of its infrastructure and redevelopment grant funding towards locally designated Growth Centers, which, in turn, could help Westerly revitalize mill villages and include affordable housing. Low- and moderate-income housing development by non-profit organizations and public agencies also rely on state and federal financing, which favor development within these locally designated Growth Centers. This Plan recognizes the need to research Bradford as a potential Growth Center. Through that process, the Town of Westerly, guided by input from residents of Bradford, will determine which of several redevelopment strategies would most serve the needs of the Bradford neighborhood and the community at large.

The preservation and expansion of agriculture are goals of the State. State guidance on agriculture as both a consumptive use of land and as a contributor to the local economy requires municipalities to look at agriculture and the components that contribute to the agricultural system – production, processing, distribution, purchasing, marketing, retailing, and agritourism. The goals and policies of the State support the importance of planning for, preserving, and supporting agricultural land and operations. Agriculture is an industry and a source of economic activity. Often, farmers supplement their income through on-farm activities that cause people to make a special trip to the property, adding farms to the state's robust inventory of places that visitors and tourists can experience.

Land Use 2025 describes a future with efficient use of energy, the availability of energy-efficient transportation options, and the development of sustainable energy resources. *Energy 2035*, the Rhode Island State Energy Plan, published in 2015 by the Rhode Island Department of Administration, Division of Planning, looks to a future in which energy service improvements are found in the electrical, thermal, and transportation sectors. The Resilient Rhode Island Act of 2014 has set two (two) carbon emission reduction goals for the State that are within this Plan's twenty (20)-year timeframe – 90% of 1990 emission levels by the end of 2020 and 45% of 1990 emission levels by the end of 2035.

Section 3.3 – Existing Zoning

Westerly adopted its first Zoning Ordinance in 1925 after receiving authority to do so from the Rhode Island General Assembly in 1922. Westerly's last comprehensive update of its Zoning Ordinance was enacted in 1998. There have been multiple additions since, including the Affordable Housing Amendment in 2007. The Zoning Ordinance establishes permitted uses, minimum lot sizes, minimum front, side, and rear setbacks for principal and accessory buildings, maximum building heights, maximum building and lot coverage, and minimum floor areas. The Zoning Ordinance is a critical tool for controlling the type, density, and appearance of development within the Town.

As its provisions evolved over the years, minimum residential lot sizes increased. New minimum lot sizes and setbacks consistent with those lot sizes were provided even for already developed land. For example, residential properties in the Misquamicut area were allowed to be developed with predominant lot sizes of 6,000 square feet. Over time, the Zoning Ordinance increased the minimum lot size to 10,000 square feet with required building setbacks appropriate to that size. The result was the creation of substantial areas of predominately non-conforming lots and buildings and an increase in the dimensional variances necessary to permit reasonable use of the land. This situation continues today, with the added controversy of building height restrictions in the age of base flood elevation (BFE) requirements and sea level rise.

The 1998 Zoning Ordinance attempted to control residential development by creating multiple zoning districts that reflect a variety of densities without reflecting the level of development that historically occurred prior to zoning. These changes may have been influenced by aging infrastructure. It also provided larger lot sizes for areas not developed, reflecting the availability or lack of municipal water and/or sewer and natural constraints upon the land.

Similarly, there were only two (2) commercial zoning districts prior to the 1998 Zoning Ordinance. This zoning did not reflect the unique issues presented by commercial development in discrete areas of the Town. The 1998 Zoning Ordinance established nine (9) commercial districts, and three (3) industrial districts. In addition to these districts, there are nine (9) overlay districts (three [3] of which are reserved) created to protect natural and cultural resources, reduce hazards, and permit certain types of prescribed developments which would otherwise not be allowed. Table 2 on the next page, generated from the information that produced the figure **Zoning (LUZ-M2)**, presents a breakdown of the existing zoning districts by land area.

Table 2. Zoning Districts, 2019

Zoning District	Acreage	Percent of Total Area
HDR-6 (High-Density Residential)	890.3	4.5%
HDR-10 (High-Density Residential)	399.0	2.0%
HDR-15 (High-Density Residential)	1,246.6	6.2%
MDR-20 (Medium-Density Residential)	1,597.7	8.0%
MDR-30 (Medium-Density Residential)	2,860.9	14.3%
LDR-40 (Low-Density Residential)	977.1	4.9%
LDR-43 (Low-Density Residential)	682.2	3.4%
RR-60 (Rural Residential)	4,066.8	20.4%
All Residential	12,720.6	63.6%
DC-I (Downtown Center)	39.5	0.2%
DC-II (Downtown Center)	36.6	0.2%
NB (Neighborhood Business)	43.6	0.2%
MC (Marine Commercial)	15.6	<0.1%
SC-G (Shore Commercial-General)	81.9	0.4%

Zoning District	Acreage	Percent of Total Area
SC-WH (Shore Commercial-Watch Hill)	25.7	0.1%
P-15 (Professional)	136.1	0.7%
HC (Highway Commercial)	306.0	1.5%
GC (General Commercial)	76.2	0.4%
All Commercial	761.2	3.8%
ORAT (Office, Research, Assembly, and Technology)	113.8	0.6%
LI (Light Industrial)	613.9	3.1%
GI (General Industrial)	1,003.0	5.0%
All Industrial	1,730.7	8.7%
OS/R (Open Space and Recreational)	3,973.7	19.9%
CR (Commercial Recreational)	759.1	3.8%
All Recreational	4,732.8	23.7%
PUD (Planned Unit Development)	21.5	0.1%
All Other	21.5	0.1%
Total	**19,966.8**	**100%**

Source: New England GeoSystems, 2019

It should be noted that zoning districts do not necessarily reflect current or future use. For example, there may be farmlands within the RR-60 zoning district that are restricted from being developed by a conservation easement.

Subsection 3.3.1 – Residential Districts

Residential zoning districts make up 63.6% of the land area within the Town. There are eight (8) defined residential districts ranging from rural low density (1 unit per a minimum 60,000 square foot lot size) to high density (1 unit per a minimum 6,000 square foot lot size). These districts provide for uniform development throughout Town. Increases to these specific density guidelines can be achieved only through inclusionary zoning requirements and the Low- and Moderate-Income Housing Comprehensive Permit process. Restrictions on multi-family dwellings combined with dimensional requirements result in a very low number of new residential dwelling units.

HDR-6 (High-Density Residential)

The HDR-6 zoning district, requiring a minimum 6,000 square feet per lot, consists of approximately 890 acres (or 4.5% of the total land area within the Town) and is also intended primarily for areas of existing residential development. This zoning district is designed for areas where existing densities are high, at or near saturation, and include a variety of housing styles. However, due to zoning constraints HDR-6 is predominantly single-family. This zone covers established neighborhoods around the core of the Westerly's urban area that are serviced by public water and sewer.

HDR-10 (High-Density Residential)

The HDR-10 zoning district, requiring a minimum 10,000 square feet per lot, consists of approximately 400 acres (or two percent of the total land area within the Town) and is also intended primarily for areas of existing residential development. This zoning district is designed for areas where existing densities are high, close to saturation, and include a variety of housing types – single-family, and historically two- and three-family. However, under the current zoning requirements this development type is prohibited. Primarily located in areas surrounding Winnapaug Pond (including Misquamicut), these areas are typically served by public water but not by sewer.

HDR-15 (High-Density Residential)
The HDR-15 zoning district, which consists of approximately 1,250 acres (or 6.2% of the total land area within the Town), is intended primarily for areas of existing residential development. This zoning district is designed for areas where existing densities are moderately high and typically situated on the outer edges of the Town center. The district permits a variety of housing types with a minimum lot area of 15,000 square feet per dwelling unit and are mostly served by public water and sewer.

MDR-20 (Medium-Density Residential)
The MDR-20 zoning district, which consists of approximately 1,600 acres (or 8% of the total land area in the Town), is generally intended for single-family neighborhoods adjacent to high density areas and designed to conform to existing development patterns rather than encourage major expansion beyond defined neighborhoods. Most areas within this district are connected to municipal water but not to municipal sewers and carry a minimum lot size of 20,000 square feet. The largest areas zoned MDR-20 are located broadly around Dunn's Corners Elementary School and between Ashaway Road and Potter Hill Road. Other properties in the MDR-20 zoning district exist in Avondale, Bradford, and Shelter Harbor.

MDR-30 (Medium-Density Residential)
The MDR-30 zoning district, requiring a minimum 30,000 square feet per lot, consists of approximately 2,860 acres (or 14.3% of the total land area in the Town) and is generally intended for single-family neighborhoods adjacent to high-density areas. This zoning district is designed to conform to existing development patterns rather than encourage major expansion beyond defined neighborhoods. Most areas within this district are connected to municipal water but not to municipal sewers. While most of the residential areas in Bradford are characterized by this Zoning District, the MDR-30 zone is also located mainly along Post Road (Route 1), Shore Road (Route 1A), and Watch Hill Road (also Route 1A).

LDR-40 (Low-Density Residential)
The LDR-40 zoning district, which consists of approximately 980 acres (or 4.9% of the total land area in the Town), prescribes standards and densities that are intended to preserve the open character of the area and thereby to protect the business of agriculture. While the intent of the district is to protect agriculture, very little of the zone is used for agriculture. Residential use in this district is restricted to a minimum lot size of 40,000 square feet and much of the LDR-40 zone is located north of Route 1 (Post Road) and east and north of Route 78 (Westerly Bypass).

LDR-43 (Low-Density Residential)
The LDR-43 zoning district, which consists of approximately 680 acres (or 3.4% of the total land area in the Town), is in residential areas of Watch Hill comprised predominantly of large single-family homes on large lots that are served by municipal water but not by municipal sewer systems. The 1-acre minimum (43,560 square foot) lot size is designed to preserve the existing character of the neighborhoods.

RR-60 (Rural Residential)
The RR-60 zoning district, requiring a minimum 60,000 square feet per lot, consists of approximately 4,070 acres (or 20.4% of the total land area in the Town) in residential areas characterized by very low-density development and comprised mostly of land that is currently used for agriculture, contains wetlands or other severe soil constraints, or maintains some other sensitive environmental characteristics. The rural residential districts are designed to protect many of the Town's most valuable natural resources and preserve their rural characteristics. It is important to note that within the watershed of the salt ponds, a maximum density of one (1) dwelling unit per two (2) acres is required by the CRMC's *Rhode Island's Salt Pond Region Special Area Management Plan* (SAMP). Rural Residential-60 is designed for those areas which do not have access to municipal sewers or municipal water.

Subsection 3.3.2 – Commercial Zoning Districts

There are nine (9) commercial zoning districts that collectively occupy 3.6% of the land area within the Town of Westerly. These districts vary by types of uses permitted, lot sizes, and setback requirements and are also scattered through different areas of Town.

DC-I and DC-II (Downtown Center)
The DC-I and DC-II zoning districts, which consist of approximately 40 and 37 acres (each less than half of one percent of the total land area within the Town), respectively, are intended for areas comprising the downtown business core and immediately surrounding areas characterized by mixed-uses, high-density residential uses, and retail shops. The Downtown Center zones are intended to preserve the distinct character of the downtown, which has unique characteristics related to its historic industrial origins, particularly regarding the preservation of historic buildings and facades.

NB (Neighborhood Business)
The Neighborhood Business zoning district, which consists of approximately 45 acres (or less than half of one percent of the total land area within the Town), is intended for areas characterized by small retail and personal service operations that are surrounded by residential areas. Properties in this district are small and the districts themselves are scattered around the Town, with most of them in the urban core.

MC (Marine Commercial)
The MC zoning district, which consists of approximately 15 acres (or less than half of one percent of the total land area within the Town), is intended to establish an area dedicated to marine (water-dependent) and marine-related uses. Uses proposed for the portion of the Pawcatuck River designated as Class 3, High-Intensity Boating, in the Rhode Island Coastal Resources Management Plan (CRMP), are consistent with that program. The district is located on the river side of Margin Street between Greenman Avenue and Clark Street.

SC-G (Shore Commercial - General)
The SC-G zoning district consists of approximately 80 acres (or less than half of one percent of the total land area within the Town). This zone is intended to promote the use of waterfront locations for servicing local and seasonal businesses and water-related activities. The district also provides for both direct and indirect access to the water by the general public. The zone is intended to allow uses in a manner that limits their impact on abutting residential areas. Most of these areas are located along the coast between Misquamicut and Weekapaug. Some of these areas are not located on the water but on Routes 1 and 1A.

SC-WH (Shore Commercial- Watch Hill)
The SC-WH zoning district, located at the western end of the Watch Hill area, primarily along Bay Street, consists of approximately 25 acres (or less than half of one percent of the total land area within the Town). This district is intended to promote the use of specific waterfront locations for tourist and seasonal businesses and water-related activities. The zone is intended to allow uses in a manner that limits their impact on abutting residential areas. Since this district is located entirely within a federally designated historic district, any new construction must undergo additional review to ensure it conforms in style and bulk with existing structures and unique character.

P-15 (Professional)
The P-15 zoning district, which consists of approximately 140 acres (or less than one percent of the total land area within the Town), is intended to establish areas within which the Town encourages a concentration of professional office and related uses, as well as residential use and mixed-use developments. Property in this district often serves as a transitional area between more intensely developed commercial districts and residential districts. The Town will consider the expansion of the P-15 zoning district in lieu of certain Overlay Districts.

HC (Highway Commercial)
The HC zoning district, which consists of approximately 300 acres (or 1.5% of the total land area within the Town), is intended for areas that are primarily motor vehicle-oriented due to their location along major roadways. An objective of this commercial zoning category is to address existing traffic safety problems associated with excessive curb cuts and to prevent further traffic problems from occurring with future development. This district is located along Route 1 (Franklin Street, Granite Street, and Post Road). The Town will reconsider the use of HC zoning district in areas along Route 1 that are served by sidewalks.

GC (General Commercial)
The GC zoning district, which consists of approximately 75 acres (or less than half of one percent of the total land area within the Town), is intended for areas of historic commercial activity outside of the Downtown districts. Minimum lot sizes are smaller than the Highway Commercial District and the Downtown Center 2 District. These areas are located throughout the Town.

Subsection 3.3.3 – Industrial Districts

Industrial districts make up 6.2% of the Town's land area, and much of the land in these districts is protected by conservation easements. There are three (3) industrial districts that vary in intensity and type of use:

ORAT (Office, Research, Assembly, and Technology)
The ORAT zoning district, which consists of approximately 115 acres (or less than one percent of the total land area within the Town), is designed to provide for office, research, assembly, and technology uses that do not require extensive infrastructure, sewer, water, or site development or present a threat to sensitive environmental resources. The ORAT zone is a subcategory of the industrial district, which contains the General Industrial (GI) and Light Industrial (LI) zones as well. Uses covered by the ORAT zone could be incorporated into LI or GI uses; thus, the ORAT zone has become obsolete and should be absorbed into the other industrial district zones. There are two (2) areas in the ORAT zoning district; one located on Canal Street and the other west of Westerly Airport. Many of the current uses on these properties are inconsistent with the ORAT zoning district. Such uses include agricultural land and single-family residential, as well as municipal utility facilities, vacant lots, and open space. This Plan calls for the properties that are appropriately zoned ORAT, based on future uses for the site, to be incorporated into an LI district, while properties that are not suited for an industrial use should be considered for re-zoning into a more appropriate use category, such as Open Space/Recreation (OS/R).

LI (Light Industrial)
The LI zoning district, which consists of approximately 615 acres (or 3.1% of the total land area within the Town), is designed for areas that have historically been reserved for industrial development in proximity to businesses and residences and that would be incompatible with more extensive industrial use. There are two (2) LI locations in the urban core north of Railroad Avenue and Oak Street. Additional LI zones, including the largest tract, are in Bradford.

GI (General Industrial)
The GI zoning district, which consists of approximately 1,000 acres (or 5% of the total land area within the Town), is intended for industrial and manufacturing uses that must be segregated because of their incompatibility with other land uses and is designed to provide for the infrastructure and operational requirements necessary for such uses. Stone quarries, landfills, the airport, and large factories are uses currently located in the GI zoning district.

Subsection 3.3.4 – Recreational Districts

Special districts are those districts which do not fall into any of the previous categories. These districts protect areas for parks and open space or dedicate areas for commercial recreation. Over one third (34%) of the Town's area falls into one of these zoning districts.

OS/R (Open Space and Recreation)
The Open Space and Recreation zoning district, which consists of approximately 4,000 acres (or 19.9% of the total land area within the Town), is intended for areas in use as open space and recreation. This district covers a variety of uses including the Town's well fields, major parks and recreation areas, portions of the barrier beaches, and cemeteries. These districts are scattered across the Town. Aside from parks and cemeteries, nearly all of these land areas are protected through deed restrictions and/or conservation easements held by state, town, and non-profit institutions.

CR (Commercial Recreation)
The Commercial Recreation zoning district, which consists of approximately 760 acres (or 3.8% of the total land area within the Town), is intended for areas that have historically housed commercial recreational facilities, adjacent to residential areas, in order to allow their continued existence subject to reasonable regulations and limitations on future expansion. Properties in the CR zones may include a hotel, provided that the hotel remains accessory to the current recreational use, which in all instances shall remain the principal use. These areas include the four golf courses in Westerly, the Misquamicut Club, Winnapaug Country Club, Weekapaug Golf Course, and Shelter Harbor Golf Course, and the Westerly Yacht Club.

Subsection 3.3.5 – Other Districts

The Rhode Island Zoning Enabling Act of 1991 specifically permits modern zoning tools such as planned development. Planned development districts become mapped for a particular area of land by a zone change granted in conjunction with approval of a master plan of development for that particular area of land. Planned development districts include requirements and regulations specific to that land. While Westerly once had a process for Planned Unit Development (PUD), it was repealed in 1998 because of the mixed-use possibilities in such districts and political sensitivities at that time. The planned developments that are identified on the existing zoning map are not mixed-use but entirely residential communities. Developed during the period that the PUD provision existed, an increase in residential density allowed under the former PUD ordinance was chosen over the permitted mix of uses. Currently, approximately 20 acres (or less than half of one percent of the total land area within the Town), remain zoned as PUD, all of which has already been built out using developable land. This Plan calls for the areas zoned PUD to be incorporated into an appropriate residential district designation based on the existing density (HDR-6 or HDR-15).

The current Zoning Ordinance also has an option for Planned Resort Facilities Development. The Planned Resort Facilities concept is intended to recognize the Town as a tourist resort area and permit the growth of the industry, provided that such facilities are located on substantial tracts of land so as to minimize any impact on neighboring property. This type of planned development has not yet been used. The concept of planned resort development will be revisited as part of this Plan's implementation, as a strategy to promote longer stays and a more active beginning and end to the tourist season.

Subsection 3.3.6 – Zoning Overlays

Overlay zoning is a regulatory tool that creates a special zoning district placed over an existing base zone(s). The overlay district can share common boundaries with the base zone or cut across base zone boundaries. Figure **Zoning Overlays (LUZ-M3)** is as illustration of the currently adopted zoning overlay districts. Overlay zoning districts are incorporated into the "Official Zoning Map, Town of Westerly, Rhode Island, July 1, 2019."

Overlay zoning also identifies special provisions that apply to development in addition to those in the underlying base zone. These special provisions include types of uses and specific development standards. Westerly's overlay zoning districts are described in Article X of the Zoning Ordinance. This Plan calls for revisiting the standards and boundaries of each Overlay district.

Section 3.4 – Buildout Analysis

A potential capacity analysis was performed based on the current land cover that estimates the amount of development that could occur based on a set of assumptions. This analysis is limited to the amount of new development that can occur on developable vacant and agricultural land. Such development includes infill and redevelopment possibilities based on zoning density allowances and to the extent that natural resource constraints are not present.

The analysis was performed using a GIS program. The current zoning layer was combined with the land cover layer so that the resulting layer had attributes of both existing land use and existing zoning districts. A constraints layer consisting of existing developed land, wetlands, floodplain, and all land under permanent conservation was created. Wetlands and watercourses, a 50-foot buffer surrounding wetlands, a 200-foot buffer from the shoreline and the Pawcatuck River, any other applicable regulatory buffers, and areas with severely constrained soils were considered undevelopable and removed from the calculation. The constraints layer was combined with the zoning/land-use layer and the constraint areas were removed.

The GIS program was used to calculate the areas of each polygon within this combined layer. The areas remaining are considered *potentially developable and suitable to new development*. These areas were summarized by land cover and zoning district. Based on the zoning district, calculations were performed on the resulting areas to establish the potential number of residential units, commercial space, and industrial space that could be developed. The Open Space/Recreation and Commercial Recreation Districts are considered unavailable for future development and have been excluded from this analysis.

The methodology used for this analysis has limitations. The method does not account for the possibility of new residential development in non-residential zoning districts, such as apartments on the second floor of businesses (so called mixed-use). The method assumes wetlands mapped by the state and federal government are accurate, even though actual wetland boundaries on a lot can only be determined through on-site investigation. It is assumed that new development will occur at the maximum density allowed by zoning, although lower density development might occur in response to market needs. Despite these limitations, the method is considered suitable for estimating potential new development magnitude and location.

The results of the capacity analysis are summarized in Table 3. The number of residential units presented are rounded to the nearest whole number.

Table 3. Buildout Analysis, 2016

Zoning District	Undeveloped "Suitable" Area (acres)	Residential Units	Commercial Space (square feet)	Industrial Space (square feet)
RR-60	912.91	487	-	-
LDR-43	92.69	46	-	-
LDR-40	344.84	275	-	-
MDR-30	733.39	395	-	-
MDR-20	248.26	171	-	-
HDR-15	113.52	196	-	-
HDR-10	0.01	0	-	-
HDR-6	61.90	298	-	-
Residential Subtotal	2,507.52	1,868	-	-
P-15	10.41	-	108,837	-
NB	2.31	-	24,164	-
DC-1	-	-	-	-
DC-2	-	-	-	-
GC	1.80	-	23,551	-
HC	21.34	-	278,854	-
MC	0.03	-	0	-
SC-G	3.82	-	36,576	-
SC-WH	-	-	-	-
Commercial Subtotal	39.72	-	471,981	-
ORAT	0.64	-	-	7,267
LI	45.16	-	-	393,399
GI	223.94	-	-	2,731,360
Industrial Subtotal	312.43	-	-	3,132,026
Total				

Source: Mason & Associates, 2016

Subsection 3.4.1 – Residential Buildout

Estimated numbers of residential units per zoning district are based on the minimum lot area per unit permitted in each of the residential zoning districts. The following calculations were used for residential districts:

RR-60	Area÷60,000 = Residential Units
LDR-43	Area÷43,560 = Residential Units
LDR-40	Area÷40,000 = Residential Units
MDR-30	Area÷30,000 = Residential Units
MDR-20	Area÷20,000 = Residential Units
HDR-15	Area÷15,000 = Residential Units
HDR-10	Area÷10,000 = Residential Units
HDR-6	Area÷6,000 = Residential Units
Any District in CRMC SAMP	Area÷87,120 = Residential Units

The build-out analysis estimates that, under the existing Zoning Ordinance, approximately 1,868 additional residential dwelling units can be built in Westerly. With an average of 85 new dwelling units being constructed per year since 2000, it is estimated that the year by which residential build-out is likely to occur is 2038.

The 2010 Plan recommended that the residential zoning districts within the Town remain essentially unchanged. This recommendation considered the rate of growth that occurred in the 10-year period following the adoption of the current Zoning Ordinance map and text. During the 10-year period of January 1, 1999 to December 31, 2008, 1,266 residential dwelling units were constructed. The Ordinance marked a significant departure from prior ordinances which had allowed, as of right, duplex buildings, including units with unlimited bedrooms, on lots that did not require twice the land area as required for a single-family home. There was significant community concern expressed with respect to these provisions. The Ordinance responded with provisions that:

- Limit the districts in which duplex buildings are allowed;
- Require a special use permit in the residential district in which they are allowed; and
- Require twice the land area as necessary for a single-family home.

These provisions resulted in only 31 duplex buildings with 62 units being built in the 10-year time period. During the 10-year period from January 1, 2006 to December 31, 2015, 851 residential dwelling units were constructed, including 29 duplex buildings accounting for 58 units.

Simultaneously, the 1998 Zoning Ordinance adopted new regulations with respect to multi-family dwellings. The regulations allow for the number of bedrooms in a multi-family complex to reflect the predicted number if the site were built out as single-family homes. Yet, the ordinance also limits each individual unit to two bedrooms. Studies suggested the number of school age children would be relatively small in such complexes. The number of two-bedroom units constructed in the 10-year period from January 2006 to December 2015 was 208, or more than 24.2% of new housing stock.

Despite the increase of 858 dwelling units, the total public-school population in the community has dropped from 3,436 in October 2006 to 2,908 in October 2015 – a 15.4% decline. Current and projected enrollment suggests this trend will continue, falling 7.3% between fiscal years 2012 and 2022. Beyond 2022, however, a comparison of fourth grade (Class of 2024) and first grade (Class of 2027) enrollments in the 2015-2016 academic year (217 students and 216 students, respectively) suggests enrollment may have stabilized.

It is therefore deemed unnecessary to further change the zoning districts or the regulations applicable within each district to control future growth. Comparison of the estimated additional residential unit capacity (1,868 units) and the historic building growth over the last 10 years (858) demonstrates a relatively small capability for growth under the traditional subdivision development approach.

This Plan's recommendation with respect to generally not increasing density is a deliberate attempt to responsibly limit residential sprawl. However, the Plan encourages future growth, including residential density intensification through Neighborhood Plans where public utilities and infrastructure are in place. Mixed-use and in-fill development at increased densities, together with revitalization and retrofitting of existing properties, are all strategies identified for use with the Neighborhood Plan application.

With school enrollment potentially stabilizing this decade, and as new information becomes available and disaggregated, Town officials must address the future implications for services required by an overall aging population and the interaction of social and economic factors. Eventually an increase in the number of families will be required to keep a vital economy functioning. Housing, health care and education for future generations must be planned.

Subsection 3.4.2 – Commercial Buildout

The commercial districts did not specify a floor area ratio or maximum building coverage. Maximum impervious surface was used to control the size of buildings. This analysis assumes that half of the impervious surface specified in the Westerly Zoning Ordinance is used for building and half for parking. The summarized areas were multiplied by half of the maximum allowable impervious surface percentage in that zone to estimate the amount of commercial building space. The following calculations were used on commercial districts:

P-15	(30.0%) Area = Commercial Space
NB	(30.0%) Area = Commercial Space
HC	(37.5%) Area = Commercial Space
DC	(50.0%) Area = Commercial Space
DCII	(25.0%) Area = Commercial Space
SC-G	(27.5%) Area = Commercial Space
SC-WH	(27.5%) Area = Commercial Space
MC	(37.5%) Area = Commercial Space
GC	(37.5%) Area = Commercial Space

The build-out analysis estimates a total of 471,981 square feet of commercial space over 39.72 acres can be added in the Town. This coverage includes commercial space with current land zoned Neighborhood Business (NB; 24,164 square feet), Highway Commercial (HC; 278,854 square feet), and Professional (P-15; 108,837 square feet) and excludes Commercial Recreation (CR) and Shore Commercial-General (SC-G). This Plan recognizes that Westerly has historically been the regional center for commercial and professional services. Sufficient area exists to continue in that role, though a notable decrease in available commercial space compared with the analysis used in the 2010 Plan should be considered.

This Plan specifically provides that this district should not be enlarged. The existing commercial areas are underutilized and in need of redevelopment. It is intended that a limit on the amount of commercial development and revised development standards for new commercial development on vacant property will control commercial sprawl. By such limitation it is also intended that renewed interest in renovation, restoration, and redevelopment of existing Highway Commercial properties will be achieved.

Subsection 3.4.3 – Industrial Buildout

Maximum impervious surface was used to control the size of buildings in the industrial districts. This analysis assumes that half of the impervious surface specified in the Westerly Zoning Ordinance is used for building and half for parking. The summarized areas were multiplied by half of the maximum allowable impervious surface percentage in that zone to estimate the amount of industrial space. The industrial space assumes only one floor of development. The following calculations were used on industrial districts:

GI	(35.0%) Area = Industrial Space
LI	(25.0%) Area = Industrial Space
ORAT	(32.5%) Area = Industrial Space

Available industrial land is extremely limited. Additionally, areas that have the infrastructure available for industrial development and are also isolated enough to be compatible with existing residential development are not apparent. The lack of industrial land also means that Westerly must participate in regional economic development initiatives. New job opportunities in the region not only provide job opportunities for Westerly residents but also for the larger regional population. Such opportunities contribute to the vibrant commercial and professional service sectors in Westerly. Town officials necessarily must therefore encourage the expanded use of underutilized industrial facilities provided that doing so is consistent with environmental considerations

There are three large industrial parcels zoned General Industrial (GI) or Light Industrial (LI) that are currently operated as granite quarries. These parcels – in White Rock on Old Hopkinton Road and in Bradford – have been excluded from this analysis since they are unlikely to be developed for other uses during the timeframe of this Plan.

The build-out analysis estimates a total of 3,132,026 square feet of industrial space over 312.43 acres can be added in the Town. This estimate includes commercial space with current land zoned Light Industrial (393,399 square feet), General Industrial (2,731,360 square feet), and ORAT (7,267 square feet).

Section 3.5 – Upgrading Westerly's Regulatory Climate

In recent years, numerous property owners, business owners, and developers, as well as municipal staff, have experienced inefficiencies within the 1995 Development Regulations and the 1998 Zoning Ordinance that have impeded the viability and progress of various development, redevelopment, and expansion projects. Inconsistencies between various sections of these local laws, the rigidity of dimensional and parking requirements, a significant absence of definitions, and insufficient policy guidance have added unnecessary obstacles to development without leading to outcomes in the public interest as intended.

A survey of local businesses conducted in summer 2019 by the Town, through its Economic Development Commission (EDC), and in partnership with the Ocean Community Chamber of Commerce, brought further attention to inefficiencies of major components of the local regulatory climate (including review by boards and administrative processing). Informal feedback received from frequent application filers was consistent with the results of the 2019 business survey. The last major update to zoning and development regulations occurred over two (2) decades ago. Despite best efforts of the Town to amend and revise zoning requirements and administrative practices, the inefficiencies in the regulatory process and unintended consequences of new development and redevelopment persist.

This Plan recognizes that inconsistencies and inefficiencies in land development are results of a more fundamental and systemic issue. Since the adoption of its first Zoning Ordinance in 1925, the Town of Westerly has used "conventional zoning." This approach to zoning, widely adopted by local governments throughout the 20th century, primarily focuses on separating and prohibiting land uses. At its inception, conventional zoning was largely successful in limiting many concerns of the time. In the modern era, though, the community has increasingly found conventional zoning to impede, rather than strengthen, the viability of great development and redevelopment projects. Westerly, as a result, has lost out on opportunities that could otherwise diversify its economy, grow its customer and tax bases, and add to its sense of place.

Zoning's focus on streamlining processes and yielding outcomes that benefit public interests aligns particularly well with where respondents to the 2019 business survey felt the Town should prioritize its efforts for supporting economic vitality in the future:

- Supporting a year-round economy,
- Attracting new business in general,
- Protecting scenery and natural resources, and
- Protecting Westerly's heritage and character.

Going forward, the Town intends to undertake a significant drive for public engagement to ensure it receives the right answers to numerous questions on how zoning, development regulations, and related policies should be optimized within the next few years. Some of these questions include:

- What resources can the Town commit to modernize its local regulatory climate?
- In addition to surveying existing conditions, what secondary factors define community character?
- What additional environmental and design standards should be incorporated beyond physical form, if any?
- How should the modernized regulatory climate be implemented?
- What steps can be taken to encourage business investment in Westerly?
- What steps can be taken to encourage green industries and businesses in particular to locate and/or remain in Westerly?
- What steps can be taken to encourage pop-ups, start-ups, and leases that are conducive to such businesses?

Throughout this process, to determine next steps, the Town will clearly communicate with residents, stakeholders, and others to provide transparent information in a diverse range of outreach activities - a pivotal service that will enhance everyone's trust and confidence in this endeavor.

Section 3.6 – Future Land Use

This Plan recognizes the need for both preservation and development and the importance of establishing a balance between them, while also placing a heavy emphasis on rehabilitating and revitalizing existing buildings in order to preserve open spaces and views to the extent possible. Included among its goals are maintaining Westerly's character and heritage and preserving open space and irreplaceable natural resources. The Plan also calls for increased economic vitality and environmental resiliency, including the maintenance of homes, jobs, and services needed by current and future generations. It acknowledges the need for balance among the various aspects of Westerly, which include a home to year-round and seasonal residents, a tourist economy and new industries, and a regional service, transportation, and retail center.

In this section, some of the major characteristics of the Comprehensive Plan are reviewed with an emphasis on how the vision, goals, policies, and actions will affect future land use, transportation, infrastructure, and services and with a focus on the first 10 years of this Plan's implementation.

The Comprehensive Plan should be viewed holistically because, taken together, its various elements reinforce each other and present a comprehensive and coherent view of Westerly's land-use policy. After the implementation plan goals are achieved, another group of actions will be developed for the next 10 years. In this way, Westerly will move steadily and incrementally towards achieving the long-term goals, policies, and actions outlined in this Plan.

Subsection 3.6.1 – The Future Land-Use Categories

The figure **Future Land Use (FLU-M1)**, a visual **guide** to future planning. It is NOT identical to the Zoning District Map. It is a map of what the community wants to have happen, not a prediction of what will happen. The FLU-M1 brings together most, if not all, of the elements of the Comprehensive Plan, such as natural resources, economic development, housing, and resiliency. The community assesses the various scenarios and reviews the vision, goals, policies, and actions when creating the FLU-M1. The Map has been modified from the previous "FLUM" included within the 2010 Comprehensive Plan. There are both existing conditions and proposed development that have led to recommended classification changes. The specifics of the proposed changes are discussed throughout this Chapter.

Existing Zoning, illustrated by figure **Zoning (LUZ-M2)** further defines each of the land-use categories by including several corresponding districts. This material is organized in Table 4.

Table 4. Existing Zoning Districts within Future Land-Use Categories

Future Land-Use Category	Corresponding Existing Zoning Districts
Low-Density Residential	Rural Residential (RR-60)
	Low-Density Residential (LDR-43)
	Low-Density Residential (LDR-40)
	Notes: *Intended for residential, agricultural, and open space conservation*
Medium-Density Residential	Medium-Density Residential (MDR-30)
	Medium-Density Residential (MDR-20)
	Notes: *Intended for residential and open space conservation*
High-Density Residential	High-Density Residential (HDR-15)
	High-Density Residential (HDR-10)
	High-Density Residential (HDR-6)
	Notes: *Intended for residential single family and multi-family*
Mixed-Use Commercial	Downtown Center I (DC-1/DC-I)
	Downtown Center II (DC-2/DC-II)
	Neighborhood Business (NB)
	Professional (P-15)
	Notes: *Intended to expand uses permitted in mixed-use commercial zoning districts to allow multi-family development together with retail, dining, artisan, civic, and service uses.*
Commercial	General Commercial (GC)
	Highway Commercial (HC)
	Commercial Recreation (CR)
	Note: *Intended for areas of commercial and professional services outside of the Downtown districts and in motor-vehicle oriented US Route 1.*
Coastal Commercial	Marine Commercial (MC)
	Shore Commercial – General (SC-G)

Future Land-Use Category	Corresponding Existing Zoning Districts
	Shore Commercial – Watch Hill (SC-WH)
	Note: *Intended for the use of waterfront locations for servicing local and seasonal businesses and water-related activities.*
Industry	General Industrial (GI)
	Light Industrial (LI)
	Office, Research, Assembly, and Technology (ORAT)
Industry	Note: *Intended for diverse types of Industry – both small and large scale.*
Conserved Land	Rural Residential (RR-60)
	Open Space/Recreation (OSR)
	Notes: *Intended to capture land protected from development through conservation restrictions, and/or can be used for small scale recreation, agriculture, or left untouched to provide protection of water quality, natural resources, and wildlife habitat, consistent with the restrictions in place.*
Agriculture	Rural Residential (RR-60)
	Open Space/Recreation (OSR)
	Notes: *Intended for farms and farm enterprises and low-density residential development associated with farm operations.*
Recreation	Commercial Recreation (CR)
	Open Space/Recreation (OSR)
	Notes: *Intended to capture active and passive, public and private recreation areas.*

Some changes to existing zoning districts will be made to further align the description of the district with its purpose.

- Lands in several zoning districts are protected in perpetuity by conservation easements. The zoning of these parcels is intended to align with the land-use values being conserved (i.e. low intensity agriculture, passive recreation, natural habitat protection). The FLUM includes the new Category of Conserved Land, intending to capture land protected from development through conservation restrictions, and/or land that can be used for small scale recreation, agriculture, or left untouched to provide protection of water quality, natural resources, and wildlife habitat, consistent with the restrictions in place with the existing zoning district designation for these parcels. However, a zone change is not required to remain consistent with the FLUM.
- An Airport Overlay District has been developed as required in RIGL §1-3-5(1), which states that municipalities shall establish an airport hazard area to specify appropriate land uses with restricted heights for buildings and trees. This Overlay is now included on the Official Zoning Map and is illustrated on Figure **Zoning Overlays (LUZ-M3).** The FLUM is not impacted by this addition.
- Those properties originally zoned and approved as Planned Unit Development (PUD) have been incorporated into the category of high-density residential appropriate to the existing residential density on the FLUM. Zone changes for these parcels will follow.

- ORAT-zoned properties will be addressed individually to assess the appropriate zoning for each lot, given the current inconsistency in use within this zone. The assigned zoning district will remain consistent with the FLUM.

Changes to land-use policy and regulations include:

- Eco-friendly development methods such as conservation development and cluster development have not been readily used due to the insignificant number of properties that qualify. These subdivision options are proposed for deletion from the zoning ordinance and replacement by context-sensitive design standards and performance standards designed for resiliency.
- Regulations required by the Special Area Management Plan (SAMP) near the Salt Ponds and for water quality protection will be included in the Westerly Zoning Ordinance.
- The Town shall modernize the Zoning Ordinance, development regulations, and related policies to better recognize existing conditions of the built environment and will incentivize greater public investments in community character in new development and redevelopment projects.
- The PUD development tool will be replaced by other mixed-use development options.
- The Town will migrate to an electronic filing and broader administrative review process for development applications and permitting. Conversion to online permitting has already occurred for building and inspections, with zoning soon to be added, followed by planning.

Consistency with *Land Use 2025* is achieved when the Comprehensive Plan's FLUM aligns with the residential densities suggested by the State. Areas inside the Urban Services Boundary are expected to have higher residential density due to the presence of existing services, facilities, and infrastructure. In areas outside of the water and sewer service areas, a community balances development and conservation, considers natural hazards and special resource concerns (such as groundwater and natural resource protection), and contains a lower level of residential density. The Town of Westerly's FLUM is expected to be consistent with the minimum and/or maximum residential densities outlined in *Land Use 2025*. This comparison is illustrated in Table 5 below. Specific changes to the DC-1, NB, P-15, and the CR zoning districts are anticipated in this Plan. Possible changes in residential density will be a part of the Plan's implementation and noted in Table 5 as "to be determined."

Table 5. Overview of Residential Density by Zoning District and Future Land Use Category

Zoning District	Future Land Use	Future Land Use Residential Density	*Land Use 2025* Residential Density
Rural Residential (RR-60)	Low-Density Residential	≤0.73 du/ac	Non-Urban Developed (≤1 du/ac)
Low-Density Residential (LDR-43)		≤1 du/ac	Non-Urban Developed (≤1 du/ac)
Low-Density Residential (LDR-40)		≤1.09 du/ac	Non-Urban Developed (≤1 du/ac)
Medium-Density Residential (MDR-30)	Medium-Density Residential	≤1.45 du/ac	Urban Development (≥1 du/ac)
Medium-Density Residential (MDR-20)		≤2.18 du/ac	Urban Development (≥1 du/ac)
High-Density Residential (HDR-15)	High-Density Residential	≤2.9 du/ac	Urban Development (≥1 du/ac)
High-Density Residential (HDR-10)		≤4.36 du/ac	Urban Development (≥1 du/ac)
High-Density Residential (HDR-6)		≤7.26 du/ac	Sewered Urban (≥5 du/ac)

Zoning District	Future Land Use	Future Land Use Residential Density	*Land Use 2025* Residential Density
Downtown Center (DC-1)	Mixed-Use Commercial	To be determined	Sewered Urban (≥5 du/ac)
Downtown Center (DC-2)		≤7.26 du/ac	
Neighborhood Business (NB)		To be determined	
Professional (P-15)		To be determined	
General Commercial (GC)	Commercial		
Highway Commercial (HC)			
Commercial Recreation (CR)			
Marine Commercial (MC)	Coastal Commercial		
Shore Commercial - General (SC-G)			
Shore Commercial - Watch Hill (SC-WH)			
General Industrial (GI)	Industry		
Light Industrial (LI)			
Office, Research, Assembly, and Technology (ORAT)			
Rural Residential (RR-60)	Conserved Land	≤0.73 du/ac	Conservation/Ltd. Dev. (≤0.25 du/ac)
Open Space/Recreation (OS/R)			
Rural Residential (RR-60)	Agriculture	≤0.73 du/ac	Non-Urban Developed (≤1 du/ac)
Open Space/Recreation (OS/R)			
Commercial Recreation (CR)	Recreation	To be determined	
Open Space/Recreation (OS/R)			

Subsection 3.6.2 – Inconsistencies

Pursuant to guidance offered in Section 13.8 of the R.I. Comprehensive Planning Standards Manual (revised June 14, 2018), the Town has identified inconsistencies between the existing zoning districts and the land-use categories of the Future Land Use Map (FLU-M1). The Town of Westerly proposes resolution of the inconsistencies in the following ways.

A. Propose to change the zoning of a particular area to an existing zoning district that is consistent with the future land-use designation. These zoning map changes will be accomplished within 24 months of the Plan's adoption.

B. Propose the creation of a new zoning district that would achieve consistency with the future land-use designation. These zoning map changes first require zoning text amendments which will be developed by the Planning Board and recommended to the Town Council within 48 months of the Plan's adoption.

The required zone changes are depicted on the figure **Future Land Uses Inconsistent with Existing Zoning (FLU-M2)**. Action items for changes to zoning district designation, land-use policy, and land-use regulations are listed among other goals, policies, and actions in Part I, Chapter 4, Section 4.2 "A Process for Implementation." This material is organized in Table 6. All zone changes are intended to be implemented within the first 1-5 years.

Table 6. Overview of Zoning Inconsistencies with Future Land-use

Figure FLU-M2 Reference	Street Address	Map & Lot	Existing Zoning	Future Land Use	Reason Inconsistent	Proposed Zoning
1	172 East Ave	107-088	ORAT	Agriculture	General farming not permitted in ORAT.	Agriculture
2	308 Shore Rd	132-053	MDR-30	Agriculture	General farming not permitted in ORAT, MDR-30, nor OS/R.	Agriculture
3	Shore Rd	132-088A	OS/R	Agriculture	General farming not permitted in OS/R.	Agriculture
	Shore Rd	132-089				
	9 Noyes Neck Rd	133-001				
4	Brightman Way	141-193	MDR-30	Agriculture	General farming not permitted in MDR-30.	Agriculture
5	50 Second St	152-109	OS/R	Agriculture	General farming not permitted in OS/R.	Agriculture
	117 Shore Rd	152-109B				
1-5. New zoning designation of "Agriculture" and map changes intended within 48 months of Plan's adoption.						
6	117A Moorehouse Rd	082-020	OS/R	Low-Density Residential	Single family not permitted in OS/R.	RR-60
6. Property owner intends to Petition the Town Council for a zone change within 12 months of Plan's adoption.						
7	11 North Main St	015-005	HDR-15	Mixed-Use Commercial	Mixed-use development not permitted in HDR-15, MDR-30, nor GI.	NB
	9 North Main St	015-006				
	2 North Main St	015-015				
	6 North Main St	023-033				
	8 North Main St	023-034				
	10 North Main St	023-035				
	14 North Main St	023-036				
	16 North Main St	023-037				
	20 North Main St	023-038				
	26 North Main St	023-039				
	28 North Main St	023-040				
	350 Bradford Rd	023-002	MDR-30			
	2 Vars Ln	023-007				

Figure FLU-M2 Reference	Street Address	Map & Lot	Existing Zoning	Future Land Use	Reason Inconsistent	Proposed Zoning
7	37 North Main St	023-019	MDR-30	Mixed-Use Commercial	Mixed-use development not permitted in HDR-15, MDR-30, nor GI.	NB
	2 Country Rd	023-023				
	15 North Main St	023-030				
	13 North Main St	023-031				
	7 North Main St*	015-007*	GI			
	5 North Main St*	015-008*				
8	34 Canal St	046-001	GI	Mixed-Use Commercial	Mixed-use development not permitted in GI, HDR-6, nor LI.	NB
	38 Canal St	046-002				
	40 Canal St	046-003				
	42 Canal St	046-004				
	28 Canal St	056-032				
	30 Canal St Rear	056-033				
	57 Pierce St	046-081	HDR-6			NB
	55 Pierce St	046-082				
	53 Pierce St	046-084				
	43 Pierce St	046-088				
	41 Pierce St	046-089				
	42 Pierce St	046-091A				
	50.5 Pierce St	046-094				
	52 Pierce St	046-098				
	54-58 Pierce St	046-099				
	30 Pierce St	047-048				
	32-34 Pierce St	047-049				
	36 Pierce St	047-050				
	40 Pierce St	047-051				
	176 High St	047-076				
	8 Pierce St	047-077				
	10 Pierce St	047-078				
	12 Pierce St	047-079				
	14 Pierce St	047-080				
	20 Pierce St	047-081				
	35 Pierce St	047-083				
	4 Pearl St	047-084				
	29 Pierce St	047-085				
	27 Pierce St	047-086				
	25 Pierce St	047-087				
	23 Pierce St	047-088				
	21 Pierce St	047-089				
	17-19 Pierce St	047-090				

Figure FLU-M2 Reference	Street Address	Map & Lot	Existing Zoning	Future Land Use	Reason Inconsistent	Proposed Zoning
8	13-15 Pierce St	047-091	HDR-6	Mixed-Use Commercial	Mixed-use development not permitted in GI, HDR-6, nor LI.	NB
	11 Pierce St	047-092				
	9.5 Pierce St	047-093				
	9 Pierce St	047-094				
	7 Pierce St	047-095				
	5 Pierce St	047-096				
	1 Pierce St	047-097				
	44 Pierce St*	046-091*				
	14 Industrial Dr	046-029	LI			
	16 Industrial Dr	046-030				
	24 Industrial Dr	046-031				
	8 Shady Ln	046-133				
	23 Industrial Dr	046-134				
	17 Industrial Dr	046-136				
	26 Friendship St	046-137				
	32 Friendship St	046-138				
	36 Friendship St	046-139				
	46 Friendship St	046-140				
	50 Friendship St	046-140A				
	41 Friendship St	046-141				
	31 Friendship St	046-142				
	62-64 Pleasant St*	046-032*	Split Zoned LI/ HDR-6			
9	140 Main St*	066-047A*	Split zoned HDR-6/ DC-2	Mixed-Use Commercial	Mixed-use development not permitted in HDR-6.	DC-2
	148 Main St*	066-048*				
	150 Main St*	066-049*				
	196 Main St*	076-044*				

7-9. Zoning changes will be discussed in the context of the Downton Area Corridor Study.
Associated with implementation of several new land-use action items, these changes are intended to take place within the first 48 months.

Subsection 3.6.3 – Residential Density and Neighborhood Planning

The buildout analysis for Westerly under current zoning indicates a capacity of an additional 1,868 housing units. With an average of 85 new dwelling units being constructed per year since 2000, it is estimated that the year by which residential buildout is likely to occur is 2038 - within the twenty (20)-year time-period addressed in this Plan. At buildout in the year 2038, the total number of year-round housing units in the Town is projected to be 14,188. There is also a projected population increase of 3% (to 23,466) within the same time frame. Based on estimated population growth, the Town of Westerly will need more than 16,000 housing units by the year 2040. Unable to accomplish the quantity of housing units that is projected for the Town's population in the year 2020, the Town of Westerly has committed in this Plan to review each Neighborhood Area and identify methods to provide context sensitive residential development at higher densities, where appropriate.

The 2010 Plan recommended that the residential zoning districts within the town "remain essentially unchanged from what was in place in 1998." No changes have been made and the current Zoning Ordinance limits the districts in which duplex buildings are allowed, requires a special use permit for a temporary accessory family dwelling unit, and does not provide for the thrifty development of land. There are restrictions in the zoning ordinance with respect to multi-family dwellings and disincentives for affordable by design housing.

It is no longer necessary to further change the zoning districts or the regulations applicable within each district to control future growth. Comparison of the estimated additional residential unit capacity (1,868 units) and the historic building growth over the last 10 years (858) demonstrates a relatively small capability for growth through the traditional subdivision and land development approach.

> ***The Town of Westerly recognizes the need to address residential density based on the unique qualities and needs of discreet planning areas. As a result, any change in residential density should be addressed through future neighborhood-based zoning district changes.***

The 2010 Comprehensive Plan called for the adoption of conservation development regulations for major subdivisions as an alternative subdivision methodology. The recommendation was for all applications for major subdivisions be required to include cluster development, conservation development, and conventional subdivision as alternatives for consideration by the Planning Board. Conservation development in areas of low-residential density is still used across the State. However, in Westerly, these eco-friendly solutions to over-development are of little consequence with a limited number of opportunities and even less market interest in this type of development.

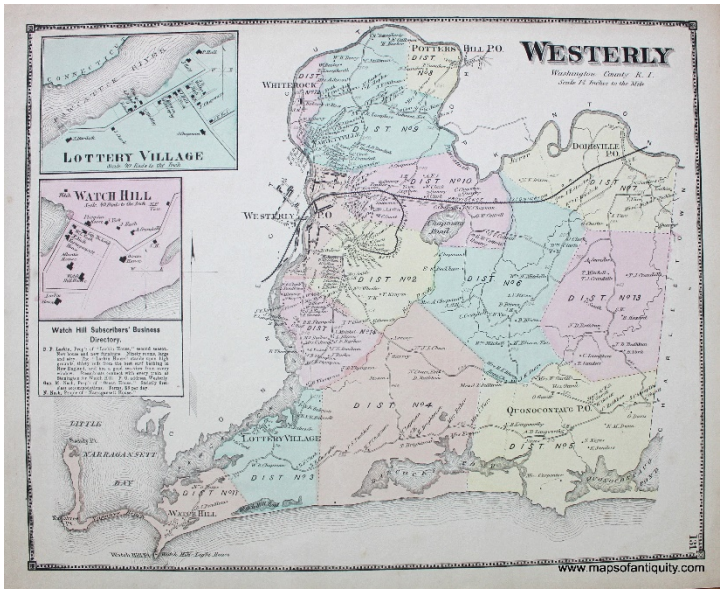
The 2010 Plan's recommendation with respect to generally not increasing density is laudable for its attempt to responsibly limit residential sprawl. As a more holistic approach, this 2020-2040 Plan encourages sustainable growth, including residential density intensification, through neighborhood plans where the public utilities and infrastructure are in place. Mixed-use and in-fill development at increased densities together with revitalization and retrofitting of existing properties are all strategies identified for use through Neighborhood Planning. Allowing 2- to 4-unit multi-family development and multi-family residential apartments to be integrated into areas will assist in providing needed housing options for elderly, single individuals, and small families.

Figure **Neighborhoods (NBH-M1)** shows 29 local neighborhoods as identified through the involvement of residents, neighborhood association representatives, and Town staff. Using available information through RIGIS, the Town's land evidence records and other maps and information, these neighborhoods evolved into the 19 Neighborhood Planning Areas indicated on Figure **Neighborhood Planning Areas (NBH-M2)**. These Neighborhood Planning Areas are used to facilitate the discussion of the Town's future land use.

Subsection 3.6.4 – Neighborhood Planning

A typical neighborhood plan describes a vision for the future of a small area within a community. An effective neighborhood plan will create detailed goals and strategies for reaching that vision. The plan provides the neighborhood and the larger community with valuable information about the neighborhood's needs, priorities, and desired outcomes. For example, the 2003 North End Neighborhood Revitalization Plan describes a vision of a "human-scaled" walkable neighborhood. Through several goals and strategies, the North End Plan proposes an affordable, safe, and welcoming neighborhood. When published, the Plan provided neighborhood residents and the Town of Westerly with an overview of the North End's needs, priorities, and desired outcomes through locally relevant, and therefore more dependable, data.

Ideally, a neighborhood plan is created by the people who live, work, and interact in that neighborhood. The North End Plan originated as a venture of the grassroots North End Crime Watch and attracted a wide range of interested residents, including neighborhood leaders and Town officials, who offered a broad array of concerns and suggestions. If the planning process has been truly inclusive, there are many benefits of neighborhood planning, such as increased citizen involvement, the development of leadership amongst neighbors, and an increase in knowledge about the neighborhood and about local decision-making processes and procedures. The results of every small area plan will be different based on the unique needs of that neighborhood and the stakeholders involved.



Neighbors, sometimes through a neighborhood organization, implement the plan actions and, when required, work to get the plan's recommendations acted upon by other appropriate parties. A neighborhood plan may lead to the development of new Town policies or regulations, but Zoning and other regulatory changes are not always necessary to bring about the changes a neighborhood desires. In the years since its publication, the undertaking of many actions by resident North Enders has resulted in a greater quality of life, new community spaces, improvements to circulation routes, and community association. The Greater North End Community Development, Inc. (GNECD) organizes community events, such as historic walking tours, supports local businesses by developing an area map, and provides access to community resources, and opportunities for volunteering. One of GNECD's goals is the rehabilitation of existing properties in the North End.

A neighborhood plan might be incorporated into the Comprehensive Plan at the request of the neighborhood organization or residents. If incorporated by the Town Council as part of this Plan, the small-area plan can be used by the Town of Westerly to determine if development proposals and land-use changes are in accordance with the neighborhood's articulated shared vision for the future. Projects and programs identified in the plan can be submitted for inclusion in the Capital Improvement Program and the Town's budget process. Neighbors, elected officials, and staff can use it as a framework to guide their efforts and track progress. It can also be an

informational tool, providing guidance to those deciding whether they want to live or invest in the neighborhood.

With the 2003 North End Neighborhood Revitalization Plan as an example, the Town of Westerly has committed to focusing its future land-use development through neighborhood planning. By addressing the characteristics of smaller areas within the Town, the specific character of each constituent neighborhood can be retained. Maintaining the character of Westerly is important to the future of this special place, and that same character is a reason why people want to visit and reside here. Residents strongly associate themselves with the neighborhoods in which they reside. Neighborhood Plans will open areas within Westerly to small-scale, context-sensitive mixed –use development and recreation opportunities that support a healthy lifestyle and maintain community character. Whether Downtown revitalization, Bradford or White Rock redevelopment, better utilization of the Route 1 corridor, or the resiliency of Watch Hill, the vision, needs, priorities, and desired outcomes of each constituent neighborhood requires individual small-area plans.

Additionally, Westerly includes the preservation of historic buildings, neighborhoods, and villages as part of its Vision. In order to realize this vision in a time of increased concern about sea level rise, Westerly recognizes the need to develop design guidelines to protect these historic buildings, neighborhoods, and villages. Like our neighboring community to the east, Newport, Westerly will look to develop design guidelines and applicable regulations to allow for adaptive and resiliency strategies to be employed to keep our most historic and vulnerable buildings and neighborhoods.

Subsection 3.6.5 – Affordable Housing

RIGL 42-128.2 requires the provision of affordable housing and in providing such housing that Towns optimize the use of public resources. Westerly has adopted its own Affordable Housing Ordinance, which can be found in the Zoning Ordinance §260-50 "Affordable Housing." Aspects of both of these laws are incorporated in the following overview and in the subsequent Table 7 "Land-Use Provisions."

The difficult economic conditions of the State and region impacted development in Westerly well into the 2010s. In the 2010 Comprehensive Plan, projecting future housing development beyond five (5) years was difficult because the speed of Rhode Island's economic recovery relied on many factors. Home sales remained low and unemployment rates high and the State continued to struggle with its budget. All these factors influenced overall public and private investment in the State and its communities, including the housing market. However, it was anticipated that the economy would eventually improve and development opportunities and interest in the region would increase.

In the planning period of this Plan, the future of residential development will require an increasingly robust review in support of affordable housing production as the Town approaches buildout (likely to occur around 2038). New homeowners of single-family houses will continue to take up residence in Westerly, taking advantage of new additions to the housing supply along with a loosening resale market. Multi-family development will also continue, spurred by an aging population less interested in or capable of maintaining their homes as well as a general decrease in interest amongst young adults in homeownership.

The rental housing stock in Westerly often provides numerous residents a more affordable alternative to owning a home and is largely concentrated within the Town's Urban Services Boundary. There are many benefits to this location, including its walkability to Downtown Westerly (a major local employment center), connection to municipal utilities, and greater accessibility to social services. At the same time, however, there are also challenges due to aging, and sometimes neglected, housing in this area. Likewise, household densities in some of these neighborhoods have grown to exceed the number of housing units originally constructed – resulting

from the conversion of single-family homes into multi-family structures, sometimes without appropriate application to the Town for review and approval.

Subsection 3.6.6 – Low- and Moderate-Income Housing Production Plan

RIGL 45-53 requires the provision of affordable, accessible, safe, and sanitary housing for low- and moderate-income citizens, both individuals and families. The law requires that an "equal consideration shall be given to the retrofitting and rehabilitation of existing dwellings" and "assimilating low- and moderate-income housing into existing and future developments and neighborhoods." The law also requires that 10% of year-round housing options be qualified as low and moderate income. This mandate is discussed in the production plan found in Part II, Chapter 4 of this Plan.

The Town projected that, with the use of production strategies set out in the 2010 Comprehensive Plan for low- to moderate income (LMI) households, 528 units would be created by 2032. To date, however, the rate of production of affordable housing units for LMI occupants to achieve that goal has fallen short. Since 2012, there has been a net decrease of seven (7) affordable housing units in comparison to a projected increase of 99 units between 2012 and 2017 in the 2010 Comprehensive Plan. A loss of deed-restricted affordable housing in Bradford and the prolonged impact of the Great Recession in the local and state economies are the primary factors of this disappointing number. With the review of strategies for LMI housing production undertaken as part of this Comprehensive Plan update, the Town expects many additions to the affordable housing stock.

In fulfillment of RIGL and comprehensive planning requirements of the State, an LMI housing production plan to meet a **deficit of 883** affordable LMI housing units is included in Part II, Chapter 4. Table 4-18 in that chapter lists the projected number of affordable units that could be created by the Town's proposed LMI housing strategies for the next twenty (20) years. The **total projection** of affordable units from these strategies over twenty (20) years is **1,064 units**, well over the 883 required to meet the State's 10% threshold.

An effective housing production plan for Westerly will ensure that the different types of residents with cost-burdened households are each provided a fair and representative proportion of affordable housing units to be constructed through the 2020s and 2030s. It is the underserved segment of Westerly's current households that must be targeted, including both family and other non-family households. This Plan embraces several strategies for the rehabilitation and production of units for renter households at or below 80% Housing Urban Development (HUD) Area Median Family Income (HAMFI). These strategies are intended to ensure that low- and moderate-income households continue to be 60 to 66% of total renter-occupied units.

The Town's Zoning Ordinance not only adopts the comprehensive permitting process, but also provides for increased density intended to aid in the production of qualified low- and moderate-income housing units as previously described. Density bonuses available to developers that apply under this ordinance range from 20% to 66%. The Town's municipal infrastructure resources and utilities will be assessed when necessary to allow the development of LMI housing by Comprehensive Permit.

Subsection 3.6.7 – Commercial and Industrial Development

This Plan prohibits the expansion of commercial and industrial zoning districts, with the exception of the airport industrial zone, and encourages redevelopment of existing under-utilized commercial and industrial space, particularly in the Route 1 corridor. The buildout analysis estimates a total of 471,981 square feet of commercial space over 39.72 acres and 3,132,026 square feet of industrial space over 312.43 acres can be added in the Town.

Reuse and revitalization of existing commercial and industrial space as an alternative to new development is one of the themes of this Plan. For example, the Plan calls for modification of zoning land-use regulations to support adaptive reuse of vacant and underutilized industrial and commercial buildings and associated areas in Town. This Plan also calls for the Town to work with existing commercial property owners in the Route 1 corridor to enhance landscaping and green space through incentives such as reductions in required parking area.

The Plan envisions that downtown will continue to be a focal point for commercial, artistic, and civic activities. Walking to and through downtown will be facilitated by providing good pedestrian connections through densely-built neighborhoods and non-residential districts through public projects with a goal of having a town-wide network of connected sidewalks and trails, a portion of which will be near downtown. Efforts shall be made to revitalize the Pawcatuck River corridor to connect neighborhoods through public riverfront access and encourage investment in the community. This Plan also calls for obtaining financial support from multiple sources for the continued revitalization of Downtown Westerly (particularly the DC-I zoning district) and its surrounding areas (primarily the DC-II zoning district) and modification of land-use regulations to complement this effort. This Plan calls for the Town to promote the use of artist tax benefits and encourages cultural and performing arts as bases for economic development. This Plan recognizes the need to coordinate with the Towns of Stonington, Hopkinton, and Charlestown on issues of mutual interest, which include Pawcatuck River water quality and shared economic development initiatives such as investment in the Pawcatuck River greenway project.

Westerly has been a tourist destination for years and this Plan has several actions that will help sustain tourism-related industries. It calls for a program to proactively work with owners of existing lodging facilities to encourage rehabilitation and the updating of facilities to extend tourist use. There is also a need to evaluate the mix of accommodations in Westerly to determine whether the markets for seasonal vacationers, year-round visitors, and business travelers are being adequately served. This Plan calls for an ordinance that accommodates the needs of hospitality and tourism industry employers to provide housing for their seasonal employees while not discouraging the hiring of residents and protecting the interests of affected neighborhoods. This Plan requires review and revision of the planned resort development provision in the Westerly Zoning Ordinance as a strategy to promote longer stays by visitors while limiting impact on local neighborhoods. No changes to the existing industrial zones are proposed in the Plan except to encourage revitalization and reuse of existing industrial space.

Subsection 3.6.8 – Natural Resource Protection, Open Space, and Outdoor Recreation

Protecting and enhancing Westerly's natural resources and open space is an important, longstanding goal of the Town. Land that is currently protected open space will remain protected. This Plan calls for adding to existing open space through development of a systematic prioritized plan, including potential funding alternatives. This Plan also contains several actions related to stormwater and sediment control and an action regarding the use of renewable energy, all of which will help to protect the environment.

Open space and recreation lands are crucial to Westerly in several ways. The provision of both passive and active open space supports the Town's largest economic sector - tourism and recreation. Westerly's economic dependence on natural resource-based tourism and outdoor recreation makes natural resource protection critical. The uniquely rural and coastal nature of the Town and its natural resources requires a balance between developed active recreational areas, such as playing fields, golf courses, event venues, and harbors, and undeveloped passive recreational areas, such as fishing sites, kayak and canoe launches, and hiking trails.

Maintaining a large percent of open space and recreation land ensures that a portion of Westerly will remain undeveloped and identified as either rural or coastal. Open space for recreation purposes is important not only for the protection of significant natural resources but to provide access to these valuable natural spaces. Open

areas set aside for either passive or active recreation provide a community focus for residents and become the setting for organized programs and activities. Open space and recreation and its relation to natural resource protection is an important consideration in future acquisitions of open space and a requirement of resiliency planning.

The use of a River Corridor Overlay District is suggested to protect, preserve, and enhance the outstandingly remarkable values of the Pawcatuck River, a nationally recognized Wild and Scenic River. The purpose of the overlay district would be to assess the impacts of development on the River, assure safe public access to the River, preserve the natural, historical, and cultural resources, protect water quality, and achieve long-term resiliency planning. The River Corridor of the Pawcatuck River would include the six (6) or more tributaries that also enter the Pawcatuck River along the way to the ocean – the resource most vulnerable to further development within the corridor. A good benchmark to compare the River Corridor Overlay District to is found with the Town of Woonsocket zoning regulations. Westerly has reserved a section for the River Corridor Overlay District in the current Zoning Ordinance.

Subsection 3.6.9 – Agriculture

Agriculture as a category of land use focuses on farm production and agritourism. Farm production is dependent on site-specific conditions. The most important factor for consideration is the suitability of the land for agricultural uses. In the inventory and assessment of natural resources, this Plan has identified important agricultural soils (see the Natural Resources Part II Chapter 1, which includes a description of the agricultural soils depicted on figure Agricultural Soils (NAT-M4). The locations of these soils were not limited to undeveloped areas, as possible new agricultural operations, such as farms, may be established in the future on land which may currently be used residentially. NAT-M4 also shows lands actively used for agricultural activity through inclusion of the land cover/land-use dataset on RIGIS, based on spring 2011 orthophotography.

Farming operations can cause disturbances for abutting residences, even without farm retail, and agritourism commercializes agricultural uses even more. An assessment of the proximity and density of housing in relation to agricultural activities should be made in any assessment before "Agriculture" is introduced as its own land-use category. With this assessment, the Town could incorporate agriculture into its pattern of future land uses more effectively. Farming practices can also produce a variety of agrochemicals, including fertilizers, herbicides, and pesticides, as well as animal wastes, that may result in deterioration of water quality if sited too close to water resources.

Agriculture is also essential for a locally based community food system that offers healthy, affordable products for the benefit of residents, businesses, and the environment. In an area where food security can be affected by natural hazards – crop destruction, disruption in food delivery – expansion of permitted community food system activities that accommodate food production, processing, distribution, and consumption locally is beneficial.

Subsection 3.6.10 – Economic Development

Westerly is home to more than 1,500 business that operate within nearly all industries and sectors of the regional and national economy. The local business community has a well-documented history of activism and ensuring the vitality of small businesses. While welcoming regional chains and national franchises, Westerly – through the Town's EDC, the Ocean Community Chamber of Commerce, business associations, and individual companies – has always valued small businesses as the primary engine for employment and economic growth.
This Plan remains committed to ensuring the vitality of commercial assets throughout the community. Following its adoption, the Town will undertake numerous regulatory improvements to modernize the permitting of redevelopment and revitalization efforts. Simultaneously, municipal staff, working with the same partners noted above, will begin working to enhance its sense of place and quality of life – investments that will attract new

clients, new potential employees, and new connections. This Plan anticipates regulatory reform, incentives, and other tools to create the appropriate conditions for equitable, robust economic activity. While respecting its natural environment and recognizing that Westerly must be a regional leader in resiliency due to its unique geographic location, the Town will also continue to promote its beaches, open spaces, and historic places to residents and visitors alike.

Subsection 3.6.11 – Transportation, Infrastructure, and Services

Since future land use is necessarily linked to transportation, infrastructure, and services, major actions in this Plan related to these issues are briefly included here for completeness.

- An important set of recommendations in this Plan relate to improving the area around the train station and increasing its use. This Plan specifies evaluating parking, safe access, and redevelopment planning at and near the railroad station. This Plan also calls for increased use of Westerly Station, which could improve rail connections for visitors and residents.
- Regarding infrastructure, this Plan asks the Town to pursue all available state and federal funding opportunities to improve the Wastewater Treatment Facility (WWTF) capacity consistent within its existing design and secure this system's longevity through resiliency planning. Within current capacity, this Plan specifies that any expansion of sewer service should be carefully prioritized based on environmental protection and economic development.
- The Town has made significant improvements to the water distribution system in recent years; however, there is still a need to improve the security of the water system.
- This Plan also supports continuation of the program to meet other infrastructure needs, such as roadway maintenance, sidewalk replacement, and stormwater control.
- Westerly residents have funded the construction of a new middle school and renovated the high school. The school facilities plan provides a program for elementary school improvements – an ongoing discussion. The importance of a strong school system to the Town is recognized in this Plan.
- Throughout its transportation system and within its infrastructure and services, there is an increasing importance for the Town to promote the use and consumption of renewable, rather than finite, energy sources. This Plan seeks to continue improvements by the Town while also calling for a review of ordinances to reflect advances in energy use available to residents and businesses and alleviate potentially burdensome regulations.
- Although the Town of Westerly fulfilled its statutory obligation to control hazards to aviation in the vicinity of the Westerly State Airport (WST), the struggle to define a long-term plan for WST persists. This Plan seeks a dialogue with the FAA, Rhode Island Airport Corporation (RIAC), and elected State officials on the role of WST in Westerly and requires adequate and appropriate public involvement as part of future planning for WST.

Subsection 3.6.12 – Westerly Public Schools (WPS)

There is nothing more important to student success than quality and caring teachers led by outstanding principals. Yet the atmosphere in which students learn and the facilities within which professionals teach must be advantageous to teacher and student success. 21st Century education is more than the transfer and memorization of rote learning of the past. Both industry and higher education require graduates who have learned softer skills of collective and collaborative real-world problem solving and who have benefitted from hands-on experiential learning. Facilities must provide students with the space to work together to clearly

identify problems, available resources to first recognize and then tackle challenges, and the tools to develop initial strategies for addressing problems, innovating, and evaluating outcomes.

It is widely recognized that young professionals seeking to raise their families in a community seek out quality schools by assessing the value (real or perceived) placed on education by the community at large. Westerly Public Schools (WPS) is engaged in the work of moving from good to great. *All* Westerly public-school students shall have access to high-quality instruction delivered by well-trained and committed professionals. Ample and up-to-date instructional materials and the latest instructional technologies shall be provided. Quality and safe facilities support shall be in place to support high-quality teaching and learning. A community that values education reflects its commitment to education through its investments. We can be that district that attracts young families, that contributes to the raising of property values and growth of the tax bases, and that anchors a true sense of pride in Westerly.

The Westerly School Department seeks to be the premier elementary and secondary education provider in the region. The WPS vision is to feature top-flight academics and unmatched opportunities in the visual and performing arts. Achieving that vision requires thoughtful, strategic, and high leverage improvement efforts with community support for facilities planning.

Section 3.7 – Land-Use Goals, Policies, and Actions

Westerly's existing development pattern, which is consistent with *Land Use 2025*, shall generally continue. Such pattern reinforces the Urban Services Boundary, which distinguishes between the Town's western/central urban, suburban coastal, and eastern rural areas. The Town encourages growth that recognizes its assets and enhances opportunity while at the same time maintaining Westerly's cherished sense of place.

The vision for the Town of Westerly is to preserve and enhance its quality of life for all generations as a safe, resilient, and compassionate community with a healthy environment, a distinctive heritage, extraordinary cultural and natural resources, a strong, stable, equitable economy, and a responsible and publicly-engaged government.

Preserving the character of the community, and on a smaller scale each of its neighborhoods, is a key element of the Town's Vision. Action on the vision includes improved opportunities for the public to voice their values, ideas and concerns on the topics of housing, recreation, services, business, infrastructure, and transportation. Resiliency in all parts of the community and in all facets of land use, including through conserving areas of open space and important land features, is applied in each planning area. The following Land-Use Goals and Policies reflect the Town's Vision.

GOAL LUZ-1	Preserve the predominant residential character of Westerly, while providing open space, commercial, industrial, and recreational land uses to serve the needs of residents and businesses.
Policy LUZ-1.1	Emphasize the redevelopment of underutilized parcels in areas with adequate infrastructure and access to public services.

Policy LUZ -1.2	Ensure future development is compatible with adjoining land uses, the natural environment, available or planned community services, and existing historic and cultural features.
GOAL LUZ-2	Municipal land use regulations and the zoning ordinance shall be consistent with the vision, values, goals, and policies set forth within this Comprehensive Plan.
Policy LUZ-2.1	Address zoning district inconsistencies in the Implementation of this Comprehensive Plan consistent with "Table 6. Overview of Zoning Inconsistencies with Future Land-use".
Policy LUZ-2.2	Advance the numerous policies and actions related to land use in the Implementation of this Comprehensive Plan consistent with "Table 7. Amendment of Land-Use Provisions".
GOAL LUZ-3	Promote orderly growth and a resilient community through an appropriate balance between conservation and development.
Policy LUZ-3.1	Prioritize changes to existing zoning provisions that are consistent with the future land-use designation.
Policy LUZ-3.2	Address residential density based on the unique qualities and needs of discrete planning areas and through future neighborhood-based zoning district changes.
Policy LUZ-3.3	Consider the land-use implications of investment, design and implementation, capital project plans and improvements, within the context of economic development, natural hazards, and future community needs.

The Town of Westerly desires to preserve the unique character and importance of each constituent neighborhood area and will evaluate opportunities for redevelopment and revitalization in each. Each Neighborhood plan will involve the area residents and businesses, reflect their values, and address their ideas and concerns and will be tailored to provide a plan for housing, recreation, services, infrastructure, and transportation. The Implementation element (Chapter 4 of Part I) contains all the information on implementation schedule, priorities, responsibilities, partners, and action types.

Table 7 provides a summary of those implementation actions that require the amendment of local land-use regulations as specified in Section 4.2.

Table 7. Amendment of Land-Use Provisions

Area of Regulation	Related Policies and Actions	Timeframe	Responsible Party
	POLICY NAT-1.1: Provide long-term conservation of natural resources.		
Resilient Westerly Development Plan	ACTION NAT-1.1.C: Implement the Salt Pond Region SAMP	MT 5-10 years	Development Services (Planning Board)
Aquifer Protection Standards	ACTION NAT-1.1.E: "… [expand] the Aquifer Protection Overlay District (APOD) and ordinance amendments." ACTION NAT-1.2.D: Revise the Zoning Ordinance to update the classification of uses permitted in special flood hazard areas and the APOD.	ST 1-5 years	Development Services (Planning Board)
River Corridor Overlay District Standards	ACTION NAT-1.2.E: Establish a River Corridor Overlay District to complement the Pawcatuck River's federal designation as Wild and Scenic.	ST 1-5 years	Development Services (Planning Board)
Development Regulations	ACTION NAT-1.2.G: Amend regulations to provide conditions and standards that protect and create sustainable use of natural resources as part of the land-use decision-making process.	ST 1-5 years	Development Services (Planning Board)
	POLICY REC-1.1: Enhance recreational programming to serve all demographics.		
Recreation	ACTION REC-1.1.B: Revise the Zoning Ordinance to update the classification of uses for both indoor and outdoor recreation permitted in the CR, OSR, and PD zoning districts.	ST 1-5 years	Development Services (Planning Board)
	POLICY REC-2.1: Promote and enhance access to and use of waterways for recreation.		
Downtown Development Plan	ACTION REC-2.1.B: Implement the Downtown and River Center parking/park/kayak launch plans.	MT 5-10 years	Development Services (Planning Board)

Area of Regulation	Related Policies and Actions	Timeframe	Responsible Party
	POLICY HCR-1.2: Achieve the objectives of historic preservation standards and guidelines to promote the unique characteristics of Westerly's neighborhoods and its overall sense of place.		
Downtown District Standards	ACTION HCR-1.2.A: Revise the uses and design review standards of the DC-I and DC-II zoning districts to better unify with the historic districts along the riverfront.	ST 1-5 years	Development Services (Planning Board)
Historic Mill Overlay District Standards	ACTION HCR-1.2.B: Revise the uses and design review standards of the Historic Mill Overlay District to better incorporate associated village development.	ST 1-5 years	Development Services (Planning Board)
River Corridor Overlay District Standards	ACTION HCR-1.2.D: Establish a River Corridor Overlay District to complement the Pawcatuck River Greenway initiative.	ST 1-5 years	Development Services (Planning Board)
	POLICY HSNG-1.1: Continue towards achieving the State requirement for a minimum of 10% of the total year-round housing stock to be subsidized, deed-restricted, and occupied by LMI households.		
LMI Housing Production	ACTION HSNG-1.1.A: Revisit the inclusionary Zoning Ordinance based on State law changes, market trends, incentives, and new land-use policies, and amend accordingly.	ST 1-5 years	Development Services (Planning Board)
LMI Housing Production	ACTION HSNG-1.1.F: Upon publication of the 2020 HUD Census Data, revisit residential buildout and realign density bonuses awarded through Comprehensive Permits with prevailing needs.	ST 1-5 years	Development Services (Planning Board)
	POLICY HSNG-1.2: Assure current and future residents that a broad range of opportunities to live in the community will be available.		
Live-Work Opportunities	ACTION HSNG-1.2.E: Adopt regulations that incorporate live-work housing in downtown neighborhoods.	ST 1-5 years	Development Services (Planning Board)

Area of Regulation	Related Policies and Actions	Timeframe	Responsible Party
Accessory Units	ACTION HSNG-1.2.F: Amend Zoning Ordinance to broaden the availability of accessory dwelling units and streamline permitting.	ST 1-5 years	Development Services (Planning Board)
Housing Opportunities Plan	ACTION HSNG-1.2.H: Upon publication of the 2020 HUD Census Data, revisit residential buildout and apply the polices of this Plan to create new housing opportunity strategies.	MT 5-10 years	Development Services (Planning Board)
Mixed-Use Development	ACTION HSNG-1.2.I: Develop standards for achieving a mix of residential uses into mixed use districts.	ST 1-5 years	Development Services (Planning Board)
	POLICY HSNG-1.3: Promote the development and rehabilitation of integrated affordable-by-design housing throughout the community.		
Housing Affordability	ACTION HSNG-1.3.E: Adopt regulations that incorporate residential units that are affordable by design, such as micro-lofts, micro-apartments, and studios, including in downtown.	ST 1-5 years	Development Services (Planning Board)
Multi-Family Housing	ACTION HSNG-1.3.G: Revise zoning ordinance to encourage family rental units (of 1 to 3 bedrooms) designed in 2- to 4-unit structures.	ST 1-5 years	Development Services (Planning Board)
	POLICY ECON-1.1: Focus on unique features and existing community assets to draw new investment.		
Resort Development Plan	ACTION ECON-1.1.D: Review and revise the Zoning Ordinance with strategies to promote longer stays by visitors and tourists while limiting impact on local neighborhoods.	ST 1-5 years	Development Services (Planning Board)
	POLICY ECON-1.2: Encourage regulatory reform, incentives, and other tools to create the appropriate conditions for equitable, robust economic activity.		

Area of Regulation	Related Policies and Actions	Timeframe	Responsible Party
Context Based Zoning	ACTION ECON-1.2.A: Amend the Zoning Ordinance to incorporate beneficial elements of neighborhood planning appropriate to the existing built environment.	MT 5-10 years	Development Services (Planning Board)
	POLICY ECON-1.3: Ensure that new economic development opportunities preserve community assets and character.		
Downtown District Standards	ACTION ECON-1.3.A: Revise the Zoning Ordinance to expand and broaden uses permitted in the DC-I, DC-II, LI, and NB zoning districts at an appropriate scale for Downtown Westerly and its surrounding, historic neighborhoods.	ST 1-5 years	Development Services (Planning Board)
Commercial District Standards	ACTION ECON-1.3.B: Revise the Zoning Ordinance to expand and broaden uses within the GC, GI, HC, MC, ORAT, P-15, SC-G, and SC-WH zoning district boundaries to reduce commercial sprawl and promote better utilization of existing district.	ST 1-5 years	Development Services (Planning Board)
	POLICY ECON-2.1: Promote a locally-based community food system that offers healthy, affordable products for the benefit of residents, businesses, and the environment.		
Food System Plan	ACTION ECON-2.1.A: Amend the Zoning Ordinance to expand permitted community food system activities that accommodate the production, processing, distribution, and consumption of locally- and regionally-sourced products.	MT 5-10 years	Development Services (Planning Board)
	POLICY ECON-2.2: Encourage knowledge-based industries that attract telecommuting and work-from-home opportunities.		
Live-Work Housing	ACTION ECON-2.2.C: Amend the Zoning Ordinance to encourage home-based businesses and work-from-home opportunities.	ST 1-5 years	Development Services (Planning Board)

Area of Regulation	Related Policies and Actions	Timeframe	Responsible Party
	POLICY SF-1.1: Support the mission and activities of organizations and businesses that provide services to veterans, families, elderly persons, those of low- and moderate-income, those experiencing homelessness, and those with special needs.		
Commercial District Standards	ACTION SF-1.1.C: Through changes to zoning, provide incentives for mixed commercial and professional services in redevelopment within the HC zoning district. ACTION SF-1.1.F: Attract more organizations and jobs in the human services sector by improving mixed use and development regulations.	ST 1-5 years	Development Services (Planning Board)
	POLICY INF-1.1: Enhance the resiliency of Westerly's water system by developing programs and projects that improve maintenance and provide protection and redundancy.		
Development Regulations	ACTION INF-1.1.A: Amend the Land Development and Subdivision Regulations to provide standards that align infrastructure demands associated with new development and redevelopment with capacity.	ST 1-5 years	Development Services (Planning Board)
	POLICY INF-1.4: Improve stormwater drainage treatment and conveyance systems.		
Aquifer Protection Standards	ACTION INF-1.4.C: Identify detrimental land uses in the existing Aquifer Protection Overlay District (APOD) and revise land-use regulations to mitigate negative environmental impacts and limit new development of detrimental land uses in this area.	ST 1-5 years	Development Services (Planning Board)

Area of Regulation	Related Policies and Actions	Timeframe	Responsible Party
Reduce Impervious Surface	ACTION INF-1.4.D: Revise the Zoning Ordinance and Land Development and Subdivision Regulations to reduce the amount of impervious surface allowed in new development and redevelopment projects.	ST 1-5 years	Development Services (Planning Board)
	POLICY NRG-1.1: Encourage the development of and residential access to renewable energy resources.		
Private Energy Generation	ACTION NRG-1.1.D: Revise the Zoning Ordinance and Land Development and Subdivision Regulations to encourage the installation of on-site renewable energy generation facilities in new developments and redevelopment projects.	ST 1-5 years	Development Services (Planning Board)
Commercial Energy Generation	ACTION NRG-1.1.E: Review current regulations to further allow renewable energy generation in appropriate areas of the community.	ST 1-5 years	Development Services (Planning Board)
	POLICY NRG-2.1: Ensure all existing and future energy infrastructure is planned, constructed, and adequately monitored to avoid negative impacts to the local environment and the community's quality of life, including public health.		
Hazard Mitigation	ACTION NRG-2.1.B: Amend the Zoning Ordinance and Land Development and Subdivision Regulations to require the incorporation of elements for reducing surface solar heat conduction and wind velocity, such as by increasing the area(s) of proposed greenscapes and/or avoiding the use of thermal-conductive impervious materials.	ST 1-5 years	Development Services (Planning Board)
	POLICY TRANS-1.1: Enhance the efficiency and resiliency of Westerly's multi-modal transportation system.		

Area of Regulation	Related Policies and Actions	Timeframe	Responsible Party
Parking Requirements	ACTION TRANS-1.1.I: Review and revise off-street parking regulations in the Zoning Ordinance to incorporate automobile parking maximums based on need, the inclusion of bicycle parking minimums, and access to transit.	ST 1-5 years	Development Services (Planning Board)
	POLICY TRANS-1.2: Promote Amtrak service as a travel option for residents and visitors.		
Transportation Plan	ACTION TRANS-1.2.C: Through Transit-Oriented Development (TOD) regulatory changes, promote, enhance, and develop the conditions for increased ridership on the Northeast Regional line to and from Westerly Station.	LT 10 years+	Development Services (Planning Board)
	POLICY TRANS-2.1: Ensure traffic safety, including means of ingress and egress and particularly pedestrian and motor vehicle operator safety, is considered in the review of all future development plans.		
Transportation Plan	ACTION TRANS-2.1.A: Through TOD regulatory changes, promote walkability and require safe, comfortable pedestrian movement within all new construction and redevelopment projects, particularly residential, commercial, and mixed uses.	LT 10 years+	Development Services (Planning Board)
Development Regulations	ACTION TRANS-2.1.B: Revise the Land Development and Subdivision Regulations to require all future traffic impact analyses conducted as part of application submissions to examine pedestrians and bike riders/cyclists in addition to automobiles. ACTION TRANS-2.1C: Revise the Land Development and Subdivision Regulations to incorporate road design standards as a requirement for the approval of all new public and private street creations and for any opening of existing paper streets.	ST 1-5 years	Development Services (Planning Board)

Area of Regulation	Related Policies and Actions	Timeframe	Responsible Party
	POLICY RES-1.2: Anticipate new development, redevelopment, structural elevations, and, if necessary, retreat from coastal shorelines and riparian zones in especially vulnerable areas.		
Resilient Westerly Development Plan	ACTION RES-1.2.D: Determine changes needed to the Land Development and Subdivision Regulations and Zoning Ordinance for better protection of infrastructure within the Special Flood Hazard Area (SFHA) and areas under regulation by the Shoreline Change SAMP.	MT 5-10 years	Development Services (Planning Board)
Note: *See Section 4.2.* ST = Short-Term MT = Mid-Term LT = Long-Term			

Chapter 4
IMPLEMENTING THE PLAN

Section 4.1 – Goals, Policies & Actions

At the heart of this twenty (20)-year Plan is a well-defined structure of goals, policies, and actions developed based on broad public input and a thorough inventory of the Town's assets and characteristics described in Part II. The various goals give clear direction as to the type and extent of conservation and development the community desires. Goals are long-term and may take a decade or more to achieve.

Specific actions have been developed to implement each policy and achieve associated goals. The actions are focused and measurable. Responsibilities and timeframes have been assigned to the actions to make it possible to track progress and determine degree of completion, ensuring accountability for future success of this Plan. It is anticipated that new actions will be developed during the required ten (10)-year plan update to replace those that have been successfully implemented.

The purpose of this section is to codify the Town of Westerly's statement of public policy, to direct the Town and all actors seeking town permits or approvals towards conservation and development in a manner consistent with this Comprehensive Plan. In the series of tables that follow, each planning area is assigned Goals, Policies, and Actions that align with the Town of Westerly's vision. A key to the abbreviations used to identify each item is included here.

Abbreviation	Long Form
NAT	Natural Resources
REC	Recreation
HCR	Historic and Cultural Resources
HSNG	Housing Opportunities
ECON	Economic Vitality
SF	Services and Facilities
INF	Infrastructure
NRG	Energy
TRANS	Transportation Network
RES	Hazard Mitigation and Resiliency

Section 4.2 – A Process for Implementation

The effectiveness of the Town of Westerly Comprehensive Plan will be highly dependent on the timeliness and quality of the Plan implementation. Implementation is the process that turns strategies and plans into actions and outcomes. Implementation is required to accomplish strategic objectives and goals. A statement which defines and schedules the specific public actions to be undertaken in order to achieve the goals and objectives of each component of the comprehensive plan. Implementing your strategic plan is as important, or even more important, than your strategy. The implementation program details the timing and schedule of municipal actions required to amend the Zoning Ordinance and Zoning Map to conform to the Comprehensive Plan. The following tables assign each ACTION item with an implementation horizon, a responsible party, and one or more partners.

The **implementation horizon** identifies the timeframe in which the action will be executed and is organized into three (3) terms:

- Short-term (ST) - Some major actions will be accomplished in a relatively short period of time (less than five years) since they will signal early success and are critical to the overall implementation of the Plan,
- Mid-term (MT)- Many other actions will be implemented in a five (5) to ten (10) year term because they may require further study, coordination with others, or involve the commitment of financial resources beyond the time frame of the current capital improvement program and associated fiscal budgets, and
- Long-term (LT) - A few actions are long-term in nature or will require continuous attention over the twenty (20)-year horizon of this Plan but beyond the ten (10) year term of this Plan.

The **item type** classifies actions as a zoning ordinance or subdivision regulation amendment, a program, policy, or plan, or as an infrastructure item. The **responsible party** is the administrative division or public body of the Town government that will be primarily accountable for the successful completion of an action. A **partner** is a person, group, organization, agency, or other entity that can fall within the public, quasi-public, private, and/or non-profit sector and has resources, such as expertise, staff, time, or funding, which the responsible party may be permitted to utilize.

A working version of the implementation program that includes even further detail and columns will be used to assist the Town in implementing this Plan and for progress updates. Additional columns may include available funding, implementation progress, and details necessary to implement action items.

Natural Resources

To achieve the component of the Westerly stated VISION of preserving and enhancing **"quality of life for all generations"** with **"extraordinary .. natural resources",** this plan has identified the following Goals and Policies, which will be followed up with specific actions for the protection of natural resources.

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
GOAL NAT-1	Westerly's natural resources will be available for the future enjoyment of its residents and visitors.				
Policy NAT-1.1	Provide long-term conservation of natural resources.				
Action NAT-1.1.A	Support the local land trusts in the acquisition of open space and, when applicable, trail creation and maintenance.	Ongoing	Grant Support	Town Council	Recreation Department
Action NAT-1.1.B	Provide annual training opportunities to land-use decision-makers on natural resource protection and management.	Ongoing	Training	Town Council	Statewide Planning Nature Conservancy
Action NAT-1.1.C	Implement the Salt Pond Region SAMP.	MT 5-10 years	Zoning & Regulation Amendments	Dept Development Services (Planning Board)	RICRMC Statewide Planning
Action NAT-1.1.D	Protect and conserve existing rural settings and wildlife and aquatic environments to preserve local biodiversity and natural beauty through the continuation of conservation efforts.	Ongoing	Program	Town Manager (Conservation Commission) Harbor Manager	Recreation Department Statewide Planning
Action NAT-1.1.E	Protect the quality of potable water within the Pawcatuck Basin's local recharge area, including through expansion of the Aquifer Protection Overlay District (APOD) and ordinance amendments.	ST 1-5 years Ongoing	Zoning & Regulation Amendments; Study	Dept Public Works (Utilities) Dept Development Services (Enforcement)	Dept Public Works (Eng) (Utilities) Pawcatuck River stakeholders
Action NAT-1.1.F	Control non-point source pollution through rigorous enforcement of stormwater management, soil erosion and sediment controls, and illicit discharge regulations.	Ongoing	Enforcement	Dept Public Works (Eng)	Rhode Island Department of Environmental Management
Action NAT-1.1.G	Designate and monitor key locations to confirm targeted pollutants are being reduced in non-point source pollution areas, following environmental assessments.	Ongoing	Program	Dept Public Works (Eng)	Recreation Department (Recreation Board)
Action NAT-1.1H	Develop marine spatial plan for coastal waters and Little Narragansett Bay so that marine habitats and species are not impacted, critical habitats such as submerged aquatic vegetation (eelgrass) and salt marsh are protected, and the aesthetics and navigability of these water bodies are not compromised. See Part II, Chapter 1, Subsection 1.4.1 for additional information about the marine spatial plan.	ST 1-5 years	Program	Dept of Development Services	Watch Hill Conservancy, Neighborhood Groups,
Policy NAT-1.2	Ensure the sustainable use and management of natural resources.				
Action NAT-1.2.A	Promote and encourage the utilization of voluntary conservation methods for conserving farmlands and forested areas zoned for residential use.	Ongoing	Policy	Town Council	Dept Development Services (Planning Board)
Action NAT-1.2.B	Maintain the Town's water rights on land in the neighboring Town of North Stonington, Connecticut through a new Memorandum of Agreement.	Ongoing	Policy	Town Council	Town of North Stonington Dept Public Works (Utilities)

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
Action NAT-1.2.C	Fund the design and reengineering of the Westerly Public Schools' bus refueling station to mitigate pollution of groundwater or relocate the facility to a location outside the APOD.	ST 1-5 years	Facilities	Dept Public Works (Eng)	Westerly Public Schools
Action NAT-1.2.D	Revise the Zoning Ordinance to update the classification of uses permitted in special flood hazard areas and the APOD.	ST 1-5 years	Zoning Amendment	Dept Development Services (Planning Board)	
Action NAT-1.2.E	Establish a River Corridor Overlay District to complement the Pawcatuck River's federal designation as Wild and Scenic.	ST 1-5 years	Zoning & Regulation Amendments	Dept Development Services (Planning Board)	Recreation Board Recreation Department
Action NAT-1.2.F	Investigate the expansion of the public wastewater system in targeted commercial and industrial areas for new development or redevelopment, in conjunction with future improvements to the WWTF.	ST 1-5 years MT 5-10 years	Study Facilities	Dept Public Works (Utilities)	Dept Development Services (Planning Board)
Action NAT-1.2.G	Amend regulations to provide conditions and standards that protect and create sustainable use of natural resources as part of the land-use decision-making process.	ST 1-5 years	Regulation Amendments	Dept Development Services (Planning Board)	Conservation Commission Dept Public Works
Action NAT-1.2.H	Develop and adopt coastal greenway regulations, green infrastructure, and other soft stormwater control methods and implement in the development review process for projects in proximity to the Pawcatuck River and in the shore communities.	ST 1-5 years MT 5-10 years	Study Regulations	Dept Public Works (Eng)	Dept Development Services (Planning Board)
Action NAT-1.2.I	Bring in technical assistance and grant funding for the restoration of impaired waterbodies and aquatic habitats, including the Little Narragansett Bay and Winnapaug Pond.	ST 1-5 years	Program	Recreation Department (Recreation Board)	Dept Development Services
Action NAT-1.2.J	With stakeholder engagement, develop a marine spatial plan for Little Narragansett Bay, the Salt Ponds, and the Atlantic coastal waters. Ensure competing uses in these areas do not have a detrimental impact on fisheries and ecosystems.	ST 1-5 years	Program	Dept Development Service	Watch Hill Conservancy, Neighborhood Groups

Recreation

To achieve the component of the Westerly stated VISION of preserving and enhancing **"quality of life for all generations"** with a healthy environment, this Plan has identified the following Goals and Policies, which will be followed up with specific actions for recreation.

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
GOAL REC-1	Recreation will increase in value as an essential component of Westerly's quality of life and attractiveness.				
Policy REC-1.1	Enhance recreational programming to serve all demographics.				
Action REC-1.1.A	Expand recreational programming to meet changing demands and occur year-round by aggressively pursuing a variety of funding sources (i.e. grants, sponsorships and donations) and prepare a formal assessment of recreational programming needs in the Town.	Ongoing	Program	Recreation Department	Dept Development Services, Dept Public Works, Westerly Municipal Land Trust
Action REC-1.1.B	Revise the Zoning Ordinance to update the classification of uses for both indoor and outdoor recreation permitted in the CR, OSR, and PD zoning districts.	ST 1-5 years	Zoning Amendment	Dept Development Services (Planning Board)	Recreation Department (Recreation Board)
Action REC-1.1.C	Create partnerships with recreation departments in surrounding communities that will share resources and strategies for the provision of recreational programming.	Ongoing	Administrative Program	Recreation Department (Recreation Board)	Other Towns
Policy REC-1.2	Enhance recreational facilities to serve all demographics and be Americans with Disabilities Act (ADA) compliant.				
Action REC-1.2.A	Implement the 2017 Westerly Athletic Facilities Master Planning Site Analysis and Evaluation.	ST 1-5 years	Facilities	Recreation Department (Recreation Board)	Dept Public Works (Highway) Dept Development Services
Action REC-1.2.B	Install new, accessible, ADA-compliant walking trails at the Bradford Preserve, Cimalore Field, Craig Field, and Gingerella Sports Complex.	ST 1-5 years	Facilities	Recreation Department (Recreation Board)	Westerly Municipal Land Trust, Dept Public Works (Highway)
Action REC-1.2.C	Produce a Recreation Facilities Master Plan for town beaches and waterways.	MT 5-10 years	Study	Recreation Department (Recreation Board)	Dept Development Services
Action REC-1.2.D	Prepare and implement a plan for ongoing improvements to playgrounds and facilities for community recreation.	ST 1-5 years	Study	Recreation Department (Recreation Board)	Dept Public Works (Highway)
GOAL REC-2	Increased investments in open space will yield long-term recreational opportunities and ensure public health.				
Policy REC-2.1	Promote and enhance access to and use of waterways for recreation.				
Action REC-2.1.A	Maintain public rights-of-way to the Pawcatuck River and shoreline that have been designated by the Rhode Island Coastal Resources Management Council (CRMC) and the Town through signage, permanent boundary markers, vegetation controls, and regular inspection.	Ongoing	Facilities	Dept Public Works Harbor Manager	Dept Development Services (Eng)
Action REC-2.1.B	Implement the Downtown and River Center parking/park/kayak launch plans with connections up river to Potter Hill and Bradford.	MT 5-10 years	Study Zoning Amendments	Dept Development Services (Planning Board)	Recreation Department Dept Public Works (Highway)

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
Action REC-2.1.C	Create a parking, kayak launch, and program plan for Winnapaug Pond.	ST 1-5 years	Facilities	Recreation Department (Recreation Board)	Dept Development Services, Engineering, Dept Public Works
Action REC-2.1.D	Identify and prioritize opportunities to secure additional sites for public access to the shore and implement improvements to all new sites, beginning with the list of "Prospective Sites" listed in the Harbor Management Plan.	ST 1-5 years	Study Facilities	Town Manager Harbor Management Commission	Conservation Commission, Recreation Department
Action REC-2.1.E	Require that new development and redevelopment projects provide public access (e.g. boardwalks, walls, or walkways) to compensate fully for any interference with or loss of public access to the shore consistent with CRMC regulations.	ST 1-5 years	Zoning Amendments	Dept Development Services (Planning Board)	Recreation Department Dept Public Works
Action REC-2.1.F	Provide for long-term maintenance of rights-of-way to the shore and river through the annual budget process, including signage, regular site checks, regular trash removal, periodic mowing, removal of obstructions, and landscape improvements.	Ongoing	Budget	Town Manager	Dept Public Works
Policy REC-2.2	Foster awareness and appropriate use of and access to local natural resources for recreational purposes.				
Action REC-2.2.A	Establish a consistent, reliable funding source and criteria matrix for the acquisition and maintenance of open space for recreation.	MT 5-10 years LT 10 years+	Program	Recreation Department (Recreation Board)	Dept Development Services
Action REC-2.2.B	Assess the open space and recreational values of land contiguous to and within the greenway system established in the Bradford, Dunn's Corners, and Woody Hill neighborhoods.	MT 5-10 years	Study	Town Council (Westerly Municipal Land Trust)	Westerly Municipal Land Trust
Action REC-2.2.C	Develop a plan to connect recreational areas for the bicycling public, including new bicycle routes, bike rack, and signage at each recreational area, and encourage biking through an educational campaign.	MT 5-10 years	Program	Recreation Department (Recreation Board)	Dept Development Services

Historic and Cultural Resources

To achieve the component of the Westerly stated VISION of preserving **"a distinct heritage, extraordinary cultural … resources",** this plan has identified the following Goals and Policies, which will be followed up with specific actions for historical and cultural resources.

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
GOAL HCR-1	Westerly's identity and cultural heritage will be preserved and enhanced through reinvestment in its historic assets.				
Policy HCR-1.1	Promote Westerly's history and heritage to residents and visitors.				
Action HCR-1.1.A	Investigate the installation of educational and interpretive signage and exhibits in historic places and in public and civic spaces as a method of generating interest and improving visitor experience.	MT 5-10 years	Study	Dept Development Services (Economic Development Commission)	Dept Development Services, Neighborhood Groups, Watch Hill Conservancy
Action HCR-1.1.C	Update and expand the Town's historic resource survey and documentation, including existing historic districts.	ST 1-5 years	Administrative	Dept Development Services	Rhode Island Historic Preservation & Heritage Commission, Westerly Public Schools, Watch Hill Conservancy
Action HCR-1.1.D	Evaluate options for the preservation of iconic landmarks and historic and cultural assets, including relocation.	MT 5-10 years	Study	Town Council Town Manager	Ocean Community Chamber of Commerce, Economic Development Commission, Watch Hill Conservancy
Policy HCR-1.2	Achieve the objectives of historic preservation standards and guidelines to promote the unique characteristics of Westerly's neighborhoods and its overall sense of place.				
Action HCR-1.2.A	Revise the uses and design review standards of the DC-I and DC-II zoning districts to better unify with the historic districts along the riverfront.	ST 1-5 years	Zoning Amendment	Dept Development Services (Planning Board)	Architectural Review Board
Action HCR-1.2.B	Revise the uses and design review standards of the Historic Mill Overlay District to better incorporate associated village development.	ST 1-5 years	Zoning Amendment	Dept Development Services (Planning Board)	Architectural Review Board
Action HCR-1.2.C	Investigate an Historic Overlay District as a vehicle for implementing traditional historic preservation standards and guidelines for façade alterations, scale, landscaping, streetscaping, lighting, and signage.	ST 1-5 years	Zoning Amendment	Dept Development Services (Planning Board)	Architectural Review Board, Watch Hill Conservancy
Action HCR-1.2.D	Establish a River Corridor Overlay District to complement Stonington's Pawcatuck River Greenway initiative.	ST 1-5 years	Zoning Amendment	Dept Development Services (Planning Board)	Architectural Review Board
Action HCR-1.2.E	Provide the Architectural Review Board greater involvement with the creation and implementation of architectural, urban design, and historic preservation review standards.	Ongoing	Policy	Town Council	Dept Development Services
GOAL HCR-2	Westerly's overall attractiveness and quality of life will be elevated by the continued vitality of historical and cultural investment.				

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
Policy HCR-2.1	Protect and promote scenic views, streetscapes, parks, rivers, major bodies of water, and natural and human-made landscapes.				
Action HCR-2.1.A	Identify cemeteries and burial grounds at risk from natural and human-made conditions.	MT 5-10 years	Study	Town Manager (Conservation Commission)	Rhode Island Historical Cemetery Commission
Action HCR-2.1.B	Establish and maintain a municipal register of areas and structures of historical or architectural significance, historical landscapes, and public art, especially in those areas that are under the threat of climate change impacts.	MT 5-10 years	Administrative	Dept Development Services	Conservation Commission Information Technology
Policy HCR-2.2	Encourage educational and artistic opportunities within and for the community to strengthen the connections between people and places to maximize their shared values.				
Action HCR-2.2.A	Collaborate with and support community partners in pursuit of contemporary artistic and cultural opportunities and institutions.	ST 1-5 years	Partners	Dept Development Services (Economic Development Commission)	Ocean Community Chamber of Commerce
Action HCR-2.2.B	Support cultural and artistic events that celebrate and showcase Westerly's local heritage and identity.	Ongoing	Program	Town Council & Town Manager	Finance Board
Policy HCR-2.3	Seek welcoming and human-scaled public spaces and streetscapes that shape the Town's identity and improve its living conditions.				
Action HCR-2.3.A	Develop streetscaping standards and guidelines to guide improvements to public spaces.	MT 5-10 years	Study	Town Manager Town Council	Dept Public Works (Highway), Dept Development Services
Action HCR-2.3.B	Provide the proper resources necessary to maintain and make better use of the Town's public spaces, including sidewalk furniture, pocket parks, memorials, public art, bike racks, etc.	Ongoing	Administrative	Town Council Town Manager	Dept Public Works (Highway) (Facilities)

Housing Opportunities

To achieve the component of the Westerly stated VISION of preserving and enhancing **"quality of life for all generations"** through **"a safe, resilient, and compassionate community with a healthy environment"** and **"a strong, stable, equitable economy,"** this Plan has identified the following Goals and Policies, which will be followed up with specific actions for housing.

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
GOAL HSNG-1	A broad range of integrated, inclusive, age-friendly, and affordable housing options town wide will securely meet the needs of all households and individuals in the community.				
Policy HSNG-1.1	Continue towards achieving the State requirement for a minimum of 10% of the total year-round housing stock to be subsidized, deed-restricted, and occupied by LMI households.				
Action HSNG-1.1.A	Revisit the inclusionary zoning ordinance based on State law changes, market trends, incentives, and new land-use policies, and amend accordingly.	ST 1-5 years	Zoning Amendment	Dept Development Services (Planning Board)	State of RI, Housing Network
Action HSNG-1.1.B	Work with the Westerly Housing Authority to developed and maintain a database of deed-restricted, subsidized affordable housing units owned and monitored by them.	ST 1-5 years	Administrative	Dept Development Services	Westerly Housing Authority,
Action HSNG-1.1.C	Identify parcels most suitable for development of qualified LMI units by comprehensive permit and pre-qualify for development consistent with this Plan.	ST 1-5 years	Administrative	Dept Development Services (Planning Board)	
Action HSNG-1.1.D	Partner with Community Housing Land Trust of RI to reestablish monitoring of LMI units.	ST 1-5 years	Administrative	Dept Development Services	Community Housing Land Trust
Action HSNG-1.1.E	Include LMI qualified units in neighborhood revitalization, residential rehabilitations, and new construction.	ST 1-5 years	Program	Dept Development Services	Westerly Revolving Fund
Action HSNG-1.1.F	Upon publication of the 2020 HUD Census Data, revisit residential buildout and realign density bonuses awarded through comprehensive permits with prevailing needs.	ST 1-5 years	Zoning Amendment	Dept Development Services (Planning Board)	
Action HSNG-1.1.G	Encourage the use of the comprehensive permit for the development of housing where 50% or more of the units qualify as LMI, with restricted sales price or rental rates for a period of at least 30 years.	Ongoing	Program	Dept Development Services (Planning Board)	Affordable housing developers
Policy HSNG-1.2	Assure current and future residents that a broad range of opportunities to live in the community will be available.				
Action HSNG-1.2.A	Continue to support initiatives providing housing and housing-related assistance for persons experiencing homelessness and persons with special needs.	LT 10 years+ Ongoing	Subsidy Endorsement	Town Council	Westerly Housing Authority
Action HSNG-1.2.B	Continue to work with public agencies and private non-profit and for-profit entities in creating integrated affordable housing opportunities, family, transitional, and cooperative housing.	LT 10 years+ Ongoing	Administrative	Dept Development Services	Westerly Housing Authority
Action HSNG-1.2.C	Adopt a tax credit for property owners undertaking substantial rehabilitation of blighted properties restricted to affordable housing.	MT 5-10 years	Tax credit program	Town Council	Finance Department, Tax Assessor, Westerly Revolving Fund

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
Action HSNG-1.2.D	Develop and implement a program to focus and coordinate integrated affordable housing initiatives and funding, with priority given to existing housing over new construction.	MT 5-10 years	Program	Dept Development Services	Westerly Revolving Fund
Action HSNG-1.2.E	Adopt regulations that incorporate live-work housing in downtown neighborhood.	ST 1-5 years	Zoning Amendment	Dept Development Services (Planning Board)	
Action HSNG-1.2.F	Amend Zoning Ordinance to broaden the availability of accessory dwelling units.	ST 1-5 years	Zoning Amendment	Dept Development Services (Planning Board)	
Action HSNG-1.2.G	Develop and implement a program within the town government to focus on and coordinate affordable housing initiatives.	ST 1-5 years	Program	Town Council	Dept Development Services
Action HSNG-1.2.H	Upon publication of the 2020 HUD Census Data, revisit residential buildout and apply the polices of this Plan to create new housing opportunity strategies.	MT 5-10 years	Zoning Amendment	Dept Development Services (Planning Board)	
Action HSNG-1.2.I	Develop standards for achieving a mix of residential uses into mixed use districts.	ST 1-5 years	Zoning Amendment	Dept Development Services (Planning Board)	
Action HSNG-1.2.J	As part of neighborhood planning effort, conduct public forums/working meetings that address local housing needs.	ST 1-5 years Ongoing	Administrative	Dept Development Services (Planning Board)	
Action HSNG-1.2.K	Identify appropriate measures of communication and information sharing regarding affordable housing opportunities within the community.	ST 1-5 years	Administrative	Dept Development Services	
Action HSNG-1.2.L	Identify opportunities to add living quarters for seasonal employees.	ST 1-5 years	Administrative	Dept Development Services (Planning Board)	
Policy HSNG-1.3	Promote the development and rehabilitation of integrated affordable-by-design housing throughout the community.				
Action HSNG-1.3.A	Work to eliminate unsafe and non-compliant housing and improve housing conditions through enforcement of minimum housing requirements and building code compliance.	Ongoing	Enforcement	Dept Development Services, Minimum Housing Officer, Building Officer	State, Westerly Police Department
Action HSNG-1.3.B	Coordinate with regional, state, and federal agencies to leverage local resources by bringing expertise and funds to community initiatives that support affordable housing in line with community objectives	MT 5-10 years	Program	Dept Development Services	State agencies, Dept Housing and Urban Development, Non-governmental organizations
Action HSNG-1.3.C	Establish a formal partnership with a local revolving fund to increase the availability of municipal resources for residential rehabilitation projects.	ST 1-5 years Ongoing	Partner	Town Council	Westerly Revolving Fund, Finance Department
Action HSNG-1.3.D	Create neighborhood plans that coordinate preservation and/or revitalization of existing residential structures with affordable housing strategies.	MT 5-10 years	Program	Dept Development Services (Planning Board)	Neighborhood Organizations

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
Action HSNG-1.3.E	Adopt regulations that incorporate residential units that are affordable by design, such as micro-lofts, micro-apartments, and studios, including downtown.	ST 1-5 years	Zoning & Regulation Amendments	Dept Development Services (Planning Board)	
Action HSNG-1.3.F	Modernize the eligibility and processes of municipal property tax exemptions to promote and increase greater owner-occupied housing affordability.	ST 1-5 years	Tax Exemption	Town Council	State of RI
Action HSNG-1.3.G	Revise zoning ordinance and land development regulations to encourage family rental units (of 1 to 3 bedrooms) designed in 2- to 4-unit structures.	ST 1-5 years	Zoning Amendment	Dept Development Services (Planning Board)	
Action HSNG-1.3.H	Improve the existing review, approval, and permitting process to facilitate more efficient and effective construction and completion of development.	ST 1-5 years	Administrative	Dept Development Services	State of RI Information Technology
Action HSNG-1.3.I	Develop and implement context sensitive design guidelines for reconstruction and infill to assure new development is compatible in massing and scale with the existing neighborhood context.	MT 5-10 years	Program	Dept Development Services (Planning Board)	Architectural Review Board

Economic Vitality

To achieve the component of the Westerly stated VISION of preserving and enhancing **"quality of life for all generations"** through **"a strong, stable, equitable economy,"** this plan has identified the following Goals and Policies which will be followed up with specific actions to ensure a vibrant and resilient economy.

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
GOAL ECON-1	A place-based approach to economic development will attract broad opportunities for all participants in the local economy.				
Policy ECON-1.1	Focus on unique features and existing community assets to draw new investment.				
Action ECON-1.1.A	Create neighborhood plans through significant public engagement.	Ongoing	Program	Dept Development Services	Neighbor Groups
Action ECON-1.1.B	Undertake a comprehensive study of key economic trends and projections for tourism-related industries.	ST 1-5 years	Study	Dept Development Services (Economic Development Commission)	Ocean Community Chamber of Commerce, Southern Rhode Island Tourism Council
Action ECON-1.1.C	Continue to approve public subsidies to institutions with missions and actions that address the needs of local businesses consistent with the policies in this Plan.	Ongoing	Policy	Town Council	Finance Board
Action ECON-1.1.D	Review and revise provisions of the Zoning Ordinance as a strategy to promote longer stays by visitors and tourists and to encourage year-round economic opportunities.	ST 1-5 years	Zoning Amendment	Dept Development Services (Planning Board)	Property Owners
Action ECON 1.1.E	Develop a comprehensive marketing plan for Westerly targeting developers and potential new businesses.	ST 1-5 years	Program	Dept Development Services (Economic Development Commission)	Business Owners, Ocean Community Chamber of Commerce,
Action ECON 1.1.F	Create a marketing strategy for the Riverfront area in concert with the Town of Stonington, CT, and their Economic Development Commission.	ST 1-5 years	Program	Dept Development Services (Economic Development Commission)	Business Owners, Ocean Community Chamber of Commerce,
Action ECON 1.1.G	Develop an overall marketing strategy for Mill Villages that clearly articulates the town's vision and attracts investors and commercial businesses to these areas.	MT 5-10 years	Program	Dept Development Services (Economic Development Commission)	Dept Development Services (Planning Board)
Policy ECON-1.2	Encourage regulatory reform, incentives, and other tools to create the appropriate conditions for equitable, robust economic activity.				
Action ECON-1.2.A	Amend the Zoning Ordinance to incorporate beneficial elements of neighborhood planning appropriate to the existing built environment.	MT 5-10 years	Zoning Amendment	Dept Development Services (Planning Board)	Economic Development Commission Architectural Review Board
Action ECON-1.2.B	Explore opportunities to create financial incentives for redevelopment, such as tax stabilization agreements (TSAs) and tax increment financing (TIF).	MT 5-10 years to LT 10 years +	Tax Agreements	Town Council	Finance Board

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
Action ECON-1.2.C	Modify permitting and approval processes to enhance the efficiency of regulatory review.	ST 1-5 years	Administrative	Dept Development Services	Information Technology Town Manager State of RI
Action ECON 1.2.D	Develop an overall strategy for Downtown that clearly articulates this plan's vision and attracts investors, commercial businesses, and residents.	ST 1-5 years	Program	Dept Development Services (Economic Development Commission)	Business Owners, Ocean Community Chamber of Commerce,
Action ECON 1.2.E	Support the development and implementation of changes that allow for Transit Oriented Development (TOD) at and/or near the train station.	MT 5-10 years	Program	Dept Development Services (Economic Development Commission)	Dept Development Services (Planning Board)
Action ECON 1.2.F	Support the development and implementation of a strategy for commercial corridors that clearly articulate the town's vision and attracts investors and commercial businesses to these areas.	MT 5-10 years	Program	Dept Development Services (Economic Development Commission)	Dept Development Services (Planning Board)
Action ECON 1.2.G	Support the development and implementation of town ordinances to sustainably allow for the future buildout of our commercial corridors.	MT 5-10 years	Program	Dept Development Services (Economic Development Commission)	Dept Development Services (Planning Board)
Action ECON 1.2.H	Support the development and implementation of a revised Historic Mill Village Overlay District to provide for the sustainable future buildout of these assets.	ST 1-5 years	Program	Dept Development Services (Economic Development Commission)	Dept Development Services (Planning Board)
Policy ECON-1.3	Ensure that new economic development opportunities preserve community assets and character.				
Action ECON-1.3.A	Revise the Zoning Ordinance to expand and broaden uses permitted in the DC-I, DC-II, LI, and NB zoning districts at an appropriate scale for Downtown Westerly and its surrounding, historic neighborhoods.	ST 1-5 years	Zoning Amendment	Dept Development Services (Planning Board)	
Action ECON-1.3.B	Revise the Zoning Ordinance to expand and broaden uses within the GC, GI, HC, MC, ORAT, P-15, and SC-G zoning district boundaries to reduce commercial sprawl and promote better utilization of existing district.	ST 1-5 years	Zoning Amendment	Dept Development Services (Planning Board)	
Action ECON-1.3.C	Collaborate with other influencers on the restoration of the barrier beaches and Salt Pond shoreline access to safeguard both natural and economic value.	ST 1-5 years	Partnership	Town Council	Various Conservation Partners Dept Development Services (Planning Board)
Action ECON-1.3.D	Support the development and implementation of a downtown parking strategy and zoning ordinance changes to expand parking availability while also protecting the character and charm of Westerly.	ST 1-5 years	Program	Dept Development Services (Economic Development Commission)	Dept Development Services (Planning Board)

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
Action ECON-1.3.E	Support programs and financing of road and sidewalk maintenance and improvement.	Ongoing	Program	Dept Development Services (Economic Development Commission)	Dept of Public Works
Policy ECON-1.4	Encourage the creation and retention of high-quality, well-paying workforce opportunities.				
Action ECON-1.4.A	Investigate and pilot new planning tools for existing commercial and industrial areas to enhance business activity and increase local job opportunities.	MT 5-10 years	Study	Dept Development Services (Economic Development Commission)	Ocean Community Chamber of Commerce
Action ECON-1.4.B	Support growth in the trades, professional, and general services needed for the maintenance and renovation of residential property year-round by removing barriers to mixed-use and light industrial development.	ST 1-5 years	Administrative	Dept Development Services	Economic Development Commission
Action ECON-1.4.C	Study and plan for community characteristics needed to ensure Westerly is both a tourist-friendly town and a good candidate for full-time relocation by families.	MT 5-10 years	Study	Dept Development Services (Economic Development Commission)	Dept Development Services, Ocean Community Chamber of Commerce
Action ECON-1.4.D	Work with local, State and Federal agencies, publicize the use of the train station, and connected bus stops to increase ridership and expand the routes and/or places (i.e. Train stop at Green Airport) that they serve.	MT 5-10 years	Program	Dept Development Services (Economic Development Commission)	Amtrak, RIPTA, Stonington
GOAL ECON-2	Diversification of local industries will create a more sustainable economic base for the community and the region.				
Policy ECON-2.1	Promote a locally-based community food system that offers healthy, affordable products for the benefit of residents, businesses, and the environment.				
Action ECON-2.1.A	Amend the Zoning Ordinance to expand permitted community food system activities that accommodate the production, processing, distribution, and consumption of locally- and regionally sourced products.	MT 5-10 years	Zoning Amendment	Dept Development Services (Planning Board)	Westerly Land Trust, Farmers, Ocean Community Chamber of Commerce
Action ECON-2.1.B	Establish opportunities for the public to learn about agriculture with special emphasis on urban agriculture in coordination with the School Department, WEC, and social service agencies.	MT 5-10 years	Partnership	Dept Development Services (Economic Development Commission)	Westerly Land Trust, Southern Rhode Island Conservation District
Policy ECON-2.2	Encourage knowledge-based industries that attract telecommuting and work-from-home opportunities.				
Action ECON-2.2.A	Establish the infrastructure necessary for high-quality telecommunications on which knowledge-based industries rely.	MT 5-10 years	Facilities	Dept Public Works (Facilities)	Economic Development Commission, Purchasing
Action ECON-2.2.B	Establish opportunities for the public to learn about new technologies and computer skills in coordination with the School Department, WEC, and social service agencies.	MT 5-10 years	Program	Dept Development Services (Economic Development Commission)	Westerly Public Schools, Westerly Education Center

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
Action ECON-2.2.C	Amend the Zoning Ordinance to encourage home-based businesses and work-from-home opportunities.	ST 1-5 years	Zoning Amendment	Dept Development Services (Planning Board)	Economic Development Commission
Policy ECON-2.3	Foster entrepreneurial activities in the community.				
Action ECON-2.3.A	Identify and pursue new industries, markets, products, services, and processes compatible with community assets and character.	MT 5-10 years	Study	Dept Development Services (Economic Development Commission)	Ocean Community Chamber of Commerce
Action ECON-2.3.B	In partnership with the OCCVC, prepare and implement a strategic plan to guide the future development of tourism-related industries.	ST 1-5 years	Partnership	Dept Development Services (Economic Development Commission)	Ocean Community Chamber of Commerce
Action ECON-2.3.C	Create a program to attract businesses that maintain family image, diversify offerings, encourage extended stays, and provide an economy of local residents.	MT 5-10 years	Program	Dept Development Services (Economic Development Commission)	Ocean Community Chamber of Commerce
Action ECON-2.3.D	Plan for the sustainable future buildout of commercial corridors within commercial zones.	MT 5-10 years	Study	Dept Development Services (Planning Board)	Economic Development Commission
GOAL ECON-3	Sustain a local economy that is resilient to natural and human-caused disasters.				
Policy ECON-3.1	Anticipate the impact of catastrophic events on the local economy.				
Action ECON-3.1.A	Update the Hazard Mitigation Plan to incorporate a cost analysis for the upgrading and maintenance of the services and facilities that the local economy is most dependent on.	ST 1-5 years	Study	Town Manager	Emergency Management, Dept Public Works (Eng)
Action ECON-3.1.B	Develop an economic action plan for catastrophic events to ensure a foundation for rebuilding that sustains the local economy through the recovery process.	MT 5-10 years	Study	Dept Development Services (Economic Development Commission)	Various Partners
Policy ECON-3.2	Reduce the burden of climate change impacts on municipal finances and the local and regional economies.				
Action ECON-3.2.A	Work with relevant Federal and State agencies on shared objectives and guiding principles, such as those identified in Resilient Rhody to reduce the burden of climate change impacts on the local economy and municipal finances.	MT 5-10 years	Partnership	Town Manager Town Council	Federal and State Entities
Action ECON-3.2.B	Evaluate and, if required, update the Town's emergency permitting system for effective post-disaster administration.	ST 1-5 years	Administrative	Dept Development Services	Economic Development Commission
Action ECON-3.2.C	Review the Town's procedures and responsibilities to ensure its readiness to and accountability for responding to catastrophic events.	Ongoing	Administrative	Emergency Manager	Westerly Police Department, Fire Districts, Dept Public Works (Highway)

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
Policy ECON-3.3	Ensure economic resilience and sustainability through smart city and strong town strategies.				
Action ECON-3.3.A	Quantify the value of all property and resulting tax revenue that would be impacted by increased flooding, SLR, and storm events.	ST 1-5 years	Administrative	Tax Assessor	Tax, Dept Development Services, Watch Hill Conservancy
Action ECON-3.3.B	Publicize the incentives available for business and residents to undertake adaptation and resiliency measures for their properties.	ST 1-5 years	Administrative	Dept Development Services (Economic Development Commission)	Dept Development Services, Information Technology

Services and Facilities

To achieve the component of the Westerly stated VISION of preserving and enhancing **"quality of life for all generations"** through **"a safe, resilient and compassionate community"** with a **"responsible and publicly-engaged government",** this plan has identified the following Goals and Policies which will be followed up with specific actions for government services and facilities.

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
GOAL SF-1	Westerly will provide services critical to the community's continued health, safety, and well-being.				
Policy SF-1.1	Support the mission and activities of organizations and businesses that provide services to veterans, families, elderly persons, those of low- and moderate-income, those experiencing homelessness, and those with special needs.				
Action SF-1.1.A	Continue as an active partner in Age-Friendly Westerly through town staff participation in planning and programing for aging residents.	LT 10 years+ Ongoing	Policy Services	Town Council	Age-Friendly Westerly, Recreation Department, Dept Development Services
Action SF-1.1.B	Align human services activities of the Town with the activities of social service agencies based on demographic changes and constituents' needs to maximize opportunity to improve community health, safety, and well-being.	LT 10 years+ Ongoing	Policy Services	Town Council	Age-Friendly Westerly, Police Department, Recreation Department, Dept Development Services
Action SF-1.1.C	Through changes to zoning, provide incentives for mixed commercial and professional services in redevelopment within the HC zoning district.	ST 1-5 years	Zoning Amendment	Dept Development Services (Planning Board)	
Action SF-1.1.D	Continue to approve public subsidies to institutions with missions and actions that address the needs of the community consistent with the policies in this Plan.	Ongoing	Subsidies	Town Council	Finance Board, Town Manager
Action SF-1.1.E	Collaborate in obtaining grant funding to support services that align with this Plan.	Ongoing	Endorsements	Town Council	Finance Department
Action SF-1.1.F	Attract more organizations and jobs in the human services sector by improving mixed use and development regulations.	ST 1-5 years	Zoning Amendment	Dept Development Services (Planning Board)	
Action SF-1.1.G	Identify and document the needs of veterans, families, elderly, and individuals with special needs and improve existing programs and facilities to meet these needs.	MT 5-10 years	Study Program	Town Council	Age-Friendly Westerly, Westerly Housing Task Force, Dept Development Services
Action SF-1.1.H	Publicize the opportunities to volunteer, including the citizens emergency response team, and develop ways to match interest and skills with options.	ST 1-5 years Ongoing	Program	Town Manager	Information Technology, Town Clerk
Policy SF-1.2	Ensure continuous improvement to municipal programs, services, facilities, and the local government's interaction with human services organizations.				
Action SF-1.2.A	Base school facility decisions on long-range student population forecasts, capacity and condition of facilities, neighborhood context, operating costs, and societal concerns.	ST 1-5 years Ongoing	Administrative	Westerly Public Schools	Town Council, Finance Board, Town Manager

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
Action SF-1.2.B	Coordinate the expertise of Town and Westerly School District personnel to improve school facilities and address school safety and security.	Ongoing	Administrative	Town Manager	Westerly Public Schools, Town Council
Action SF-1.2.C	Improve collaboration between the Recreation Department and Westerly School District on recreational programming for children and young people and facility management.	ST 1-5 years Ongoing	Program	Recreation Department	Westerly Public Schools
Action SF-1.2.D	Advance the Town's technological capabilities across all municipal departments and the school district for greater productivity, accessibility, and coordination.	ST 1-5 years MT 5-10 years	Facilities	Information Technology	Finance Department, Westerly Public Schools, Purchasing
Action SF-1.2.E	Train land-use decisionmakers on the impact of development on community provided services and facilities.	Ongoing	Training	Dept Development Services (Planning Board)	Dept of Public Works
Action SF-1.2.F	Redesign the process used annually for the capital improvement program (CIP) to ensure that all of the critical functions of the CIP are employed and adopted level of service standards are maintained.	ST 1-5 years	Administrative	Town Manager Town Council	Finance Department Dept Development Services
Action SF-1.2.G	Continue to improve municipal application procedures and the availability and delivery of information for applicants and the public.	Ongoing	Facilities	Information Technology	Finance Department, Town Clerk, Dept Development Services, Purchasing
Action SF-1.2.H	Maintain and exceed the achieved 35% recycling rate through increased enforcement, educational programs, and special events that highlight the benefits.	Ongoing	Enforcement	Dept Public Works (Facilities)	
Action SF-1.2.I	Meet and exceed a 50% trash diversion rate by reducing solid waste generation and increasing recycling and composting opportunities for municipal operations, residents, and businesses.	ST 1-5 years Ongoing	Program	Dept Public Works (Facilities)	
Action SF-1.2.J	Publicize the Town's recreation programs to increase youth and senior participation.	Ongoing	Administrative	Recreation Department	Recreation Board
Action SF-1.2.K	Continue to provide Town officials and staff with training in human services and the social sciences.	Ongoing	Program	Human Resources	Town Manager, Purchasing, Dept Development Services
Action SF-1.2.L	Publicize the Town website's *Notify Me* tool to increase the number of individuals subscribed to digital Town notifications.	Ongoing	Administrative	Information Technology	
Action SF-1.2.M	Establish a user-friendly digital service that provides the public with quick, easy access to the Town's services and information while offering high-quality customer/citizen service.	Ongoing	Administrative	Information Technology	Human Resources, Purchasing
Action SF-1.2.N	Upgrade emergency services radio network to digital along with wireless infrastructure upgrades to reduce impacts of wind-related communication interruptions.	ST 1-5 years	Facilities	Westerly Police Department	Dept Public Works (Utilities), Information Technology
Action SF-1.2.O	Improve use and awareness of evacuation routes across municipality via educational outreach, better mapping of alternative routes and closures, enhanced understanding of flood impacts, and installation of early warning systems.	ST 1-5 years Ongoing	Program	Emergency Managert	Westerly Police Department, Dept Public Works (Highway)

Infrastructure

To achieve the component of the Westerly stated VISION of preserving and enhancing **"quality of life for all generations"** through **"a safe, resilient and compassionate community"** with a **"responsible and publicly-engaged government",** this plan has identified the following Goals and Policies which will be followed up with specific actions for sustainable infrastructure.

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
GOAL INF-1	Sustainable infrastructure will be in place to ensure water quality, efficient wastewater treatment, and effective stormwater management.				
Policy INF-1.1	Enhance the resiliency of Westerly's water system by developing programs and projects that improve maintenance and provide protection and redundancy.				
Action INF-1.1.A	Amend the Land Development and Subdivision Regulations to provide standards that align infrastructure demands associated with new development and redevelopment with capacity.	ST 1-5 years Ongoing	Regulation Amendments	Dept Development Services Dept Public Works (Eng)	Jacobs, C & E Engineering, State
Action INF-1.1.B	Prepare a *Source Water Protection Plan* to reduce or eliminate existing and potential risks to the drinking water quality of the public water system.	ST 1-5 years Ongoing	Program	Dept Public Works (Utilities)	State
Action INF-1.1.C	Assess the current condition of all active well sites and the possibility of physical damage or contamination by either man-made or natural hazards. Create a monitoring and maintenance program to ensure long-term viability.	ST 1-5 years	Study	Dept Public Works (Utilities)	State
Action INF-1.1.D	Review the adequacy of security measures providing protection to wellheads, pump stations, and water tanks and take appropriate actions to address any security concerns identified.	ST 1-5 years	Study	Dept Public Works (Utilities)	
Action INF-1.1.F	Study existing and projected effects of drought on local public health and safety, economic activity, and environmental resources in preparation for a drought response plan.	MT 5-10 years	Study	Dept Public Works (Utilities)	Dept Development Services
Action INF-1.1.H	Review and revise local regulations and provide for enforcement for the long-term protection of water quality.	MT 5-10 years	Enforcement	Dept Public Works (Utilities)	Dept Development Services (Utilities), State
Action INF-1.1.I	Continue annual communications from Utilities Division informing residents about actions they can take to improve water quality.	Ongoing	Program	Dept Development Services (Utilities)	
Action INF-1.1.J	Reduce undesirable chemicals in the municipal well system.	Ongoing	Program	Dept Development Services (Utilities)	Dept Development Services, Department of Health
Policy INF-1.2	Ensure high-quality wastewater treatment and prioritize improvements to the Wastewater Treatment Facility.				
Action INF-1.2.A	Prepare and adopt a sewer service expansion plan providing environmental protection, accommodating economic development, and allowing multi-family housing development.	ST 1-5 years	Study	Dept Public Works (Utilities)	Jacobs

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
Action INF-1.2.B	Pursue available state and federal funding to improve the wastewater treatment system.	Ongoing	Budget	Dept Public Works (Utilities)	Dept Development Services, Jacobs
Action INF-1.2.C	Test sewer lines for groundwater infiltration on an annual basis.	Ongoing	Administrative	Dept Public Works (Eng and Utilities)	Dept Development Services
Policy INF-1.3	Improve stormwater drainage treatment and conveyance systems.				
Action INF-1.3A	Prioritize stormwater treatment and conveyance systems for repair and replacement based on age and condition and incorporate green infrastructure.	ST 1-5 years MT 5-10 years	Study	Dept Public Works (Eng)	Dept Public Works (Highway), Dept Development Services
Action INF-1.3.B	Reduce groundwater infiltration into wastewater treatment system with facility upgrades and a grey water program.	MT 5-10 years LT 10 years+	Facilities	Dept Public Works (Engineering and Utilities)	Dept Public Works (Highway), Dept Development Services
Action INF-1.3.C	Identify detrimental land uses in the existing Aquifer Protection Overlay District (APOD) and revise land-use regulations to mitigate negative environmental impacts and limit new development of detrimental land uses in this area.	ST 1-5 years	Study, Zoning & Regulation Amendments	Dept Development Services (Planning Board)	State, Dept Public Works (Utilities)
Action INF-1.3.D	Revise the Zoning Ordinance and Land Development and Subdivision Regulations to reduce the amount of impervious surface allowed in new development and redevelopment projects.	ST 1-5 years	Zoning & Regulation Amendments	Dept Development Services (Planning Board)	Dept Public Works (Eng)
Action INF-1.3.E	Revise the Stormwater Management Ordinance to require green infrastructure in new private and public projects during road creation or improvement, installation of pedestrian rights-of-way (including sidewalks), and surface parking areas.	ST 1-5 years	Administrative	Dept Public Works (Eng)	Dept Development Services (Planning Board)
Goal INF – 2	Proactive management and maintenance of all physical assets under the town's control, including buildings, roads, and land.				
Policy INF-2.1	Maintain a Capital Improvement Program (CIP) that is consistent with the goals and policies of the Comprehensive Plan and provide timely implementation.				
Action INF-2.1A	Adopt an adequate operational and maintenance budget for all municipal infrastructure.	ST 1-5 years	Budget	Town Council	Finance Department, Finance Board, Dept Public Works
Action INF-2.1.B	Program for new and improved infrastructure to ensure water quality, efficient wastewater treatment, and effective stormwater management.	ST 1-5 years MT 5-10 years	Program	Dept Public Works	State, Dept Development Services
Action INF-2.1.C	Create orderly and efficient provision of infrastructure facilities and services through long-range capital facilities planning consistent with this Plan.	ST 1-5 years MT 5-10 years	Administrative	Dept Public Works	Finance Board, Finance Department
Action INF-2.1.D	Address deficiencies, if any, to accommodate desired future growth and development.	Ongoing	Administrative	Dept Public Works	

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
Action INF-2.1.E	Establish electronic infrastructure to increase access to high-quality internet and Wi-Fi communications for businesses, government, schools, and organizations that support the public.	ST 1-5 years	Technology	Information Technology Dept Public Works (Facilities)	Purchasing
Action INF-2.1.F	Develop strategies to address potential SLR, storm surge, and other climate changes on Westerly's infrastructure.	ST 1-5 years MT 5-10 years	Study	Dept Development Services	Dept Public Works, Emergency Management, State
Action INF-2.1.G	Continue to improve the Town's GIS data on existing water, wastewater, and stormwater infrastructure.	Ongoing	Technology	Information Technology Dept Public Works	New England GeoSystems (NEGEO)

Energy

To achieve the component of the Westerly stated VISION of preserving and enhancing **"quality of life for all generations"** through **"a safe, resilient and compassionate community"** with a **"responsible and publicly-engaged government",** this plan has identified the following Goals and Policies which will be followed up with specific actions for renewable energy and energy conservation.

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
GOAL NRG-1	Renewable energy generation will be increasingly available to the community.				
Policy NRG-1.1	Encourage the development of and residential access to renewable energy resources.				
Action NRG-1.1.A	Seek partnerships with other organizations to facilitate renewable energy initiatives.	Ongoing	Policy	Town Council Town Manager	
Action NRG-1.1.B	Support RIRRC in any undertaking of a waste-to-energy program.	Ongoing	Policy	Town Council Town Manager	Dept Public Works (Facilities)
Action NRG-1.1.C	Study the suitability of integrating wind energy systems within the municipality as part of a strategic energy plan.	ST 1-5 years	Study	Dept Development Services (Planning Board)	Public Safety
Action NRG-1.1.D	Revise the Zoning Ordinance and Land Development and Subdivision Regulations to encourage the installation of on-site renewable energy generation facilities in new developments and redevelopment projects.	ST 1-5 years	Zoning & Regulation Amendments	Dept Development Services (Planning Board)	Providers
Action NRG-1.1.E	Review current regulations to further allow renewable energy generation in appropriate areas of the community.	ST 1-5 years	Zoning Amendments	Dept Development Services (Planning Board)	Providers
Policy NRG-1.2	Continue to reduce Westerly's dependence on fossil fuels.				
Action NRG-1.2.A	Review capital improvement requests to include steps towards carbon reduction.	Ongoing	Administrative	Dept Public Works (Facilities)	Finance Board
Action NRG-1.2.B	Consult the State of Rhode Island, the State of Connecticut, and neighboring municipalities on technological advances in the generation of electrical power for compatibility with the community and potential incorporation into municipal regulations.	ST 1-5 years	Study	Dept Public Works (Facilities)	Purchasing
Action NRG-1.2.C	Through facility improvements and fleet replacement, decrease the overall annual volume of greenhouse gas emissions produced by municipal facilities and vehicles.	ST 1-5 years Ongoing	Program	Dept Public Works (Facilities and Highway)	Purchasing, Westerly Public Schools
Action NRG-1.2.D	Achieve at least 15% of the Town's total municipal thermal energy consumption being sourced from renewable energy by 2035 by including alternative energy technology in all municipal capital projects.	ST 1-5 years Ongoing	Program	Dept Public Works (Facilities)	Purchasing, Westerly Public Schools
Action NRG-1.2.E	Review and revise regulations to limit the amount of land disturbance during site development and construction to protect carbon sinks, such as forests and fields.	ST 1-5 years	Administrative	Dept Public Works (Eng)	Dept Development Services (Planning Board)

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
GOAL NRG-2	Westerly will use energy resources efficiently to mitigate climate-related quality-of-life and public health impacts and reduce energy consumption.				
Policy NRG-2.1	Ensure all existing and future energy infrastructure is planned, constructed, and adequately monitored to avoid negative impacts to the local environment and the community's quality of life, including public health.				
Action NRG-2.1.A	Require re-vegetation, specifically the re-planting of trees, of properties disturbed through development of energy infrastructure to protect carbon sinks, such as forests and fields.	Ongoing	Policy	Dept Public Works (Highway)	Purchasing
Action NRG-2.1.B	Amend the Zoning Ordinance and Land Development and Subdivision Regulations to require the incorporation of elements for reducing surface solar heat conduction and wind velocity, such as by increasing the area(s) of proposed greenscapes and/or avoiding the use of thermal-conductive impervious materials.	ST 1-5 years	Zoning & Regulation Amendments	Dept Development Services (Planning Board)	State
Action NRG-2.1.C	Pursue local agricultural production and food availability to reduce the community's energy consumption.	Ongoing	Program	Dept of Development Services (Economic Development Commission)	Dept Development Services (Planning Board)
Policy NRG-2.2	Reduce energy consumption across all municipal facilities and public infrastructure.				
Action NRG-2.2.A	Publicize State-level and non-profit programs which assist qualifying applicants in home weatherization activities to improve energy efficiency.	Ongoing	Program	Purchasing	Dept Development Services
Action NRG-2.2.B	Adopt a strategic energy plan in accordance with Energy 2035, the Rhode Island Greenhouse Gas Emissions Reduction Plan, and RIIB requirements, with assistance from a qualified energy consultant.	MT 5-10 years	Program	Dept Public Works (Facilities)	Town Council, Town Manager
Action NRG-2.2.C	Pursue opportunities to provide publicly accessible electric charging stations and local government workplace charging through the Electrify RI Program.	ST 1-5 years	Facilities	Dept Public Works (Facilities)	Dept Development Services
Action NRG-2.2.D	Investigate both the costs and benefits of electric charging stations to commercial development.	ST 1-5 years	Study	Dept of Development Services (Economic Development Commission)	Dept Development Services
Action NRG-2.2.E	Require all newly constructed municipal buildings and public schools to be LEED-certified.	Ongoing	Program	Dept Public Works (Facilities)	Purchasing, Westerly Public Schools
Action NRG-2.2.F	Require all new fixtures and appliances used in municipal buildings and public schools to be Energy Star© rated.	ST 1-5 years Ongoing	Facilities	Dept Public Works (Facilities)	Purchasing, Westerly Public Schools
Action NRG-2.2.G	Purchase hybrid and/or electric vehicles (EVs), including public school buses, to replace existing fossil fuel-powered vehicles.	ST 1-5 years Ongoing	Program	Dept Public Works (Highway)	Purchasing, Finance Department

Transportation Network

To achieve the component of the Westerly stated VISION of preserving and enhancing **"quality of life for all generations"** with **"a healthy environment"** and **"a strong, stable, equitable economy,"** this plan has identified the following Goals and Policies which will be followed up with specific actions for government services and facilities.

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
GOAL TRANS-1	Residents and visitors will have access to a high-quality, multi-modal transportation network that includes options for travel by air, land, and water.				
Policy TRANS-1.1	Enhance the efficiency and resiliency of Westerly's multi-modal transportation system.				
Action TRANS-1.1.A	Adopt a complete streets program to be phased in through future pavement resurfacing and road reconstruction projects and provide for long-term and continued reinvestment.	MT 5-10 years	Program	Dept Development Services Dept Public Works (Eng)	Dept Public Works (Highway), Westerly Police Dept
Action TRANS-1.1.B	Motivate residents living in close proximity to downtown to walk or bike as a means to conserve parking spaces for other residents and visitors travelling to downtown from further distances.	ST 1-5 years	Program	Dept Development Services Dept Public Works (Highway)	Department of Transportation, Ocean Community Chamber of Commerce
Action TRANS-1.1.C	Study the establishment of active transportation (walking and cycling) infrastructure within existing municipal rights-of-way.	MT 5-10 years	Study	Dept Development Services Dept Public Works (Eng)	Recreation Department, Dept Public Works (Highway)
Action TRANS-1.1.D	Pursue, with RIPTA, the opportunity for a transit mobility hub, the expansion of the Flex-bus route, the inclusion of Misquamicut State Beach on the existing seasonal beach, and special event bus service.	MT 5-10 years	Partnership	Dept Development Services	Rhode Island Public Transit Authority, Misquamicut Business Association, Ocean Community Chamber of Commerce
Action TRANS-1.1.E	Collaborate with the regional neighboring towns in Rhode Island and Connecticut to thoroughly study the feasibility and projected outcomes of connecting additional transportation networks, such as an off-street bike path.	MT 5-10 years	Partnership Study	Town Council	Recreation Department, Towns Dept Development Services
Action TRANS-1.1.F	Pursue the remediation of 14-18 Canal Street (Assessor's Map 56, Lots 26 and 27) for potential use as a public parking lot.	ST 1-5 years	Policy	Town Manager Town Council	Dept Development Services
Action TRANS-1.1.G	Incorporate appropriate, non-auto-dependent land-use patterns in future neighborhood plans.	Ongoing	Program	Dept Development Services (Planning Board)	Westerly Police Department, Dept Public Works (Eng)
Action TRANS-1.1.H	Through small area planning, seek better non-automotive connections between neighborhoods and key locations for satisfying daily errands and common personal needs.	Ongoing	Program	Dept Development Services (Planning Board)	Westerly Police Department, Dept Public Works (Eng)
Action TRANS-1.1.I	Review and revise off-street parking regulations in the Zoning Ordinance to incorporate automobile parking maximums based on need, the inclusion of bicycle parking minimum, and access to transit.	ST 1-5 years	Zoning & Regulation Amendments	Dept Development Services (Planning Board))	

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
Action TRANS-1.1.J	Research, identify, and apply appropriate strategies that provide public access to the coast and the Pawcatuck River.	ST 1-5 years	Study	Dept Development Services Harbor Manager	Conservation Commission
Action TRANS-1.1.K	Coordinate with RIDOT to better identify Route 216 and Route 91 as bicycle routes with proper signage.	MT 5-10 years	Partnership	Dept Development Services Dept Public Works (Highway)	Rhode Island Department of Transportation
Policy TRANS-1.2	Promote Amtrak service as a travel option for residents and visitors.				
Action TRANS-1.2.A	Collaborate with RIDOT, RIPTA, Amtrak, and other relevant agencies to augment the use and role of Westerly Station within Downtown and the surrounding region.	MT 5-10 years	Partnership	Dept Development Services	Rhode Island Department of Transportation, Rhode Island Public Transit Authority, etc.
Action TRANS-1.2.B	Pursue a public-private partnership to provide high-quality redevelopment, and revitalization within a half-mile radius of Westerly Station that is vibrant, compact, and pedestrian-oriented.	MT 5-10 years	Study Partnership	Dept Development Services	Westerly Education Center, State
Action TRANS-1.2.C	Through TOD, promote, enhance, and develop the conditions for increased ridership on the Northeast Regional line to and from Westerly Station.	LT 10 years +	Zoning & Regulation Amendments	Dept Development Services (Planning Board)	
Action TRANS-1.2.D	Work with RIDOT and Amtrak to establish monitoring and maintenance of all pedestrian access areas of Westerly Station, including the underpass.	ST 1-5 years	Partnership	Town Manager Town Council	Rhode Island Department of Transportation
Action TRANS-1.2.E	Seek a feasibility study on extending MBTA's Providence line and/or ConnDOT's Shoreline East to Westerly Station.	LT 10 years+	Study	Town Manager Town Council	Dept Development Services
Action TRANS-1.2.F	Encourage ridership by disseminating information about local Amtrak service.	ST 1-5 years	Administrative	Dept Development Services (Economic Development Commission)	Ocean Community Chamber of Commerce
Action TRANS-1.2.G	Collect Amtrak ridership statistics to monitor, study and subsequently determine the nature and extent of TOD appropriate to Downtown Westerly.	Ongoing	Administrative	Dept Development Services	
GOAL TRANS-2	Transportation in and around Westerly will ensure safe, efficient, and equitable travel which enhances the quality of life for both residents and visitors.				
Policy TRANS-2.1	Ensure traffic safety, including means of ingress and egress and particularly pedestrian and motor vehicle operator safety, is considered in the review of all future development plans.				
Action TRANS-2.1.A	Through TOD regulatory changes, promote walkability and require safe, comfortable pedestrian movement within all new construction and redevelopment projects, particularly residential, commercial, and mixed uses.	LT 10 years+	Zoning & Regulation Amendment	Dept Development Services (Planning Board)	Westerly Police Department, Dept Public Works (Eng)

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
Action TRANS-2.1.B	Revise the Land Development and Subdivision Regulations to require all future traffic impact analyses conducted as part of application submissions to examine pedestrians and bike riders/cyclists in addition to automobiles.	ST 1-5 years	Regulation Amendments	Dept Development Services (Planning Board)	Dept Public Works (Eng)
Action TRANS-2.1.C	Revise the Land Development and Subdivision Regulations to incorporate road design standards as a requirement for the approval of all new public and private street creations and for any opening of existing paper streets.	ST 1-5 years	Regulation Amendments	Dept Development Services (Planning Board)	Dept Public Works (Eng)
Policy TRANS-2.2	Ensure that the municipal transportation system, including, but not limited to roads, bridges, and culverts, effectively and resiliently meets the community's needs.				
Action TRANS-2.2.A	Increase enforcement of snow and ice removal from sidewalks to meet ADA standards to the greatest extent feasible and revise the Sidewalk Snow Removal Ordinance to include childcare centers, post-secondary schools, senior centers, and any place that serves as an emergency shelter and/or warming center.	ST 1-5 years	Enforcement	Westerly Police Department	Dept Public Works (Highway)
Action TRANS-2.2.B	Establish a program to prioritize and replace all remaining curbs at intersections with ADA-compliant ramps.	Ongoing	Program	Dept Public Works (Eng)	Dept Public Works (Highway)
Action TRANS-2.2.C	Identify unsafe intersections for submission as potential projects to be funded through the State Transportation Improvement Program.	ST 1- 5 years	Program	Dept Public Works (Eng)	Dept Development Services, Westerly Police Department, Dept Public Works (Highway)
Action TRANS-2.2.D	Develop an implementation plan to standardize and increase the use of marked crosswalks and install new sidewalks and clear trails in residential neighborhoods, commercial centers, and within the vicinity of schools, child care centers, civic institutions, and Westerly Train Station.	ST 1-5 years	Program	Dept Public Works (Eng)	Westerly Police Department, Dept Public Works (Highway), Dept Development Services
Action TRANS-2.2.E	Partner with local organizations to improve public health, community engagement, and mobility independence, particularly for seniors and youth.	Ongoing	Partnership	Dept Development Services (Economic Development Commission)	Age-Friendly Westerly
Action TRANS-2.2.G	Seek better and more accessible traffic data collection to improve the Town's future transportation planning and related decision-making.	ST 1-5 years	Administrative	Westerly Police Department	Dept Public Works (Highway)
Action TRANS-2.2.H	Consult with the State on potentially transformative impacts on traffic flow and safety from advances in motor vehicle autonomy.	Ongoing	Study	Westerly Police Department	Dept Public Works (Eng), Rhode Island Department of Transportation
Policy TRANS-2.3	Employ best practices to maintain a balance between Westerly State Airport's activities and quality of service and the quality of life in surrounding neighborhoods.				
Action TRANS-2.3.A	Work with the Federal Aviation Administration (FAA), RIAC, and elected State officials to ensure adequate and appropriate public involvement takes place as part of future planning for WST.	ST 1-5 years	Partnership	Town Manager Town Council	Dept Development Services, Rhode Island Airport Corporation, Federal Aviation Administration

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
Action TRANS-2.3.B	Develop a long-term plan that defines the future of WST and surrounding property, including public safety, emergency management, and economic benefits.	MT 5-10 years	Program	Dept Development Services (Planning Board)	Town Council, Rhode Island Airport Corporation

Natural Hazards and Resiliency

To achieve the component of the Westerly stated VISION of preserving and enhancing **"quality of life for all generations"** through **"a safe, resilient and compassionate community"** with a **"responsible and publicly-engaged government",** this plan has identified the following Goals and Policies which will be followed up with specific actions for resiliency.

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
GOAL RES-1	Westerly will be a resilient community, prepared for immediate and long-term environmental threats.				
Policy RES-1.1	Prioritize and protect at-risk municipal structures, property, and utilities.				
Action RES-1.1.A	Include floodplain management criteria in any future decisions by the Town to acquire or sell property located within the Special Flood Hazard Area (SFHA) or 500-year floodplain.	ST 1-5 years Ongoing	Program Administrative	Town Council Town Manger	Dept Development Services (Planning Board)
Action RES-1.1.B	Work with the State of Rhode Island, the State of Connecticut, the Town of Stonington, the Town of North Stonington, and USACE to re-engineer and prevent potential failure of bridges in the event of a flood.	Ongoing	Administrative	Town Council Town Manager	Emergency Management, Dept Public Works (Highway), State
Action RES-1.1.C	Work with utility companies in identifying and replacing utility infrastructure that is determined to be vulnerable to natural hazards.	ST 1-5 years MT 5-10 years	Study	Dept Public Works	National Grid, etc.
Action RES-1.1.D	Identify and pursue grant opportunities to mitigate the vulnerability of existing utility infrastructure, such as requiring the installation of utilities underground in new developments to avoid damage from high winds and/or falling trees.	ST 1-5 years	Administrative	Dept Development Services (Planning Board)	Dept Public Works
Policy RES-1.2	Anticipate new development, redevelopment, structural elevations, and, if necessary, retreat from coastal shorelines and riparian zones in especially vulnerable areas.				
Action RES-1.2.A	Require design and construction in strict conformance with building code requirements and hazard mitigation strategies in the floodplain.	ST 1-5 years Ongoing	Enforcement	Dept Development Services	State
Action RES-1.2.B	Adopt regulations reinforcing CRMC requirements and conditions to protect and preserve existing native vegetation in vulnerable areas.	MT 5-10 years	Regulations	Dept Development Services	Recreation Department
Action RES-1.2.C	Replace native vegetation on publicly owned open space properties within the SFHA where missing, damaged, or lost due to storm surge, beginning with the barrier beach/dune restoration.	MT 5-10 years Ongoing	Program	Dept Public Works	Recreation Department
Action RES-1.2.D	Determine changes needed to the Land Development and Subdivision Regulations and Zoning Ordinance for better protection of infrastructure within the SFHA and areas under regulation by the Shoreline Change SAMP.	MT 5-10 years	Zoning & Regulation Amendment	Dept Development Services (Planning Board)	Dept Public Works
Policy RES-1.3	Prepare for the occurrence of extreme weather events and develop mitigation policies and procedures that best reduce fiduciary risk.				

		IMPLEMENTATION HORIZON	ITEM TYPE	RESPONSIBLE PARTY	LIKELY PARTNERS
Action RES-1.3.A	Comprehensively study existing and future land uses in areas most vulnerable to coastal erosion and storm surge and, with robust public engagement, evaluate alternatives to mitigate risk.	ST 1-5 years MT 5-10 years	Study	Emergency Manager	Dept Development Services, Planning Board, State, Watch Hill Conservancy
Action RES-1.3.B	Discuss, as a community, how best to curtail new development in the Coastal Barrier Resource System (CBRS), and all areas directly exposed to the Atlantic Ocean, in order to maintain natural resources that attract tourists and seasonal renters, while best providing for the safety of residents and visitors.	ST 1-5 years MT 5-10 years	Public Outreach	Emergency Manager	Dept Development Services, Planning Board
Action RES-1.3.C	Establish a protocol to pre-position public works forces and/or equipment prior to anticipated flood events to better remove flood debris as it is accumulating.	ST 1-5 years	Administrative	Emergency Manager	Dept Public Works
Action RES-1.3.D	Pursue completion of the action outlined in the Hazard Mitigation Plan and update the Plan at least every five years, as needed, and after every major natural hazard event which impacts the community.	ST 1-5 years MT 5-10 years	Administrative	Emergency Manager	Dept Public Works, Dept Development Services, etc.
Action RES-1.3.E	Establish a Resilience Committee to strategically plan for and operationalize more economic, social, ecological, and infrastructure resilience across the municipality.	ST 1- 5 years MT 5-10 years	Administrative	Emergency Manager Town Council	Dept Public Works
Action RES-1.3.F	Dredge Winnapaug Pond and western Quonochontaug Pond in an ecologically responsible manner and use soils for local salt marsh restoration and beach nourishment projects.	Ongoing	Program	Dept Development Services	Army Corps of Engineers, State
Action RES-1.3.G	Develop a priority map for the preservation of natural areas across the municipality that are not currently protected and will enhance resilience and plan for their acquisition.	ST 1- 5 years	Study	Dept Development Services (Planning Board)	Conservation Commission
Policy RES-1.4	Improve the water quality and navigability of the Pawcatuck River and Little Narragansett Bay.				
Action RES-1.4.A	Secure funding and remove the Potter Hill Dam.	ST 1- 5 years	Study	Dept Development Services	National Conservation and WP, Recreation Department
Action RES-1.4.B	Propose local and State legislation requiring any new bridges and/or bridge replacements crossing the Pawcatuck River to include decks that fully span the River between abutments and avoid any structural need for piers or piles.	ST 1-5 years	Legislation	Town Manager Town Council	State Representatives
Action RES-1.4.C	Repair the Stillmanville Bridge and remove the Stillmanville Dam as a combined construction project.	MT 5-10 years	Facility	Town Manager Town Council	Water and Sewer, WP, Stonington

Part II

INVENTORY & ANALYSIS

Chapter 1
SUSTAINABLE NATURAL RESOURCES

The meandering Pawcatuck River separates Westerly from Hopkinton and North Stonington, Connecticut, to the north and Stonington, Connecticut, to the west. Westerly's eastern border with Charlestown is a straight-line running north/south for about 4.6 miles. The Town has a coastline on the Block Island Sound of the Atlantic Ocean for approximately nine (9) miles between Napatree Point (the westernmost point on mainland Rhode Island [RI]) and the Charlestown border. The Town's size is approximately 31.5 square miles. Its southwestern maritime border, also the New York-Rhode Island state border, extends from Little Narragansett Bay into Block Island Sound.

The topography rises from sea level along the beaches to the Town's highest elevation, Mount Moriah (249 feet), in the northwestern corner of the Town. On the west side of the Town, the elevation of Downtown Westerly rises from approximately 10 feet along the River to 155 feet near Westerly High School. At the center of the Town is a large wetland area, including Aguntaug Swamp, that is among the largest cedar swamps in Rhode Island. Chapman Pond, a freshwater pond located directly north of the wetland, is approximately 180 acres in size and 30 feet above sea level. Woody Hill, in the eastern portion of the Town, rises to 200 feet.

Section 1.1 – Watersheds

It is important to consider water resources and management from a watershed perspective because water is not confined to political boundaries. Most of Westerly's water supply comes from the Wood-Pawcatuck Watershed. The coastal region, in the south of Westerly, contains three additional watersheds. Each is associated with one of the three major salt ponds located there: Maschaug Pond, Quonochontaug Pond, and Winnapaug Pond.

The Charlestown Moraine is the most significant geological structure in southern Westerly and southern Rhode Island. The moraine travels west to east from Orient Point on Long Island, across Westerly, and eastward to the Town of South Kingstown. This elevated plateau was deposited 19,000 years ago as the glacial ice sheet of the last glacial period retreated northward. The Charlestown Moraine acts as a local divide, resulting in water falling to the south of the moraine draining into the salt ponds and water falling to the north of the moraine draining into the Wood-Pawcatuck Watershed and from the watershed into Little Narragansett Bay. The wellheads that supply the public water for the Town of Westerly source exclusively from the Wood-Pawcatuck Watershed. It is a sole source aquifer, meaning the Town has no other surface or groundwater reservoir source to obtain potable water from.

The Wood-Pawcatuck Watershed encompasses approximately 300 square miles in southeastern Connecticut and southwestern Rhode Island. Within the watershed, seven (7) major rivers and their tributaries drain to a common outlet – the Pawcatuck River and Little Narragansett Bay. These rivers, along with lakes, ponds, wetlands, and streams, serve as important wildlife habitats, recreational resources, and water supplies for agricultural production. Significant groundwater resources lie under the watershed and are the sole source of drinking water for people within it. Groundwater and surface waters are interconnected, and the watershed is noted for having some of the highest-quality groundwater and surface water in the area.

In March 2019, the watershed became the first federally-designated Wild and Scenic system in the State. The designation originates from the 1968 Wild and Scenic Rivers Act and is intended to preserve certain rivers, found to have outstanding natural, cultural, and/or recreational value, through appropriate use and development. Several organizations are active in the stewardship of the Wood-Pawcatuck Watershed. These include the National Park Service (NPS), The Nature Conservancy (TNC), the Rhode Island Rivers Council (RIRC), the Rhode Island Department of Environmental Management (RIDEM), Save the Bay, University of Rhode Island (URI) Watershed Watch, and the Wood-Pawcatuck Watershed Association (WPWA). The stewardship of the river is guided by Wood-Pawcatuck Wild and Scenic Rivers Stewardship Plan which was adopted by the 12 watershed towns and the State of Rhode Island, including the Town of Westerly. The plan was a major component of the federal designation of the Wood-Pawcatuck Watershed Wild and Scenic Rivers. Wood-Pawcatuck Wild and Scenic Rivers Stewardship Council has become an active partner in water quality and water conservation actions of the Town. The Council has access to financial, scientific, and engineering resources that the Town will need to protect the Town's water supply and natural environment. The salt pond region along the coast includes 45 square miles around the nine (9) coastal salt ponds of southern Rhode Island lying within the towns of Westerly, Charlestown, South Kingstown, and Narragansett. Maschaug Pond, Winnapaug Pond, and Quonochontaug Pond are coastal lagoons (shallow, productive embayments separated from the ocean by barrier spits) that provide important ecosystem and habitat functions. They are an important factor in the quality of life for Westerly residents and are a prime recreational attraction for both residents and visitors in the region. The Rhode Island Coastal Resources Management Council (RICRMC) is responsible for the management, protection, and enhancement of resources within the salt pond watersheds and along coastal waters. Other organizations locally active in the stewardship of the salt pond watersheds include the Salt Ponds Coalition and Save the Bay.

Section 1.2 – Surface Water

Rivers, streams, freshwater ponds, freshwater and coastal wetlands, coastal waters, and salt ponds make up the surface waters of the Town. The Pawcatuck River flows along the entire northern and western boundaries of the Town. Other named streams include Aguntaug Brook, Mastuxet Brook, McGowan Brook, and Perry Healy Brook. Chapman Pond, in the north central section of Westerly, is the Town's largest freshwater pond. Other named freshwater ponds include Dr. Lewis Pond, Long Pond, Spring Pond, No Bottom Pond, and Mickill Pond. Freshwater wetlands are scattered throughout the Town as a result of the area's glacial past and resultant soils and topography and along the Pawcatuck River. Aguntaug Swamp (also known as Chapman Swamp or Crandall Swamp) is one of the largest freshwater wetland systems in the State. Coastal wetlands include salt marshes and any contiguous freshwater or brackish wetlands. Coastal waters border the entire southern shoreline of the Town and include the tidal portion of the Pawcatuck River. In addition to the salt ponds noted previously, there is also Little Maschaug Pond located immediately east of Maschaug Pond.

Figure **Water Resources (NAT-M1)**, along with the lakes, ponds, rivers, streams, and wetlands included on many other maps in this Plan, also presents the major watershed boundaries and the estuarine water quality standard boundaries (RIDEM identifies seawaters on a class system ranging from SA to SC). The five categories of water use as established by RICRMC and the Special Resource Protection Waters (SRPWs) within the Town are also shown.

Section 1.3 –Water Quality

Preserving and improving water quality are vital to Westerly's natural resources. High-quality drinking water supplies are also critical for public health and wellbeing. Habitat areas are also essential to biological diversity, which enhances water quality. As a practical matter, both drinking water supply and habitat quality contribute to the maintenance of water quality at the highest possible level. Furthermore, good water quality is necessary for recreation, since contact with polluted waters is a health risk.

Water quality is affected by both point and nonpoint sources of pollution. Point source pollution originates from a specific place or location, such as a discharge pipe from a factory. Nonpoint source pollution originates over a widespread area of the landscape and may include waterfowl, pet waste, malfunctioning septic systems, soil

erosion, leaking underground fuel storage tanks, stormwater runoff, fertilizers, pesticides, agriculture, and road salt. Point-source discharges, as well as comprehensive management of nonpoint source discharges, are controlled by local authorities in conjunction with the United States (US) Environmental Protection Agency (EPA), RIDEM, and other federal and state agencies. Increasingly, these and other stakeholders believe many problems can and should be addressed locally through land-use planning, education, and, where appropriate, regulation.

Subsection 1.3.1 – Domestic Wastewater Stressors

Domestic wastewater contains high levels of carbon, nitrogen, phosphorus, some synthetic organic chemicals, and heavy metals. These elements can all affect aquatic habitat and groundwater quality. Nutrients such as nitrogen and phosphorus may stimulate growth of algae in coastal ponds and in the Pawcatuck River that can eventually lead to declining levels of oxygen and adverse impacts on habitat (a process called eutrophication). WPWA monitors dissolved oxygen levels in the rivers quarterly to evaluate these impacts. Synthetic organic chemicals and heavy metals in wastewater are toxic to humans and other living organisms. Domestic wastewater also contains bacteria, viruses, and medical/drug residue, which may threaten human health if viable microorganisms enter drinking water. Industrial wastewater can have the same contaminants as domestic sewage; however, concentrations of synthetic organic chemicals and heavy metals may be much higher in industrial waste.

Westerly has a municipal sewage collection and treatment system that serves nearly half of the Town's residents. The rest of the Town is served by on-site wastewater treatment systems (OWTS), more commonly known as septic systems. It is expected that these systems will continue to be the primary source of wastewater disposal for areas outside the current sewer district into the foreseeable future. Proper function and treatment of a septic system depends on existing soil characteristics as well as on proper system maintenance. RIDEM regulates septic systems and has established minimum standards for siting, design, and installation of these systems.

The typical lifespan of a septic system is 20 to 30 years and many existing septic systems have outlived their usefulness. Additionally, many of these systems in Westerly and their predecessors, cesspools (a type of wastewater treatment that RIDEM considers to be substandard), were installed prior to RIDEM's current minimum standards. Improperly designed or failing systems can contribute pollutants in the form of nitrates, excessive nutrients, and fecal coliform bacteria to nearby surface waters or groundwater.

The Rhode Island Cesspool Act of 2007 (Rhode Island General Law [RIGL] §23-19.15) went into effect on June 1, 2008 and required a phasing out of all cesspools that present the highest risks to public health and/or the environment – primarily, cesspools located in close proximity to tidal water areas and public drinking waters - by 2013. In Westerly, this Act affected any cesspools located within 200 feet of the shoreline or within 200 feet of a public drinking water well. Funding options were made available to qualified property owners in 2018 to repair/replace failing septic systems/cesspools through the Community Septic System Loan Program (CSSLP). Two (2) applications have been approved as of the date of this Plan's publication. In addition, any property that has an active cesspool and is being sold must have the septic system upgraded within one (1) year of sale of the property.

Subsection 1.3.2 – Wellhead Protection

The primary issue facing the quality of Westerly's water supply is the lack of protective measures to ensure its integrity. Westerly's water supply comes primarily from groundwater wells located in White Rock, with additional capacity from wells in Bradford and Aguntaug Swamp. Westerly wells also provide water to 11 businesses and approximately 1,500 homes in Connecticut. Westerly's zoning code permits commercial, manufacturing, and high-density residential uses over much of the aquifer. This permission presents a substantial risk of contamination from exposure to potentially hazardous waste spills, leaking underground storage tanks (LUSTs), and road salt runoff.

Protection of groundwater quality is facilitated through the protection of the source water supply. Source water protection areas, such as wellhead protection areas and aquifer recharge areas, have been identified by the State. However, protection strategies for the source water supply are accomplished through local plans, ordinances, and

development standards related to wellhead protection areas, aquifer recharge areas, and other critical areas. Special considerations should be taken to further protect the areas within the community wellhead protection areas by strengthening land-use regulations to minimize the risk of contamination.

State agencies involved in the protection of groundwater and drinking water include RIDEM, the Rhode Island Department of Health (RIDOH), and the Rhode Island Water Resources Board (RIWRB). RIDEM administers the *Groundwater Quality Rules*, which classifies the State's groundwater and establishes groundwater quality standards for each classification. This regulation also includes the State's wellhead protection program. RIDOH is responsible for ensuring proper operation and maintenance of the public water systems to ensure a safe drinking water supply. RIDOH is also responsible for the Source Water Assessment Program. RIWRB is an executive board within the State government charged with managing the proper development, conservation, and utilization of the State's water resources.

Groundwater reservoirs, groundwater recharge areas, and wellhead protection areas are delineated by RIDEM. These areas are critical for the protection of drinking water quality. Groundwater reservoirs contain the highest potential yield of drinking water. Recharge areas include surface lands that drain into the groundwater reservoir. A wellhead protection area (WHPA) is the portion of an aquifer through which groundwater moves to a well. The Town of Westerly operates 12 water supply wells at seven (7) pumping stations. Town wells are located in three (3) separate WHPAs: the Bradford and Crandall WHPAs, which are located entirely within Westerly, and the White Rock and Noyes Avenue WHPA, which includes two (2) separate subareas (both extending into Stonington, Connecticut). The RIWRB requires a Water Supply System Management Plan (WSSMP), which must include a water quality protection component. A WSSMP must be updated every 5 years. In addition, the water supplier must conduct water quality testing and submit the results to RIDOH.

Subsection 1.3.3 – Stormwater Management

During a rain event, rainwater either infiltrates into the ground or runs across it. As areas become more developed, a larger amount of stormwater can run off paved surfaces, roofs, compacted soils, and lawns, rather than soaking into the ground. As stormwater drains into local waterways, it carries sediment and pollutants, including fertilizers, pesticides, road salt, oil, heavy metals, and pathogenic bacteria and viruses, with it. Large stormwater flows within streams and rivers causes erosion and degradation of riparian habitats. Stormwater management can help reduce these effects.

Phase I and Phase II of the National Pollution Discharge Elimination System (NPDES), administered by the EPA, require the control of polluted discharges from large construction sites, certain industrial activities, and operators of municipal separate storm sewer systems (MS4s). These requirements include the establishment of a stormwater management program that is intended to improve water bodies by reducing the quantity of pollutants that can enter storm sewer systems during storm events. They also require the use of best management practices (BMPs) intended to reduce the negative impacts of stormwater. RIDEM implements the NPDES stormwater requirements through the Rhode Island Pollution Discharge Elimination System (RIPDES) Stormwater Program. In order to address requirements of RIPDES, as well as requirements of the NPDES Phase II permitting process, the Town of Westerly continually implements its Phase II MS4 Storm Water Management Program Plan (SWMPP).

Westerly has a Stormwater Management Ordinance (*Westerly Code* Chapter 224) that establishes minimum stormwater management requirements and controls. Its stated objectives are:

- to minimize increases in stormwater runoff to reduce flooding, siltation, increases in stream temperature, and stream bank erosion, and maintain the integrity of stream channels;
- to minimize increases in nonpoint source pollution caused by stormwater runoff from development, which would otherwise degrade local water quality; and
- to reduce stormwater runoff rates, soil erosion, and nonpoint source pollution through stormwater management controls and to ensure that these management controls are properly maintained and pose no threat to public safety.

The Town of Westerly Department of Public Works (DPW) maintains the existing stormwater system on public streets and public properties, while private landowners and homeowner associations maintain stormwater management systems on private properties. Funding for stormwater system management is limited but continues to be adequate to provide for routine system maintenance. Catch basins and storm drains are cleaned routinely and the system generally appears to be functioning as designed. The Department of Public Works maintains a list of Town-wide drainage issues and works with the Engineering Division to develop plans that incorporate best management practices (BMPs) to remedy the drainage issue while improving water quality. Stormwater network maintenance, repairs, and improvements are also conducted in conjunction with the Town's annual road resurfacing program. The Town actively seeks out grant opportunities for stormwater projects to improve water quality within the existing stormwater network.

The Town's Zoning Ordinance includes general development standards for erosion and sediment control (Westerly Code §260-89), which require installation and maintenance of control measures and BMPs to control erosion and sedimentation for non-agricultural land development. In addition, the Town's Land Development and Subdivision Regulations include design and improvements standards for bioretention and stormwater management (Westerly Code §A261-30.1). These regulations require the construction of bioretention areas (including green infrastructure [GI], such as rain gardens and grass swales) to reduce the volume and velocity of stormwater runoff and increase pollutant filtering and groundwater recharge.

Generally, RIDEM has jurisdiction for almost all projects in Westerly that trigger regulatory requirements for stormwater. CRMC has jurisdiction for stormwater requirements under the Red Book (650-RICR-20-00-1.3.1(F)) only when a project is located on a shoreline feature or the 200-foot contiguous area, or triggers one of the jurisdictional watershed activities as defined in the Salt Pond SAMP (reference 650-RICR-20-00-3). The CRMC's regulatory jurisdiction is specified in the Westerly Zoning Ordinance at § 230-53(D).

In addition to the RIPDES stormwater permitting programs, the RIDEM and CRMC implement the requirements of the RI Stormwater Management, Design, and Installation Rules for development and redevelopment projects meeting certain criteria. The purpose of these rules is to provide standards for planning, designing, and installing effective stormwater BMPs to effectively manage the impacts of stormwater and prevent adverse impacts to water quality, habitat, and flood storage capacity. These rules require a stormwater management site plan for review by State and local government.

Subsection 1.3.4 – Flooding

Westerly is subject to damage from flooding of both inland surface waters and from coastal storm surges. Development in wetlands and floodplain areas can reduce the land's natural ability to store floodwaters. Hurricanes, tidal flooding, and nor'easters (which appear in the winter and spring more regularly than do hurricanes in summer and autumn), all cause severe coastal flooding and erosion. These hazards are thoroughly documented in the Local Hazard Mitigation Plan 2017 Update. In October 2013, an amendment to Section 980 of the Salt Pond Region Special Area Management Plan (SAMP), illustrated on Figure **Salt Pond Region SAMP (NAT-M3)**, became effective, which permitted the use of experimental coastal erosion control methods within the Misquamicut Headland (these methods are also permitted within the Matunuck Headland in South Kingstown) until October 2019.

Westerly participates in the National Flood Insurance Program (NFIP) by adopting and enforcing floodplain management ordinances to reduce future flood damage. As of this Plan's publication, Westerly is a participant in the Community Rating System (CRS) program and has achieved a Class 7 rating - the highest class rating in Rhode

Island. The CRS is a voluntary program that recognizes and encourages a community's efforts to exceed the NFIP minimum requirements for floodplain management. The CRS program emphasizes three goals:

- the reduction of flood losses,
- facilitating accurate insurance rating, and
- promoting the awareness of flood insurance

In exchange for undertaking these activities, the NFIP makes federally-backed flood insurance available to homeowners, renters, and business owners in these communities at a reduced rate.

In addition to providing flood insurance and reducing flood damages through floodplain management regulations, the NFIP identifies and maps the nation's floodplains. Within Westerly, there are three (3) general zones of high flood risk. Zone A and Zone AE areas are within the one-percent (1%) annual chance floodplain (more commonly known as a 100-year flood) and Zone V areas are also within the one-percent chance floodplain but have additional hazards associated with wave action. For properties with federally-backed mortgages, mandatory flood insurance purchases apply for developments within zones A, AE, and V. Maschaug Pond, Quonochontaug Pond, and Winnapaug Pond, their surrounding lowlands, Napatree Point, Sandy Point, and the coves in Little Narragansett Bay are particularly vulnerable to storm surge. This vulnerability was evident in the aftermaths of historic flooding in spring 2010 and Hurricane Sandy in October 2012.

In August 2017, WPWA and consultant Fuss & O'Neill completed the Wood-Pawcatuck Watershed Flood Resiliency Management Plan (Wood-Pawcatuck Flood Resiliency Plan). The document was also prepared in partnership with several stakeholder organization and all watershed communities, including the Town of Westerly. As part of its efforts for Wild and Scenic designation, WPWA worked to identify a range of approaches and efforts to protect and restore numerous natural resources within the Wood-Pawcatuck Watershed. In the plan, conclusions led to recommendations under five (5) primary categories – dams and impoundments, culverts and bridges, floodplains and river corridors, wetlands, and stormwater. Each recommendation is also prioritized. Several recommendations fall within or along the Town's geographic boundaries. Among the high-priority considerations are removal of the Potter Hill Dam and projects for 15 restoration sites along the Pawcatuck River. The active participation of the WPWA within the community and the Town's planning efforts to ensure the implementation of this Plan's goals, policies, and actions will further the community's and region's resiliency to future flood events within the Wood-Pawcatuck Watershed.

Subsection 1.3.5 – Lakes, Freshwater Ponds, Rivers, and Streams

While water quality in the Wood-Pawcatuck Watershed is generally described as excellent, there are threats actively eroding the environmental quality of the watershed, and much of the Pawcatuck River in Westerly is listed as impaired. Monitoring on the Pawcatuck River and its tributaries suggests the River is threatened by elevated lead levels, which may occasionally exceed EPA's National Recommended Aquatic Life Criteria. Elevated nutrients, particularly nitrate levels, have also been measured in the Pawcatuck River. Fecal coliform bacteria are another important nonpoint source contaminant, originating from some agricultural land uses, wild animals, and failing septic systems. Several measurements are routinely taken in the watershed to assess the health of aquatic communities. Results of the assessment tests indicate several rivers and streams within the watershed are stressed, including portions of the Pawcatuck River.

A Total Maximum Daily Load (TMDL) study, known as the "Implementation Plan for Pawcatuck River Bacteria TMDL: Downtown Westerly (Phase I)," dated August 2018 and prepared by Vanasse Hangen Brustlin, Inc. (VHB), predates

the watershed plan or the Wood-Pawcatuck Resiliency Study. The introduction of the report states, "This TMDL Implementation Plan was developed for the Town of Westerly to address the goals of the Total Maximum Daily Load (TMDL) focused on bacteria impairments and developed for the Pawcatuck River and Little Narragansett Waters. The TMDL was completed in 2010 by the Rhode Island Department of Environmental Management (RIDEM) and approved by the Environmental Protection Agency (EPA) later that year. The goal of this plan is to enable the Town to identify, prioritize, and implement water quality improvements in a cost-efficient manner."

The federal Clean Water Act (CWA) requires states to prepare a list of water bodies that do not meet water quality standards for ensuring that water is healthy for such uses as fish and wildlife habitat, domestic and agricultural water supplies, and recreation in and on the water. All water bodies identified on the list must attain water quality standards within a reasonable period, either through a TMDL study (also known as a water quality restoration plan) or another pollution control mechanism. Within and in the proximity of Westerly, the Rhode Island 2016 Impaired Waters Report, Final (March 2018) included the Pawcatuck River and Tributaries (broken into three segments – from the Bradford Dyeing Association [BDA] wastewater treatment facility [WWTF] discharge point to Meeting House Bridge [Route 3], Meeting House Bridge to Pawcatuck Bridge [Route 1], and Pawcatuck Bridge to Pawcatuck Rock [tidal]), Chapman Pond, and the Perry Healy Brook and Tributaries. TMDL studies and BMPs are used to return water bodies to a healthy condition. The Town of Westerly has been awarded a New England Interstate Water Pollution Control Commission (NEIWPCC) Grant to create a TMDL Implementation Plan and a new watershed plan in conjunction with the Wood-Pawcatuck Flood Resiliency Study. This Plan has been created and is a major step towards the Town becoming eligible to apply for funding available through the CWA.

Since 1988, the WPWA has sponsored volunteer monitoring of a significant number of water bodies in the watershed, including Chapman Pond in Westerly, as part of the URI's Watershed Watch Program. Results of testing have shown that Chapman Pond has moderate to above average levels of phosphorus, giving it a eutrophic classification.

Chapman Pond was included in the 2016 Impaired Waters Report due to lead and non-native aquatic plants. The impairments can generally be traced to the surrounding land uses, including an adjacent road salt storage facility and the inactive former landfill. In June 2015, the Town received a grant to remove invasive species from Chapman Pond. Identified invasive species are scheduled for systematic removal.

Subsection 1.3.6 – Coastal Waters and Salt Ponds

In the salt pond region, failing or sub-standard septic systems have been identified as the single most important nonpoint source of bacterial and nutrient contamination to coastal waters. The tidal portions of the Pawcatuck River and Little Narragansett Bay are also listed as impaired water bodies in Connecticut as a result of elevated bacteria levels. Currently, the direct harvesting of shellfish is prohibited at all times in Little Narragansett Bay due to pollution closures. Shellfishing is also not permitted in the tidal portions of the Pawcatuck River, from the Pawcatuck Bridge to the mouth of the River at Rhodes Point. This reach is assessed as partially supporting aquatic life. The tidal portions of the Pawcatuck River and Little Narragansett Bay were the subject of The Pawcatuck River Estuary and Little Narragansett Bay: An Interstate Management Plan**,** which was adopted in 1992 through a coordinated effort between the State of Connecticut, the State of Rhode Island, the Town of Stonington, and the Town of Westerly. While much of the plan is now outdated, its general recommendations for management remain relevant.

Oxygen levels are very low because of nutrient over-enrichment (eutrophication). Metals and pathogens are also threats in the upper tidal reach. Much of the bottom of Little Narragansett Bay is now covered in a thick macroalgal mat, sometimes referred to as Black Mayonnaise. This blanket of algae gives off a foul odor when exposed to air and creates low-oxygen zones that suffocate eelgrass, oysters, and scallops. In some places, this decaying organic matter is several feet thick and the mat appears to be spreading. The University of Connecticut (UConn) and URI have both been studying this algae formation, which is thought to result from fertilization of coastal waters by runoff from the Wood-Pawcatuck Watershed. This outbreak has attracted the attention of Save the Bay and Rhode

Island's congressional delegation. The Westerly WWTF is a relatively minor loading source in comparison to the nonpoint source inputs (urban runoff, storm sewers, etc.) along this stretch of the shoreline.

The salt ponds are considered valuable components of the coastal wetlands. Quonochontaug Pond (733 acres) is the largest of the three (3) major coastal salt ponds within the Town, though only its western most third is in Westerly (its eastern two-thirds are located within Charlestown). It is particularly sensitive to threats of nonpoint source pollution due to prevalent soil types that result in slow permeability and high runoff rates. Restricted tidal flow in the western third can result in depleted oxygen levels and, in some coves, higher bacteria levels. Bacterial water quality surveys of the pond from 1977 to present indicate somewhat higher coliform counts adjacent to developed areas, although overall bacterial water quality remains good. Although there is limited data, it appears the total average nitrogen concentration is increasing with time. The most recent Aquatic Health Index from the Salt Ponds Coalition continued to show elevated levels of dissolved inorganic nitrogen in Westerly's portion of the pond.

The second largest of the three salt ponds is Winnapaug Pond (446 acres), generally surrounded by the Misquamicut and Weekapaug neighborhoods. Dense development in these two areas has produced high runoff rates and, in some cases, stormwater drainage carries effluent from failing septic systems. Safe shellfishing limits for bacteria have been exceeded in the pond. The most recent Aquatic Health Index from the Salt Ponds Coalition indicated elevated concentrations of Chlorophyll-a and dissolved inorganic nitrogen in its western half and elevated dissolved inorganic nitrogen in its eastern half.

The smallest of the three major saltwater ponds, Maschaug Pond (42 acres), is unique because it is completely landlocked (between Misquamicut and Watch Hill). Major storm events have periodically resulted in influxes of salt water and regular monitoring of the pond does not take place.

The Watch Hill Conservancy and Save the Bay actively monitor Little Narragansett Bay, the salt ponds, and the coast, as "king tides", coastal storms, and sea level rise continue to impact the shoreline and water quality. These organizations cover the cost of data collection and contribute documentation and water quality samples to Watershed Watch at the University of Rhode Island and RI MyCoast – an initiative of the RICRMC to document the effect that extreme tide events have on our state's beaches, coastal waterways, private property, and public infrastructure. These studies will continue in an effort to mitigate shoreline erosion, street flooding, and infrastructure damage, as well as protection of upland habitats where salt marsh migration is likely to occur.

Subsection 1.3.7 – Groundwater

The Town of Westerly withdraws water from the Bradford and Westerly aquifers through six (6) large community supply wells: Bradford Wells II and III, the Crandall Well, and the three (3) White Rock Wells. The total combined pumping capacity of these wells is 7.43 million gallons per day (MGD), with 5.41 MGD (72.8% of the total combined pumping capacity) coming from the White Rock Wells.

The quality of the Pawcatuck River Basin's groundwater is generally considered good to excellent with only isolated sources of contamination. Hazardous waste spills have been documented in the Crandall and White Rock and Noyes Avenue wellhead protection areas. In a 2015 area study of the Town and surrounding area, Environmental Data Resources, Inc. (EDR) found 26 Leaking Underground Storage Tank (LUST) sites in the study area, several of which were located within Westerly's aquifer recharge and wellhead protection areas.

Elevated levels of nitrates and bacteria, which can result from failing septic systems, have been detected in the water supply area. Research conducted by URI has estimated septic systems account for more than 50% of all nitrogen entering the watershed as recharge groundwater. The White Rock and Noyes Avenue wellhead protection areas have previously experienced chemical contamination events from fuel spills. The wells in the system have also exhibited elevated levels of sodium, most likely a result of winter road salting.

Section 1.4 – Water Resources Management and Protection

Entities responsible for regulatory management and protection of surface waters include RIDEM (responsible for surface water quality, groundwater quality, stormwater management, on-site wastewater wetland regulations, and point source discharges through its Office of Water Resources), RICRMC (responsible for preservation, protection, development, and restoration of coastal areas, including coastal wetlands), and the Town of Westerly (Department of Public Works Utility and Engineering Division).

While not a regulatory body, Rhode Island Rivers Council (RIRC) has the authority to designate local watershed councils. In this capacity, it has designated the WPWA as the watershed council for the Pawcatuck Watershed. The Salt Ponds Coalition is the designated watershed council for the salt pond watersheds. These watershed councils have the authority and standing to present testimony in all State and local administrative proceedings that impact waterbodies and water quality. The primary guides for the protection and restoration of water quality and aquatic habitats are State Guide Plan Element 721, Rhode Island Water 3030, and State Guide Plan Report #121, Water Quality 2035.

Primary objectives for the Wood-Pawcatuck Sub-basin (the portion of the larger Wood-Pawcatuck Watershed that includes Westerly) include, in order of importance:

1. Preservation of its quality as the State's premier freshwater recreational resource
2. Maintenance of wildlife habitat quality
3. Keeping groundwater quality high
4. Preservation of agriculture

The Town of Westerly endeavors to integrate water quality planning with land-use planning and with planning for activities such as recreation and habitat preservation. Broader objectives are to protect drinking water supplies, foster the creation of greenways, and provide for the clean-up of the Pawcatuck River.

Subsection 1.4.1 – Management and Protection of Coastal Waters and Salt Ponds

RICRMC is responsible for the management, protection, and enhancement of coastal areas. The regulatory authority of the RICRMC includes activities conducted on a coastal feature, the 200-foot area contiguous to a coastal feature, and areas extending to three (3) nautical miles offshore. In addition, natural coastal features, such as coastal beaches, dunes, barriers, coastal wetlands, bluffs, and salt ponds, all have an extended contiguous area of 200 feet from their inland borders under the authority of RICRMC.

RICRMC administers the Coastal Resources Management Program (CRMP/Red Book), which includes specific regulatory requirements for buffers, setbacks, subdivisions, recreational docks, barrier beach development, beach replenishment, and any other activities that occur within RICRMC's jurisdiction. This regulation is important for the protection of USFWS Coastal Resources Barrier System (CRBS) sites in Westerly and the Westerly shoreline, classified by NOAA as essential fish habitat. Special protections are provided to the shore off Napatree, which is classified by the CRMC as an "Area Designated for Preservation" because of its regional importance as winter sea duck habitat.

In partnership with RIDEM, RICRMC is also responsible for implementing the Rhode Island Coastal Non-Point Pollution Control Program (RICNPCP). Other management programs of RICRMC include the Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast (wetlands are discussed later in this chapter) and Special Area Management Plans (SAMPs). The SAMPs are ecosystem-based

management strategies designed to address a diversity of issues on a watershed scale. The Salt Pond Region SAMP was the first SAMP developed by RICRMC. It focuses on managing the potential development of the salt ponds watersheds and establishes regulatory standards to protect and improve saltwater pond water quality. It also identifies pollution sources, wildlife habitat, and prudent development strategies to effectuate restoration and preservation of salt pond resources.

In addition to state and federal agency oversight, the Town of Westerly is dedicated to protecting the coast and its nearshore environments, as these features define much of the community character of the Town and provide critical wildlife habitats. To effectively manage these resources, Westerly will explore *marine spatial planning* for Little Narragansett Bay, the Salt Ponds, and the south shore. Marine spatial plans would identify compatible uses and may lead to new zoning policies to protect coastal resources, similar to what is already being done for land-based resources in the Town. The State of Connecticut is developing a similar plan for all of Long Island Sound, known as the Blue Plan, and this document could provide guidance in developing Westerly's marine spatial plan. The Town will partner with several organizations and community members that value the coastal environment, some of which include the Watch Hill Conservancy, Save the Bay, the Salt Ponds Coalition, the Weekapaug Fire District, local yacht clubs and marinas, and fishermen.

Subsection 1.4.2 – Management and Protection of Non-Coastal Surface Waters

RIDEM, through its Office of Water Resources, is responsible for the protection of surface water quality inland of coastal areas through enforcement of the RI Stormwater Management, Design and Installation Rules. The Office maintains regulations regarding groundwater quality, stormwater management, on-site wastewater treatment, and wetlands.

Wood-Pawcatuck Watershed Association (WPWA) is active in the stewardship of surface water in the Wood-Pawcatuck Watershed and developed the Wood-Pawcatuck Watershed Action Plan of 2020-2023. Achievements of the WPWA include the identification and prioritization of opportunities to protect and restore riparian corridors, participation in the development of the South County Greenspace Protection Strategy in 2003, and leading a successful effort to have the rivers of the watershed federally designated as Wild and Scenic in 2019. WPWA, with the consultancy of Fuss & O'Neill, also prepared the Wood-Pawcatuck Watershed Flood Resiliency Management Plan in 2017. This document summarized the findings of an extensive study of the watershed and offered recommendations that have been incorporated into this Plan.

Subsection 1.4.3 – Management and Protection of Wellheads

Wellhead Protection Plan

The management of WHPAs is facilitated through the Rhode Island Wellhead Protection Program, which requires municipalities and large water suppliers with one or more groundwater sources to inventory potential pollution threats in the wellhead protection areas and develop a wellhead protection plan. Wellhead protection plans must include, at minimum:

- a pollution threat assessment,
- identification of protection strategies,
- coordination with neighboring states, communities, and water suppliers (where appropriate), and
- a procedure for implementing the chosen strategies.

In 2003, URI and RIDOH completed assessments of all public water supplies in the State, including the Town of Westerly Water District. Westerly's results were published in the report Westerly Source Water Assessment by URI Cooperative Extension in cooperation with RIDOH and is available for review at the DPW facility on White Rock Road. A 2001 Water Supply System Management Plan (WSSMP) assessment addressed the second requirement by identifying known and potential sources of pollution in drinking water supplies and ranking their susceptibility to future contamination. A more current version of this plan was completed in 2015.

General protection strategies have been identified in the Westerly Source Water Assessment report and protection strategies specific to Westerly are presented in the 2015 WSSMP. Recommendations focus on protection measures that can be implemented through local plans, ordinances, and development standards because municipal decision makers have primary authority over land use and the responsibility to control associated impacts. Protection strategies specific to Westerly presented in the 2015 WSSMP include the adoption of a wastewater management district, a public education program, land acquisitions along the Pawcatuck River, and strengthening of Westerly's aquifer protection ordinance to prohibit new underground storage tanks for either hazardous materials or home heating oil.

The final two (2) requirements of a wellhead protection plan must still be completed by the Town. These requirements include the identification of which protection strategies will be implemented for the protection of the groundwater supply and the development of an implementation procedure for the chosen strategies, as well as the coordination with neighboring states, communities, and water suppliers. In addition, changes to the Zoning District Use Tables are also required.

Protective Radii Around Wellheads

The Town addresses RIDOH's requirement of an inner protective radius around public water supply wells in its Water Ordinance, specifically the section regarding the protection of public water supply wells (*Westerly Code* §251-27). The Water Ordinance defines a 400-foot radius around public water supply wells located in the Town, in which any development that would change the State of the area (i.e., dwellings, barns, etc.) and/or the introduction or deposit of contaminating substances (e.g. liquid or solid waste, stormwater drainage, pesticides, etc.) are prohibited. The 2015 WSSMP indicates that the Town owns and controls the land around each wellhead and that the Town has acquired land within the 400-foot radius.

Aquifer Protection Overlay District

One source water protection tool is a groundwater overlay zoning district. The value of such an overlay district depends on the permitted uses and performance standards required within the overlay district. Both Stonington, Connecticut, and Westerly have established groundwater zoning overlay districts in their respective zoning codes.

The Aquifer Protection Overlay District (APOD) adopted by the Town of Westerly was designed to encompass the three (3) WHPAs as well as the identified aquifer recharge areas within the Town. However, the footprint of the overlay district does not fully correspond to the footprint of the current RIDEM WHPAs and GAA classified groundwater (see Figure **Groundwater [INF-M1]**). By ordinance, Westerly prohibits gas stations, dry cleaners, photo processing, other high-risk land uses in the overlay district and requires an Aquifer Protection Permit for other land uses that pose an elevated risk. The permit application requires more detailed information to be provided about the proposed project by the applicant. Westerly's ordinance does not include performance measures. The Town of Stonington has a Groundwater Protection Overlay District in its zoning code that prohibits the siting of high-risk land uses and new underground storage tanks in groundwater protection areas. It also includes performance measures.

Acquisition of open space lands in the APOD began in 1989 with the acquisition of a 229-acre Town Forest. Since 1991, the Town's Utilities Division has acquired several properties in the vicinity of the Bradford well field. In 2004, the Westerly Land Trust (WLT) purchased the 500-acre Grills Preserve, which is comprised almost entirely of stratified drift aquifer adjacent to the Pawcatuck River, and the Crandall Farm, 423 acres surrounding the Town well.

Tables 1-1 through 1-4 below provide a general overview of the information presented above:

Table 1-1 Salt Ponds Water Quality, Management, and Protection

Resource		Water Quality	Issues	Stressors	Management and Protections
Salt Ponds	Maschaug	Unknown	• Unknown	• Failing or substandard septic systems • Stormwater runoff • Urban development	• CRMP • RI Nonpoint Source Management Program • Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast • Salt Pond Region SAMP • RI Nonpoint Source Management Program • OWMP
	Quonochontaug	Good	• Increasing bacteria • Increasing nutrients • Low dissolved oxygen		
	Winnapaug	Somewhat impaired	• High bacteria • High nitrate concentrations		

Table 1-2 Pawcatuck River Water Quality, Management, and Protection

Resource		Water Quality	Issues	Stressors	Management and Protections
Pawcatuck River	Lower	Impaired	• High lead levels • High heavy metal pollutants • High bacteria • Low dissolved oxygen • No shellfishing	• Bradford Mill Sewage Treatment Facility • Stormwater runoff • Failing septic systems • Agricultural pollution	• Federal Clean Water Act §303(d) • CRMP • List of Impaired Waters • River Policy and Classification Plan • The Pawcatuck River Estuary and Little Narragansett Bay: An Interstate Management Plan • URI Watershed Watch
	Upper	Impaired	• High bacteria • Elevated lead • High nitrate concentrations		

Table 1-3 Aquifer Water Quality, Management, and Protection

Resource		Water Quality	Issues	Stressors	Management and Protections
Aquifers	Ashaway	Good	• Localized contamination • High nitrate concentrations • High bacteria • Hazardous material spills	• Urban development • Failing septic systems • Road salt	• Rules and Regulations for Groundwater Quality • Rules and Regulations Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of On-Site Wastewater Treatment Systems • RIDEM establishes footprint of groundwater reservoirs, groundwater recharge areas and WPAs • RI Wellhead Protection Program • OWMP • Wastewater Facilities Plan • WSSMP • Westerly Source Water Assessment
	Bradford	Good			
	Westerly	Good			

Table 1-4 Coastline Water Quality, Management, and Protection

Resource		Water Quality	Issues	Stressors	Management and Protections
Coastline	Town-wide	Unknown	• Erosion and habitat degradation • Climate change	• Urban development	• CRMP

Section 1.5 – Agriculture

Agriculture in Westerly is valued for its provision of fresh food, economic contributions, and its role in the maintenance and protection of open space and rural character. According to the Town's Assessment Department, there are four (4) large-scale traditional working farms within the Town:

- Everbreeze Farm | 56 Dunn's Corners-Bradford Road (Assessor's Map 101, Lot 2),
- Hillandale Farm | 26 Haversham Road (Assessor's Map 134, Lot 3A-1),
- Manfredi Farms | 77 Dunn's Corners-Bradford Road (Assessor's Map 92, Lot 1), and
- Ocean Breeze Farm | 9 Noyes Neck Road (Assessor's Map 132, Lot 88A and Map 133, Lot 1).

Agricultural activity occurs on several other parcels within the community. These farms raise chickens, cows, goats, horses, pigs, sheep, and other livestock for several agricultural products include meat, dairy, fiber, vegetables, fruits, starches, herbs, flowers, hay, and compost. Organic farming is increasing in popularity locally, as consumers demonstrate a willingness to pay increased prices to know where and how their food is grown. Many local farmers sell wholesale, and local grocers, restaurants, and florists have begun working with local farmers in community-supported agriculture programs that benefit both the farms and the retailers. Although agriculture is highly valued, it does have the potential to negatively affect water quality and aquatic habitats if conservation practices are not used to protect these resources. More information on the economic impact of the local agricultural sector can be read in the Economic Vitality chapter.

Subsection 1.5.1 – Aquaculture

According to RIDEM, aquaculture in the State has nearly doubled in the past few years and coastal salt ponds have been one of the major focuses for this industry. Westerly's salt ponds are nearly ideal environments for shellfish cultivation, with the eastern oyster being the largest crop. CRMC is the primary permitting agency for marine aquaculture. There are 13.35 acres of aquaculture in Winnapaug Pond between two (2) lease holders. This Plan recognizes that to support aquaculture, good water quality is needed. While aquaculture is a basic economic activity for the community and has favorable growth potential, the activity also has the potential to interfere with other uses of the salt ponds. Aquaculture tracts become off limits to recreational users and displace public uses of coastal pond waters. Also, where aquaculture would pose navigational hazards, threaten wildlife, or pose an obstacle to resiliency efforts, it is discouraged. Westerly needs to evaluate the trade-offs associated with aquaculture expansion to balance the economic benefits of aquaculture against potential recreational losses, preservation and conservation efforts, and the public safety concerns involved in resiliency objectives.

Subsection 1.5.2 – Farmland Soils

The United States Department of Agriculture (USDA)'s Natural Resources Conservation Service (NRCS) classifies all soil, including prime farmland soils and farmland of State-wide importance, within the US and compiles the information in soil surveys. When prime and important farmlands are lost to commercial, industrial, or residential uses, agricultural activities become relegated to other soils that may be more erodible and prone to drought, less productive, or less easily cultivated. Of the 65 soil types within Westerly, 18 types (covering 2,212 acres, or 11% of the Town of Westerly) are considered prime farmland. An additional 11 soil types (covering 2,008 more acres, or 10% of the Town) are considered farmlands of State-wide importance. Three of the four farms noted in Section 1.5 are located on prime farmland and/or farmland of State-wide importance.

Figure **Agricultural Soils (NAT-M4)** indicates all areas in Westerly that contain prime farmland soils and soils of State-wide importance, as identified through soils data provided by the Rhode Island Geographic Information System (RIGIS). The locations of these soils were not limited to undeveloped areas, as it is possible new agricultural operations may be established in the future on land currently used residentially. The map also shows lands actively used for agricultural activity through inclusion of the land cover/land-use RIGIS dataset, based on spring 2011 orthophotography. Rhode Island's Farmland Preservation Act (RIGL §42-82) allows the State to identify and acquire development rights in order to maintain farming, productive open space, and groundwater recharge areas. Three of the four farms noted above have been protected from future development through the purchase of agricultural development rights. Another farm, Silver Farm, is protected by agricultural development rights but is not in active farming use.

Section 1.6 – Natural Habitats and Vegetation

Westerly's natural landscapes provide the basic sources of food, water, space, and cover necessary for its native species to survive. Beyond this though, the natural environment is a significant factor in our own lives, from basic oxygen production to stress reduction to artistic inspiration in traditional and digital mediums.

Subsection 1.6.1 – Wetlands

Wetlands perform valuable ecological functions by removing nutrients, pollutants, and sediments from surface water runoff, recharging water supplies, reducing shoreline erosion and flood risks, and providing fish and wildlife habitat, recreational opportunities, aesthetic benefits, sites for research and education, and commercial fishery benefits.

RIGIS maintains a geographical database of wetlands in Rhode Island that are classified according to the *Classification of Wetlands and Deepwater Habitats of the United States*, based on their overall wetness and the characteristics of their soils and plants. The most abundant freshwater wetland type in the Town of Westerly, and within the State, is forested wetlands. These wetlands are dominated by the presence of woody vegetation 20 feet or taller in height. Westerly has approximately 2,905 acres of forested wetlands (approximately 15% of the Town). Additionally, there are approximately 608 acres of scrub-shrub wetland (3% of the town), 151 acres of freshwater emergent wetlands (less than one percent of the Town), and 303 acres of estuarine emergent wetlands (less than two percent of the Town). Figure **Ecological Communities (NAT-M5)** uses a dataset contributed by Photo Science, Inc. to RIGIS that is based on the orthophotography captured in spring 2011. The ecological communities shown on this map are classes (including wetland classes) introduced by the *Rhode Island Ecological Communities Classification* in October 2011 which contains simple descriptions of each community. Developed land classes were grouped together to better highlight non-developed ecological communities but are shown in greater detail in Figure **Land Cover 2011 (LUZ-M1)**.

Legislation to protect and regulate the use of wetlands exists at both the federal and State levels of government. RIDEM regulates non-coastal wetlands through the Rules and Regulations Governing the Administration and Enforcement of Fresh Water Wetlands Act. Non-coastal wetlands include bogs, floodplains, ponds, marshes, riverbanks, rivers, streams, and other areas as defined in the regulations. Coastal wetlands are regulated by the RICRMC under authority of RIGL § 46-23-6, as well as through the CRMP and the Salt Pond Region SAMP. The RICRMC addresses coastal wetlands, including salt marshes and coastal freshwater or brackish wetlands contiguous to salt marshes. RIDEM and RICRMC prohibit filling of, or other alterations, to wetlands. RIDEM and RICRMC both require permits for and evaluate all proposed projects that may alter the natural character of wetlands and their functions and/or values. Westerly does not have any municipal wetland regulations or requirements.

In addition to government regulation, some of the best protection for wetlands has been provided through acquisition and conservation easements by private and public land protection programs. Nearly all mapped figures, including those referenced in this chapter, show the location of wetlands. Figure **Conservation Lands (NAT-M6)** offers a visual overview of private and public conservation lands in respect to wetlands. Approximately 1,356 acres (34% of total wetlands) fall within these conservation areas. These areas include State and Town-owned lands as well as private and public land trust holdings. The purposes of the acquisitions include preservation of open spaces, habitat conservation, agricultural land preservation, recreation, and wellhead protection. The wetlands will still be affected by land-use activities within the conservation land as well as by adjacent land uses.

In 2005, the RIRC published Establishment of Riparian and Shoreline Buffers and the Taxation of Property Included in the Buffers: A Report to the Governor, President of the Senate and Speaker of the House. The report outlined a series of recommendations for the improved protection of riparian and shoreline buffers. Some of the recommendations relevant to the development of this Plan include:

- Private land owners, watershed councils, land trusts, and municipalities are encouraged to protect critical riparian areas through the following programs:

    - Land conservation and acquisition
    - Flexible urban development standards and tax incentives to encourage restoration of riparian vegetation during the redevelopment of urban parcels
    - Conservation development strategies
- Provide tax incentives to encourage protection of buffer areas
- Designation by municipalities of riparian buffer corridors as open space land in their community comprehensive plans, which would open up the opportunity to provide temporary buffer protection through the Farm, Forest, and Open Space Act.
- Promote education as to the importance of buffers and the tax benefits of donating conservation easements
- Seek state bond monies through RIDEM for riparian buffer restoration

In an effort to monitor and assess the ecological health of freshwater wetlands, and to address some of the concerns included in RIRC's 2005 report, RIDEM initiated the Rhode Island Freshwater Wetland Monitoring and Assessment Plan in 2006. The goal of wetland monitoring and assessment is to improve wetland protection and management by understanding the cumulative impacts of human activities on wetland condition. This RIDEM program is in the development phase and the wetland monitoring and assessment activities are being implemented by RIDEM in partnership with the Rhode Island Natural History Survey (RINHS). Table 1-5 below provides a general overview of the information presented above:

Table 1-5 Wetlands Water Quality, Management, and Protection

Resource		Water Quality	Issues	Stressors	Management and Protections
Wetlands	Town-wide	Unknown	• Unknown	• Stormwater runoff • Urban development	• List of Impaired Waters • RI Freshwater Wetland Monitoring and Assessment Plan • CRMP • Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast • Salt Pond Region SAMP

Subsection 1.6.2 – Buffer Zones

Buffer zones (vegetated areas adjacent to rivers, streams, ponds, wetlands, and coastal waters) are important landscape features that help to prevent erosion and control the transport of sediment into adjacent wetlands and water bodies. Buffer zones are valuable for removing pollutants and excess nutrients from surface water runoff and, in some cases, from the underlying groundwater. They also provide valuable wildlife habitat. Residential and commercial development removes considerable areas of vegetation from the landscape and increases impervious areas. The cumulative effects of many individual non-vegetated areas can result in increased sedimentation to surface waters and less removal of pollutants from surface and groundwater. RIDEM and RICRMC have programs in place to protect riparian buffers. RIDEM is finalizing revised wetland regulations that require a buffer of 200 feet outward from the edge of a river, stream, or drinking water supply reservoir and 100 feet outward from all other wetlands. For coastal areas, RICRMC policy requires coastal buffer zones for certain new or improved residential development and proposed commercial and industrial development.

Subsection 1.6.3 – Terrestrial Habitats

Trees and woody shrubs are an essential component of wildlife habitat for their production of nuts, seeds, fruits, twigs, buds, and foliage for consumption by herbivorous wildlife. In addition, trees and shrubs themselves provide protection and shelter for insects and other prey animals that are consumed by many other forms of wildlife. The diversity and pattern of forests is one of the primary factors determining which types and where wildlife live in a terrestrial environment. The structure and form of the vegetation in the forest, and other early successional habitats, is the critical component of habitat for wildlife. Few wildlife species live exclusively in terrestrial upland. Most utilize adjacent wetlands in some way that may include a source of drinking water, a travel corridor, or an escape cover when under threat by predators.

Forested conservation areas in Westerly include the Town Forest, Riverwood, Grills Preserve, Bradford Preserve, Newton Swamp Management Area, and Woody Hill Management Area. Management and planning efforts for the conservation of terrestrial habitat include those discussed under Subsection 1.6.1 as well as in the next chapter.

Subsection 1.6.4 – Barrier Beaches, Sandy Beaches, and Dunes

The southern coast of Westerly includes several wetlands, rocky shores, bluffs, salt ponds, barrier beaches, and dunes. The barrier beaches are narrow strips of land that occur parallel to the coastline and are separated from the mainland by a coastal salt pond or tidal wetland feature. They are comprised of unconsolidated materials, mostly sands and gravel, and contain a vegetated dune. These habitats are dynamic and can change in shape and extent with each tide and storm event. Vegetation is generally sparse and scattered along elevated portions of the beach. The trapping of windblown sands by dune grass or artificial fencing contribute to the growth and development of dunes. The Salt Pond Region SAMP explains that the natural cyclical patterns of sand placement on beaches and dunes is dynamic. Attempts to stabilize their shapes are not feasible, desirable, nor appropriate.

The Shoreline Change SAMP was approved in June 2018 and provides guidance and tools for State and local decision makers to plan for, prepare for, absorb, recover from, and successfully adapt to the impacts of coastal storms, erosion, and sea level rise. This Plan supports and reinforces the Shoreline Change SAMP by applying the research, tools, and strategies presented in the SAMP to future coastal land-use decisions in Westerly.

Major beaches in Westerly:

- Sandy Point
- Napatree Point
- East Beach
- Maschaug Beach
- Misquamicut State Beach
- Westerly Town Beach
- Wuskenau Beach
- Dunes Park Beach
- Quonochontaug Beach
- Fenway Beach

The coastal areas are highly valued for their recreational opportunities, as places to establish residences, and for the habitat functions they provide. These values are often conflicting, which presents challenges for the management and protection of these resources. The preservation of this land as public or private open space has the benefits of providing public recreation opportunities and protecting the visual character of the area for residents, while also conserving critical wildlife habitat and minimizing economic losses associated with storm damage. Barrier beaches, however, have proved difficult to police and maintain, and, with several notable exceptions, there have not been enough funds available for appropriate walkover structures, foredune zone management, beach replenishment, and education.

Sandy Point is a 35-acre barrier island in Little Narragansett Bay that is managed as a wildlife refuge by the Avalonia Land Conservancy. Prior to the Great New England Hurricane of 1938, Sandy Point was the westernmost extent of

Rhode Island's mainland. Since 2015, Sandy Point is actively monitored by the US Fish and Wildlife Service (USFWS) as part of the National Refuge System. Napatree Point is largely managed as the Napatree Point Conservation Area by the Watch Hill Fire District and the Watch Hill Conservancy in cooperation with the USFWS for protection of the federally-threatened piping plover. Maschaug Beach, owned by the Misquamicut Club, is also managed in cooperation with USFWS for piping plover protection.

The Lathrop Wildlife Refuge and Winnapaug Salt Marsh conservation area on the northern shore of Winnapaug Pond are managed by the Audubon Society of Rhode Island. Misquamicut State Beach and Westerly's two public beaches are located on the heavily-developed barrier that forms the southern side of Winnapaug Pond. Dunes Park and Watch Hill private beaches are accessible to the public. The Quonochontaug barrier within Westerly includes conservation areas managed by the Weekapaug Fire District, the Weekapaug Foundation for Conservation, and the Nopes Island Conservation Association. Fenway Beach is managed by the Weekapaug Fire District.

Subsection 1.6.5 – Sand Dunes and Dune Grass

Sand dunes form between the shrub zone and the beach. A sand dune is created whenever sand blown by the wind can be trapped by plants and debris. Older dunes are more stable and are termed "secondary dunes," usually existing between the shrub zone and the higher, newer dunes termed "primary dunes." Sand dunes provide a first line of defense against the effect of high winds, storm surge, inland flooding, and beach erosion, serving to protect interior land. Sand dunes also provide habitat to a variety of wildlife, shore birds, insects, and plants, some of which may be threatened or endangered. Their protection is in the best interests of both property owners (coastal and inland alike) and residents/visitors seeking to enjoy the beaches while preserving them into the future.

In some of Westerly's beaches, dune fences are erected to assist in creating and maintaining this unstable resource. While dunes erode due to wind and wave action, especially during storms, they can quickly rebuild if vegetation remains in-tact. As a fragile natural resource, the largest threat to their existence is often human foot traffic, which degrades dune vegetation. This threat can be ameliorated by designating paths over the dunes and educating the public. Migration of dunes landward will also be essential to combatting sea level rise, and maintaining proper distance between coastal structures and the dunes is essential to ensuring that migration can occur. While technically under the jurisdiction of the RICRMC, Westerly is committed to protecting these natural resources.

Subsection 1.6.6 – Bluffs and Rocky Shores

In addition to beaches and dunes, Westerly's south shore is characterized by areas of coastal bluffs and rocky shores. Two (2) areas of coastal bluffs include Watch Hill, where more than a mile of low-profile bluffs extend east toward Maschaug Pond, and at Weekapaug Point (often referred to as the overlook or the lookout). Small areas of rocky shoreline occur at Napatree Point, Watch Hill Point, and Weekapaug Point.

Subsection 1.6.7 – Rare Species and Unique Habitats

The Town of Westerly covers an area with many varied habitats ranging from barriers, salt water and brackish ponds, tidal marshes, freshwater wetlands, rivers and streams, upland fields, and woodlands. A number of valuable water resources in the watershed provide unique habitats for numerous rare and endangered species. About 70% of Rhode Island's globally rare species (generally found at fewer than 100 sites worldwide) and 63% of the State rare species and natural community occurrences (such as rare plants and animals) are found within the Pawcatuck Watershed. RIDEM's Rhode Island Natural Heritage Program (RINHP) tracks the State's rare species and natural communities of conservation concern. The RINHP has developed lists of species, both plant and animal, considered to be endangered or threatened at the federal level, endangered or threatened at the State level, or of special concern in the State. These data sources are used to prioritize land protection activities throughout the public and private sectors. The RINHP has identified several sites in Westerly that are natural communities of conservation concern and where rare species are known to exist.

Figure **Habitat Resources (NAT-M2)** also shows the significant Natural Heritage Areas (NHAs) that exist in Westerly, as contributed to RIGIS by RIDEM in spring 2016. NHAs are areas where there have been notably dense numbers of observations of one or more species deemed rare, threatened, or noteworthy species by the State and/or federal governments.

The RI Wildlife Action Plan (WAP) was first adopted by the RI DEM and approved by the USFWS in 2005. RI DEM, with assistance from the RI Chapter of The Nature Conservancy and the University of Rhode Island, published a 10-year revision in 2015. The 2015 RI WAP is a comprehensive plan that provides direction and coordination of wildlife conservation efforts. Top ranking rare and vulnerable habitats in the Region are abundant and healthy in Westerly, for example Maritime Herbaceous Dunes and Maritime Shrubland. The WAP database on habitat condition is an important resource regarding habitat vulnerability. Benefits that the RI WAP brings to the state include: a comprehensive approach to wildlife conservation; millions of dollars in matching funds for the conservation of non-game species and their habitats; new local and regional partnerships; and increased support for statewide conservation priorities.

Subsection 1.6.8 – Pawcatuck River

The Pawcatuck River and its tributaries support 40 species of freshwater, anadromous (living in salt water and entering freshwater to spawn), and catadromous (living in freshwater and entering salt water to spawn) fish including striped bass, white perch, smelt, alewives, shad, Atlantic salmon (federally listed as endangered), and wild and stocked populations of brook trout. Fish passage restoration projects have restored anadromous alewife, American shad, sea-run brown trout, and rainbow smelt to the river. Small returns of adult Atlantic salmon have also been achieved.

As noted earlier in the chapter, the Pawcatuck River is federally designated as a Wild and Scenic river, along with the other six (6) rivers of the Wood-Pawcatuck Watershed. In 2014, the National Park Service (NPS) had preliminarily found the watershed to be likely eligible based on a reconnaissance survey, and a cooperative agreement with WPWA was signed the following year to facilitate a three (3)-year study of eligibility. A Wild and Scenic Study Committee then began meeting in December 2015 and the *Wood-Pawcatuck Wild and Scenic Rivers Stewardship Plan* was adopted in June 2018.

Subsection 1.6.9 – Aguntaug Swamp

Aguntaug Swamp is one of the largest freshwater wetlands in Rhode Island, at approximately 2,000 acres, and contains one of the most extensive stands of Atlantic white cedar in the state, along with a great diversity of wetland vegetation. It also contains marsh, bog, and open water habitats. The boundaries of Aguntaug Swamp include Chapman Pond, Phantom Bog, and the Pawcatuck River.

Aguntaug Swamp is important as a groundwater resource and flood control area for the Pawcatuck River. A variety of mammals, amphibians, waterfowl, and other water birds frequently utilize the swamp and Chapman Pond, including several rare species. Bird species nesting here include osprey (federally protected), bitterns (listed as endangered and threatened by the State), and herons (listed as a species of concern by the State).

Subsection 1.6.10 – Coastal Environment

Salt ponds provide important ecosystem and habitat functions. These include prime habitat for over 100 species of fish, shellfish, and birds that utilize the salt ponds at some stage in their life cycle. Many species found elsewhere in the State are present in the salt ponds region and many are dependent upon the salt ponds' specialized habitats, such as salt marsh and brackish wetlands. The most populous species are quahogs, oysters, and flounder. Unfortunately, habitat fragmentation within the watersheds of each has impacted many of these species and resulted in declining populations.

Shorebirds are one group that depends significantly on salt ponds. Documented nesting of the previously mentioned piping plover occurs at several sites along the south shore, including Maschaug Pond and Napatree

Point. The National Audubon Society has designated several Westerly sites as a global priority Important Bird Area (IBA) because of their importance to migratory shorebirds.

USFWS maintains lists of bird species classified as Nongame Migratory Bird Species of Management Concern in the continental United States. Species from this list occurring in the salt ponds region include the seaside sparrow, northern harrier, American bittern, and black rail. The first three (3) species are listed as rare species by the State. Waterfowl, including plovers, ducks, and geese, are common inhabitants of the salt ponds and use the area most heavily during migration and wintering periods. The American black duck is considered a species of concern by the USFWS. Overall, numbers of waterfowl recorded during counts made within the past five (5) years are less than historical accounts made prior to the current level of development, which includes such alterations to the natural environment as breachways, a modification that has affected the food supply for many birds.

Many mammal species can be found within the diverse habitats of the salt ponds region as well. These include meadow voles, white-footed mice, rabbits, chipmunks, squirrels, skunks, bats, red and gray fox, raccoons, muskrat, minks, ermines, fisher, martin, river otters, white-tailed deer, coyotes, and a small but increasing winter population of seals.

The Napatree Point Conservation Area (hereafter Napatree Point) includes 86 pristine, unsullied acres of beach and coastal habitat. A privately-owned beach, publicly accessible, it is managed by the Watch Hill Fire District and preserved by a conservation easement with a local non-profit organization, the Watch Hill Conservancy. Napatree Point extends approximately 1.3 miles west into Little Narragansett Bay, forming a protective harbor and habitat for numerous species of fish, crab, shore birds, insects, fauna, and eel grass. It serves as an important resting area for migratory birds and is considered a "living laboratory" by the University of Rhode Island's Coastal Resources Institute. Napatree has been formally designated a global priority IBA by the National Audubon Society, a Climate Demonstration Site by the University of Rhode Island, and is informally considered a Dark Sky Site. It should be noted here that Maschaug Pond and Beach are also designated as a global priority IBA and stretches of this beach are maintained by another local non-profit organization, the East Beach Association.

Subsection 1.6.11 – Habitat Protection

The main threat to wildlife habitat is the development of land for human uses. Natural threats such as cyclones and invasive species can also contribute to the loss of quality wildlife habitat. The clearing of land for construction and development destroys native vegetation and its natural moderating effects, resulting in increased velocity and quantity of water runoff. Wetland filling and alteration impacts the ecological function of the remaining wetlands. Construction of breachways and associated dredging have changed the ecology, chemistry, and biology of the salt ponds by increasing the rate at which sand accumulates within them and altering their salinity and flushing characteristics.

Numerous regulations and planning documents have been developed with the goal of protecting wildlife habitat. Many of these have already been discussed in previous sections of this chapter. Regulations at the State level include the RIDEM and RICRMC wetlands regulations mentioned in the Wetlands section of this chapter. Regulations specific to the Westerly area include RICRMC's Salt Pond Region SAMP. Within the SAMP, policies to protect fish and wildlife habitat include prohibiting the disturbance of winter flounder spawning grounds during the spawning season (between the months from December through May) and prohibiting the alteration or disturbance of piping plover habitats during nesting. Planning efforts at the State and watershed level include the Rhode Island Freshwater Wetland Monitoring and Assessment Plan, the Rivers Policy and Classification Plan (RPCP), and the South County Greenspace Protection Strategy (discussed further in Chapter 2).

Chapter 2
OPEN SPACE AND RECREATION

With regard to open space and recreation, *Land Use 2025* poses a series of questions to be addressed when setting and implementing goals and policies that specifically relate to open space and recreation.

The Rhode Island Comprehensive Planning and Land Use Act defines open space as:

> "Any parcel or area of land or water set aside for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space; provided that the area may be improved with only those buildings, structures, streets, and off-street parking, and other improvements that are designed to be incidental to the natural openness of the land."

Therefore, open space may be either permanently protected or subject to public or private use (e.g., golf course, land enrolled in the Farm, Forest, and Open Space Program, public park, agriculture, etc.). This Chapter uses the terms "conservation" and "Conserved Land" to distinguish those lands that are permanently protected from development. Open space for recreation may mean development for 'active' recreation, which includes constructed facilities, and/or 'passive' recreation, which involves existing natural resources and can be engaged in at sites that are undeveloped or minimally developed. The Town of Westerly has both land and water areas of local and regional significance providing residents and visitors with both access and enjoyment of open space.

While *Land Use 2025* establishes a framework for open space and recreation planning, *A Greener Path* and *Ocean State Outdoors* assess more specific State-wide needs and provide specific goals and policies which municipalities may address in their comprehensive plans.

Several selected accomplishments toward achieving the 2010 Plan's recommended actions for Open Space and Recreation include:

- Acquisition and protection of several hundred acres town-wide by the Town and several non-profit organizations including:
  - the Town Forest
  - the Lucey properties (through a $3 million bond in 2006 and $1.3 million bond in 2014)
  - properties along Canal Street, Harbor Drive, and Shetland Drive
- Purchase of an additional boat to patrol Westerly's shoreline and river
- Provision of picnic facilities at Cimalore Field, Gingerella Sports Complex, and Craig Field
- Creations of Rotary Park, Wuskenau Beach, and a community center
- Clearing of hiking trails and provision of signage at the Town Forest
- Upgrades to school and municipal playground facilities
- Hiring of a Program Coordinator in the Recreation Department
- Increasing activities made available at the Westerly Senior Citizens Center

Continued open space preservation efforts and recreation facility improvements are encouraged and assisted by the Recreation Department, the Recreation Board, the Westerly Municipal Land Trust (WMLT), the Conservation Commission, and numerous private and non-profit partners.

Section 2.1 – Existing Open Space For Conservation

Open space in Westerly is a part of the community's character and is essential to the protection of natural resources and recreational facilities for residents and visitors. WMLT and the Conservation Commission both provide the Town Council with recommendations for conservation, but the Town has not had a consistent funding source for the purchase of open space for its passive recreational needs. WMLT has relied solely on the passage of municipal bonds for its funding. The following subsections provide an inventory of existing open space, regional conservation plans and strategies, and available preservation tools which will assist in the management of these resources.

In Westerly, there is a demonstrated need for balance between the protection of and provision for natural resources and development pressures. Responding to the Town's open space preservation needs are a variety of public and private organizations which have together protected over 5,000 acres, translating into about 26% of the Town's total land area. No less than 58% of these conserved lands combined were publicly accessible (a specific percentage could not be determined because some properties had limited, rather than full, public access but further information regarding these limitations was not available). Figure **Conservation Lands (NAT-M6)** includes all existing conservation areas permanently protected, including local 'conservation intents' in which property owners have made efforts to protect their land from future development. Table 2-1 below illustrates the breakdown of conservation lands between public and private owners.

Table 2-1 Conservation Land by Owner

Owner	Acreage	Percentage	Public Access Acreage
State of Rhode Island	975.1	18.6%	975.1
Town of Westerly	792.1	15.1%	580.9+
Westerly Municipal Land Trust	476.4	9.1%	419.6+
Public Ownership Subtotal	2,243.6	42.9%	1,975.6+
Audubon Society of Rhode Island	95.5	1.8%	86+
Avalonia Land Conservancy	38.8	0.7%	38.8
H. C. Moore Foundation	31.5	0.6%	31.5
Memorial & Library Assoc. of Westerly	14.5	0.3%	14.5
The Nature Conservancy	119.8	2.3%	0+
Nopes Island Conservation Association	4.1	<0.1%	4.1
Shelter Harbor Fire District	93.5	1.8%	0
Watch Hill Conservancy	8.14	0.2%	2.71
Watch Hill Fire District	66.88	1.3%	66.88
Weekapaug Fire District	51.8	1.0%	0
Weekapaug Foundation for Conservation	108.9	2.1%	19.8+
Westerly Fire District	1.7	<0.1%	0
Westerly Land Trust	1687	32.3%	1057
Other Private	663.3	12.7%	0
Private Ownership Subtotal	2,985.4	57.1%	1,321.3+
Total	5,229.0	100%	3,296.9+

Source: New England GeoSystems, 2019

Many properties are also subject to one or two easement owners and many easements also list more than one participant, reflecting funding and contingent succession of financial or operating responsibility. These documents are matters of public record that can be researched and accessed through the Town's land evidence records.

Open space is scattered throughout the Town but is more largely concentrated in the eastern and northern portions of Westerly. All of these areas are accessible to the public. One of the largest contiguous open space land masses in Rhode Island, held in preservation by multiple organizations, is on the eastern border of Westerly. Here, more than 1,300 acres of land act as a natural greenway system for animal migration and habitat. The organizations that own the properties that create this greenway are:

Owner	Area	Acres
State of Rhode Island	Woody Hill Management Area	±820
Westerly Land Trust	Wahaneeta Preserve	±75
Westerly Municipal Land Trust	Lucey Properties	±490

The Lucey properties were both acquired through the passage of municipal bond referendums from the Lucey farm located at McGowan's Corners. The first bond was passed as an open space and recreation bond in 2006 and led to the establishment of the Bradford Preserve. The second bond was passed as a passive recreation bond in 2014. Other lands that are contiguous with this Greenway System but not held in perpetuity as recreation or open space include 61 acres owned by the Narragansett Indian Tribe. This Plan calls for an assessment of both the conservation and recreation value of the land contiguous to the Greenway Systems.

A substantial amount of open space exists on the four (4) golf courses in the Town: the Shelter Harbor Golf Club (closed membership and partially located in neighboring Charlestown), the Misquamicut Club (closed membership), the Weekapaug Golf Club (semi-closed membership), and the Winnapaug Country Club (open membership). The Shelter Harbor Golf Club and Weekapaug Golf Club are both preserved through conservation easements. Although they contain areas of open space, the four golf courses are recognized as commercial recreational enterprises and their zoning designation is Commercial Recreation (CR).

Coastal open space, accessible to the public, includes the Misquamicut State Beach, the Town's two beaches, the Weekapaug Fishing Area, Napatree Point Conservation Area, and several beaches owned by fire districts. The Audubon Society of Rhode Island and WLT maintain large areas of open space along Shore Road on the northern shore of Winnapaug Pond, just north of Shore Road is WLT's Dr. John Champlin Glacier Park and Winnapaug Farm Preserve.

Open space preservation in Westerly has a variety of purposes, including agricultural land protection, water supply protection, habitat protection and recreation. Integral to ensuring continued open space protection in Westerly are land acquisitions. Acquisition types include fee simple ownership, agricultural development rights, conservation easements, and recreation easements. Property acquisitions have been proven to be an economic benefit to local communities (recreation, tourism, reduction of costs associated with storm damage) and they also help preserve community character and scenic viewpoints. Consistent reliable funding for open space acquisition, such as through a real estate transfer tax, should be considered.

Section 2.2 – Regional Conservation Plans and Strategies

As Westerly considers its future open space preservation needs, it is important to consider how these needs fit into the regional framework. In achieving regional goals for open space conservation, there is a need to understand the limiting factors such as road widths, traffic constraints, topography, existing environmentally sensitive areas, and availability of funds.

For the Town to achieve what is proposed in the State's Greenspace and Greenways System, it needs to:

- Continue efforts to obtain open spaces along the Pawcatuck River

- Initiate a greenways project along the Town's coastal border
- Preserve greenspace along the coast and in the central portion of the Town

South County Greenspace Protection Strategy was completed in 2003. Although it remains a preservation resource, it should be updated with a more contemporary reference to current open space policies and strategies of RIDEM. Priorities identified in the composite maps include: five (5) primary destination points in Westerly (Bradford Landing, White Rock, Westerly Center, Watch Hill and Weekapaug), heritage areas along the Town's coastal edge and along the Pawcatuck River, a large natural resource zone in the central portion of town and heritage areas within natural resource zones near White Rock, Bradford Landing, Weekapaug, Watch Hill, and Chapman Pond. Other priorities identified on the Westerly maps include heritage corridors, natural resource corridors, bike trails, hiking trails, and water trails.

Section 2.3 – Conservation Tools

Several tools are available to the Town to help it preserve and maintain open space as development occurs, including the Farm, Forest, and Open Space Act, funding sources, and State/regional guides to development practices.

Table 2-2 Conservation Tools for Open Space

Tool	Description
Farm, Forest, and Open Space Act tax incentive program	Helps preserve properties for farming, forested land, or open space. As property owners face increasing economic pressures to convert to more profitable land uses, this program enables land owners to have their land assessment based on its current use, not its value for development. This is a tool that has been utilized in Westerly. As of autumn 2019, 66 properties were enrolled in this program.
Funding sources for land acquisition/protection	Funding sources for land acquisitions are a critical tool for preservation. Funding sources include direct or matching funds from various entities including RIDEM, Champlin Foundation, Ducks Unlimited, the Lattner Family Foundation, open space bonds, and others.
Rhode Island Conservation Development Manual[2]	Provides a 10-step process for planning and design of creative development projects. The manual is a response to increasing development pressures and resulting suburban sprawl. Like the goals of cluster development, the manual utilizes conservation development as a technique to preserve open space in a community.
South County Watersheds Technical Planning Assistance Project[1]	An effort by several groups, including RIDEM, Rhode Island Rural Lands Coalition, and South County Planners, to prepare a comprehensive review of the best possible solutions nation-wide and present how they can be applied locally. The result of the project was several documents to help plan for growth, including the South County Design Manual, model zoning ordinances, strategies to promote farming and forestry, a Transfer of Development Rights study, and a Development Site Assessment Guide.

[1]Town of Westerly Assessment Department

[2] RIDEM provides several guides for environmentally-sensitive development.

Section 2.4 – Recreation

The Recreation Department (established in 2001 as a result of a recommendation in the 1991 Comprehensive Plan), manages and administers improvements for all Town recreation areas and facilities – including Westerly Town Beach and Wuskenau Beach – with the involvement of DPW's Buildings and Grounds Division and a volunteer Recreation Board. The seven-member Board meets once monthly and advises both the Planning Board and the Town Council on the planning, organization, and promotion of recreational resources in Westerly. The Recreation Director reports to the Recreation Board on municipal recreation efforts and other matters.

Figures **Land-Based Recreation (REC-M1)** and **Water-Based Recreation (REC-M2)** show the Town's existing public non-water and water-based recreation sites, boat launches and ramps, bike routes, hiking trails, and scenic areas. The recreation sites included are those on the most up-to-date State Comprehensive Outdoor Recreation Plan (SCORP) Inventory of Facilities as contributed by RIDEM.

At the beginning of 2017, the Town of Westerly engaged BSC Group, Inc. to develop a master plan for publicly-owned recreation and athletic facilities. The "Westerly Athletic Facilities Master Planning Site Analysis and Evaluation," dated September 2017, is the tool for town staff and the Recreation Board or the Westerly School Department to use for assistance with planning and management of facilities for active recreation and athletics.

There are eight (8) public facilities reviewed and discussed in the Master Plan:

1. Bradford Preserve
2. Cimalore Recreation Complex
3. Craig Field Recreation Complex
4. Gingerella Sports Complex
5. Westerly Youth Football Field
6. Rotary Park
7. Westerly Middle School
8. Westerly High School

These facilities were individually evaluated in the report. The report analyses the context, circulation, zoning, soils, and field evaluations for each facility. Other fields and athletic facilities do exist within the Town but are not covered under the scope of this report since they are not town-owned or maintained. They include Airport Road Field (State-owned), elementary school playgrounds, and the Trombino Sports Complex (privately-owned).

Global policies suggested by BSC Group, Inc. to guide recreational facility improvements include the following:

1. Upgrade facilities to meet Americans with Disabilities Act (ADA) accessibility needs.
2. Ensure equivalent facilities for boys and girls to meet Title IX requirements.
3. Upgrade athletic facilities to include multiple athletic fields, improve lighting, and replace aging and/or outdated infrastructure.
4. Promote community sports programming in multi-court facilities by replacing single tennis and basketball court facilities in favor of multiple courts of the same type at a given facility (i.e., consolidate uses to create recreational hubs or hotspots).
5. Include green initiatives in future planning.
6. Explore the possibility of converting irrigation systems from city water to wells to reduce maintenance budgets.
7. Install more durable and lower maintenance surfaces in high wear areas of playgrounds.
8. Create new amenities and programs to adjust to changing recreational demands and trends.

Subsection 2.4.1 – Municipal Land-Based Facilities

There are several outdoor, non-water-based public facilities which serve Westerly's active recreation needs. These include the Bradford Preserve, Bowling Lane Playground, Cimalore Field, Craig Field, Gingerella Sports Complex, Rotary Park, and a basketball court and tennis court on Narragansett Avenue (see Tower Street School Community Center in Table 2-4). Additionally, the Town maintains the State-owned Airport Field. In addition to these facilities, it should also be noted the Town owns a 230.4-acre property along the Pawcatuck River known as the Town Forest. Although this property is categorized as habitat protection land, it also contains approximately three miles of trails for nature walks and environmental education. The table below presents the Town's facilities in slightly more detail:

Table 2-3 Municipal Land-Based Recreation Facilities

Facility	Location	Description	Figure REC-M1 Reference
Bradford Preserve	Bradford Road	2 lacrosse fields and cross-country/hiking/mountain biking trails	1
Bruce Ladd Memorial Dog Park	Larry Hirsch Lane	Dog park	2
Bowling Lane Playground	Bowling Lane	1 playground	3
Cimalore Field	Wilson Street	1 baseball field, 2 basketball courts. 1 playground, and 4 softball fields	4
Craig Field	Mountain Avenue	1 softball field, 1 basketball court, and 1 playground	5
Gingerella Sports Complex	White Rock Road	1 basketball court, 1 playground, 1 skate park, 8 soccer fields, and 1 tennis court	6
Westerly Youth Football Complex	60 Old Hopkinton Road	1 football field, 1 practice field	7
Rotary Park	Airport Road	2 playgrounds, 6 tennis courts, and 2 volleyball courts; walking trail	8
Recreation Department	15 Church Street	Administrative offices, multi-use gymnasium, 1 baseball field, 1 basketball court, 2 tennis courts, 2 playgrounds, classrooms	9

Source: Town of Westerly, 2019

Generally, the Town's recreation facilities are in fair condition. Much of the infrastructure is aging and in need of repair and upgrades. Replacement of dated and damaged amenities, including parking areas, press box buildings, bleachers, and lighting would improve public benefit and safety of these facilities. Installation of new light fixtures in some of these parks will improve safety, reduce potential vandalism, extend usability of these sites, reduce maintenance, and increase energy-efficiency. Drainage issues noted on some athletic fields, tennis and basketball courts, and parking areas should be addressed to reduce long-term infrastructure deterioration and land erosion. Addition of Americans with Disabilities Act (ADA) accessible walking paths would also provide broad benefits to some of the larger park areas. Rather than providing single basketball and tennis courts within a park, multiple courts of the same kind should be concentrated in specific parks, allowing for more programmed sporting events to occur at these parks.

Many of the natural turf athletic fields are in poor condition due to overuse and drainage concerns. To reduce demand on existing natural turf fields, it is estimated that an additional 3 or 4 youth fields and 2 natural turf multi-purpose fields would be needed. Some of these additional fields may be constructed through expansion of facilities

at Gingerella Sports Complex. Additional athletic field needs may be met through the acquisition of additional land to construct natural turf fields or conversion of existing athletic fields to synthetic turf to increase the intensity of use permitted. Most notable in need of relief are the Westerly High School athletic fields, which receive intensive play throughout the year and would benefit majorly from conversion to synthetic turf. Suitable land for expansion of facilities is sparse; thus, conversion to synthetic turf may be the most effective way to reduce maintenance and increase play time on these fields.

Implementation of infrastructure upgrades identified in the 2017 master plan is currently ongoing and additional funding to complete additional recreational facility goals is being pursued.

Subsection 2.4.2 – School District Land-Based Facilities

The Westerly School Department works in conjunction with the Recreation Department to provide and optimize the recreation opportunities available for the entire Westerly community. School recreational facilities are available to the public while not in use by the schools. Table 2-4 details some information regarding the available recreation resources at Westerly Public Schools. The property at 15 Church Street, the former Bradford School, also includes outdoor recreation fields and playground.

Table 2-4 School District Land-Based Recreation Facilities

Facility	Location	Description	Figure REC-M1 Reference
Dunn's Corners Elementary School	8.5 Plateau Road	1 basketball court, 1 general field, 1 gymnasium, 1 paved playing area, and 1 playground	10
Springbrook Elementary School	39 Springbrook Road	1 basketball court, 1 general field, 1 gymnasium, and 1 playground	11
State Street Elementary School	35 State Street	1 general field, 1 gymnasium, and 1 playground	12
Westerly High School	23 Ward Avenue 15 Highland Avenue	2 general fields, 2 gymnasiums, 1 multi-sport fields, and 1 track	13
Westerly Middle School	10 Sandy Hill Road	1 baseball field, 1 gymnasium, and 1 multi-sport field	14

Source: Town of Westerly, 2019

Excluding the Transportation and Bus Garage, the six (6) public school facilities in Westerly are located on approximately 111 acres and include a variety of recreation opportunities. Parent-teacher organizations (PTOs) and school administrations facilitate the construction of new or updated playground facilities at the schools. As the table above shows, each school facility has at least one outdoor field and indoor gymnasium. While priority is given to school team sports, non-school youth and adult leagues also use school gyms. Demand for the gyms is primarily focused on the high school and middle school facilities.

The Westerly High School and Westerly Middle School athletic facilities were assessed in the 2017 recreational facilities master plan. As noted in the Subsection 2.4.1 above, "Municipal Facilities," the Westerly High School athletic fields are currently overused and in need of improvements, such as installation of synthetic turf playing surfaces, to keep up with the intensive recreational demands. Middle School athletic facilities are consistent with other recreational facilities in the Town, exhibiting some drainage concerns, outdated infrastructure, and limited

ADA-accessibility. Other school district facilities are owned and maintained by the school district and have not been assessed for future needs.

Subsection 2.4.3 – Quasi-Public Land-Based Facilities

Quasi-public facilities within Westerly include privately-owned facilities available for public use. The most significant of these, Wilcox Park, is open from dawn to 9:00 P.M. and serves as a central feature in the heart of Downtown Westerly (for more information on Wilcox Park, see the Historic and Cultural Resources chapter). Some of these facilities listed as quasi-public have user fees but are open to the public.

Table 2-5 Quasi-Public Land-Based Recreation Facilities

Facility	Location	Description	Figure REC-M1 Reference
Camp Quequatuck	Boy Scout Drive	4.5 acres containing 3 camp sites and 1 general field	15
Grills Preserve	198 Bowling Lane	482 acres containing cross country/walking trails	16
Ocean Community Young Men's Christian Association (YMCA)	95 High Street	1 fitness center, 2 gymnasiums, 1 playground, 2 swimming pools, and 1 tennis court	17
Washington Trust Skating Center	61 Main Street	Skating rink (winter)/Sand court (summer)	18
Westerly Senior Citizens Center	39 State Street	12,500 square foot center containing activity room, cafeteria game room, and lounge	19
Wilcox Park	44 Broad Street	Arboretum containing benches, a fountain, 5 monuments, a pond, and walking paths	20

Source: Town of Westerly, 2019

These quasi-public facilities are not Town-owned or managed; therefore, they have not been included in the above-mentioned recreational master plan.

Subsection 2.4.4 – Private Land-Based Facilities

There are a variety of private facilities, listed in Table 2-6, that provide recreational opportunities in Westerly. A substantial amount of open space exists for recreation. The four golf courses in town are recognized as commercial recreational enterprises and their zoning designation is Commercial Recreation (CR). Several other private facilities serve as home to several sports groups such as the Paul E. Trombino Sports Complex, home to Westerly National Little League.

Table 2-6 Private Land-Based Recreation Facilities

Facility	Location	Description	Figure REC-M1 Reference
Misquamicut Club	60 Ocean View Highway	1 golf course and 7 tennis courts	21
Pond View Racquet Club	252 Shore Road	5 tennis courts	22
Shelter Harbor Golf Club	1 Golf Club Drive[1]	1 golf course	23
Shelter Harbor Inn	10 Wagner Road	Outdoor Paddle Club	24
Trombino Sports Complex	Moorehouse Road	3 baseball fields and 2 softball fields	25
Weekapaug Golf Club	265 Shore Road	1 golf course	26
Weekapaug Tennis Club	24 Chapman Road	8 tennis courts	27
Winnapaug Country Club	184 Shore Road	1 golf course	28

Source: Town of Westerly, 2019

These private facilities are not Town-owned or managed; therefore, they have not been included in the above-mentioned recreational master plan.

Subsection 2.4.5 – Regional Facilities

An important consideration when addressing the recreation facilities in Westerly is identifying the surrounding recreation facilities which serve the region. These include Barn Island Wildlife Management Area (Stonington, Connecticut), Burlingame State Park, Ninigret Park, Quonochontaug Breachway, a river/cultural corridor, and a state bike route. Below are brief descriptions of these facilities.

Table 2-7 Regional Recreation Facilities

Facility	Description
Barn Island Wildlife Management Area	A 1,013-acre wildlife conservation area located in Stonington (directly across from Watch Hill Harbor on Little Narragansett Bay) managed by the State of Connecticut. The wildlife conservation area has the largest public boat launch on the Pawcatuck River/Little Narragansett Bay waterway.
Burlingame State Park	A state park located in Charlestown featuring 3,100 acres of rocky woodlands and 755 campsites surrounding Watchaug Pond.
Ninigret Park	A 227-acre public park in Charlestown, on Route 1A, with four (4) tennis courts, a 0.9-mile bicycle course, basketball courts, a Kid's Place Playground, Frisbee disc golf course, recreational fields, a beach, a spring fed pond, and the Ninigret Park Frosty Drew Nature Center and Observatory.
Quonochontaug Breachway	A popular public boat launch and fishing area located in Charlestown.
River/Heritage Corridor	The state's Greenways map identifies a River/Heritage Corridor along the Pawcatuck River north from Westerly's downtown and continuing into Charlestown and Hopkinton.
Southern Rhode Island Green Trail	An on-street, state-designated bike route along Route 91 beginning in Bradford and continuing into Hopkinton, Richmond, and Charlestown.

Source: Town of Westerly, 2019

These regional facilities are not Town-owned or managed; therefore, they have not been included in the above-mentioned recreational master plan.

Subsection 2.4.6 – Water-Based Facilities

Westerly's water-based recreation facilities, in either Town, State or Private ownership, are key features in the Town's recreation system. Bounded by water on three sides, the Town has numerous riverfront and coastal properties which serve as recreational opportunities for residents and visitors. Public waterfront facilities in Westerly include beaches, marinas, and boat launches and are identified below:

Table 2-8 Publicly Accessible Water-Based Recreation Facilities

Recreation Site	Location	Description	Figure REC-M2 Reference
Westerly Town Beach	365 Atlantic Avenue	Sand beach	1
Wuskenau Beach	311 Atlantic Avenue	Sand beach	2
Dunes Park Beach	Atlantic Avenue	Block Island Sound	3
East Beach	Bluff Avenue	Block Island Sound	4
Maschaug Beach	Ocean View Highway	Block Island Sound	5
Misquamicut State Beach	257 Atlantic Avenue	Sand beach	6
Napatree Point	Fort Road	Block Island Sound and Little Narragansett Bay	7
Quonochontaug Beach	Sand Trail	Block Island Sound	8
Sandy Point	Sandy Point	Little Narragansett Bay	9
Watch Hill Beach	151 Bay Street	Block Island Sound	10

Source: Town of Westerly, 2019

In addition to the water-based recreation facilities in the table above, there are also restaurants and clubs on Atlantic Avenue which provide direct customer access to the beach.

A recreational facilities master plan, similar to the 2017 plan created by BSC Group for land-based facilities in Westerly, is needed for water-based facilities such as town beaches to assess future needs for these assets.

Section 2.5 – Water Access

Other important water-based facilities are access points for boating and fishing. The following tables list the available water access points in Westerly (Table 2-9) and rights-of-way designated by RICRMC that provide public access to the coast (Table 2-10).

The Town of Westerly will determine which designated points of public access need improvement. These areas will be prioritized and targeted for improvements to ensure safe access to the shore and the accommodation of pedestrian, handicap, bicycle, and vehicular traffic. The Town will include points of public access to the shoreline in traffic safety, transportation planning, and when budgeting for seasonal employees, and operation and maintenance of points of access in the same manner as other public infrastructure.

The Town will continue to identify and prioritize opportunities to both add and maintain public access points to the shore and the Pawcatuck River. The Harbor Management Plan identifies several sites, including street extensions, easements, and paper streets, for possible public access to the shore. The final determination of what shall be public access to the shore requires extensive research, prioritization, and consideration prior to improvement and adoption. Once adopted by the Town as public rights-of-way to the shore, these sites will be submitted to RICRMC for designation by the State, please refer to the Westerly Harbor Management Plan.

Table 2-9 Recreational Boating and Fishing Facilities

Recreation Site	Public Access	Location	Description	Figure REC-M2 Reference
Watch Hill Yacht Club	Yes	21 Bay Street	Watch Hill Cove	11
Avondale Boat Yard	Yes	47 Avondale Road	Pawcatuck River	12
Bradford Landing Fishing Area (DEM)	Yes	Bradford Road	Pawcatuck River	13
Chapman Pond (DEM)	Yes	Larry Hirsch Lane	Chapman Pond	14
Cove Edge Marina	Yes	93 Watch Hill Road	Pawcatuck River	15
Frank Hall Boat Yard	Yes	3 India Point Road	Pawcatuck River	16
Gray's Boat Yard	Yes	91 Watch Hill Road	Pawcatuck River	17
Main Street Boat Ramp (DEM)	Yes	99 Main Street	Pawcatuck River	18
Lotteryville (Roger Hall) Marina	Yes	25 Avondale Road	Pawcatuck River	19
Pier 65	Yes	65 Margin Street	Pawcatuck River	20
Shelter Harbor Fire District	No	9 Rossini Road	Quonochontaug Pond	21
Viking Marina	Yes	19 Margin Street	Pawcatuck River	22
Watch Hill Boat Yard	Yes	13 Pasadena Avenue	Colonel Willie Cove	23
Watch Hill Fire District Docks	Yes	Bay Street	Watch Hill Cove	24
Weekapaug Fire District	No	4 Wawaloam Drive	Quonochontaug Pond	25
Weekapaug Yacht Club	No	23 Spray Rock Road	Quonochontaug Pond	26
Westerly Marina	Yes	23 Margin Street	Pawcatuck River	27
Westerly Yacht Club	No	1 Watch Hill Road	Pawcatuck River	28

Source: Westerly Harbor Management Plan, 2019

Table 2-10 RI CRMC-Designated Rights-of-Way

RI CRMC Designation Number	Location	Water Accessible	Figure REC-M2 Reference
A-2	Bluff Avenue	Block Island Sound	29
A-3	Manatuck Avenue	Block Island Sound	30
A-6	Atlantic Avenue (1)	Block Island Sound	31
A-7	Atlantic Avenue (2)	Block Island Sound	32
A-8	Atlantic Avenue (4)	Block Island Sound	33
A-9	Atlantic Avenue (5)	Block Island Sound	34
A-10	Atlantic Avenue (6)	Block Island Sound	35
A-11	Atlantic Avenue (7)	Block Island Sound	36
A-12	Atlantic Avenue (8)	Block Island Sound	37
A-13	Atlantic Avenue (9)	Block Island Sound	38
A-14	Avondale Road	Pawcatuck River	39

Source: RICRMC Annual Designation of Public Rights of Way to the Tidal Areas of the State Report, 2017-2018

Figure **Westerly Harbor Management Plan Rights of Way to the Shore (REC-M3)** shows the existing Town- and State (RI CRMC)-designated rights-of-way (ROW) to the shore, per the descriptions in the Westerly Harbor Management Plan, and the RI CRMC Rights-of-Way to the shore online GIS map. Table 2-11 below provides a list of these Town- and State-designated ROWs.

Table 2-11 Town- and State-Designated Rights-of-Way to the Shore

Designation No. (Depicted on Figure REC-M3)	Town or RI CRMC Right-of-Way	Location	Water Accessible*
1	Town	Avondale Road (CRMC A-14)	Pawcatuck River
2	Town	Waters Edge Road North	Foster Cove
2A	Town	Waters Edge Road South	Watch Hill Cove
3	Town	Fort Road	Watch Hill Cove
4	Town	Bluff Avenue (CMRC A-2)	Block Island Sound
5	Town	Everett Avenue	Block Island Sound
6	Town	Niantic Avenue	Refer to Harbor Management Plan**
7	Town	Manatuck Avenue (CRMC A-3)	Block Island Sound
8	Town	Atlantic Avenue	Block Island Sound
9	Town	Atlantic Avenue	Block Island Sound
10	Town	Atlantic Avenue (CRMC A-13)	Block Island Sound
11	Town	Atlantic Avenue (CRMC A-11)	Block Island Sound
12	Town	Atlantic Avenue (CRMC A-6)	Block Island Sound
13	Town	Atlantic Avenue (CRMC A-7)	Block Island Sound
14	Town	Atlantic Avenue West	Block Island Sound
14A	Town	Atlantic Avenue East	Block Island Sound
15	Town	Spray Rock Road	Block Island Sound
16	Town	Ninigret Ave/Sand Trail	Refer to Harbor Management Plan
A-2	RI CRMC	Bluff Avenue	Block Island Sound
A-3	RI CRMC	Manatuck Avenue	Block Island Sound
A-6	RI CRMC	Atlantic Avenue (1)	Block Island Sound
A-7	RI CRMC	Atlantic Avenue (2)	Block Island Sound
A-8	RI CRMC	Atlantic Avenue (4)	Block Island Sound
A-9	RI CRMC	Atlantic Avenue (5)	Block Island Sound
A-10	RI CRMC	Atlantic Avenue (6)	Block Island Sound
A-11	RI CRMC	Atlantic Avenue (7)	Block Island Sound
A-12	RI CRMC	Atlantic Avenue (8)	Block Island Sound
A-13	RI CRMC	Atlantic Avenue (9)	Block Island Sound
A-14	RI CRMC	Lotteryville Marina/ Avondale Road	Pawcatuck River

* Refer to Westerly Harbor Management Plan (HMP) for details regarding water access.
** Determined to be private ROW.
Sources: Westerly Harbor Management Plan 2016, Revised October 28, 2019
RICRMC Annual Designation of Public Rights of Way to the Tidal Areas of the State Report, 2017-2018

Maintenance of these public access points is a priority for the Town of Westerly and will be implemented through regular inspection and clear identification through permanent boundary markers, vegetation control, signage, and public information.

Section 2.6 – Recreation Programming Providers

Many programs sponsored by the Recreation Department have been seasonal, such as summer playground camps, watersports, and indoor basketball. These programs are also sponsored in conjunction with private organizations to provide a wider variety of recreation options for residents. Many team sports are provided by private organizations and supported by the Town, with teams, such as the Westerly Youth Soccer and Lacrosse Associations, the Connie Mack Baseball League, and Westerly Peewee Football, using Town facilities.

Participation in Town programs has continued to increase since the Recreation Department was established in 2001 with thousands of residents now participating. One of the programs with the largest participation numbers is the Town's Tunes on the Dunes program offered in midsummer at Westerly Town Beach. The Blues on the Beach and Monday Night Jamz concerts have grown to between 2,000 and 3,000 attendees.

The Westerly School Department provides two key programs in Westerly – Westerly Community Education and Enrichment and After School Enrichment. The Westerly Community Education and Enrichment Program provides a variety of adult classes such as educational, hobby, yoga and workforce training classes funded through tuition fees.

After School Enrichment, also tuition-based (except for students in the Free and Reduced-Priced Meals program who pay reduced tuition only for full-day programs), is offered mainly to elementary school students and runs twice a week, for five weeks, three to four times a year. The program has provided classes for students to learn special activities or skills ranging from martial arts to basket weaving and beach combing. During school recesses in February and April, the programs also provide extended full-day sessions. In addition to classes for elementary school students, there are also programs offered for older students including a program for high school students with the local radio station and a lacrosse program for middle school-aged students.

While it is not a public entity, Ocean Community YMCA provides additional recreation opportunities in Westerly (as well as in Wyoming in Richmond and Mystic in Stonington, Connecticut) for both members and non-members. Programs include aquatics, arts and enrichment, health and wellness classes, yoga programs, sports classes, and teen programs. The YMCA also offers a center for teens to socialize after school and on weekends and an after-school program for Westerly's elementary school students which uses Westerly public school facilities.

The Westerly Library provides numerous community programs as well, such as book discussions, art gallery receptions, and various special events. Information on the library's services is included in the Services and Facilities chapter and its local significance is discussed in the Historic and Cultural Resources chapter.

A formal assessment of future recreational programming needs, including adaptation to changing demographics and recreational trends, is necessary to form clear goals for the future of recreational programming in the Town. Securing funding to complete this analysis will be the first step toward creating a clear plan for adapting the current recreational programming to a changing population. Creating partnerships with nearby towns will help grow recreational programming through shared resources and visions.

Chapter 3
HISTORIC AND CULTURAL RESOURCES

The area of modern-day Westerly was first settled by Algonquians several centuries prior to the beginning of documented history by European colonists in the 1630s. During this time, and until the 1660s, the area was called Misquamicut (anglicized from its original Narragansett) for its red fish, referring to the Atlantic salmon which were once found in large numbers and appear on the Town's seal.

Westerly was permanently settled in 1661 and incorporated as a municipality in 1669. Over the years, it grew to become a hub of commerce and recreation in southern Rhode Island. Downtown Westerly is bordered by the Pawcatuck River on the west and roughly bounded by Oak Street and Railroad Avenue to the north, Tower Street, Granite Street, and Franklin Street to the east, and Wells Street to the south. Beyond its downtown, the Town also has a collection of distinct commercial centers, coastal communities, and mill villages along the Pawcatuck River and Block Island Sound which provide glimpses into the Town's historic past. These neighborhoods include Avondale, Bradford, Misquamicut, Potter Hill, Shelter Harbor, Watch Hill, Weekapaug, and White Rock.

Section 3.1 – Historic Places

There are seven (7) historic districts in the Town listed on the National Register of Historic Places (NRHP):

- Bradford Village
- Downtown Westerly (including two later amendments)
- Main Street
- the North End
- Perry Homestead
- Watch Hill
- Wilcox Park

Within each historic district are structures and sites deemed to be contributing to the historic character of the public realms within each, yet they do not bear an individual designation. Some of these buildings include the following:

- Lanphear Livery Stable
- Watch Hill Lighthouse
- Westerly Old Town Hall
- Granite Theatre
- United Theatre
- Westerly Station

These buildings are identified in the various inventories prepared as part of the NRHP listing application process. A further 11 areas have been determined to be either eligible for NRHP listing or recommended for nomination

or for further study by the responsible state agency, the Rhode Island Historical Preservation and Heritage Commission (RIHPHC).

In 1978, RIHPHC developed *Historic and Architectural Resources of Westerly, Rhode Island: A Preliminary Report* as a tool to identify and record properties of historic and architectural significance in the Town. In addition to this Town-specific survey, RIHPHC has prepared several State-wide surveys including a historic landscapes survey, an outdoor sculpture survey, a historic bridges survey, an engineering and industrial sites survey, and an archeological survey. Sites in Westerly have been identified in each. An updated and broader discussion of Westerly's historic neighborhoods, the *Westerly Preservation Report*, was prepared for the Westerly Preservation Society in 2006.

In addition to the historic districts, there are nine (9) properties in the Town that have been listed individually on the NRHP. These include:

- Babcock-Smith House
- Flying Horse Carousel
- Former Immaculate Conception Church (now the George Kent Performance Hall of the Chorus of Westerly)
- Lewis-Card-Perry House
- Nursery Site RI-273
- Ram Point
- US Post Office (Broad and High Streets)
- Westerly Armory
- Weekapaug Inn

Figure **Historic and Cultural Resources (HCR-M1)** identifies all historic districts and sites currently listed on the NRHP. In addition to the NRHP, Westerly also includes two (2) sites in the Historic American Buildings Survey (HABS) and two (2) in the Historic American Engineering Record (HAER). Westerly Station and the Babcock-Smith House are both documented in the HABS, and the HAER includes White Rock Bridge and the Northeast Corridor (NEC), a segment of which passes through the Town. The documentation of Westerly's segment of the NEC includes Westerly Station and the railroad itself as well as the High Street bridge.

There are 49 known cemeteries in the Town of Westerly as well as an unknown number of additional burial sites, including some listed in the Rhode Island Cemeteries database at unknown locations. Protection for these resting places is ensured through Chapter 137 of the Town's Code of Ordinances. Under the adopted regulations, any plan to alter a burial site may only be permitted by the Town Council following a public hearing. If any burial site is discovered during building activities, the discovery must be reported to the Building Official and activity must cease until further notice is given.

Section 3.2 – Regulatory Protection

The Town is not a certified local government and has not enacted historic district zoning to-date due in part to an absence of public consensus on the matter. Other means to protect historic and cultural resources, however, have been enacted by the Town Council. The most prominent case of this is the Development Plan Review process in the Shore Commercial-Watch Hill (SC-WH) zoning district. Section 260-45(F)(1) of the Zoning Ordinance states:

> "If the building is in a Historic District, the recommendations of the Rhode Island Historical Preservation Commission shall be incorporated in the Administrative or Planning Board review."

The legal definition of Historic District in the Section 260-9 of the same ordinance states:

> "One or more historic sites and intervening or surrounding property significantly affecting or affected by the quality and character of the historic site or sites and has been registered, or is deemed eligible to be included, on the state register of historic places pursuant to RIGL 45-22.2-4."

In 2006, the Town Council enacted an amendment to the Zoning Ordinance, proposed by the Watch Hill Conservancy, which strengthened preservation efforts by establishing architectural design standards within the SC-WH zoning district. The standards are applicable to all Development Plan Review applications and were most recently amended in July 2017. The success of the amendment was considered in part due to the SC-WH zoning district lying entirely within the nationally-registered Watch Hill Historic District and being a commercial rather than residential zoning district. In 2009, the Watch Hill Conservancy published *Watch Hill Style* with the intent that it would be used to influence those planning new construction in Watch Hill to emulate the architectural traditions of the village.

In support of the design standards enacted for the SC-WH zoning district and the examples contained in *Watch Hill Style*, the Watch Hill Conservancy also provides initial free design services to those planning new construction in the Watch Hill Historic District.

Additionally, with respect to the large area of the Town within the jurisdiction of RICRMC, either due to its proximity to the coast or by virtue of being located within the Salt Pond Region SAMP, additional protection also exists in the permitting process. RICRMC Rule 650-RICR-20-00-1.2.3 states:

> "The Council shall require modification of, or shall prohibit proposed actions, subject to its jurisdiction where it finds a reasonable probability of adverse impacts on properties listed in the National Register of Historic Places. Adverse impacts are those which can reasonably be expected to diminish or destroy those qualities of the property which make it eligible for the National Register of Historic Places. The Council shall solicit the recommendations of the Historical Preservation Commission regarding impacts on such properties."
>
> "Prior to permitting actions subject to its jurisdiction on or adjacent to properties eligible for inclusion (but not actually listed in the National Register of Historic Places), and/or areas designated as historically or archaeologically sensitive by the Historical Preservation Commission as the result of their predictive model, the Council shall solicit the recommendations of the Commission regarding possible adverse impacts on these properties. The Council may, based on the Commission's recommendations and other evidence before it, including other priority uses of this Program, require modification of or may prohibit the proposed action where such adverse impacts are likely."

As an incentive for property owners to maintain the historic character of designated historic structures and to encourage the owners to obtain historic designation for structures not already so designated, the Federal Emergency Management Agency (FEMA) exempts historic structures from floodplain management requirements of NFIP if they maintain their historic designation. Westerly is interested in preparing design standards that would

allow historic properties to be elevated to protect these structures from flood hazards and sea level rise, similar to what is being done in Newport, RI.

Section 3.3 – Funding Assistance

As of 2019, RIHPHC does not operate any programs for eligible historic property owners in Westerly. Previously, the 2010 Comprehensive Plan noted the success of the State's tax credit program prior to its elimination of funding in 2008 and recommended the Town should advocate for its restoration. The program was reopened in 2013 and offered credits of 20% to 25% of costs for approved rehabilitations. The Homeowner Tax Credit program for the maintenance and repair of historic houses was suspended in 2011.

After the completion of the 2010 Comprehensive Plan, RIHPHC also became involved in Superstorm Sandy Disaster Relief grants and State Preservation grants. The first of these was a direct response to the destructive impact of Superstorm Sandy in 2012. Grants were awarded to Lanphear Livery Stable ($52,368) and Watch Hill Lighthouse ($447,500), both in Watch Hill, as well as a multi-town (Charlestown, Narragansett and Westerly) survey of archaeological sites ($477,847). All three projects received approval from the National Park Service (NPS). The State Preservation Grant program included awards for two Westerly properties in 2016: the Babcock-Smith House ($11,734) and the Westerly Armory ($24,750).

Section 3.4 – Community Accomplishments and Opportunities

Several preservation projects focusing on structures throughout the Town have been recently completed or are underway to strengthen Westerly's historic character. In 2010, the Victorian-era Ocean House was reopened after a major replication project approved by RIHPHC, in conjunction with a panel of historic architectural consultants it convened that saw the original structure demolished in 2005. The rebuilt resort hotel replicated the original footprint and incorporated more than 5,000 artifacts and furnishings salvaged from the original. The Lanphear Livery Stable, a historical livery at 1 Bay Street in Watch Hill, was completely renovated over a three-year period beginning in 2015 and now contains office space, apartments, a gallery, and a boutique shop. Adaptive restoration, approved through the granting of a zoning variance by the Town, preserved the Dr. John Champlin House at 9 Granite Street for use as an office building.

A museum is currently maintained by the Watch Hill Lighthouse Keepers in a renovated former service building on the property and the Old Town Hall may possibly be reopened in the future. Revitalization efforts for the Granite Theatre and George Kent Performance Hall, both former churches, now allow both buildings to provide enhanced performance space.

It is expected that preservation efforts such as these will continue. WLT has an urban initiative which has included the acquisition of properties on Canal Street, High Street, and Main Street for renewal projects, such as a 13 million dollar renovation of the United Theatre (originally opened in 1926 and closed in the 1980s) and a portion of the adjacent property to include space for a cinema, live performances, offices, rehearsal rooms, event spaces, and a public television station. The Westerly Revolving Fund has also purchased existing historic mixed-use structures at 6 Beach Street and 134 Main Street for rehabilitation.

National Register listing and a Community Development Block Grant Program (CDBG), administered by the US Department of Housing and Urban Development (HUD), have been used to rehabilitate low and moderate-income housing in the Town's North End.

Westerly's abundance of historic resources has not gone unnoticed. In 2002, the Town was designated one of the "Dozen Distinctive Destinations" by the National Trust for Historic Preservation. Each year between 2000 and 2011, the Trust selected 12 "unique and lovingly preserved communities" in the US as Distinctive Destinations. The designation recognizes the community's efforts to preserve the historic and scenic assets of Westerly, which the Trust called a "quintessential New England beach town." The Town was also designated a Preserve America

Community in 2004, which recognized the Town's appreciation of its heritage as an economic and educational asset and provides eligibility for Preserve America grants when funding is made available.

Section 3.5 – Community Institutions and Events

Westerly's growth and development over the centuries, with support from numerous citizens and organizations, makes it a community of great cultural wealth for the benefit of its residents and visitors throughout the year. This abundance is anchored primarily around Downtown Westerly, the product of an urbanization campaign which took place at the turn of the twentieth century. Along with the high concentration of its historic, architecturally diverse structures and its mix of uses, Downtown Westerly is also the location of the Westerly Arts and Entertainment District.

From 2005 until the early 2010s, Downtown Westerly was designated as one of nine arts and entertainment districts State-wide to offer certain tax incentives to artists living and working in the district who produce original and creative works in a broad range of forms, including writings, paintings, sculptures, films, and many others. This was later extended to the entire State to be consistent with the State-wide sales tax exemption on the sale of original art pieces in art galleries. In 2011, the Westerly Regional Arts Partnership (WRAP) was formed with the mission to provide arts advocacy and promote Westerly as a destination for the arts. WRAP states its membership is open to all workers in the creative economy, referring to the economic system culminating between the arts, business, culture, and technology.

At the municipal level, the Town has designated the Granite Street Overlay District (See §60-58, Code of Ordinances), comprised of properties with frontage on Granite Street between Grove Avenue and Tower Street, to allow artistic and photo studios (as well as professional offices) in the residential district by special use permit.

There exists a variety of non-profit cultural institutions and events which are equally important to the community and its tourist industry. The largest of the cultural non-profits include the Memorial and Library Association of Westerly, the Westerly Chorus, and WLT. The Ocean Community Chamber of Commerce (OCCC) also contributes, with events that include Virtu Arts Festival, Riverglow and Summer Pops.

The Memorial and Library Association of Westerly owns and operates the Westerly Library, itself built as a Civil War memorial, and the surrounding 14-acre Wilcox Park. The park was originally designed in 1898 by Warren Manning, a protégé of Frederick Law Olmsted, and is considered perhaps the single most character-generating feature of the Town. Although Westerly is a medium-sized community, its library collection is the second most actively used in the State.

The Chorus of Westerly, located at the George Kent Performance Hall (the former Immaculate Conception Church registered on the NRHP), was established in 1959 and offers its patrons several events throughout its seasons while providing musical education programming throughout the year. The most popular of these events is the Summer Pops concert held annually in June in Wilcox Park since 1981.

The Granite Theatre (owned by Renaissance City Theatre, Inc.) is a handsomely restored Greek Revival Church that sits at the foot of Granite Street in Downtown Westerly. This renovated building began as a church originally organized in 1843 as the Christian Chapel in Westerly. The Colonial Theatre provides year-round indoor productions offering local and regional theater-goers artistic entertainment. Colonial Theatre's programming is incorporated into the school curriculum, and provides the outdoor theatrical series, Shakespeare in the Park, annually in July and August. It

should also be noted that the Westerly Band, established in 1852, is the oldest continuously active civic band in the United States. It performs in several parades and at various events throughout the year, including the Summer Pops concert.

Chapter 4
HOUSING OPPORTUNITIES

This chapter, guided by the *State Housing Plan* and the *Rhode Island Five Year Strategic Housing Plan*, provides a framework for developing the policies and implementation strategies to meet the requirements of the State while preserving and enhancing Westerly's quality of life. This chapter provides an analysis of housing trends, and along with the other chapters of the Comprehensive Plan, helps to inform and define strategies to:

- Promote a diversity of housing types and affordability,
- Protect history and heritage of neighborhoods,
- Prevent displacement of residents that sometimes follows gentrification,
- Promote sound water protection and watershed management,
- Support the best use, maintenance, and improvement of the housing stock,
- Identify locations for new housing units, and
- Promote sensible neighborhood development and growth management.

The availability, variety, and affordability of housing is a major factor in the livability and prosperity of a community. The diversity of the housing stock in terms of the mix of unit types, as well as ownership and rental opportunities, are important factors that can help to identify problems and opportunities in the local housing market. These existing housing characteristics serve as a basis for recommendations to guide housing in the community over the next 20 years.

The inventory and analysis included in this section is primarily based on data from the 2010 US Census and 2013-2017 American Community Survey (ACS) 5-year estimates, with supplemental information from other local, State, and federal government agencies, private institutions, and non-profit organizations.

Table 4-1 Housing Overview

Facility	2000	2010	2017
Total housing units	11,292	12,320	12,695
Occupied housing units	9,402	9,666	9,796
Owner-occupied	63.8%	65.4%	62.4%
Renter-occupied	36.2%	34.6%	37.6%
Single-family residences	7,607	7,434	6,508
Median assessed value	$149,900	$312,400	$285,300

Sources: 2000 US Census, 2010 US Census, 2006-2010 ACS five-year estimates, and 2013-2017 ACS five-year estimates

Section 4.1 – Demographics

The Town of Westerly had a year-round population of 22,626 in 2017, which represented a 1.48% decrease from 2000. While population trends over this period are slightly negative, the overall population base can be considered stable. Among major demographic categories, the most notable change since the turn of the century appears to have been in age distribution.

Table 4-2 Demographic Overview, 2000-2017

Population	2000		2010		2017	
	Number	Percent	Number	Percent	Number	Percent
Total	22,966	100%	22,787	100%	22,626	100%
Sex						
Female	11,889	51.8%	11,874	52.1%	12,295	54.3%
Male	11,077	48.2%	10,913	47.9%	10,331	45.7%
Age						
Ages 17 years old and under	5,406	23.5%	4,787	21.0%	4,128	18.2%
Ages 18-34 years old	4,543	19.8%	3,936	17.3%	4,639	20.5%
Ages 35-44 years old	3,883	16.9%	2,881	12.6%	2,356	10.4%
Ages 45-54 years old	3,043	13.3%	3,777	16.6%	3,053	13.5%
Ages 55 years old and over	6,091	26.5%	7,406	32.5%	8,450	37.4%
Race						
American Indian and Alaska Native	130	0.6%	158	0.7%	197	0.9%
Asian	457	2.0%	567	2.5%	635	2.8%
Black or African American	164	0.7%	222	1.0%	222	1.0%
Native Hawaiian and Other Pacific Islander	0	0.0%	3	0.0%	0	0.0%
White	21,857	95.2%	21,171	92.9%	21,112	93.3%
Some Other Race	77	0.3%	204	0.9%	210	0.9%
Two or more races	281	1.2%	462	2.0%	250	1.1%
Ethnicity						
Hispanic or Latino (any race)	270	1.2%	651	2.9%	518	2.3%

Sources: 2000 US Census, 2010 US Census, and 2013-2017 ACS five-year estimates

Subsection 4.1.1 – Population Size and Age Characteristics

The Town of Westerly had an estimated year-round population of 22,626 in 2017, reflecting a 1.48% decrease in population over the 17-year period starting in 2000, and a 0.7% reduction over the 7-year period from 2010. This local trend contrasted with State and county trends which show population over the same period increased at rates of 0.75% and 2.14%, respectively. Table 4-3 below shows population trends for these geographies.

Table 4-3 Populations, 2000-2017

Geography	2000	2010	2017
Town of Westerly	22,966	22,787	22,626
Washington County	123,546	120,554	126,190
State of Rhode Island	1,048,319	1,052,567	1,056,138

Sources: 2000 US Census, 2010 US Census, and 2013-2017 ACS five-year estimates

According to population projections prepared by the Rhode Island Statewide Planning Program in 2013, Westerly's population is expected to increase to 23,518 in 2035 before dropping slightly to 23,466 in 2040. The projected 2040 population would therefore represent an overall increase of 3.7% from 2017. Similarly, population growth State-wide would be 1.32%. Washington County, however, is expected to experience continued residential development that results in a 12.7% increase in overall population.

Table 4-4 Population Projections, 2017-2040

Geography	2017	2020	2025	2030	2035	2040
Town of Westerly	22,626	22,876	23,186	23,417	23,518	23,466
Washington County	129,190	132,639	137,074	140,719	143,643	145,660
State of Rhode Island	1,056,138	1,049,177	1,061,796	1,070,677	1,073,799	1,070,104

Source: Rhode Island Population Projections 2010-2040, 2013, 2013-2017 ACS five-year estimates

As indicted in Table 4-2 above, the aging of the population of the Town is a significant factor in the demographic change occurring locally and has occurred simultaneously with rising housing costs. As can be calculated from Table 4-5 below, the population of those 65 years old and over grew by 300+ people from 2000 to 2010, and, according to 2013-2017 ACS estimates, in 2017 older populations made up 21.0% of the total population of the Town. The percentage of the State's population for those aged 65 years and older for the same period is 16.1%.

According to a June 2016 report on aging prepared by the State, by 2040 there will be a 100% increase in persons aged 74 to 84 and a 72% increase in persons aged 85 and over. For the range of ages between 65 and 85, this cohort could increase by as much as 73% by 2040. As Westerly's older population as a percentage of the total population (21.0%) is higher than the State's (16.1%), it can be projected with reasonable certainty that over one quarter of Town residents will be in this age group by 2040. This growth can be contributed to several factors, including greater life expectancy, the growing trend of aging-in-place, decreasing family sizes, and the loss of young people in the community. With respect to this last factor, the population under 20 years old made up about one-fifth of the population, according the 2013-2017 ACS estimates, but experienced a decrease of 1,241 people between 2000 and 2017, continuing a consistent downward trend represented by a 21% loss in this population over the 17-year period.

Table 4-5 Age Composition of the Total Population, 2000-2017

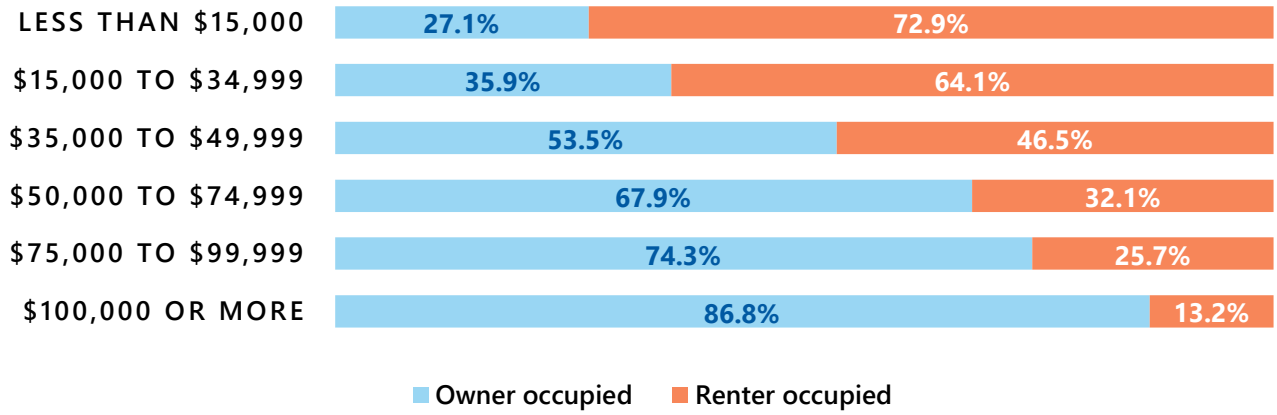
Age Group	2000		2010		2017	
	Number	Percent	Number	Percent	Number	Percent
0-19 years old	5,902	25.7%	5,206	22.8%	4,661	20.6%
20-34 years old	4,047	17.6%	3,517	15.4%	4,106	18.1%
35-44 years old	3,883	16.9%	2,881	12.6%	2,356	10.4%
45-54 years old	3,043	13.3%	3,777	16.6%	3,053	13.5%
55-64 years old	2,176	9.5%	3,165	13.9%	3,706	16.4%
65-74 years old	1,802	7.8%	2,035	8.9%	2,505	11.1%
75-84 years old	1,504	6.5%	1,401	6.1%	1,332	5.9%
85+ years old	609	2.7%	805	3.5%	907	4%
Total	22,966		22,787		22,626	

Sources: 2000 US Census, 2010 US Census, and 2013-2017 ACS five-year estimates

Subsection 4.1.2 – Income Characteristics

Based on 2013-2017 ACS estimates, Westerly's median household income (MHI) within the past 12 months was $63,507 compared to Washington County's MHI of $77,862. The elevated number of elderly persons living on fixed incomes contributes to Westerly's lower median household income. Figure 4-1 below indicates that households with higher incomes generally own their home, while those with lower incomes are primarily renters. Many of Westerly's lower-income homeowners are elderly with limited incomes and, according to 2013-2017 ACS estimates, 19.1% of all Westerly residents aged 65 years and over rented rather than owned the home they lived in.

Figure 4-1 Owner- and Renter-Occupied Households by Income Group, 2017



Source: 2013-2017 ACS five-year estimates

From the 2000 US Census to the 2010 US Census, the average household size fell slightly from 2.4 to 2.3 persons, primarily due to an increase in one- and two-person households. The number of non-family households (households which may have only one individual, or two or more individuals who are not related) has grown from 3,272 (34.8%) in 2000 to 3,589 (37.1%) in 2010 down to 3,577 in 2017 (36.5%) while single-parent families increased from 23% in 2000 to 25.9% in 2010 down to 24.6% in 2017.

Section 4.2 – Housing Availability

Between 2000 and 2010, the number of total housing units in Westerly increased by 9.1% to 12,320 housing units. This metric was slightly below Washington County's 9.5% increase. Of the Town's total, 78.5% were occupied, and 65.4% of all occupied housing units were owner-occupied. Between 2000 and 2010, the number of owner-occupied units in the Town increased by 5.5%. In the same period, vacancy rates in Westerly for homeowners increased from 1.2% to 2.4%. State-wide, the homeowner vacancy rate increased from 1% in 2000 to 2% in 2010 and has held generally stable, according to 2017 ACS estimates (1.7%).

Subsection 4.2.1 – Year-round Occupied Housing

In 2017, the Town had 2,899 vacant housing units, of which 2,047 (70.6%) were seasonal. These seasonal housing units alone made-up 16.1% of the total 12,695 housing units within the Town. It is important to note that most of these units are characterized by the US Census Bureau as vacant because they are only occupied by owners for specific time periods (such as summer) and/or for specific events (such as weekends and holidays). Vacant in the traditional sense of a year-round absence of any occupants, regardless of season or occasion, totaled 852 housing units within the Town. Using Westerly's 2017 average household size of 2.28 people, and assuming all 2017 seasonal housing units are occupied, Westerly can be estimated to experience a seasonal population increase of 4,667 people each summer. Based on the 2017 population projections mentioned above, this increase results in an estimated seasonal high population of 27,543 people in 2020. It is likely that this number is greater, however,

due to the likelihood that visiting families are a larger size and considering short-term rental units at hotels and other places of accommodation. If using the average household size of neighboring Connecticut (2.55), a popular origin for seasonal residents, and adding accommodations to the year-round and seasonal housing units, the seasonal high population would be approaching 30,000.

Subsection 4.2.2 – Housing Types

Of all existing housing units counted within a structure in 2017, 3,948 (31.1%) of Westerly's households resided within multi-family structures. Of these units, 3,202 (81.1%) were located within structures containing between 2 to 9 units. Between 2010 and 2017 multi-family unit count accelerated at a rate of 12.10% over the period, the number of single-family units for the same period increased by 3.61%. Single-family structures, however, continue to be the dominant residential type, making up more than 68.3% of Westerly's housing units, down slightly from 2010, when 70.10% of residential units were single family. Even though the multi-family residential unit count trended upward over this 7-year period, the overwhelming majority of development and construction activity was for detached single-family homes. Further to this point, the local construction market is fueled, in part, by demand for seasonally occupied second homes, which is a driver for single family home construction.

Table 4-6 Housing by Structure Type, 2000-2017

Structure Type	2000		2010		2017	
	Units	Percent	Units	Percent	Units	Percent
1 unit, detached	7,269	64.4%	8,134	68.1%	8,171	64.4%
1 unit, attached	338	3.0%	235	2.0%	500	3.9%
2 units	1,698	15.0%	1,611	13.5%	1,604	12.6%
3 or 4 units	1,045	9.3%	994	8.3%	1,195	9.4%
5 to 9 units	357	3.2%	372	3.1%	403	3.2%
10 to 19 units	144	1.3%	151	1.3%	198	1.6%
20 to 49 units	45	0.4%	30	0.3%	160	1.3%
50 or more units	380	3.4%	364	3.0%	388	3.1%
Mobile home	16	0.1%	54	0.5%	76	0.6%
Boat, RV, van, etc.	0	0.0%	0	0.0%	0	0.0%
Total	11,292	100%	11,945	100%	12,695	100%

Sources: 2000 US Census, 2006-2010 ACS five-year estimates, and 2013-2017 ACS five-year estimates

The Town has issued 510 permits for new housing construction between January 2010 and December 2019. Of these permits, all but 28 permits have been for single-family homes.

Table 4-7 Residential Building Permits by Structure Type, 2010-2019

Building Type	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	Total
Single-Family	51	57	48	73	56	43	46	32	42	34	482
Two-Family	1	2	1	1	1	0	0	0	2	1	9
Multi-Family	1	3	1	5	1	4	2	0	1	1	19
Total	53	62	50	79	58	47	48	32	45	36	510

Source: Town of Westerly, 2019

Section 4.3 – Rental Housing

In the Town of Westerly, the phrase "meeting local housing needs" means a long-standing commitment to the preservation of its traditional rental housing stock. In reviewing Table 4-8(a) below, the number of year-round, renter-occupied housing units in the Town trended upwards by 3% from 2010 to 2017, representing 37.6% of the overall year-round housing stock.

Table 4-8(a) Renter-Occupied Housing Units, 2000-2017

Structure Type	2000		2010		2017	
	Units	Percent	Units	Percent	Units	Percent
Total Occupied Units	9,402	100%	9,666	100%	9,796	100%
Renter-occupied Units	3,403	36.2%	3,344	34.6%	3,680	37.6%

Sources: 2000 US Census, 2010 US Census, and 2013-17 ACS five-year estimates

For purposes of the foregoing discussion regarding meeting the threshold income requirements needed for consideration to occupy LMI housing, it is important to understand the distribution of family sizes prevalent in the community. In 2017, single-person households were the predominate household category at 44.2%, while two-person households made up the next highest percent among all household sizes at 29.2% (Table 4-8(b)).

Table 4-8(b) Renter-occupied Household Size, 1999-2017

Renter-Occupied Household Size	1999		2010		2017	
	Number	Percent	Number	Percent	Number	Percent
1 person	1,451	42.6%	1,422	46.8%	1,628	44.2%
2 person	976	28.6%	833	27.4%	1,075	29.2%
3 person	473	13.9%	298	9.8%	473	12.9%
4 person	304	8.9%	381	12.5%	305	8.3%
5 person	39	1.1%	59	1.9%	183	5.0%
6 person	38	1.1%	0	0.0%	16	0.4%
7 person or more	27	0.8%	47	1.5%	0	0%
Total	3,408		3,040		3,680	

Sources: 2006-2010 and 2013-2017 ACS five-year estimates

Westerly's average household size is 2.28 people. This data, when taken in consideration with the above-mentioned factors, supports not only evaluating HUD Area Median Family Income (HAMFI) qualification for four person households, but two person households need to be evaluated as well. Tables 4-9(a) and 4-9(b) below provide this data for consideration.

Income level statistics for renter-occupied units are available from the 2000 US Census, the 2006-2010 ACS estimates, and the 2013-2017 ACS 5-year estimates. They are presented in Tables 4-9(a) and 4-9(b) below.

Data in Table 4-9(a) indicate 81.4% of rental households are at or below 80% of the Fiscal Year (FY) 2017 HAMFI for the **four-person family** traditionally used for analysis purposes. In comparing the closest-fitting income level, not less than 184 households in Westerly were low-income in 1999, increasing to 284 households in 2017, an increase of 34.8% over the period, which demonstrates raising need for affordable housing in the community.

Table 4-9(a) Renter-Occupied Four-Person Household (HH) by HAMFI Value, 1999-2017[1]

HAMFI Category	1999		2010		2017	
	Income Level	Percent of HAMFI	Income Level	Percent of HAMFI	Income Level	Percent of HAMFI
HAMFI	$52,900	100%	$78,400	100%	$80,300	100%
Extremely Low HAMFI	$16,050	30%	$23,500	30%	$24,600	30.6%
Very Low HAMFI	$26,750	50%	$39,200	50%	$40,150	50%
Low HAMFI	$42,800	80%	$62,700	80%	$64,250	80%
	Number of HH's	**Percent of Total HH's**	**Number of HH's**	**Percent of Total HH's**	**Number of HH's**	**Percent of Total HH's**
Renter-occupied Households	3,403	100%	3,040	100%	3,680	100%
Four-Person Households	304	8.9%	381	12.5%	305	8.3%
Extremely Low HAMFI	*75*	*24.7%*	*103*	*27.0%*	*119*	*38.9%*
Very Low HAMFI	*133*	*43.7%*	*197*	*51.7%*	*158*	*51.9%*
Low HAMFI	*184*	*60.5%*	*264*	*69.2%*	*248*	*81.4%*

Sources: 1999, 2010, and 2017 HUD Income Limits, 2000 US Census, 2006-2010 ACS five-year estimates, and 2013-2017 ACS five-year estimates
[1] Italicized text indicates minimums based upon the closest fitting income group to each HAMFI value.

Data in Table 4-9(b) indicate 65.5% of rental households are at or below 80% of the FY 2017 HAMFI for the **two-person family**, which is the most representative sample household size in the community. In comparing the closest-fitting income level, not less than 427 households in Westerly were low-income in 1999, increasing to 704 households in 2017, a 64.9% increase over the period. This dramatically rising trend accentuates the need for this type of affordable housing in the community.

Table 4-9(b) Renter-Occupied Two-Person Household by HAMFI Value, 1999-2017[1,2]

HAMFI Categories	1999		2010		2017	
	Income Level	Percent of HAMFI	Income Level	Percent of HAMFI	Income Level	Percent of HAMFI
HAMFI	$42,800	100%	$62,800	100%	$64,300	100%
Extremely Low HAMFI	$12,850	30%	$18,800	30%	$19,300	30.6%
Very Low HAMFI	$21,400	50%	$31,400	50%	$32,150	50%
Low HAMFI	$34,250	80%	$50,200	80%	$51,400	80%
	Number of HH's	**Percent of Total HH's**	**Number of HH's**	**Percent of Total HH's**	**Number of HH's**	**Percent of Total HH's**
Renter-occupied Households	3,403	100%	3,040	100%	3,680	100%
Two-Person Households	976	28.6%	833	27.4%	1,075	29.2%
Extremely Low HAMFI	*128*	*13.1%*	*144*	*17.3%*	*293*	*27.3%*
Very Low HAMFI	*339*	*34.7%*	*295*	*35.4%*	*558*	*51.9%*
Low HAMFI	*427*	*43.7%*	*576*	*69.2%*	*704*	*65.5%*

Sources: 1999, 2010, and 2017 HUD Income Limits, 2000 US Census, 2006-2010 ACS five-year estimates, and 2013-2017 ACS five-year estimates
[1] Italicized text indicates minimums based upon the closest fitting income group to each HAMFI value.
[2] HAMFIs of two-person families used as closest fit for most recent average renter-occupied household size (2.05 persons)

The Town of Westerly has developed or participated in several programs and initiatives to ensure the continued preservation of its robust rental housing stock:

- **Community Development Block Grant (CDBG)**
  The Town has had a 25-year history of housing rehabilitation financed by Community Development Block Grant (CDBG) funds in designated neighborhood revitalization target areas, such as Bradford and the North End. In 2017, nine (9) residential structures received funding for rehabilitation work through a CDBG set-aside program.

- **Westerly Revolving Fund (WRF)**
  In response to objectives outlined within the 2010 Comprehensive Plan, the Town's 2012 CDBG application requested and received approval to establish a Town Housing Rehabilitation Revolving Loan Fund. As a result, in 2013, the community based non-profit corporation known as the Westerly Revolving Fund (WRF) was established as a separate fund for housing rehabilitation for Westerly's historic multi-family neighborhoods. Most the Town's rental housing is located in the older neighborhoods that surround the downtown and historic mills along the Pawcatuck River. The WRF provides advocacy, lending, and technical assistance to property owners looking to renovate existing structures when they are not able to secure adequate funding from traditional sources. The WRF will help to address: the significant need for housing rehabilitation now and in the future, the LMI status of households, and the difficulties faced by property owners when trying to obtain conventional rehabilitation loans. The Town program will offer rehabilitation loans, with repayment options suitable to LMI properties while making individual considerations of circumstances. The new program will aim to help with emergency repairs and upgrades of multi-family housing to keep properties financially viable and to preserve the Town's rental housing stock.

- **North End Neighborhood Revitalization Plan**
  The North End Neighborhood Revitalization Plan, while nearing two (2) decades old, was designed on key planning concepts, which included recommendations for a range of affordable housing options, comprehensive code enforcement, improved neighborhood amenities, and the integration of a broad array of social services to support the needs of North End residents. Through a series of neighborhood revitalization plans, the Town of Westerly intends to apply these same concepts to other areas of Town.

Section 4.4 – Housing Conditions

The quality, function, safety, and general state of housing units has significant impact on the well-being of residents, as well as on the livability, desirability, beauty, character, uniqueness, and economic development of the community. Neglect, deterioration, demolition, architectural deterioration, and an aging housing stock are all issues related to housing conditions. The Town of Westerly encourages improvements in the quality of housing conditions through neighborhood plans and with the involvement of housing industry partners. The quality of the region's housing stock has declined over time. Now, it is time to focus attention on the upgrading and improvement of pre-1970 housing. Houses in decline due to the age of their electrical and plumbing systems are significantly more likely to be converted to non-residential uses, become vacant, or become permanently lost from the inventory of housing options.

With the local economy and housing markets gradually recovering from the last economic downturn, investment in the Town's existing housing inventory is encouraged. The Town of Westerly is focused on: rehabilitation programs supported by a future revolving loan fund, modernizing the eligibility and processing of municipal tax exemptions, and adopting a property tax credit process for owners undertaking the substantial rehabilitation of blighted properties that would be restricted to affordable housing initiatives. These efforts are well placed to be an integral part of a neighborhood revitalization and improvement effort. Even still, the Town of Westerly needs

more tools to effectively address housing quality and to get ahead of such issues as aging plumbing and electrical systems, flood and wind damage, and demolition due to neglect.

Older homeowners should have the ability to retrofit their homes to accommodate their future needs and ageing-in-place as opposed to relocating. Households can increase their investment with environmentally sustainable improvements and property owners can reduce their insurance costs by utilizing new reconstruction techniques certified by the Insurance Institute of Business and Home Safety (IBHS).

Subsection 4.4.1 – Age of Housing

In 2000, Westerly had a housing stock that was relatively newer than the State but older than that of Washington County and most other comparable communities. The median year for homes built in the Town was 1965, compared to 1958 in the State and 1971 within Washington County.

There has been varying interest in the development of new multi-family units, particularly for seniors. Existing multi-family units are composed disproportionately of Westerly's older housing stock. As previously mentioned, 16.1% of all housing units were for seasonal use, according to the 2017 ACS. This statistic is reflective of the Town's continuing status as a shoreline resort community. A review of available town data for Residential Housing Types by Year and Structure Type indicates the overwhelming majority of two-family and multi-family structures were built prior to 1940, with 55.8% and 86.3% falling into this category, respectively. There was a resurgence of sorts during the 1980's, when two-family structures were being built; 210 structures were brought onto the tax rolls during this decade, representing 22.8% of all the two-family housing stock in the Town.

Table 4-10 - Number of Residential Housing Types by Year and Structure Type

	Single-Family			Two-Family			Multi-Family			Total	
Time Period	#	% Single-Family	% of Total	#	% Two-Family	% of Total	#	% Multi-Family	% of Total	#	%
2010 or later	482	5.7%	5.0%	9	1.0%	0.1%	19	6.4%	0.2%	510	5.3%
2000-2009	891	10.6%	9.2%	10	1.1%	0.1%	1	0.3%	0.0%	902	9.3%
1990-1999	949	11.3%	9.8%	36	3.9%	0.4%	1	0.3%	0.0%	986	10.2%
1980-1989	1,228	14.6%	12.7%	210	22.8%	2.2%	3	1.0%	0.0%	1,441	14.9%
1970-1979	1,095	13.0%	11.3%	36	3.9%	0.4%	2	0.7%	0.0%	1,133	11.7%
1960-1969	1,038	12.3%	10.8%	28	3.0%	0.3%	2	0.7%	0.0%	1,068	11.1%
1950-1959	1,019	12.1%	10.6%	47	5.1%	0.5%	7	2.3%	0.1%	1,073	11.1%
1940-1949	405	4.8%	4.2%	31	3.4%	0.3%	6	2.0%	0.1%	442	4.6%
1939 or earlier	1,325	15.7%	13.7%	513	55.8%	5.3%	258	86.3%	2.7%	2,096	21.7%
Total	8,432	100.0%	87.4%	920	100.0%	9.5%	299	100.0%	3.1%	9,651	100.0%

Source: Town of Westerly 2020

Subsection 4.4.2 – Quality of Housing

During the decades of a thriving construction market for new single-family homes and the subsequent decline in construction through the recent economic recession, there has been no measurable increase in home improvement spending. These events having taken their toll on the quality of the region's housing stock. As previously stated, it is important for the Town to focus attention on upgrading and improving its existing housing stock, with emphasis being placed on the condition of blighted properties and those that pre-date 1970.

Rhode Island Affiliates of Habitat for Humanity are active in both new construction and the substantial rehabilitation of existing properties. Habitat for Humanity ReStores, located in Charlestown, also provides discounted used and surplus furniture and building materials. Other organizations, including Rebuilding Together, Inc., Veterans Affairs Regional Loan Center, and United States Department of Agriculture (USDA) Rural Development Office, assist local low-income, elderly, and disabled homeowners.

Initiatives the Town has taken, along with those provided for herein, will allow the Town of Westerly to more effectively address housing quality and help homeowners address issues such as aging plumbing and electrical systems, flood and wind damage, and the threat of demolition due to neglect.

Subsection 4.4.3 – Property Maintenance Code Enforcement

The State Housing Maintenance and Occupancy Code establishes minimum standards governing utilities and facilities and other physical conditions essential to make dwellings safe, sanitary, and fit for human habitation. Enforcement of these conditions and proper maintenance of housing as a public health and safety matter is delegated to local government. In the Town of Westerly, the Property Maintenance Code Official within the Department of Development Services is the applicable enforcement officer. In order to ensure that no violations exist, routine inspections of suspect and blighted properties are often made while new construction or renovation work is in progress. For existing structures, the Property Maintenance Code Official enforces State Codes designed to safeguard buildings and their contents from hazards. Most property maintenance code violations involve sanitation due to accumulation of rubbish or garbage. In 2019, the Town had 433 cases regarding property maintenance code violations at residential properties. A majority of these cases (67%) occurred at homes owned by a Westerly resident (as determined by the owner's ZIP Code).

The Certificate of Apartment Occupancy (CAO) is one tool that can be utilized for the code enforcement of non-owner-occupied residential units, as used in the State of Connecticut. The main purpose of the CAO is to provide renters with the same protections as homebuyers, by allowing for an inspection process that is municipally-sanctioned and prohibits the renting of units that are found to be sub-standard. The CAO process requires that owners of rental units register each unit with the municipality, usually through the building or housing code office. As each unit is vacated, subsequent rental cannot occur until the unit is inspected and determined to be code compliant, safe, and sanitary, which allows for identification and correction of any housing code violations. The CAO is issued upon confirmation of compliance and the unit may then be rented, which ensures that the tenant is getting a unit that conforms to all state and local housing code requirements. Registration and inspection of each unit are subject to a fee to help offset the administrative cost to the municipality. However, the Town of Westerly may need to seek legislative authority to enact a local ordinance and enforce a strategy such as this.

Section 4.5 – Housing Affordability

Escalating housing prices and rental rates have an impact on the desirability of Westerly as an attractive community for both year-round and seasonal residents. These prices, however, also have a direct impact on housing affordability. Affordable housing needs stem from residents who pay more than 30% of their income for housing costs, which causes a significant financial burden. Of the total number of households in Westerly, 4,564 or 46.6% had household incomes less than 80% HAMFI, according to 2013-2017 ACS estimates. This percentage is greater than the State's minimum 10% threshold for subsidized housing and is indicative of a greater need for affordable housing, whether by subsidy, deed restriction, or by design. Identifying opportunities to further integrate housing into existing buildings and neighborhoods would also help to meet these needs.

There are many factors limiting affordable housing availability in Rhode Island, most, if not all, of which are pertinent within the Town of Westerly as well. The Town has been experiencing the following influences on this sector of the housing market:

- Limited land available and suitable for development
- High land and construction costs
- High sale prices
- Low vacancy rates
- Deterioration of older housing stock
- Elimination of year-round housing stock by conversion to seasonal or second homes
- Elimination of funding through federal and state housing programs

Subsection 4.5.1 – Housing Costs

Through the early part of the previous decade (2000-2006), high and rising property values reflected the desirability of Westerly as an attractive community for both year-round and seasonal residents. Prior to the housing and credit market crashes around 2008, the housing market was characterized by vibrant construction activity in both new homes and renovations. These factors, as well as strong value appreciation of assessed homes, combined with rising property taxes and energy costs, has significant impacts on affordable housing availability.

With the economic downturn beginning in 2007, construction activity immediately began to fall in 2008 and has been focused almost entirely on single-family units since. According to the Statewide Multiple Listing Service (MLS) data provided by Rhode Island Living, single-family and multi-family median sale prices have also not yet recovered to pre-recession values, despite a more recent upward trend. According to the 2019 HousingWorksRI Fact Book, the household income needed to affordably own the median-single family home price in Westerly was $92,445. The 2013-2017 ACS estimated income for owner households in Westerly is $82,326, indicating a gap of $10,119 in annual income exists, which further demonstrates the difficulty of reasonably affording a home in the Town. High and rising rent continues to be an issue impacting both the Town and the State. The 2019 HousingWorksRI Fact Book found the average monthly rent for a two-bedroom apartment in Westerly was $1,463 per month. This cost was $309 greater than the Westerly-Hopkinton-New Shoreham, RI HUD Metro Area's Fair Market Rent (FMR) of $1,154 for FY2020. Assuming no more than 30% of annual income was spent on rent alone (excluding related expenses), a renter household would need an annual income of $58,520 to afford the average two-bedroom apartment's rent. However, the 2013-2017 ACS's median household income estimate for renter households was only $32,083. Thus, an income gap of $26,437 existed for a renter household to affordably lease their home.

Subsection 4.5.2 – Home Values

An analysis of housing in Westerly, from the standpoint of its market value as determined by the Westerly Tax Assessor's Office through revaluations in 2003, 2006, 2009, 2012, 2015, and 2018, shows the volatility of property values in Westerly over the last decade. Table 4-11 below summarizes the 2003, 2006, and 2009 revaluations for single-family homes in Westerly categorized by fire district. Over these six (6) years, the value among the range of

single-family homes located in Westerly increased from a Town-wide average of $248,050 in 2003 to $311,150 in 2009, a 25.4% increase. At a sub-municipal level, total valuation of single-family homes ranged from an 18% increase in Shelter Harbor Fire District to a 34.5% increase in Bradford Fire District. Single-family homes in two (2) other fire districts, Watch Hill and Weekapaug, had average assessed values in excess of $1.5 million. These outlying values were due to their districts' characteristics as coastal villages with high numbers of second homes and seasonal populations. In the 2006 revaluation, which represented the peak assessed value within this time period, there was a difference in assessed value of more than $1.6 million between the fire districts with the lowest (Bradford Fire District) and highest (Weekapaug Fire District) median values.

Table 4-11 Median Values of Single-Family Homes, 2003-2009

Fire District	2003		2006		2009	
	Homes	Median Value	Homes	Median Value	Homes	Median Value
Bradford	425	$173,000	434	$244,300	440	$232,750
Dunn's Corners	1,670	$266,450	1,723	$365,900	1,743	$340,500
Misquamicut	536	$352,500	558	$499,800	565	$465,400
Shelter Harbor	151	$556,800	155	$713,200	160	$657,050
Watch Hill	208	$1,249,100	210	$1,727,300	217	$1,670,300
Weekapaug	112	$1,331,000	118	$1,908,800	126	$1,700,500
Westerly	3,816	$220,600	3,899	$301,800	3,931	$275,400
Town-wide	6,918	$248,050	7,097	$336,700	7,182	$311,150

Source: Town of Westerly, 2019

The 2009 revaluation provided a major source of evidence that the general economic downturn beginning in 2008 had taken effect locally. For example, 57% of houses sold in 2008 were sold for less than their assessed value, and 83% of houses sold for less than their assessed value in the first half of 2009.

The Great Recession's protracted effects in Westerly were (and in some cases still are) evident in the overall decrease in average total property values as recorded within the 2012, 2015, and 2018 revaluations in Table 4-12 below. In 2012, the median value had fallen by 15.3% from the 2006 revaluation to $285,100. The most recent revaluation, in 2018, was the first since 2006 to show median assessed value increased Town-wide and in all fire districts from the preceding full revaluation year.

Table 4-12 Median Values of Year-round Single-Family Homes, 2012-2018

Fire District	2012		2015		2018	
	Homes	Median Value	Homes	Median Value	Homes	Median Value
Bradford	475	$209,800	495	$204,900	497	$231,000
Dunn's Corners	1,758	$313,000	1,774	$305,300	1,803	$339,500
Misquamicut	584	$432,950	583	$421,900	586	$481,600
Shelter Harbor	162	$597,300	164	$585,900	164	$655,650
Watch Hill	222	$1,597,300	222	$1,632,200	222	$1,767,650
Weekapaug	131	$1,623,800	133	$1,452,700	133	$1,795,800
Westerly	4,014	$251,100	4,063	$242,500	4,105	$272,400
Town-wide	7,346	$285,100	7,434	$275,600	7,510	$309,600

Source: Town of Westerly, 2019

Table 4-13 below summarizes changes in median single-family home values over four (4) time periods, all ending in 2018. In the decade passing from January 2009 to December 2018, the median value of a single-family home in Westerly was ultimately stagnant, decreasing by less than one percent. Values of single-family homes trended upwards through the six (6) year period from 2012 to 2018, with the data suggesting that home values were appreciating more rapidly during the last three (3) years of that period. Even with the increased rate of home value appreciation during this period, the average home value in 2018 was still lower than the values in 2006. The rapid rate of home value appreciation heading into the later part of 2018, however, is a leading indicator that pressure on housing affordability will continue to increase.

Table 4-13 Percent Changes in Median Values of Single-Family Homes, 2006-2018

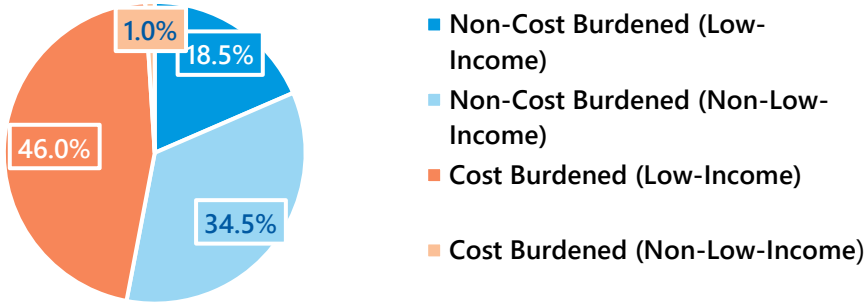
Fire District	2006-2018	2009-2018	2012-2018	2015-2018
Bradford	-5.4%	-0.8%	10.1%	12.7%
Dunn's Corners	-7.2%	-0.3%	8.5%	11.2%
Misquamicut	-3.6%	3.5%	11.2%	14.2%
Shelter Harbor	-8.1%	-0.2%	9.8%	11.9%
Watch Hill	2.3%	5.8%	10.7%	8.3%
Weekapaug	-5.9%	5.6%	10.6%	23.6%
Westerly	-9.7%	-1.1%	8.5%	12.3%
Town-wide	-8.1%	-0.5%	8.6%	12.3%

Source: Town of Westerly, 2019

Subsection 4.5.3 – Cost Burden and Unmet Affordability Needs

Affordable housing needs are determined from demographic data available from a variety of sources, which include the US Census Bureau and the Comprehensive Housing Affordability Strategy (CHAS) database, among other sources (it should be noted that, while CHAS data is a product of the US Census Bureau, in partnership with HUD, and there are no known suitable alternatives for providing this housing data, its estimates can often be subject to higher margins of error at the local government level). The unmet need for affordable housing can be calculated based on the current number of LMI units and the demand for LMI units based on the data available. In addition to LMI production goals (to be discussed later, which are based on current housing stock), the specific needs of the low- and moderate-income populations are also evaluated based on the availability and distribution of the affordable housing types that should be targeted. Figure 4-2 illustrates the extent to which housing cost burdens are felt by renter-occupied households in Westerly.

Figure 4-2 Housing Cost Burden for Renter-occupied Households by Income, 2016

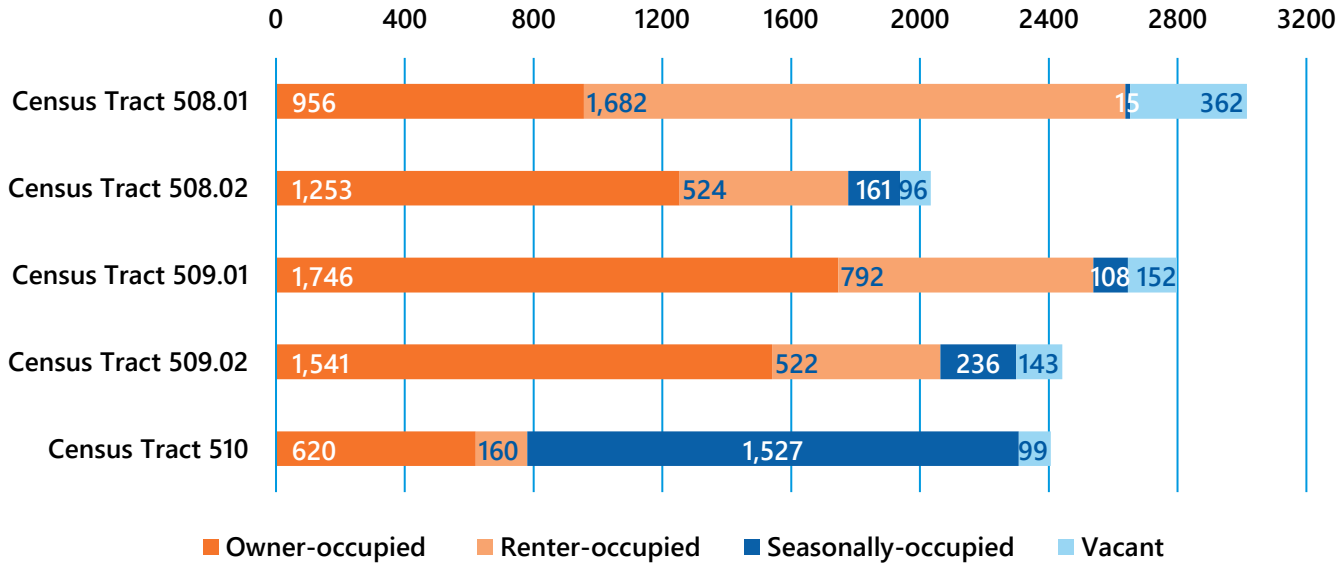


Source: 2012-2016 CHAS Data Query Tool

Among the four (4) categories shown in Figure 4-2, a plurality (46%) of Westerly's renter households earn 80% HAMFI and spend more than 30% of their income on housing costs (CHAS Data Query Tool, 2012-2016). Further,

almost half (47%) were cost burdened because of their monthly rent. As previously noted, the average two-bedroom apartment in Westerly costs $1,463 per month to rent, requiring an income $26,437 greater than the median income of local renter households. While there are many factors causing this situation that are present across the State and region, a unique and likely additional consideration is the comparatively stronger market demand for vacation homes in Town. This phenomenon is visualized in Figure 4-3 below, which presents the Town based on its five (5) Census Tracts. Census Tract 510 encompasses the coastal portion of the Town that is south of Route 1A, from Avondale to Shelter Harbor.

Figure 4-3 Housing Unit Occupancy by Census Tract, 2017



Source: 2013-2017 ACS five-year estimates

Seasonal rentals potentially contribute to a diminished year-round stock of affordable homes by disrupting potential long-term rentals. This occurs in cases where a landlord imposes a nine-month restriction for their unit(s) to be vacated and rented at higher cost in the summer, when demand is increased.

Rental housing is most concentrated in Census Tract 508.01, incorporating Downtown Westerly and its surrounding area, and decreases further west (to Census Tract 509.02) and south (to Census Tract 510). Overall, there are positive correlations between the percentage of renter-occupied housing units and several characteristics common in urbanized areas, such as greater racial diversity and a larger young adult (18 to 34 years) population. The 2010 US Census data and ACS 2013-2017 estimates also support this conclusion, which is experienced in Westerly as well. Regardless of prevalence, however, Figure 4-4 below shows a majority of renter households in all Census Tracts experience cost burden. The range falls from just over half (53.8%) in Census Tract 509.02, to nearly three-quarters (72.2%) in Census Tract 508.01.

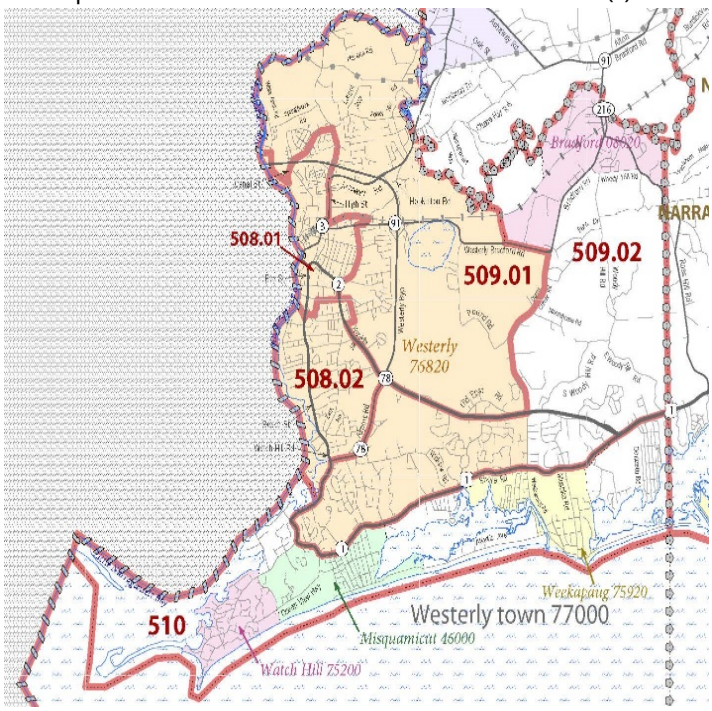
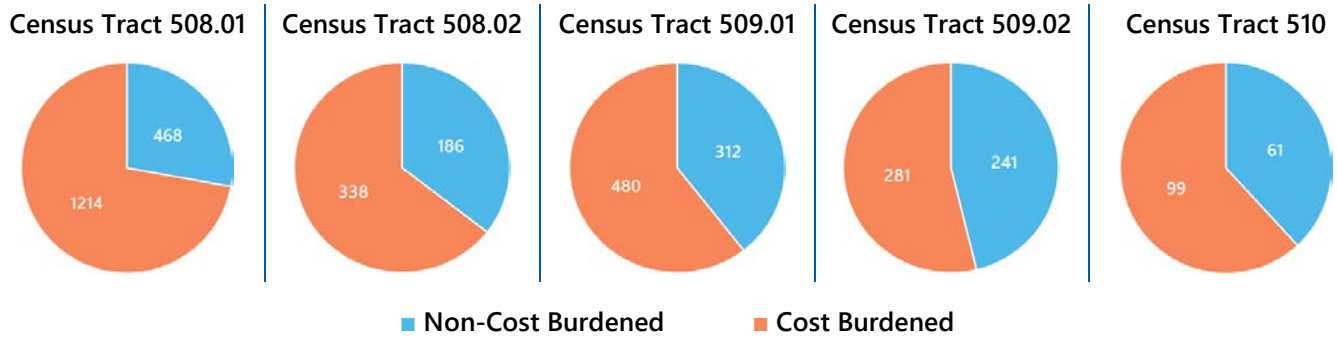


Figure 4-4 Cost Burdened Renter-Occupied Households by Census Tract, 2017

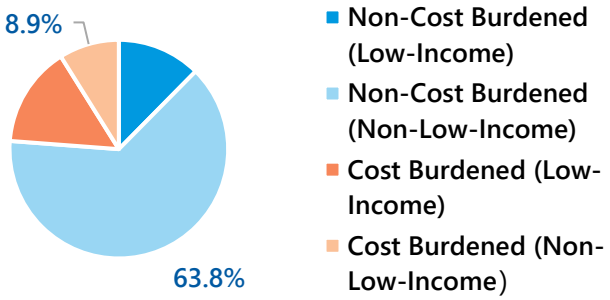


Source: 2013-2017 ACS five-year estimates

The 2019 HousingWorksRI Fact Book identified that an owner household required an income of over $92,000 to afford the median price of a single-family home in Westerly, $328,250. Just four (4) years previously, the 2015 Fact Book identified that an owner household required nearly $10,000 less ($80,252). This substantial increase outpaced inflation. Sales of existing multi-family housing units have been fairly stable within the same period of time, while the median sale price has comparatively grown without interruption, from $284,500 to $328,250.

In contrast to renter households, Figure 4-5 below illustrates that cost burdens experienced by owner households in Westerly were far less common. Just under 15% of all owner households were those that earned less than 80% HAMFI and paid more than 30% of their incomes towards housing costs. More than three-quarters did not experience cost burden.

Figure 4-5 Housing Cost Burden for Owner-occupied Households by Income, 2016

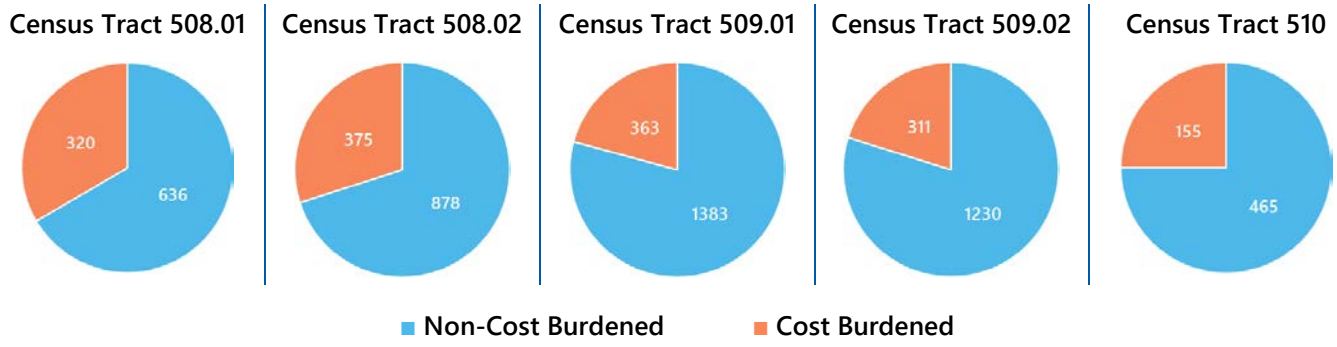


Source: 2012-2016 CHAS Data Query Tool

The prevalence of owner-occupancy, like renter-occupancy, was also shown in Figure 4-3. While Census Tract 508.01 is predominantly comprised of rental units and Census Tract 510 is mostly made up of seasonal homes. The remaining Census Tracts are largely owned and occupied year-round. The comparably high portions of owner-occupied dwellings in these tracts may be influenced by the time period in which their general development occurred (mid- to late-twentieth century).

Figure 4-6 below presents another inverse of what is experienced by renters. There are no Census Tracts that have a majority of cost burdened owner-occupied households. Additionally, the difference between the majority (non-cost burdened) and minority (cost burdened) appears to also be greater than renter-occupied households. The prevalence of cost burden was greatest in Census Tract 508.01, at 33.5%, and was least in Census Tract 509.02, at 20.2%.

Figure 4-6 Cost Burdened Owner-Occupied Households by Census Tract, 2017



Source: 2013-2017 ACS five-year estimates

Subsection 4.5.4 – Residents with Disabilities

Disability is defined by federal law as "a physical or mental impairment that substantially limits one or more major life activities," which may include "walking, talking, hearing, seeing, breathing, learning, performing manual tasks, and caring for oneself." In a summary of the National Health Interview Survey taken in 2018, the National Center for Health Statistics identified 16.3% of adult Americans experienced some level of difficulty in their physical functioning, measured by their ability to walk a quarter mile. Based on this information, actual housing needs of persons with physical disabilities can likely be considered significantly greater than the number of people dependent on a mobility device, such as a wheelchair or cane.

The estimates provided by the 2013-2017 ACS indicated that, locally, the population having one or more disability totaled 2,821, just over 12% of the Town's total population. Disabilities, ranging from most to least prevalent, included ambulatory difficulty (1,355), hearing difficulty (859), independent living difficulty (851), cognitive difficulty (833), self-care difficulty (419), and vision difficulty (320). Persons aged 65 years old and over made up 62.5% of the disabled population, indicating that disabilities are a notable concern with aging.

The ACS provided economic data for the population with a disability status only at a national, state, and county level. It is nonetheless reasonable, based on available earnings and employment estimates, to conclude that persons with disabilities experience the same level of need, if not greater, for affordable housing as persons with no disabilities in Westerly. In recent years, non-profit organizations, including Westerly Area Rest and Meals, Inc. (WARM) and Operation Stand Down RI (OSDRI), have worked to address this issue. In these two cases, an additional 16 housing units restricted specifically to households with a person experiencing a disability were added to Westerly's housing supply between 2013 and 2015.

Subsection 4.5.5 – Residents Experiencing Homelessness

The National Health Care for the Homeless Council notes there is no one legal definition for homelessness. In specifically discussing housing needs in Westerly, however, this Plan recognizes a portion of the HUD definition as being reflective of the most common forms of homelessness in the Town. This group include individuals "who [lack] a fixed, regular, and adequate nighttime residence" and individuals and families "living in a supervised publicly or privately operated shelter designated to provide temporary living arrangements (including hotels and motels paid for by Federal, State, or local government programs for low-income individuals or by charitable organizations, congregate shelters, and transitional housing)."

The National Coalition for the Homeless and the Rhode Island Coalition for the Homeless (RICH) both identify a lack of affordable housing as a primary contributor to homelessness. In its 2019 State of Homelessness Report, RICH counted 4,390 individuals State-wide who were experiencing homelessness in either a shelter or transitional housing. It also reported that 26 of the State's 2,083 identified callers seeking shelter were from Westerly. This

number represented only 1.2% of the total, but made up the second highest number, almost a quarter (23.2%) of identified callers in Washington County.

As noted in an earlier section, WARM provided housing specifically for several households with disabilities. This service was done as part of its greater mission for serving those in need. The WARM Center, located on Spruce Street in Westerly since 1990, provides one of the three emergency shelters in Washington County. It often operates near or at full capacity (approximately 80 individuals) but is also aware of additional people experiencing homelessness outside the WARM shelter. To further assist individuals experiencing homelessness and/or a housing crisis, the WARM Shelter offers 19 beds (13 for males and 6 for females) and five (5) rooms of long-term transitional housing through its WARM-Up program, with 13 families additionally being served by the Harvest Homes program. WARM also offers supportive housing in its Section 811 project (completed in 2014), which includes six (6) one-bedroom apartments located on Spruce Street and two (2) two-bedroom units provided on Pierce Street.

Section 4.6 – Affordable Low- and Moderate-Income Housing

The Rhode Island Comprehensive Housing Production and Rehabilitation Act of 2004 (General Laws 45-128-8.1) and the Rhode Island Low- and Moderate-Income Housing Act (General Laws 45-53; LMI Act) are the origin of the 10% requirement. Each municipality must have at least 10% of its year-round housing stock be "affordable" with the further provision that the units be at least partially subsidized by the federal, State, or local government and subject to other restrictions to assure they will remain affordable for a minimum of 30 years. The LMI Act also provides a process for the review and approval of eligible LMI housing developments known as a "comprehensive permit."

As of 2019, 12 communities have met the comprehensive permit process. Six (6) communities currently have more than 10% LMI housing, as defined by the Act, while another six (6) communities are "exempt" under an alternative calculation for municipalities having at least 5,000 occupied rental units where those units comprise 25% or more of all housing units and have at least 15% of their rental units affordable to LMI persons.

As of this Plan's adoption, 5.14% (536 units) of Westerly's year-round housing supply was subsidized and deed-restricted affordable for LMI households (RI Housing Tabulation, July 2020) and the composition of its housing tenure did not meet the exemption. Table 4-14 below provides a full listing of the Town's LMI housing.

Table 4-14 *Next Page*

Table 4-14 LMI Housing Inventory, 2020

Population Served	Development	Tenure	Location	Total Units
Elderly	Babcock Village	Rental	Cross Street	150
	Chestnut Court	Rental	Chestnut Street	50
	Merchant's Village	Rental	Clark Street	99
	Park View	Rental	Park Avenue	60
Elderly Subtotal				359
Family	Arlington Street	Rental	Arlington Street	2
	Covington Court	Ownership	Covington Court	5
	Bowling Lane	Ownership	Bowling Lane	1
	Fairview Drive	Rental	Fairview Drive	2
	Gardner Street	Rental	Gardner Street	1
	Grove Avenue	Rental	Grove Avenue	3
	Joseph Street	Rental	Joseph Street	2
	Kent Avenue	Ownership	Kent Avenue	1
	Knight Street	Ownership	Knight Street	1
	Knight Street	Rental	Knight Street	3
	Lewis Lane	Rental	Lewis Lane	4
	Lilac Street	Ownership	Lilac Drive	1
	Lilac Street	Rental	Lilac Drive	1
	Merchant's Village	Rental	Clark Street	16
	Pierce Street	Ownership	Pierce Street	2
	Pierce Street	Ownership	Pierce Street	1
	Pierce Street	Rental	Pierce Street	1
	Pierce Street Habitat	Ownership	Pierce Street	2
	Pierce Street North End	Ownership	Pierce Street	2
	Pierce Street North End	Rental	Pierce Street	2
	Pond Street	Ownership	Pond Street	1
	Pond Street	Rental	Pond Street	1
	Roma I	Rental	Byron Drive	22
	State Street	Rental	State Street	2
	Summer Street	Rental	Summer Street	2
	Sunrise Drive	Rental	Sunrise Drive	2
	Thomas Lane	Ownership	Thomas Lane	1
	Westminster Street	Ownership	Westminster Street	2
	Spinnaker Landing	Ownership	Post Road	9
	North Glen Townhouses	Ownership	Pierce Street	10
	Fieldstone Estates	Ownership	Fieldstone Way	7
Family Subtotal				112
Special Needs	Group Home beds	-	-	34
	Spruce Street	Rental	Spruce Street	5
	Westerly Court	Rental	Beach Street	10
	Spruce Street 2013	Rental	Spruce Street	6
	Pierce Street OSDRI	Rental	Pierce Street	10
Special Needs Subtotal				65
Total				536

Source: RI Housing Tabulation, July 2020

Subsection 4.6.1 – LMI Unit Approvals

The Town adopted its Affordable Housing Plan in 2004, shortly after the passage of the Rhode Island Comprehensive Housing Production and Rehabilitation Act. In it, the Town proposed several strategies to develop certified LMI units. With the assistance of an Affordable Housing Committee, the Town adopted several new sections to the Zoning Ordinance to establish the regulatory framework determined necessary to implement the State law locally. These included:

- Affordable Housing (§260-50),
- Inclusionary Zoning (§260-50.2),
- Comprehensive Permits (§260-50.3),
- Municipal Affordable Housing Fund (§260-50.4), and
- Historic Mill Overlay District (§260-57).

To date, 150 LMI units in single- and multi-family structures have been proposed under one or more of these affordable housing amendments with about half (74) ultimately completed and a further 21 in various stages of construction. Unfortunately, despite undergoing some level of review, 55 proposed LMI units were not ultimately completed due to various factors (often related to economic feasibility). All affordable housing projects proposed from January 2004 to October 2019 are listed in Table 4-15 below:

Table 4-15 LMI Unit Production, January 2004 – October 2019

Development	LMI Units Proposed	LMI Units Completed
66 Pierce Street	2	2
69 Pierce Street	2	2
Westerly Court	10	10
6 Lilac Drive	2	2
48 Pierce Street	2	2
71 Pierce Street	2	2
79 Pierce Street	2	2
6 Lewis Lane	2	2
Napatree Point Condominiums	2	0 (project abandoned)
Spinnaker Landing	10	9
Covington Court	4	4
Fieldstone Estates	13	7
Iroquois Hills	33	0 (project abandoned)
North Glenn	10	10
Westerly Heights	4	0 (project abandoned)
Brown Building (1)	16	0 (project abandoned)
WARM Shelter	6	6
OSDRI	10	10
White Rock Inn	4	4
Merchants Village Expansion	5	0 (in progress)
South Drive	6	0 (in progress)
Brown Building (2)	3	0 (in progress)
Total	**150**	**74**

Sources: Town of Westerly Department of Development Services, 2019

Westerly's preceding comprehensive plan, in support of State and local efforts, was very clear about the continued need for affordable housing and not necessarily, nor exclusively, meeting that demand through new single-family construction. The Town continues to aspire to strategies that preserve its existing housing stock as affordable:

- Developing and implementing a program to focus and coordinate affordable housing initiatives and funding as an integral part of Westerly's efforts in neighborhood revitalization and rehabilitation, with priority given to existing housing over new construction.
- Targeting neighborhoods for revitalization efforts through the development of neighborhood plans and linking implementation of these plans with affordable housing strategies.

While certain concepts have remained constant over time, approaches that are new to this Plan include:

- Supporting the development of a variety of housing types so that residents can continue to live in Town even as their housing needs change,
- Supporting the development of LMI housing where 50% or more of the housing units have a restricted sales price or rental amount for a period of at least 30 years,
- Planning all residential projects with the intent of preserving and improving the character of existing neighborhoods and being well-integrated with neighborhood or district features,
- Establishing programs to assist LMI owner-occupants of residential properties to repair and maintain their houses so that they can continue to reside in their homes, and
- Continuing a community-based housing rehabilitation program.

These considerations are particularly made with respect to the Town's projected approach to buildout at the end of this Plan's planning horizon. While the buildout analysis is discussed in Chapter 3 of Part I of this Plan, land remaining available for development is already increasingly scarce and generally subject to environmental constraints to development. Increased housing density in established neighborhoods that are built out is impractical and may adversely affect neighborhood character as well as environmental integrity. Compliance with parking requirements alone will result in increased impervious surfaces and an increase in surface water runoff resulting in the need for investment in improved drainage facilities.

In fulfillment of RIGL and comprehensive planning requirements of the State, an LMI housing production plan is included is in this Plan with strategies for attaining the State's 10% threshold. To begin this analysis, Table 4-16 below presents that, at the time of buildout, the Town would face a deficit of 883 affordable LMI housing units.

Table 4-16 Existing and Projected LMI Housing Deficits

Housing Type	Units	Percentage
Total Non-seasonally occupied, 2010	10,430	100%
State-mandated LMI	1,043	10%
Total LMI, 2010	551	5.3%
LMI Deficit, 2010	492	4.7%
Total Non-seasonally occupied, 2017	10,648	100%
State-mandated LMI	1,065	10%
Total LMI, 2017	544	5.1%
LMI Deficit	521	4.9%
Total Non-seasonally occupied, Buildout[1]	14,188	100%
State-mandated LMI, Buildout	1,419	10%
Total LMI, 2020	536	3.8%
LMI Deficit Build-out	883	6.2%

Sources: 2010 US Census, 2013-2017 ACS five-year estimates, RI Housing Tabulation, July 2020, and Town of Westerly, 2019

[1] Buildout is discussed in Part I, Chapter 3, Land Use and Zoning

The Town endeavors to address factually supported estimates of housing needs based on actual market statistics unique to the Town.

Subsection 4.6.2 – Meeting Local Housing Needs

The Town of Westerly believes it exceeds the overall contribution of affordable housing anticipated under the Act through its robust stock of sustained year-round rental housing. The Town also recognizes that State approval of its Plan is dependent upon its compliance with the mandate for a 10% LMI production plan. While the Town provides a 10% LMI plan in this chapter, it is also advancing its local cause for housing needs by pursuing a statutory alternative to the 10% requirement.

During the 2016 session of the Rhode Island General Assembly, the Town pursued legislative changes that would provide Westerly an exception to the LMI Act as an urban community that is meeting affordable housing needs through its continued commitment to the provision of rental units for residents who earn less than or equal to 80% HAMFI. House bill No. 8014A and Senate bill No. 2876A were proposed to change the threshold requirement for low- or moderate-income rental units in a community to 12% where there are at least three thousand (3,000) rental units occupied year-round. This proposed legislation did not garner support of the House of Representatives or the Senate and was postponed indefinitely in April 2016.

The US Census Bureau and HUD work together to make available data that tracks the extent of housing problems and housing needs in communities, particularly for low income households using CHAS data. CHAS data for Westerly are provided in the table at the end of this chapter.

Unfortunately, these estimates must be used with caution, as most of the estimates have a margin of error greater than 25%, as shown on the official CHAS table. These tables include almost all the data provided by the CHAS and, in many cases, the margin of error (MoE) is several times the estimate, as shown. Rhode Island Statewide Planning says of these estimates: "An estimate with a margin of error greater than 25% of the estimate should be used only if there are no suitable alternatives, and with the understanding that its accuracy may be less than desired." The Town of Westerly will be seeking a more suitable alternative to the estimate of housing need provided by the CHAS most probably in the form of direct surveys to its residents. However, in the meantime, the discussion of housing need will proceed based on the information provided to the Town.

According to CHAS data and 2013-2017 ACS data, Westerly had 2,104 renter-households at or below 80% of the HAMFI. In the most densely populated renter-occupied areas of Town, Census Tracts 509.02 and 508.01, 53.8% and 72.2% of renter-households, respectively, experience cost burden (in excess of 30% of income) trying to maintain a household. Conversely, it was far less common for an owner-occupied household in Westerly to have experienced costs burdens. Of this cohort, 15% of owner-occupied households experienced cost burden. This data indicates that there is a near-term demand for more affordable rental housing, whether meeting the mandated definition or otherwise. The most consistent finding in Westerly's CHAS and 2013-2017 ACS data is that nearly one-third of households pay too large a percentage of their gross monthly income towards housing.

In terms of proportionality, as shown in Table 4-17 below, the CHAS indicates Westerly's current foremost need is for single units targeted towards the family population with another third for residents in the category with special needs (such as single-bedroom elderly, living assistance, handicapped, and communal living). The existing housing supply is providing much of the needed housing for seniors.

Subsection 4.6.3 – Projected Affordable Housing Production

An effective housing production plan for Westerly will ensure that the different types of residents with cost-burdened households are each provided a fair and representative proportion of affordable housing units to be constructed through the 2020s and 2030s. It is the underserved segment of Westerly's current households that must be targeted, including both family and other non-family households. Table 4-17 shows the number of units intended to serve each underserved household type that should be constructed each five-year period between 2020 and 2040 in order to achieve a fair, thoughtful, and appropriate demographic balance. Units approved since the implementation of the Affordable Housing Plan of 2004 but not yet constructed is the starting point in 2020.

Table 4-17 Affordable Housing Production Projections by Household Type for Underserved Segment of Westerly Households, 2020-2040

Population	2020	2025	2030	2035	2040	Supply needed	Percent of total supply needed
Elderly	30	10	10	10	7	67	7.6%
Families	20	65	65	65	46	261	29.6%
Special Needs	5	40	50	50	26	171	19.4%
Total Underserved	**55**	**115**	**125**	**125**	**79**	**499**	**56.6%**

Sources: Town of Westerly; CHAS

In the 2010 Comprehensive Plan, the first action item towards the Town's goal of maintaining a broad range of housing options states "Review housing and demographic data regularly to determine whether stated goals are being met and revise, as necessary, to achieve goals." Data collection work has been completed to give the Town a clear picture of the current affordable housing makeup in the Town.

This data has provided a significant opportunity to respond to the Town Council's suggestion that a legislative exemption to the 10% requirement of the Low- and Moderate-Income Housing Act be pursued. This data analysis will also assist the Planning Board in their recommendations to the Town on the implementation of this Plan. This data will be used as the basis for discussions and recommendations on planning issues such as residential density and services and facilities for Westerly's neighborhoods and planning areas.

Subsection 4.6.4 – Housing Opportunities through Affordable Rental Units

The Town of Westerly is meeting housing needs through its substantial contribution to the rental market. The Town of Westerly has developed several programs and initiatives to ensure the preservation of its robust rental housing stock. Actions in the 2010 Plan included:

> "Action 5.5: Develop and implement a program to focus and coordinate affordable housing initiatives and funding as an integral part of Westerly's efforts in neighborhood revitalization and rehabilitation with priority given to existing housing over new construction, and;
>
> Action 5.16: Target neighborhoods for revitalization efforts through the development of neighborhood plans and link implementation with other affordable housing strategies."

The number of year-round renter-occupied housing units in the Town of Westerly has been consistent from 2000 to 2017 at approximately 3,400 units on average, or 33% of the entire year-round housing stock. In 2000, approximately 2,060 renter households in Westerly were reported to be at or below 80% HAMFI. That number increased in 2017 to 2,412 renter households.

Since 2000, renter households at or below 80% HAMFI have made up 60 to 66% of total renter-occupied units. Approximately 20% more of the available rental units are occupied by residents with incomes between 80% HAMFI and 120% HAMFI. Of the 3,680 renter occupied units in Westerly, 498 (or 13.5%) are LMI-qualified, allowing the

local regulatory environment to provide more than 3,183 rental units without subsidy or income restrictions. As mentioned above, 2,412 households in Town have incomes that are at or below 80% HAMFI. Assuming each unit contains a household, this number in and of itself exceeds, by more than 226%, the state mandated LMI requirement for 2017 of 1,065 total units. While recognizing that cost burden on households also needs to be considered, an initiative to survey residents to determine cost burden in excess of 30% of household income is a part of this Plan.

This Plan embraces several strategies for the rehabilitation and production of units for renter households at or below 80% HAMFI. These strategies are intended to ensure that low- and moderate-income households continue to be 60 to 66% of total renter-occupied units. Data by census tract demonstrates that Westerly exceeds the overall contribution of affordable housing anticipated under the LMI Act through its robust stock of sustained year-round rental housing. However, housing conditions remain a problem.

The Town of Westerly is approaching build-out; the remaining land available for development is scarce and generally has environmental constraints to its development. Redevelopment within established neighborhoods will be required to continue to serve the community's housing needs.

Subsection 4.6.5 –Strategic Production Plan for LMI Qualified Units

Strategy 1: Inclusionary Affordable Housing

This strategy of Inclusionary Affordable Housing relies on private sector development and affects single-family subdivisions, multi-family residential developments, and mixed-use projects. This market-based tool for producing affordable housing without using tax dollars has produced thousands of housing units across the United States. Its purpose is to integrate affordable housing in developments throughout communities by requiring developers to set aside a certain percentage of housing units that are affordable to residents with incomes up to 80% of the area's median income.

Westerly's approach is to use mandatory inclusionary zoning when for-profit developers propose market-rate housing in residential zoning districts. Mandatory inclusionary zoning also applies when for-profit, market-rate housing is proposed for mixed-use development located in commercial or professional zoning districts, or when adaptive re-use of a historic mill contains market-rate housing. In all cases, the Town's incentive-based approach will offer for-profit developers a density bonus for market rate units for a required percentage of 30-year (minimum) deed-restricted units for low- and moderate-income households earning 80% or less of median income. This strategy also applies to non-profit entities whose residential development projects contain market rate units.

Strategy 1.1 Inclusionary Zoning

To provide more affordable homeownership opportunities, the Town adopted an Inclusionary Zoning Ordinance requiring all new developments with five (5) or more residential units in any zoning district to set aside 20% of the total units in the development as LMI restricted (Section 260-50.2). A density bonus equal to the percentage of qualified LMI units in the development is also provided. Qualifying LMI units, under RIGL §45-53-3, require a minimum 30-year commitment by the developer, enforced by deed restriction, that the units be sold or rented to low- or moderate-income households and monitored by a certified agency.

For cases in which it may not be feasible to develop the affordable units on site, Section 260-50.4, as adopted, allows the developer the option of paying a fee-in-lieu, which is deposited in the Town's Municipal Affordable Housing Fund. Following a change in State law on the administration of the funds from the fee-in-lieu, the Town of Westerly must revisit this option. Other options include providing the LMI units elsewhere. This decision is at the sole discretion of the Planning Board.

Moving forward in this Plan, inclusionary zoning is still considered a productive strategy. The Town's inclusionary zoning provisions should be reviewed and revised to produce the type of housing for which there is the strongest need (such as family rental units and single-occupant households). The Planning

Board should revisit the inclusionary zoning ordinance to evaluate the density bonuses offered and their impact on neighborhoods and environmentally sensitive sites.

There are approximately 2,105 undeveloped buildable acres in the RR-60, LDR-40, MDR-30, and HDR-15 zoning districts. To account for land required for other strategies, it is assumed that 60% of the undeveloped buildable land is developed as residential under the current zoning requirements and mandatory inclusionary zoning ordinance. This strategy, based on these assumptions, **may provide up to 268 LMI units.**

Strategy 1.2 Comprehensive Permit Ordinance

The Town passed a Comprehensive Permit Ordinance (Section 260-50.3, Amended 9-24-2007 by Chapter 1616) in compliance with the State mandated "fast track" review and approval process developments that include affordable housing units. Local approvals are given to qualified projects contingent on State approvals and a substantial density bonus is provided. Yet the "fast track" became the "slow lane" when the General Assembly shortened the review period for other major land development projects and subdivisions in 2017.

Per the LMI Act (RIGL §45-53-4), comprehensive permits are only available for proposals in which at least 25% of the housing to be developed is deed-restricted for occupancy by low- or moderate-income households. The LMI Act also requires that all low- and moderate-income housing units proposed are integrated throughout the development. As a state mandated housing production strategy, a comprehensive permit application must produce qualified LMI units. There is no off-site or fee-in-lieu option. A so called "municipal subsidy program" need only include dimensional relief for the project to qualify as LMI. In Westerly, very rarely is an increase in density requested because of the limited carrying capacity of most undeveloped parcels.

Examples of developments that have been approved through this process include:

- Westerly Courts, Beach Street – 10 units, all LMI (South County Mental Health)
- North Glen, Pierce Street – 10 units, all LMI (RI Housing and Washington County Community Development Corporation [WCCDC])
- Spinnaker Landing, 222 Post Road – 42 units, 10 LMI
- Pleasant Street Courts, Covington Court – 17 units, 4 LMI
- WARM Shelter, 54-56 Spruce Street – 6 units, all LMI
- Fieldstone Subdivision, Fieldstone Way – 52 units, 13 LMI
- Iroquois Hill, Iroquois Avenue – 86 units, 33 LMI (abandoned during appeal process)

In the 2010 Comprehensive Plan, the Town identified the need to review the Comprehensive Permit Ordinance. As with the Inclusionary Zoning Ordinance, the Town was concerned with its limited application except on marginal properties in need of dimensional relief or engineering compromises. Adverse impacts pertaining to impervious lot coverages, design, and disturbance of the natural environment are also concerning.

An alternative to the current regulations would be to incorporate more appropriate guidelines to ensure quality development with minimal impacts on the community. The approval of projects before they have been reviewed by state or federal agencies, particularly considering the development on environmentally sensitive land, continues to remain a concern. The Town does not consider this a desirable planning approach, particularly in the Pawcatuck River and Salt Pond Region Special Area Management Plan (SAMP) areas along the coastline, which the Rhode Island Coastal Resources Management Council (RICRMC) has determined are already "built beyond carrying capacity." Areas within the RR-60 zoning district surrounding Newton Marsh, Chapman Pond, and Aguntaug Swamp (all of which is protected land overlying an aquifer and is predominantly freshwater wetlands) are also of concern for these types of development.

The Town's Zoning Ordinance not only adopts the comprehensive permitting process, it also provides for increased density intended to aid in the production of qualified low- and moderate-income housing units, as previously described. Density bonuses available to developers that apply under this Ordinance range from 20% to 66%. However, concerns continue with applications for residential development at these rates. The density increases allowed by the Ordinance do not take into consideration the location or carrying capacity of a property for development. The Town's municipal infrastructure resources and utilities should be assembled to allow the development of LMI housing by Comprehensive Permit. Changes to the existing density bonus in several districts are discussed here. The relevant issues vary by zoning district and development site characteristics, which are briefly discussed below:

- **HDR-6 | 66% density bonus (an increase from 20%)**
  The HDR-6 zoning district is densely populated, with some of its area in the Special Flood Hazard Area (SFHA), where historic settlement patterns used the rivers in a very different manner than we do today. This zoning district is also within the Urban Services Boundary (USB), an area which is serviced by both public water and sewer, logical prerequisites to support additional residential development. The HDR-6 zoning district is predominantly rental units and small single-family residential homes on small lots. Increased density in the HDR-6 zoning district is restricted by dimensional and parking requirements, limiting the potential for multi-family development. Zoning revisions will be contemplated to allow duplexes and triple-deckers in neighborhoods where this historical development pattern already exists.

  There are approximately 62 total undeveloped buildable acres in the HDR-6 zoning district. This undeveloped, buildable land **may support approximately 310 units** under the current zoning requirements. However, multi-family residential may be created by an increase in density through the comprehensive permit process. A single lot of 6,000 square feet may be redeveloped from a single-family to a duplex. A conservative number of LMI qualified units, from a combined new development and redevelopment with the 66% density increase, is **155 units in the HDR-6 zoning district.**

- **HDR-10 | 0% density bonus (a reduction from 66%)**
  The HDR-10 zoning district is located within the Salt Pond Region SAMP area, which RICRMC has determined to be already "built beyond carrying capacity" and where state regulations require 87,120 square feet per dwelling unit. The 2016 buildout analysis forecasts a maximum of six (6) units that can be developed in this entire district, thereby making the comprehensive permit density bonus impractical for this shoreline community. This zoning district is serviced by public water and private septic systems and, with the continued threat of storm surge and sea level rise, additional residential development should be discouraged. There are 0.01 undeveloped buildable acres in the HDR-10 zoning district outside this SAMP, which cannot support any further additional residential development.

- **HDR-15 | 50% density bonus**
  The HDR-15 zoning district is not contiguous and is located in various areas spread out across the Town; however, the district is primarily located in areas of existing development with relatively low constraints to development. This district can be found in areas as diverse as East Avenue, neighborhoods along the Pawcatuck River, Springbrook Road (abutting the White Rock Quarry), and Bowling Lane. In this district, vacant land may likely be impacted by freshwater wetlands, and any land suitable for development most likely represents limited lots for in-fill through rear-lot and minor subdivisions. This zoning district is serviced by both public water and sewer and is considered able to support some additional residential development in select areas. Increased density in the HDR-15 zoning district is restricted by dimensional and area requirements, limiting the potential for multi-family development.

  There are approximately 113 total undeveloped buildable acres in the HDR-15 zoning district. This undeveloped land may support **approximately 197 units** under the current zoning requirements

with the available density bonus. To account for land required for inclusionary zoning and due to constraints to development, it is assumed that 30% of the undeveloped buildable land in this residential zone remains for this strategy. A conservative number of LMI qualified units, from new development within the HDR-15 zoning district, is **98.**

- **MDR-20 | 33% density bonus**
  The MDR-20 zoning district is scattered across the Town as well and is located in areas predominantly serviced by public water and private septic systems. With further study, the Town may be able to identify available sites appropriate for the development of multi-family affordable housing in select areas within this zone. Where this zoning occurs in the jurisdiction of a SAMP, this density bonus is not practical, given RICRMC regulatory requirements in these areas.

  There are approximately 248 total undeveloped buildable acres in the MDR-20 zoning district, with about 186 acres outside the SAMP. The 186 acres of undeveloped land may support **approximately 93 units** under the current zoning requirements, but the capacity for an increase in density through the comprehensive permit process appears limited by the carrying capacity of the land. Reducing the possibility of introducing multi-family housing by another 70%, the number of **LMI units likely is 37.**

- **MDR-30 | 50% density bonus**
  The MDR-30 zoning district is predominantly located within the neighborhoods of Boombridge, Potter Hill, Bradford, and Dunn's Corners, where public water is available but no sanitary sewer.

  There are approximately 733 total undeveloped buildable acres in the MDR-30 zoning district. This undeveloped land may support **approximately 550 units** under the current zoning requirements, but the capacity for an increase in density through the comprehensive permit process is limited by wetlands and other hydric soils. Reducing the possibility of increased housing density by another 70%, the number of **LMI units is approximately 165.**

- **LDR-40 | 33% density bonus**
  The LDR-40 zoning district is in areas located on both sides of Route 91 and at McGowan's Corners, as well as in White Rock. Some areas in this zoning district may be serviced by municipal water and other areas will require private wells; however, there is no municipal sewer service in this zoning district; therefore, new developments will require private septic systems. Carrying capacity is also limited by wetlands and other hydric soils. To account for these limitations, the possibility of increased housing density has been limited to 30% of the land area available.

  There are approximately 345 total undeveloped buildable acres in the LDR-40 zoning district, and 30% represents about 103 acres of available land. While the undeveloped land may support **approximately 345 units**, a 33% density bonus over 103 acres results in **34 LMI units** possible in this zone.

- **LDR-43 | 0% density bonus (a reduction from 33%)**
  LDR-43 zoning district consists entirely of the Watch Hill area, a coastal neighborhood just outside the Pawcatuck River and Salt Pond Region SAMP jurisdictions. This district has been exempted from affordable housing under the Ordinance. Watch Hill is an area of beauty and charm enjoyed by seasonal residents and visitors. LMI units in a remote part of Town that lacks year-round visitation and little public infrastructure is not practical. There are approximately 93 total undeveloped buildable acres in the LDR-43 zoning district.

- **RR-60 | 37% density bonus**
  The RR-60 zoning district is somewhat scattered and located in the northeast (Bradford), northwest (Springbrook), and southeast (Haversham) parts of Town. Some of the district also includes and surrounds Newton Marsh, Chapman Pond, and Aguntaug Swamp, all of which is protected land in an aquifer and is predominantly freshwater wetlands. Increased residential development in an aquifer area and adjacent to ponds creates negative impacts on water quality. The Haversham area

has historically been farmland maintained by conservation easements. Haversham and those areas along Quonochontaug Pond zoned RR-60 are not appropriate for increased density, as they are located in the Salt Pond Region SAMP and characterized as lands built beyond carrying capacity, according to RICRMC. In this zone, parcels will need to be evaluated on a case-by-case basis to determine if these areas can accommodate additional densities.

There are approximately 912 total undeveloped buildable acres within the RR-60 zoning district. To account for land required for other uses, such as agriculture and constraints to development, it is assumed that 20% of the undeveloped buildable land remains in this residential zone for this strategy. Therefore, the undeveloped land will support **approximately 124 units** under the current zoning requirements, and with the 37% density bonus accredited to qualified applications, an additional **46 LMI units.**

This strategy, based on the assumptions discussed above, could provide up to **535** LMI units over the next 20 years.

Moving forward in this Plan, comprehensive permitting of qualified LMI units is still considered a productive strategy. The Town should apply geographic information systems (GIS) and other planning tools to collect data and information on the overall potential for future residential development in the Town and identify parcels most suitable for development under comprehensive permits. The Town should realign density bonuses with the prevailing need and encourage family rental units (of 1 to 3 bedrooms) designed in 2- to 4-unit structures. The Town should consider changes to the comprehensive permit process that would facilitate efficient and effective reviews of these types of applications. Sometimes considered "friendly comprehensive permits," a negotiated or collaborative process can be a vehicle to meeting local housing needs. This more flexible approach can ensure that all low- or moderate-income housing units are consistent in quality of construction and design with market rate units, have appropriate site plan design, and reasonably address local impacts.

Strategy 1.3 Mixed Residential & Commercial Use

Westerly's zoning permits mixed residential and commercial use in some non-residential zoning districts, including Neighborhood Business (NB), Highway Commercial (HC), General Commercial (GC), Professional Office (P-15), and Downtown Commercial (DC-I & DC-II). This type of use is defined as:

The use of any structure or group of structures on single or contiguous multiple lots of record for a combination of residential and nonresidential purposes, pursuant to § 260-64. Section 260-64 provides additional guidance on mixed residential and commercial land development. However, other provisions place housing goals in conflict with economic development on mixed-use parcels.

The mixed-use ordinance, in an effort to diversify the tax base and preserve employment opportunities, places a maximum limit on the number of residential units allowed in such developments. It also states that housing should always be considered a secondary or ancillary use in commercial zoning districts. As such, a residential component would not be required for any proposed development comprised exclusively of commercial, retail, or office uses currently permitted by zoning. It also recommends that the minimum 20% affordable housing component be mandatory if residential units are to be proposed as part of a commercial development (that is, meeting the Zoning Ordinance's definition of mixed residential and commercial use).

Specific Dimensional Regulations and Design Standards have been established for mixed residential and commercial use, such that retail and commercial uses always remain paramount, and not placed in a secondary role to residential uses. Buildings in the Downtown Center zone, for example, are allowed to be taller to include residential components, since they historically reflect the traditional characteristics represented within these zones (i.e., 50 feet in DC-I vs. 35 feet in HC). This allowance led to alternative provisions for a planned development zoning district, also unsuccessful.

This Plan recognizes that quality housing and a range of housing options attract new families and create economic development. The Town of Westerly will be reviewing its regulations of mixed-use development and intends to integrate residential and commercial uses as part of neighborhood planning.

There are approximately 36 total buildable acres in the Neighborhood Business (NB), Highway Commercial (HC), General Commercial (GC), Professional Office (P-15), and Downtown Commercial (DC-I & DC-II) zoning districts, of which 24.6 are undeveloped. When mixed residential and commercial uses, under the current zoning requirements, are combined and applied to portions of available undeveloped land, approximately 20 residential units could be developed. Based on these assumptions, this strategy may **provide up to 4 LMI units** within mixed-use developments on undeveloped acres. With the introduction of new mixed-use provisions, the number of LMI units may increase.

These zoning districts also include approximately 40 acres subject to redevelopment. The redeveloped parcels, under the current zoning requirements and with a residential component, will support 48 units. Based on these assumptions, this strategy may **provide up to 10 LMI units** in mixed-use development on redeveloped parcels.

For strategies that are currently being used to develop affordable LMI-qualified units, it is estimated that these rates will accelerate over time. Also included in this Plan are action items to review, update, or develop Town ordinances for inclusionary zoning, mixed use, affordable-by-design, and accessory dwelling units, which will lead to enhanced production of LMI units. Similarly, it is anticipated that non-profit and public agencies will continue to invest in the production of LMI qualified housing units in Westerly at a consistent rate.

The remaining strategies are not expected to begin at least until 2025.

Strategy 2: Affordable Housing by Non-Profit & Public Agencies

Non-profit organizations and public agencies are encouraged to pursue affordable housing as site-specific opportunities present themselves. Since 2004, the comprehensive permit process has been used successfully for the approval of LMI qualified housing by non-profit and public agencies.

Westerly works with non-profit 501(c)(3) corporations for the purpose of creating affordable housing to meet regional needs. A board of directors with representation from each participating municipality works to define programs and activities and identify and secure funding resources. Creation of additional local community development corporations (CDCs) specific to the geographic boundary of Westerly alone is not recommended because the Town is already home to the Westerly Housing Authority and the Greater North End Community Development, Inc.

The Town of Westerly will continue to work with non-profit organizations and public agencies to target housing to local needs of the population and to ensure consistency with the goals of this Plan. Since there are only limited amounts of state and federal financial subsidies available to non-profit and public housing agencies, a collaborative and negotiated process should be explored.

In such a collaboration, the Town will utilize, to the extent possible, either the inclusionary zoning ordinance or the comprehensive permit processes example of density bonus and incentives. It is possible to review and pre-qualify lots of a size appropriate to multi-family development where 100% of the units are to be LMI restricted. This strategy requires additional study before its overall effectiveness can be determined.

Strategy 3: Historic Mill Adaptive Re-Use & Mill Village Revitalization

This comprehensive strategy calls for adaptive re-use of historic mills for mixed-use or residential purposes, designating state-sanctioned growth centers to target infrastructure and redevelopment grant funding, and leveraging private-sector financing through use of historic preservation tax credits should the program become available again in the future.

Strategy 3.1 Historic Mill Overlay District

In 2011, the Town adopted its Historic Mill Overlay District, which allows for the redevelopment of existing mills into multi-use structures and encourages renovation and adaptive re-use of historic mills. In addition to promoting affordable housing, these zones can also accommodate commercial, retail, or office use where such mixed-use is deemed appropriate. One of the objectives is also to retain their historic architecture while adapting obsolete or underutilized structures to 21st century needs. Since 2011, there has not been much redevelopment.

Westerly has historic mills located in White Rock and Bradford within the Historic Mill Overlay District. Each mill is surrounded by residential dwellings of various densities, some of which were originally constructed to house mill employees. It is fair to say that the historical decline of the Town's manufacturing base has led to a deterioration of these mills and the neighborhoods surrounding them as well. This Plan calls for a detailed study and recodification of the Historic Mill Overlay District and will incorporate mixed residential, commercial, and industrial development into neighborhood plans using this land-use tool. While affordable housing will be a key component of this district, a conservative prediction regarding qualified **LMI is 45.**

Strategy 3.2 Locally Designated Growth Center

In *Land Use 2025*, a number of villages around the State were identified as potential "Growth Centers." However, *Land Use 2025* notes, "The 'Centers' depicted are for illustrative purposes and are not intended to designate specific geographic boundaries." According to a 2002 annual report by the Governor's Growth Planning Council, Growth Centers *"...are dynamic and efficient centers for development that have a core of commercial and community services, residential development, and natural and built landmarks and boundaries that provide a sense of place*."

In an era of fiscal constraint, the State has targeted much of its infrastructure and redevelopment grant funding towards locally-designated Growth Centers, which, in turn, could help Westerly revitalize mill villages and include affordable housing. Low- and moderate-income housing development by non-profit organizations and public agencies also rely on state and federal financing, which favor development within these locally-designated Growth Centers.

This Plan recognizes the need to research Bradford as a potential Growth Center. Through that process, the Town of Westerly will determine which of the several redevelopment strategies described would most serve the needs of the Bradford neighborhood and the community at large. However, given the size of the Bradford mill site, and the likelihood that a majority of the property could be used for rental housing, it is likely that up to 40% of that property would be residential units. It is estimated that redevelopment may yield up to 5 units per acre, for a total of 50 residential units. Based on these assumptions, this strategy may **provide up to 48 housing units** in a mixed-use style development on these redeveloped parcels. With inclusionary zoning being the only tool applicable in this area, a total of **9 LMI units** can be presumed viable.

Strategy 4: Downtown Arts District Affordable Housing Demonstration Project

In Westerly, the term "struggling artist" is not an exaggeration. Many artists earn little income in the early stages of their career, and finding affordable housing is one of the most serious problems they encounter. By developing a demonstration project providing affordable housing specifically geared toward low-income artists, Westerly has an opportunity to use the incentives provided by the General Assembly to attract artists into its Downtown. RIGL §44-18-30(b) allowed Downtown Westerly to be one of the first designated areas in the State to offer tax incentives for artists who live and work in specific districts. This law states:

"The arts and culture are a significant asset for Rhode Island, one that generates revenue through increased tourism and economic activity; creates jobs and economic opportunities; revitalizes communities adding to quality of life and property values; and fosters creativity, innovation, and entrepreneurship."

Two types of tax incentives target artist housing:

1) For artists who live and work within a specified district, any sale of work created within the district is exempt from state sales tax; and
2) For artists who live and work within a specified district, any income they receive from the sale of work they have created within the district is exempt from state personal income tax.

It is noteworthy that Westerly's Downtown Arts District is contained fully within a historic district, which, as noted above, offers additional state and federal tax credits for certified rehabilitation projects. Furthermore, Strategy 5 below outlines a proposed local rehabilitation tax credit, which also could be used to assist this endeavor.

In early 2004, a group of artists, arts administrators, and housing professionals met to discuss affordable artist housing, particularly artist living/work exhibition/performance space, resulting in a coalition led by Rhode Island Citizens for the Arts, the Rhode Island State Council on the Arts (RISCA), and the Housing Network of Rhode Island (HNRI). RISCA had made a three (3)-year funding commitment to this effort by awarding $15,000 annually to the Housing Network of Rhode Island for the purpose of hiring a consultant to manage this process, including developing an affordable artist housing demonstration project.

The ArtSpace project in Norwich, Connecticut, and Hygienic Arts in New London could be models for inspiration and for the Town to approach the State-wide artist's housing coalition in search of opportunities that may exist in downtown Westerly's Arts District, including available properties, grant funding, and tax incentives focusing on potential living/work spaces over existing storefronts.

By implementing this strategy, it is estimated the live/work arrangements for artists could yield **5 LMI housing units** in our downtown district.

Strategy 5: Local Rehabilitation Tax Credits and Revolving Loan Fund

By bundling together two related programs, it is believed the incentive to individual property owners would be substantial enough to result in creation of additional affordable housing units.

Strategy 5.1 Local Rehabilitation Tax Credits

In 2010, it was recommended that Westerly adopt a tax credit for property owners undertaking substantial rehabilitation of existing structures if they are willing to keep rehabilitated or new housing units affordable for at least 30 years for persons earning 80% or less than HAMFI. A recommended minimum threshold is an investment of at least $20,000 in building code or safety improvements (including lead paint removal) for a resultant property tax credit for 20% of the cost of improvements up to a maximum of $5,000 to be spread over a period of five (5) years. If used in conjunction with other state or federal tax credits described above, or with grants that may be available from RI Housing or the CDBG program, LMI qualifying units might be produced. Since affordable units created through this strategy are contained within existing structures, they would not require additional infrastructure or zoning changes.

Strategy 5.2 Revolving Fund

In conjunction with a tax credit, the Town considered establishing a revolving fund, which would provide short-term, low interest loans for renovations. Upon repayment of the loan, the capital can then be loaned to another project. By targeting this effort in a concentrated area, such as the North End, a revolving fund can have a tangible and highly visible impact on neighborhood revitalization. This strategy is consistent with the overall goal of the Comprehensive Plan to preserve existing historic apartment housing in the Town's traditional neighborhoods.

Many communities seed a revolving rehabilitation loan program with CDBG funds and use it to address a variety of housing improvements including heating systems, lead-based paint, and emergency repairs. The Town could design a program that focuses on low- and moderate-income homeowners and tenants for rental properties. To target these neighborhoods, programs can prioritize multi-family and historic buildings and have affordable housing incentives and requirements.

The private Westerly Revolving Fund (WRF) was incorporated in 2013 and was seeded by private donations and seeking to reproduce the success of the Providence Revolving Fund. The rehabilitation of new units with the associated LMI restrictions will provide **2 LMI units** through this program in the next 5 years.

Strategy 6: Neighborhood Revitalization

Westerly's traditional neighborhoods are Bradford, Downtown, North End, White Rock, Wilcox East, and State Street. These neighborhoods contain an estimated 2,500 rental apartments that have provided de facto (but not rent-controlled or deed restricted) affordable residences to the Town, as well as Washington and New London counties. They are all serviced by public water, with five (5) of the neighborhoods serviced by public sewer. Built mostly between 1840 and 1917, these neighborhoods contain a variety of single- and multi-family housing options near commercial and industrial uses. They are also near community facilities and public amenities with infrastructure such as sidewalk networks.

Unfortunately, the well-integrated mix of land uses and housing types may mask some of the problems facing these neighborhoods. It is well accepted that the overall financial strength of Westerly is based on property values within the beach areas. The households in the six (6) traditional, multi-family neighborhoods, however, have lower incomes and require additional social services more often. Westerly Public Schools reported in spring 2017 that more than half (53%) of the students enrolled at Springbrook Elementary School and more than one-third (38%) of the students enrolled at State Street Elementary School are eligible for free or reduced price lunch. Other issues facing these neighborhoods include a large number of absentee landlords, some vacant, underused commercial and professional units, and debris-strewn areas, all of which have led to deteriorating and blighted properties.

Neighborhood revitalization is a comprehensive approach that involves more than affordable housing and should include land use, infrastructure, urban design, and community building. Addressing each neighborhood with a Neighborhood Revitalization Plan can guide reinvestment and help to create affordable housing into these neighborhoods through the rehabilitation of existing structures and increase in rental units for LMI eligible households.

To begin the revitalization process, the following could be explored:

- Develop incentives to target the development of LMI units in the Town's traditional neighborhoods as rental units.
- Rehabilitate key landmark structures as important stabilizing factors for traditional neighborhoods and important additions to the LMI supply.
- Expand the role of the Westerly Housing Authority to oversee the development, ownership, and management of rehabilitated properties in traditional neighborhoods.
- Pool and coordinate housing funding from all appropriate sources, including Comprehensive Permits and Inclusionary Zoning ordinances, CDBG funds, Neighborhood Opportunities Program and Building Better Community funds, and HOME funds.
- Research the legislation and implementation of a registry of non-owner-occupied rental housing units to create a local requirement that, as each unit is vacated, it cannot be rented again until it is inspected and given a CAO. This process will ensure such units are code compliant, safe, and sanitary.
- Investigate opportunities and interest of property owners in converting excess portions of existing residential buildings/homes, and/or commercial buildings with opportunity for mixed uses, into LMI and/or affordable housing rental units.

Neighborhood revitalization is linked with Strategy 5 to take advantage of the Revolving Loan Fund and other programs that support housing rehabilitation. This Plan's policy to use Neighborhood plans as a tool to revitalization will benefit the Historic Mill Villages.

In May 2003, the Town adopted the North End Revitalization Plan. This plan encourages for-profit affordable housing development, since it was expected that at least 80% of the units developed in this area would actually be sold to middle income households who must qualify for conventional mortgages. The expectation was the re-establishment of a property-owning middle-class community in a neighborhood currently dominated mostly by absentee landlords. To date, several goals of the North End Revitalization Plan have been met but the intent to re-establish increased property ownership remains unmet. The absentee landlord situation has meant that housing choice is limited to rental units and a degradation in the conditions of those units.

At the time of the creation of the North End Revitalization Plan, it was believed that a similar strategy would also work in the White Rock, Potter Hill, and Bradford sections of the Town. The concept of small Area Planning needs to be tailored to the characteristic assets and needs of a neighborhood. This can be accomplished only with broad participation in the planning process from people who live and work there.

However, provided this strategy was implemented in conjunction with Strategy 5 above, and applied successfully across the entire renter-occupied housing stock of 3,680 units during the 20 year planning horizon, upwards of **160 additional housing units could be converted from their current non-credited LMI status to state qualified LMI units.**

Strategy Summary

Table 4-18 below lists the projected number of affordable units that could be created by the Town's proposed LMI housing strategies for the next twenty (20) years. **The total projection of affordable units from these strategies over twenty (20) years is 1,064 units, well over the 883 required to meet the State's 10% threshold.**

Table 4-18 Projected Number of LMI Units Created by Proposed Strategies, 2020-2040

	2025	2030	2035	2040	Total
Strategy 1.1	15	36	92	125	268
Strategy 1.2	150	125	145	115	535
Strategy 1.3	5	9	0	0	14
Strategy 2	0	0	0	0	0
Strategy 3	20	20	20	20	80
Strategy 4	2	1	1	1	5
Strategy 5.1	0	0	0	0	0
Strategy 5.2	0	2	0	0	2
Strategy 6	40	40	40	40	160
Total	232	233	298	301	1,064

In further support of the strategies outlined above, the Town sees the following as viable over the next five (5)-year period: allowing the rehabilitation of and the expansion to existing multi-family buildings and applying the density formulas outlined herein as a mechanism to produce more affordable housing units. These two approaches are related, and it is expected that programs will be developed in the near term. Affordable units created under these approaches will be relatively small at first but will increase as the programs grow.

For strategies that are currently being used to develop affordable LMI-qualified units, it is estimated that these rates will continue at near the same level. With the Town's proposed revisions to the Inclusionary and Comprehensive Permit ordinances, projections are considered aggressive, but achievable, for these strategies. It is anticipated that non-profit and public agencies will continue to invest in the production of LMI qualified housing units in Westerly at a consistent rate.

The remaining strategies are not expected to begin at least until 2025. Mill redevelopment is estimated to create 80 LMI units over the full 20-year timeline. Interest in redevelopment of historic mills is greatly influenced on incentives offered both locally and State-wide, and it is anticipated that these units could start to become available in year 5, increasing over the 20-year planning horizon. The rate at which these units will be developed will vary, but for the purpose of this Plan, it is assumed that they will be phased in by a developer consistently for mill projects over the planning horizon. The Downtown Arts District is a demonstration project and would only be applicable to one five-year period. Small elderly housing complexes are proposed, but until demand is quantified, it is expected that one project per five (5)-year period will be proposed. Finally, a municipal tax credit program will be drafted in the next five (5) years, which could develop **2 LMI units per year**, depending on the incentives offered. The CAO initiative will need local, as well as legislative support, for enactment.

The Town of Westerly will continue to participate in state efforts to meet housing needs through the adoption and implementation of a housing production plan for certified LMI housing units.

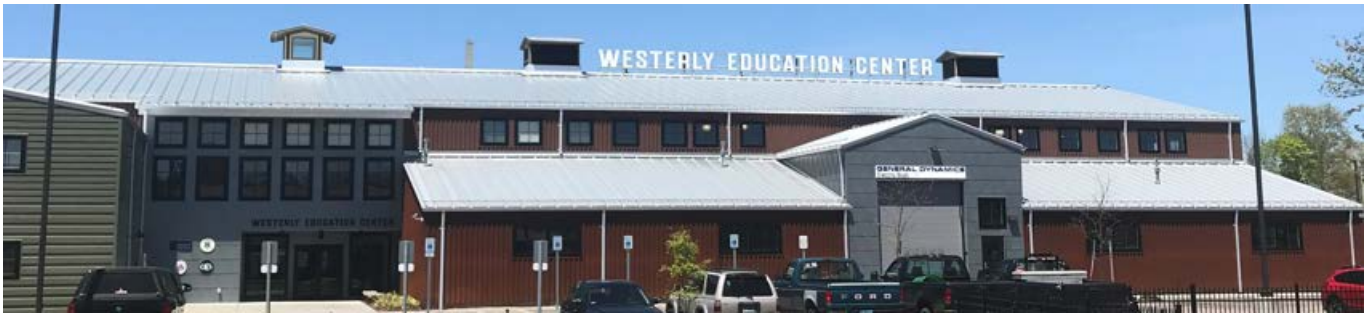
As part of the 2018 update of this Comprehensive Plan, the Town reviewed and revisited the success of its affordable housing strategies. The following list illustrates the changes made from the 2004 LMI production strategies to those adopted as part of the current LMI production plan:

- The Town's interest in establishing a revolving loan fund has advanced as a result of ongoing discussions with the WRF, a non-profit organization which has been successful in housing rehabilitation activity since its creation in 2013. Community Development Block Grants (CDBGs) will be sought as primary seed money for the loan's future establishment.
- Modification of the Zoning Ordinance to allow a mix of residential and commercial as a primary use in commercial zoning districts has replaced the concept of accessory apartments in the commercial zone as a strategy. A robust allowance of accessory apartments in residential zones is recommended as part of this Plan.
- The establishment of an Affordable Housing Overlay District has been eliminated as a strategy in favor of pursuing affordable housing production incentives on a town-wide basis.

Some strategies proposed in 2004 have yet to be implemented and the Town will continue to move this forward as part of this Comprehensive Plan's LMI production plan. These strategies include:

- While all historic mills in the Town are currently occupied or in a state of significant disrepair, interest in the revitalization of these structures and the mill villages which surround them remains.
- Despite the decreased competitive edge of the local arts community district due to tax incentives for the arts community being expanded state-wide, affordable housing for local artists continues to be in demand.

Since 2004, the availability of federal and state subsidies has severely declined. During the same period, the market's interest in new construction burdened by deed restrictions has also declined. None-the-less, the Town of Westerly continues to press forward with its efforts to meet the state's LMI housing mandate.



Chapter 5
ECONOMIC VITALITY

The Town of Westerly, due to its location in southwestern Rhode Island, is part of a much broader urban area that encompasses well over 30 million people and generates more than $2 trillion in economic output. While it benefits significantly from its overlapping inclusion in both the Ocean State and southeastern Connecticut economies, Westerly also sits at the juncture of two of North America's largest and most influential regional markets – Boston and New York. This position within the North East regional market is an asset which can be exploited.

Fishing and hunting served as the primary occupations for Westerly's native and early European settlers until the turn of the nineteenth century. With the industrial era's birth in northern Rhode Island in the 1790s, opportunities to work on railroads, in textile mills, and at shipbuilding yards spread across Westerly soon after. While these enterprises grew steadily, the discovery of fine-grained, blue-white granite in several locations had arguably the most accelerated and celebrated development of any industry in the Town. Quarrying operations attracted waves of European immigrants and several business tycoons from New York and the Midwest throughout the 1800s. The growth in population and wealth culminated around a series of urbanization and beautification projects at the turn of the twentieth century. The attractiveness of the community became an increasingly important asset as the granite industry declined and the twentieth century progressed. While nearly all major business activity from the 1800s to the 1920s was generated by the quarries and the mills and shipyards along the Pawcatuck River, several inns and hotels in the coastal villages of Misquamicut, Watch Hill, and Weekapaug were concurrently setting the foundation for the Town's modern economic cycle. Accommodations and other tourism-based industries have since grown considerably over time and Westerly now welcomes several thousand beachgoers and seasonal residents each summer.

While hospitality, entertainment, and commercial recreation are major focuses of the local economy in the summer season, year-round support from other industries grew to various strengths between the 1970s and the 2000s as commercialization and early computer-based technologies expanded business opportunities. Westerly's economic development was tested by small downturns in the early 1980s and early 1990s but quickly rebounded. The economy continued growing steadily until 2007. Like all other municipalities in the State and region, economic vitality in Westerly was greatly impacted by the Great Recession that took place in Rhode Island and southeastern Connecticut from the late 2000s to the early 2010s.

This chapter provides a summary of current local and regional economic development initiatives, a local and regional employment overview, the size of the labor force, and industries of employment. Occupation types of residents, resident income, and business activity are included in this section. The information serves as the basis for identifying the appropriate goals, policies, and actions to foster continued and improved economic vitality, resiliency, and equity.

Rhode Island-based employers of local significance include the State, URI, General Dynamics/Electric Boat (EB)'s Quonset Point facility, and a diversified group of employers in the health care, financial services, education,

defense, and manufacturing sectors. The Washington Trust Company, headquartered in Westerly, is the only local entity consistently listed among Rhode Island's largest employers.

Due to its geographic location, Westerly's economy is also vitally linked to southeastern Connecticut. Economic engines of the area include Mystic Seaport and Aquarium, two Casinos, Davis-Standard in Stonington, EB's facilities in Groton and New London, Naval Submarine Base New London in Groton, and Pfizer in Groton. These entities all provide well-paying, skill-based research and technical jobs and serve as the primary customers for several small, complementary businesses.

Westerly itself is primarily a town of small employers. Sectors of significance in Westerly's economy include health care, hospitality, retail, manufacturing, banking, finance, service industry, the arts, the schools, textiles, printing, and construction.

Section 5.1 – Regional Economic Overview

Over 80% of Rhode Island's workers identified by the Rhode Island Department of Labor and Training (RIDLT) are employed within the State. Their range of primary activities often reflect the industries identified as State strengths in *Rhode Island Rising*. These include:

- Agriculture, forestry, fishing, and hunting;
- Manufacturing;
- Transportation and warehousing;
- Professional and technical services;
- Health care and social assistance;
- Accommodation and food services; and
- Educational services

According to RIDLT's 2026 Occupational Outlook, Rhode Island employment in 2026 is projected to reach 550,700, an increase of 30,400 (5.9%) from 2016 employment. This growth is attributed to the increased demand for the products and services provided by the Accommodation & Food Services, Health Care & Social Assistance, Professional, Scientific & Technical Services, and Retail Trade sectors. Many of these businesses will be discussed for their local economic contributions later in this chapter.

Rhode Island earns its designation as the "Ocean State" from its miles of coastline along Narragansett Bay and the Atlantic Ocean. A tourism satellite account prepared by IHS, Inc. to gauge the size of Rhode Island's tourism-based industries in 2013 found that over 19 million visits were made to the State. Of these visits, over nine million – almost half – originated from more than fifty miles (50 mi) away. Tourism comprised 5.3% of the gross State product and generated 9.6% of total employment in Rhode Island in 2013.

The defense industry is another significant economic area, particularly for southern Rhode Island. According to a June 2014 report on the influence of defense contracts on Rhode Island's economy, 6.2% of the state's total employment and $1.9 billion in household income could be attributed to US Department of Defense. Many of these employers contributing to this impact in the State are also present in New London County, Connecticut.

The Resilient Rhode Island Act was enacted by the State in 2014 and is meant to ensure Rhode Island and its economy will be resilient against climate change by offering a framework to plan for and manage anticipated impacts through adaptation, mitigation, and design. To do this, the Resilient Rhode Island Act targets reductions in greenhouse gas emissions from all economic sectors and authorizes the use of economic diversification, among other actions.

Westerly's economy is also vitally linked to southeastern Connecticut through both its local history and geographic location. The 2005-2009 ACS estimated about one-third (33.7%) of all workers aged 16 and over in Westerly were employed outside Rhode Island. While this fell slightly to 30.9% (3,723), in 2013-2017 ACS estimates, Westerly continues to be one of only two municipalities in Rhode Island that fall outside the Providence-Warwick New

England City and Town Area (NECTA). NECTAs are very similar to metropolitan statistical areas (MSAs) but they are used only in New England and are geographically composed of municipalities rather than counties.

Electric Boat (EB), a subsidiary of General Dynamics Corporation, is a major defense contractor for the US Navy. The company was established in 1899 and designs, constructs, and provides lifecycle support for several classes of undersea warships. While headquartered in Groton, Connecticut, EB also has locations in Middletown and North Kingstown, as well as New London, Connecticut. EB's involvement in the Columbia Class program (formerly the Ohio Replacement program) comes at a time of generational turnover in the company. To keep pace with these changes, EB has projected hiring several thousand new employees from 2016 to 2031 with peaks occurring in 2018 and 2023. Recognizing Westerly as an important source of this future workforce and its central position between its regional locations, EB established itself as an anchor tenant of the Westerly Education Center (WEC). The educational facility, completed in 2017 and administered by the RI Office of the Postsecondary Commissioner, contains multiple shared-use classrooms and an approximately 14,500 square foot hands-on training center. As of summer 2019, over 4,000 people have received education at WEC.

Other national security-related employers with a regional presence include the US Coast Guard and the US Navy themselves. The US Coast Guard Academy in New London and the Naval Submarine Base New London in Groton together employ over 1,500 civilians and several thousand military personnel. The Naval Undersea Warfare Center Newport Division, part of the Naval Station (NVASTA) Newport in Newport, with an employee base of over 3,300 civilians, is the largest federal activity in Rhode Island in personnel and payroll.

Sizeable portions of Westerly's labor force are also employed at Foxwoods Resort Casino in Ledyard, Connecticut (420 employees), which is owned and operated by the Mashantucket Pequot Tribal Nation, and Mohegan Sun in Uncasville, Connecticut (employment data unavailable), which is owned and operated by the Mohegan Tribe. Both resorts feature several gaming, entertainment, and hospitality facilities, as well as numerous retail shops and restaurants. Along with providing employment to Westerly residents, these casinos also support Westerly's position as a prime location for visitors. Other major nearby attractions in southeastern Connecticut include the Mystic Aquarium and Mystic Seaport in Stonington, Connecticut.

A research facility for Pfizer, Inc., located in Groton, Connecticut, is a major healthcare industry employer for Westerly workers. The facility employs a labor force from numerous communities and assists in the research and development of healthcare products, medicine, and treatments. Another notable Connecticut-based healthcare employer, the Yale-New Haven Health System (YNHHS), will be discussed further on.

Section 5.2 – Local Economic Overview

Westerly is home to over 1,500 businesses – a clear indication that the local economy is composed primarily of small business establishments that play an active role in the community and receive strong support from the public, economic development advocates, and the Town. As noted earlier in this chapter, only one business – the Washington Trust Company – is among Rhode Island's largest employers. With so many firms and enterprises in operation, several industries are represented in the local economy.

A 2018 report by the Westerly Economic Development Commission (EDC) recognized strong fiscal management as an asset of the Town, along with other advantages including:

- a low municipal tax rate,
- increasing diversification in the local economy, and
- a strong year-round business community.

The 2018 report looked forward to achieving the EDC's own objectives of attracting and retaining a qualified workforce through projects including creating housing opportunities, reducing barriers to small business, a Town prospectus and marketing, researching development opportunities for a manufacturing center, a mobile transit hub, and renewable energy generation.

The EDC functions as an advisory board to the Town, assisting in the development of the Town's economic development strategy, its implementation, and to help with initiatives to maintain and enhance the economic vitality of Westerly. The EDC has assisted the Planning Board with the development of economic development goals and objectives that consider the proper role for Westerly's waterfront, tourism, commercial development, downtown revitalization, and industrial development for inclusion in this Comprehensive Plan. The seven member EDC, consisting of local residents and business owners, meets regularly to discuss the challenges and opportunities for business owners and advise the Town on best steps to help the overall business environment.

The Ocean Community Chamber of Commerce (OCCC) has over 700 members and is a leading advocate for local businesses in promoting Westerly through numerous large-scale events, tourism marketing, business start-up assistance, incubator space, and various programs. Their gift certificate program generates over $260,000 annually for the local economy. Independent "economic impact studies" were conducted in 2017 showing Virtu Art Fest generated $6.6. million, the Pawcatuck Duck Race generated $755,000, and Riverglow generated $1.8 million. In 2013, the Town of Westerly was awarded the distinction of "Main Street Matters", an international contest sponsored by Benjamin Moore. The OCCC spearheaded the campaign that resulted in 29 downtown buildings being painted for free (valued at $125,000). Downtown Westerly received national recognition and publicity, benefitting the local businesses.

In 2019, the Chamber of Commerce billboard underwent a $24,000 renovation enhancing its appearance. Through the sign, the OCCC continues to provide support to small businesses and free advertising space to non-profit organizations and for Town milestone events such as the Westerly 350th Anniversary.

Three other business associations are also active in Town: the Misquamicut Business Association (MBA), Watch Hill Business Organization (WHBO), and Westerly-Pawcatuck Downtown Business Association (DBA).

Subsection 5.2.1 – Health Care

Health care and social assistance was the second largest industry in Westerly in 2018, with 106 units, an average employment of 1,752 workers, and total wages of nearly $78.6 million. By 2026, Rhode Island is projected to have more than 30,400 new employees working for hospitals, medical centers, and other care facilities. Demographic trends, the growing elderly population in particular, will fuel strong growth in this industry until at least 2024, according to Rhode Island Department of Labor and Training (RIDLT) projections, and likely well beyond this date.

Westerly Hospital, established in 1925 and currently operated by YNHHS, is a major institution and local employer at the core of Westerly's economy. It was also the largest single private employer in fiscal year (FY) 2014-2015 with 638 employees (130 of which are primary and specialty physicians). Westerly Hospital was acquired by the Lawrence & Memorial Corporation in June 2013 and later in 2017 became part YNHHS. The main building is a 125-bed acute care facility and additional services are based in Westerly and Hopkinton. In autumn 2019, the hospital opened its first Smilow cancer unit in Rhode Island. The addition includes both infusion rooms for chemotherapy and biotherapy as well as examination rooms.

The May 2016 opening of the South County Health Medical and Wellness Center in Westerly, which has been marketed as a 'one stop shop' for medical needs, further indicates the strength of the local healthcare sector in Westerly and staffs several dozen employees. For more information on the Medical and Wellness Center and Westerly Hospital, please visit the chapter on Services and Facilities.

Subsection 5.2.2 – Finance

The Washington Trust Company, the largest State-chartered bank in Rhode Island and the oldest community bank in the United States (established in 1800), is headquartered in Downtown. It is a $3.8 billion corporation owned by Washington Trust Bancorp, Inc. The bank employs 585 people company-wide with approximately 300 employees in Westerly. It is one of Rhode Island's largest employers and has been recognized by Providence Business News

as one of the "Best Places to Work" in the State for five consecutive years. This institution has 21 branches (three of which are located in Westerly and 20 within Rhode Island) and 26 office locations, including three offices in Connecticut and one in Massachusetts. Its extensive operations center is in the Westerly Airport Industrial Park.

The Westerly Community Credit Union (WCCU), a full-service financial organization, has served over 17,000 members in Rhode Island and New London County since 1948. They employ over 65 employees and maintain four branch offices located in Westerly, Richmond, and South Kingstown, Rhode Island, as well as a mortgage office in Newport. A non-profit corporation, the WCCU is a cooperatively-owned, state-chartered, federally-insured community financial organization whose field of membership includes all individuals who live or work in the State of Rhode Island or New London County. Recently awarded first place as the fastest growing and most innovative company in Rhode Island by Providence Business News, the WCCU is also very active in the community it serves. Known for its commitment to youth and area schools, WCCU sponsors and runs several programs teaching financial literacy and has been an active school sports booster since 1984.

Other regional and national financial institutions have an established presence in Westerly, indicating confidence in the Town's economic vitality.

Subsection 5.2.3 – Westerly State Airport and the Airport Industrial Park

Westerly State Airport, "WST," offers regularly scheduled commercial flights to and from Block Island Airport solely via New England Airlines. Airport tenants additionally include charter companies, aviation maintenance companies, and substantial private aircraft during the summer, which is primarily connected to tourism. Fifteen (15) businesses are based at the airport and space has recently been designated for a future restaurant. The Rhode Island Airport Corporation operates WST and produces several community events at the airport annually. Expanding the airport has never been proposed. However, maintaining full use of all runways as originally designed and installed is required to maintain optimum safety for the traveling public.

With the March 2019 launch of the "General Aviation Strategic Business Plan" initiative, the Town looks forward to working with RIAC and ensuring public involvement in defining the future of WST. The three key components of the ten-year strategic master plan for WST is intended to include a facilities (building) plan, airfield (pavement management) plan, and a business (economic development) plan allowing the Town of Westerly to focus on the WST's place in the community, contemplating compatible land use with airport operations, and considering the direct economic benefits of the airport for Westerly.

An industrial park adjacent to the airport is serviced by municipal water and sewer, natural gas, and large-capacity electrical service, and has convenient access to Interstate 95 via Route 78. Expansion in the industrial park is limited due to the airport and surrounding residential neighborhoods. Within the industrial park, 14 of the 15 existing parcels (90.5% of the park's approximately 55 acres) are already developed. This Plan recognizes that with the extension of sewer and the ready availability of water, this area is one of few opportunities for growth of industrial zoned property.

Subsection 5.2.4 – Manufacturing

Westerly manufacturers play an important role locally by employing hundreds of workers and significantly contributing to the grand list, regionally by supplying quality products and supporting charitable causes, and internationally by their generous humanitarian efforts.

Westerly has a long and significant history of textile manufacturing and finishing. Today, two of the once numerous textile facilities continue to operate. The Moore Company is headquartered in Westerly and produces materials including performance fabrics and narrow elastic through its two subsidiaries, Darlington Fabrics, and the George C. Moore Company. Uniforms for the National Football League are made of these products. Griswold Textile Print Inc. also operates as a fully operational hand-printed fabric mill in the White Rock neighborhood.

The Airport Industrial Park is a hub of productivity for Westerly manufacturing activity. Ametek SCP Inc. is an electronics manufacturer that specializes in custom electrical and optical connectors used in harsh environments such as undersea for the US Submarine fleet and in oil fields. Rol-Flo Engineering Inc. engineers and manufactures custom designed form-rolling tools for the fastener industries worldwide. The automotive and aerospace industry utilize their products. They are a supplier of flat forming dies with customers in over 20 countries. US Extruders is the newest manufacturing facility in town, operating as single screw plastic extruders and creating high performance screws. 3P Inc. manufactures thermos/vacuum formed parts and custom components. Maxson Automatic Machinery Company continues its rich tradition as an industry innovator in the design and manufacture of rotary cutting and sheet handling equipment. In 2016, Ivory Ella consolidated its three Connecticut locations and established a singular facility headquartered in Westerly. This internationally recognized manufacturer of printed "elephant themed" apparel and products incorporates social responsibility principles by donating 10% of profits to Save the Elephants in Africa and other charities. To date, over $1.7 million has been donated to sustain the elephant population and sustain their habitats.

Subsection 5.2.5 – Consumables

Hauser Chocolatier manufactures fine quality truffles and assorted chocolates. They began in Bethel, CT in 1985 and relocated to Westerly in 1990. They have grown and acquired two other businesses and expanded their offerings to include chocolate lace, candies, sauces, and pies. With 22 full time employees and capitalizing on the growing demand for authentic tourism experiences, the facility has undergone physical improvements that allow visitors to learn about the process of creating chocolate from the growth of the cocoa bean to the creation of a chocolate bar. Guests may view the production process, sample the specialty goods, and patronize the retail store. Bake Fresh Foods is a wholesale manufacturer of cupcakes and pastry items supplying many private label lines. Grey Sail Brewing of Rhode Island established in Westerly in 2012 as a craft beer brewery and later acquired the historic adjacent property to open a tap room. In 2019, they expanded their building and operations to include a distillery.

Subsection 5.2.6 – Local Government

The Town of Westerly, through its various municipal departments and its School Department, is a significant employer for the community and its neighbors. The approved FY2019 budget provided for 745.1 full-time equivalent (FTE) positions with 192 in non-school municipal departments and 562.6 in the School Department. Staffing is examined carefully during the annual budget process to ensure the Town maintains the capacity to deliver quality levels of service in key functional areas such as education, public works and utilities, public safety, finance, and administration. School employment levels have increased slightly over the past several fiscal years arguably due to a growth in services provided to students. At the same time, non-school employment levels have fallen slightly due to the consolidation of certain departmental functions between the School Department and municipal departments. The Town also provides part-time seasonal employment in support of recreational opportunities, maintenance of infrastructure, and public safety.

Subsection 5.2.7 – Tourism

Visitors, primarily from Connecticut, Massachusetts, New Jersey, New York, and other northeast locations, are attracted to Westerly each summer to enjoy its seven miles of beaches in Misquamicut, Watch Hill, and Weekapaug and to experience the numerous events and local attractions throughout town (for more information on these attractions, see the Historic and Cultural Resources chapter). WQ Economics reported in June 2015 that about one million people visited beaches in Washington County.

The Rhode Island Travel and Tourism Research Report, compiled in 2005 by URI's Office of Travel, Tourism and Recreation, found that Washington County collected 9% of the $11.9 million generated by the State lodgings tax in 2004. Tourism industry wages in Westerly in 2002 were the seventh highest among the state's cities and towns, generating $27.88 million in wages and $101.54 million in economic impact. An indicator of the interdependence of tourism with the general local economy is the finding that for every dollar of wages generated by tourism in

Westerly, $3.64 in economic activity was generated. Despite the global economic downturn in the latter part of the last decade, comparisons of actual state grant in aid for hotel and meal taxes since FY2009 has indicated a general growth in this sector in Westerly.

Westerly is comprised of four key components which include seasonal homes and residents, a year-round residential community, a short-term tourist destination, and a regional service and retail center. These elements are often in competition with each other and require that management between them is balanced. While Westerly embraces its past, its future as a resort community relies on better planning, growth management, and encouraging positive visitor experiences. While making the opportunity to enjoy Westerly's attributes available to tourists and visitors, the Town must also protect the interests of residents and taxpayers in preserving the community's natural and cultural resources for the benefit of all. Any strategy intended to extend the length of stay of vacationers and tourists (and thereby increasing their positive economic contribution to the community) must not result in negative impacts on infrastructure and municipal services. When encouraging an economy that appeals to a broad spectrum of seasonal visitors, Westerly must also provide a range of housing alternatives and value and help to maintain the significant seasonal resident tax base.

For several years, the Town has faced the review and revision of ordinances and regulations that would promote longer stays by visitors and tourists while limiting impact on the environment and local neighborhoods. Examples include the opportunities for B&Bs and culinary tourism. As seasonal tourism continues to be a major contributor to a vital economy, the discussion of an appropriate mix of uses and functional alternatives should continue.

The Town should promote environmentally sustainable and diversified tourism, like cultural tourism, the arts, and recreational tourism as an added benefit of doing business in the community while advancing its brand as a resort community at the same time. Rather than the thousands of weather-dependent daily beach visitors only in summer, extended seasonal tourism utilizes accommodations and food and beverage facilities, extends local employment opportunities, and brings additional tax revenue, without higher demands on local resources and less economic impact. The Sustainable Tourism Eco-Certification Program (STEP) is a suite of online tools for tourism businesses established by Sustainable Travel International. STEP is composed of three steps which include an online self-assessment for businesses to identify and measure key impacts on the environment and eco-friendly practices.

Subsection 5.2.8 – Accommodations

The Town has been proactive in supporting the redevelopment of several major coastline properties to assist in growing local tourism which include the following:

- **Ocean House**
  The single remaining Victorian-styled hotel is in the village of Watch Hill, a historically affluent summer destination. At the request of New York-based Royce Family Fund, the original 1868 structure was demolished and rebuilt in replication of the original with the approval of the Town Council and oversight by the Rhode Island Historic Preservation and Heritage Commission (RIHPHC) and other historic preservation groups. This resort is one of a small number worldwide with the combined designations of American Automobile Association (AAA) Five Diamond and Forbes Five Star hotel, restaurant, and spa. Over $1.1 million in tax revenue for the Town of Westerly was generated from the Ocean House in 2015.

- **Watch Hill Inn**
  Established as the Narragansett Inn in 1845, the Watch Hill Inn was approved to be converted into spacious bay and ocean view residential units. An adjacent structure was also added providing motel accommodations.
- **Weekapaug Inn**
  The renovation and restoration of this historic inn was completed in October 2014. In 2015, this Forbes four-star hotel generated $226,799 in tax revenues for the Town.

Westerly also includes many other businesses catering to visitors and the seasonal economy, ranging from bed and breakfast establishments to other inns and hotels as shown in Table 5-1 below:

Table 5-1 Accommodations in Westerly, 2016-2019

Business Establishment	Available Rooms and Suites	
	2016	2019
Aquastar Inn	16	16
Blue Whale Inn	9	N/A
Breezeway Inn	50	50
The Coast	N/A	18
Hotel Maria	5	31
Langworthy Farm Bed & Breakfast	6	6
Margin Street Inn	N/A	10
Misquamicut Beach Front Inn	N/A	23
Ocean Club at Atlantic Beach	27	27
Ocean House	49	67
Ocean View Motel	10	10
Pleasant View Inn	100	112
Point 1 Motel	30	35
Sand Dollar Inn	33	N/A
Sandcastle Beachfront Inn	26	26
Sandy Shore Motel	N/A	32
Sea Shell Motel	10	10
Shelter Harbor Inn	24	13
The Villa Bed & Breakfast	8	8
Watch Hill Court	8	N/A
Watch Hill Harbour House	10	12
Watch Hill Inn	18	21
Weekapaug Inn	31	31
Winnapaug Inn	47	50

Sources: OCCC, 2016 and Town of Westerly, 2019

The 2010 Comprehensive Plan, referencing a past edition of OCCC's publication *Go Westerly,* stated approximately 600 guest rooms existed in the Westerly area, which reflects loss of about 83 rooms. The Chamber, monitoring changes in room availability between 1996 and 2015, recorded the closing of 19 establishments resulting in a total loss of 195 rooms and a net loss of 172 rooms. Some of these establishments were purchased to be used as housing for seasonal workers. Since 2015, though, an additional 60 rooms and suites have returned (according to self-reporting to the Town) and the number is over 600.

Although summary information has been compiled, there has been no systematic evaluation of the accommodations available in Westerly to determine whether modern markets for seasonal vacationers, year-round visitors, and business travelers are being adequately served. A hotel may be best discussed in conjunction

with a much broader economic development program for the revitalization of the Route 1 corridor. Westerly presently does not have a single national brand hotel, but there is the proliferation (280 units) of short term rentals including AirBnB and VRBO properties providing expanded consumer options.

Subsection 5.2.9 – Seasonal Residents

An important component not included in economic impact studies is the impact of second homes and part time residents. According to 2013-2017 ACS estimates, 60% of Rhode Island's approximately 18,000 households considered vacant for seasonal and similar use were in Washington County. In Westerly, single-family homes within the Misquamicut, Shelter Harbor, Watch Hill, and Weekapaug fire districts (which contain most of the Town's seasonal homes) accounted for nearly $1.4 billion in total assessed value (or 38.1% of the Town's total assessed property) in 2018 and contributed about $15.5 million to property tax revenue for Westerly. Seasonal homes may be used as a summer residence for property owners, but many are also used as weekly rental from May through August.

In addition to helping to increase the tax base of the community, seasonal residents actively participate with full-time residents in funding numerous community assets and amenities, such as the Westerly Library, Westerly Hospital, and the WARM Shelter. They also provide additional business for local retailers and restaurants, as well as for construction and skilled trades related to residential maintenance.

Subsection 5.2.10 – Agriculture

While agriculture is not a significant employing industry in the local economy itself, the food system in Westerly is a critical component of the local quality of life enjoyed by residents and visitors. Its relation to accommodation and food services is important to recognize and support. According to a 2016 snapshot by the Rhode Island Food Policy Council (RIFPC) and Rhode Island Agricultural Partnership (RIAP), agricultural and related economic activities were identified within all four components of the food system, including production and harvesting, processing, distribution, and consumption. The following table overviews the most commonly recognized form of agriculture within Westerly by their products and forms of product distribution.

According to the USDA Census of Agriculture, the number of farms in the State to date peaked in 2012 (1,243). In the 2017 census, total farms now number 1,043. Almost three-quarters (72.5%) of these farms operate on land less than 50 acres. Despite this decrease in number, the average market value of agricultural products per farm, which fell to $47,990 in 2012, is returning to pre-Great Recession levels. In 2017, the average value ($55,607) per farm was $1,540 more than it was a decade earlier.

The 2013-2017 ACS estimated just under 90 people were employed in agriculture, forestry, fishing, and hunting in Westerly, with males making up a little more than half (54.5%) of total persons employed in this industry. However, this statistic does not paint a wholly accurate picture of agriculture in Westerly. Many agricultural enterprises are family run businesses that do not typically count family members as employees. A more detailed perspective can be obtained by looking at working farms and the role they play in the community. Table 5-2 lists working farms in Westerly based on data from Farm Fresh RI, Rhody Fresh, and the records of RIDEM's Division of Agriculture.

Table 5-2 Active Food Producers, 2019

Food Producer	Location	Products
Barlow Farm	449 Westerly-Bradford Road	Crop farming
Everbreeze Farm	56 Dunn's Corners-Bradford Road	Beef, eggs, and rabbit
Hillandale Farm	26 Haversham Road	Basil, lettuce, and tomatoes
Keena Farm	109 Wells Street	Eggs, various herbs, and various vegetables
Langworthy Farms	308 Shore Road	Grapes/Wine
Manfredi Farms	77 Dunn's Corners-Bradford Road	Basil, blueberries, eggs, honey, maple syrup, strawberries, various spreads, and various vegetables
Ocean Breeze Dairy Farm	9 Noyes Neck Road	Milk
Wandering Star Microgreens	3 Benefit Street	Microgreens
Watch Hill Farms	55 Watch Hill Road	Eggs, honey, lobsters, various herbs, and various vegetables
Watch Hill Oysters	227 Shore Road	Oysters
Westerly Packing Company	15 Springbrook Road	Beef and pork
Winnapaug Selects	14 Ricci Road	Oysters
Tower Street School Community Center*	93 Tower Street	Various vegetables

Source: Farm Fresh Rhode Island, 2019; Ocean Community Chamber of Commerce

* Note: Tower Street School Community Center is no longer in service as of the date of this Plan.

The 13 food producers listed provide a wide range of agricultural products. According to RIDEM, a "farm" is any place from which $1,000 or more of agricultural products were produced and sold, or normally would be produced and sold during the year. That $1,000 is a minimum, and most Rhode Island farms produce much more.

Businesses such as farm equipment suppliers, farm management, produce and grocery wholesalers, and other support activities for animal production are also directly dependent on local agriculture. In Westerly, in addition to the farms and farm stores listed above, there is an Agway on Friendship Street and there are garden centers at both Home Depot and Walmart. Florists, landscaping contractors, cemeteries, and golf courses make extensive use of agricultural products and services that also contribute to the agricultural economy.

Community Supported Agriculture (CSA), farm share programs, and urban agriculture are changing the economics of farming in Rhode Island as well. Farmer's markets and farm stands have grown in popularity in recent years, mirroring a national trend for seeking out local food sources. A seasonal (June to October) farmer's market is organized on Main Street each week with several farms and artisanal producers from Westerly and neighboring communities taking part. Two additional farmer's markets in Avondale and in Weekapaug are also held weekly (both between July and August).

Several restaurants, the local hospital, and the local public-school system have also sought to purchase local products for inclusion in their meal offerings. The Town has an annual agricultural program known as Westerly Springs Green focused on local agriculture, sustainable living, and family activities. Local experts provide information on composting, rain gathering, organic gardening, beekeeping, organic pest maintenance, and other topics. Participants can browse a farmer's market, enter a raffle, bid on items in a silent auction, or take a workshop. The event takes place in the United Theatre building and is free and open to the public. Two other artisanal producers are also located in Westerly.

While land constraints and use will likely limit the ability for new producers to be established in Westerly, the Town should support the continued operation of its current producers and seek opportunities to assist in expanding operations whenever possible such as through the promotion of agritourism. In promoting agritourism, the Town may be interested in farm enterprises which are processes, activities or uses of a farm subordinate to and

conducted in conjunction with an ongoing agricultural, horticultural, or sylvicultural operation. Farm tours, agricultural production and skills classes, interactions with farm animals, hayrides, annual festivals, and horse and pony rides are examples of such enterprises.

Restrictive zoning and land-use requirements can prevent local farmers from engaging in traditional and non-traditional business activities ancillary to a profitable farm operation. Rhode Island communities have been increasingly placing zoning limits on such ancillary operations as agritourism, farm festivals, corn mazes, farmers markets, farm stands, hayrides, and use of farms as event venues for company picnics, weddings, family parties, etc. This is a practice which the Town of Westerly may choose to abandon as it considers providing more opportunity and flexible regulation of agricultural uses.

Changing federal, state, and local priorities with respect to land, agriculture, and animal husbandry also have a significant potential to impact agriculture in Westerly. Laws that regulate land development, rights-of-way, veterinary practices, and agricultural chemicals such as fertilizers, pesticides, fuels, and lubricants can also affect farm profitability. Westerly will have to work closely with local farmers, agricultural businesses, and the farm bureau to help protect local farmers from otherwise well-intentioned ordinances with the potential for adverse effects on local agriculture.

Westerly farmers and farm-related businesses still face many challenges. Farmland in Rhode Island continues to be under threat from subdivision, development, and rising land prices. According to RIDEM, the State of Rhode Island has lost 80% of its farmland since 1940, more than anywhere else in the nation over the same period so that the tiny, densely populated state now has some of the most expensive farmland in the nation, second only to New Jersey in average value per acre.

Rising Rhode Island land prices can be a barrier to land acquisition for new agriculture operations that could otherwise expand the economic base of agriculture in Rhode Island and Westerly. Rising land values may improve farmer's access to capital, but they also lead to rising property taxes that threaten farm profitability. That, in turn, can increase the probability of eventual sale, subdivision, and development of local farmland, reducing the amount of land available for agriculture. Property taxes are not the only taxes that impact agriculture. Estate taxes tied to land values can also make it difficult or expensive for retiring farmers to pass farmland on to successive generations and sustain the agricultural economy. Farms that raise livestock also often have difficulty getting access to support services, particularly slaughterhouses and meat packing operations. It is often necessary for local farmers to transport animals out of state for slaughter, complicating local farming and raising the costs of animal products for local residents.

Indicative of its coastal location, agricultural activity in Westerly and Rhode Island is also not restricted to land. Three (3) aquaculture farms and 27 commercial fishers operate within the Town according to the Rhode Island Food System 2018 Snapshot. In 2014, the State's aquaculture farms totaled 206.2 acres and produced a combined total value of $5.23 million, or an average of $25,363 per acre. With five acres under cultivation in Winnapaug Pond, the annual value of aquaculture in Westerly at that time could be estimated at $126,818. This number has likely increased since.

In 2015, Education Exchange, Inc., with 10 partners including OCCC and the Jonnycake Center of Westerly, applied for a Real Jobs Rhode Island grant for an Aquaculture Training Partnership (Real Jobs RI will be discussed in greater detail further in the chapter). Noting the rapid growth in revenue in recent years, the partnership was awarded $19,681 to develop a training program first for entry-level employees and then for intermediate positions.

Subsection 5.2.11 – Employment and Industries

According to RIDLT, the labor force consists of all residents 16 years and older who are employed or are seeking employment. The unemployment rate is the proportion of members of the labor force who are jobless, available, and looking for work. Westerly traditionally had an unemployment rate between 15% to 20% lower than the State-wide rate prior to the Great Recession. With the economic downturn, though, was a shift in these statistics. The average annual, seasonally unadjusted unemployment rate peaked at 11.6% in Westerly compared to 10.4% State-wide in the same 12-month period. Rhode Island's unemployment rate has since remained below Westerly's, though the annual averages between the two are a difference of less than half of one percent.

An examination of the industries in which Westerly residents are employed, as listed in Table 5-3 below can provide an indication of the quality of jobs they hold. This review also translates into residents' potential buying power, though it should be noted the buying power in the local economy is significantly affected by seasonal trends in tourism and resident population (including the number of part-time workers).

Table 5-3 Average Employment by Economic Sector, 2012-2018[1]

Economic Sector	2012	2015	2018	Percent Change, 2012-2018
Accommodation and Food Services	1,528	1,627	1,708	11.8%
Administrative Support and Waste Management	194	193	223	15.0%
Agriculture, Forestry, Fishing, and Hunting	N/A[1]	N/A[1]	5	N/A[1]
Arts, Entertainment, and Recreation	436	505	554	27.1%
Construction	236	291	326	38.1%
Education Services	85	65	68	-20.0%
Finance and Insurance	337	329	210	-37.7%
Government	1,060	1,066	1,089	2.7%
Health Care and Social Assistance	2,073	1,902	1,752	-15.5%
Information	188	123	91	-51.6%
Management of Companies and Enterprises	N/A[1]	N/A[1]	261	N/A[1]
Manufacturing	536	513	632	17.9%
Mining	N/A[1]	N/A[1]	22	N/A[1]
Other Services (except Public Administration)	297	310	324	9.1%
Professional and Technical Services	215	276	244	13.5%
Real Estate and Rental and Leasing	79	71	63	-20.3%
Retail Trade	1,871	1,897	2,064	10.3%
Transportation and Warehousing	62	62	60	-3.2%
Utilities	0	N/A[1]	9	N/A[1]
Wholesale Trade	70	74	95	35.7%

Sources: 2012, 2015, and 2018 RIDLT Quarterly Census of Employment and Wages Annual Summaries

[1] In some cases, information was not made available due to the possibility of identifying data of a specific employer.

Subsection 5.2.12 – Private and Public Establishments

The number of businesses in the Town of Westerly has remained relatively stable over the past several years with a slight decrease that was likely the result of the significant changes that occurred in the local and State-wide economies throughout the Great Recession.

Table 5-4 Number of Businesses with Taxable Assets, 2012-2018

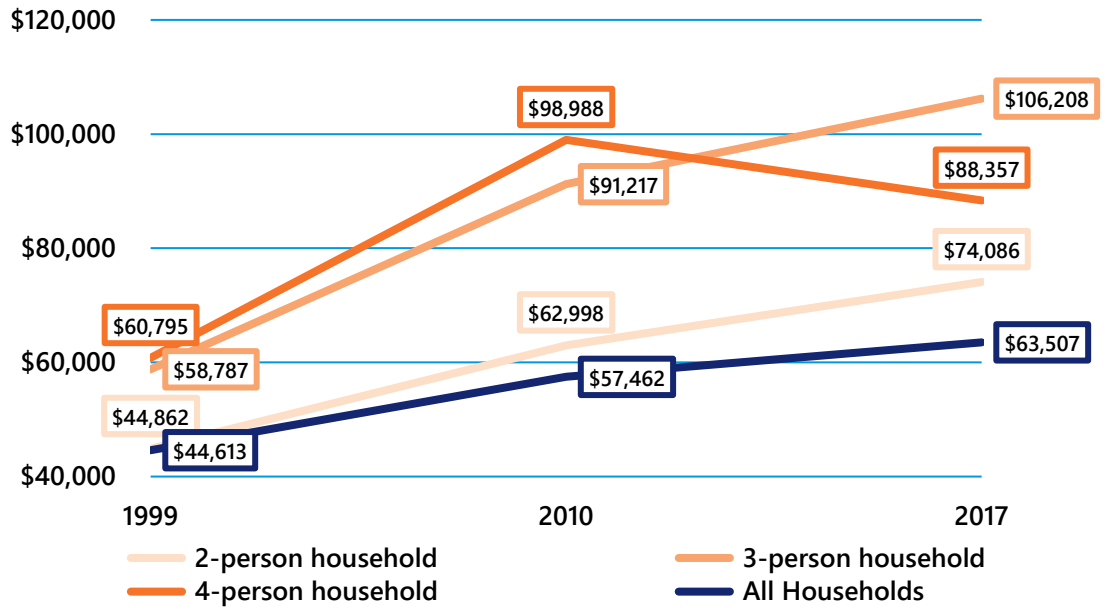
	2012	2015	2018	Percent Change, 2012-2018
Total	1,522	1,507	1,508	-0.9%

Source: Town of Westerly Assessment Department, 2019

Section 5.3 – Income

While the US Census Bureau collects and reports on incomes in several forms, the most commonly known and used statistics are median household income and median family income. Households are defined as all housing units occupied by one or more people. Families, as briefly defined in the Housing Opportunities chapter, are a type of household where the housing unit is occupied by two or more people related by birth, marriage (including same-sex couples since 2014), or adoption. Median family incomes are often higher than median household incomes due to the number of households with more than one income earner making up a larger portion of the total. From 1999 to 2017, median household income increased from $44,613 to $63,507 (an increase of 42.4%). For a three-person family, the median income grew from $58,787 to $106,208 (80.7% – nearly double the increase of the median household income). When adjusting for inflation, the median household income has not kept pace (-$1,842) while the median three-person family income has performed extremely well ($20,098). The following table summarizes median incomes in Westerly from 1999 to 2017 for two-, three-, and four-person families as well as all households.

Figure 5-1 Median Income by Select Household Sizes, 1999-2017



Sources: 2000 US Census, 2006-2010 ACS five-year estimates, and 2013-2017 ACS five-year estimates

Section 5.4 – Economic Development Initiatives and Organizations

In 2007, nearly $154 million in new residential construction projects were underway in Westerly. Townhomes, single-family, and hotel room upgrades were all part of the development mix. In addition to the Watch Hill Inn and Ocean House projects referenced above, there were also nearly $42 million in new commercial development projects approved along US Route 1. New shopping centers, medical office buildings and restaurants, and adaptive reuse projects contributed to this development total.

In 2015, the amount of new residential construction had declined to just $16 million. New commercial development was also declining, with just under $5.9 million in recorded value, but there appeared to be an increased interest in revitalization, which had a recorded value of over $23.6 million. One of these projects currently underway is the revitalization of the United Theatre, which will be an important cornerstone of downtown Westerly and a key attraction and economic driver. With both movies and live entertainment to be scheduled year-round, the United Theatre will generate frequent visits which may in turn provide downtown businesses with increased walk-in traffic. A variety of programming targeted to families, children, and adults will provide many sustained opportunities for activity and contribute to the downtown revitalization.

Although the Town of Westerly has fostered mixed-use development since at least 1991, this concept has only born fruit in recent years. Mixed-use development done well blends residential, commercial, cultural, institutional, or industrial uses where they may be physically and functionally integrated. For example, the Lanphear Livery located in Watch Hill is a mixed-use, year-round structure which has been fully restored to its 1909 time period but with all of the modern necessities. The Livery had been condemned and vacant for a number of years. This restoration helps to reinvigorate the northern portion of Bay Street with two retail spaces on the first floor and three apartments on the upper two floors. In addition to attracting seasonal visitors, the Livery will be the new home of the Watch Hill Conservancy and have a gathering space for lectures and events for the greater Westerly area, as well as the location of a summer camp for young actors. The entire project was generously funded by a private local foundation and a private equity partner and utilized historic preservation tax credits.

Subsection 5.4.1 – Neighborhood Revitalization

Land Use 2025 identifies the urban core of Westerly as an area for potential growth and development. Concentration of growth in this area is intended to conserve State and municipal resources by making better use of the existing infrastructure, transportation choices, and ability to provide a variety of housing options. This area has a unique and historic character, significant existing infrastructure, and walkability to and from a strong and active downtown, including Westerly Station.

The 2003 North End Neighborhood Revitalization Plan guided three consecutive CDBG applications to enable a cohesive approach to encourage both public and private reinvestment. Phased housing rehabilitation, the provision of four neighborhood gateways, a new neighborhood service building, adaptive reuse of the Providence Gas Company property on Canal Street and the designation of the North End as an official Rhode Island Enterprise Zone were all recommended as a part of the revitalization strategy (though the State's Enterprise Zone program has been defunct since July 1, 2015). With the use of the North End Neighborhood Revitalization Plan, 11 structures were rehabilitated to provide 23 dwelling units, an existing building was purchased for the establishment of a Neighborhood Community Center, a pocket park was developed, and off-street vehicle parking was expanded at the Jonnycake Center of Westerly to serve its patrons and clients as well as the general public. Recognizing the accomplishments made through this plan, an update is being sought as of 2019.

Westerly's economy is also enhanced by the historic downtown, which is active year-round for residents and visitors. Downtown Westerly is a substantial commercial, professional, and financial hub and is also the civic and cultural center of the Town. In recognition of the importance of this area, the downtown has been the focus of numerous efforts to ensure that its vitality continues into the future. In 2008, it was identified as one of four KeepSpace communities across the State and was the only community identified outside of Providence County. KeepSpace brought together a number of State-level regulatory agencies, local organizations, planning grants and financing. The program provided funding for a pilot "shop-dine trolley" circulator connecting downtown,

Watch Hill, and Misquamicut, which was coordinated through the OCCC. KeepSpace has been inactive since 2013 due to budget cuts at Rhode Island Housing, the program's administrator.

A smart growth initiative, KeepSpace intended to focus residential and commercial redevelopment in Downtown Westerly while protecting and preserving natural spaces such as parks and the Pawcatuck River. The original community garden established by WLT on Main Street, the downtown façade improvement program promoted by OCCC (under its previous name), and the creations of WRAP and WRF are all results of the funding awarded to KeepSpace Westerly as well as the Westerly Preservation Society. Though no longer active, the vision of KeepSpace continues to have an impact on redevelopment and new development in and around downtown.

Subsection 5.4.2 – Westerly-Pawcatuck Downtown Business Association (DBA)

The DBA has a stated focus to support a vibrant downtown for all to enjoy. Underlying this purpose is the belief that the downtown business district should emerge as a destination for shopping, dining, personal services, and arts and entertainment. The DBA's 60 members (as of autumn 2019) are kept informed of events, marketing and promotional efforts, and political activities affecting the downtown as the DBA lobbies for legislation to sustain and improve the downtown economy. Its reach is furthered through connections with organizations such as OCCC. The DBA also presents a unified voice for all concerns and plans for downtown in order to maintain the historical character and appeal of the area to residents and visitors alike.

Subsection 5.4.3 –Land Trusts

Westerly Municipal Land Trust was established in 2003 pursuant to the provisions of RIGL 42-17.1-1 et seq. for the purpose of acquiring, holding, and managing real property for the use and benefit of the citizens of Westerly, now and in the future. Such properties consist of open, residential, agricultural, recreational, historical and littoral property, including existing and future well fields and aquifer recharge areas, freshwater marsh, and adjoining uplands, wildlife habitats, and/or buildings providing access to or views of water bodies, or for bicycling and hiking paths, or for future public recreation, agricultural, environmental, or educational use.

Westerly Land Trust (WLT) is a private non-profit conservation corporation founded in 1987 to preserve open space and natural resources in Westerly and the surrounding area and later expanded their mission in 2004 to assist in revitalizing culturally significant properties. The WLT has worked independently and in partnership with other organizations and the Town of Westerly to acquire several properties through its Urban Program. One of these properties, 10 High Street (the Industrial Trust Building), previously hosted the offices of the Land Trust while its other properties provide cultural and recreational activities for the community.

Subsection 5.4.4 – Ocean Community Chamber of Commerce

Westerly 1 Fund – This is a centralized website location for the public to acquire information after a community disaster, natural or man-made, and learn about the appropriate ways to provide volunteer and financial support. The website is funded by the Ocean Community Chamber Foundation (OCCF) and includes logos and mission descriptions of the 501(c)3 non-profit groups that respond during such a disaster.

The site gives specifics on what each group is doing to collaborate on community recovery efforts. Information about the committed partners Jonnycake Center (human services), Stand Up For Animals (animal services), and the OCCF (business recovery grants and supplies) is outlined. A list of items accepted for donations (bottled water, cleaning supplies, professionally prepared meals for victims and/or volunteers, etc.) may be registered on this site. A list of donation items NOT accepted will also be included. Volunteer registration and/or a link to Serve Rhode Island is included. There are direct links to each organization's web sites. One hundred percent (100%) of all donations made to this central depository are tax-deductible and any undesignated/general funds will be pooled. An oversight committee consisting of at least one town council member, the OCCF Board, and representatives from the groups outlined on the site will evaluate community needs, establish criteria for funding allocations, and make consistent and fair determinations of grants and expenditures based on need, overall funds collected

individually by the groups and collectively by this site. Appropriate uses of donated funds include, but are not limited to, supplies for clean up (rakes, gloves), meals for volunteers, business recovery grants, and transportation of volunteers from a designated Westerly site to the ground zero emergency site. All income and expenses related to this account are subject to complete public transparency. The site is located at westerly1fund.com but remains "hidden" until that point in time that it may be necessary to customize and activate.

The OCCF raised $430,000 and provided grants to 29 small businesses after Superstorm Sandy to help the economy rebound. In 2010, the OCCF raised $73,000 and provided grant relief to thirteen (13) businesses affected by the 500-year flood.

Subsection 5.4.5 – Arts & Entertainment District

In 1998, the Rhode Island General Assembly designated a portion of Westerly's Downtown as an Arts & Entertainment District (today one of only nine districts in Rhode Island), outlining special tax incentives for artists to live and work within its boundaries with the intent to spur the local creative economy. The sale of original works of art within the district's galleries is also exempt from state sales tax regardless of the location where the piece was created. While Westerly's district is arguably the least developed in the state, the local arts, entertainment, and recreation industry has experienced notable growth in the last decade and Downtown is home to a number of artistic establishments and events (for more on these, see the Historic and Cultural Resources chapter).

Subsection 5.4.6 – Real Jobs RI

It was noted earlier in the chapter that an Aquaculture Training Partnership received a Real Jobs RI grant in 2015 to develop a job training program. Real Jobs RI is a flexible grant program initiative of RIDLT funded by the State and federal governments which awards up to $25,000 to applications put forward as collaborative efforts by businesses and agencies involved in commerce, industry, and professional activities seeking to provide skills to potential employees. Along with Aquaculture Training Partnership, a Real Jobs RI grant was also awarded in 2015 to the Westerly Regional Real Jobs Partnership. The application, a collaboration of 18 local employers and partners led by the OCCC with Westerly Public Schools, the Jonnycake Center, and Education Exchange, sought funding to gather information on local and regional employer needs through surveys and focus groups with the intent to develop a workforce training plan primarily focused on non-college bound students. In 2015, 112 businesses completed an extensive survey, which led to the development of the training program. Annually, the partnership is awarded grants over $260,000 to provide training for adults, career exploration in the Westerly school to grades 4, 8, and 12, and a summer employment program.

Subsection 5.4.7 – Other State-wide Business Incentives

Like its New England neighbors and other northeastern states, Rhode Island suffers from a level of taxation that is recognized as being a hindrance to business. However, the State has recently created new programs, such as Real Jobs RI, focused on industry clusters to develop jobs and lure business to the State. Some additional programs also include:

- **Research & Development (R&D) Tax Credit**
  A 22.5% tax credit offered to qualifying companies for increases in qualified research expenses associated with research and development.
- **Qualified Jobs Incentive**
  Annual, redeemable tax credits for up to 10 years for companies expanding their workforce in the State (either through relocation or new hiring) by as few as 10 employees, dependent on the industry, company size, wage level of employees, and other criteria.
- **Innovation Vouchers**

Grants of up to $50,000 awarded to enterprises with fewer than 500 employees to fund R&D assistance from a university, research center, or medical center in the State.

- **Small Business Assistance Program**
  Below-market rate loans of $25,000 or more (microloans of less than $25,000 are also available) and technical assistance for businesses with 200 or fewer employees.
- **Bond Financing**
  Offered by the Rhode Island Industrial Facilities Corporation to commercial and manufacturing enterprises.
- **Wavemaker Fellowship**
  Reimbursement of eligible higher education student loan debt expenses for up to 4 years available to any individual employed in the science, technology, engineering, and mathematics (STEM) fields in Rhode Island with such expenses.
- **Small Business Capital Development**
  Tax deductions or modifications for investment, capital gain exclusions, or wage credits for qualifying business entities and certified venture capital partnerships, pursuant to RIGL §44-43-2.
- **CommerceRI's Renewable Energy Fund (REF)**
  Exists to help expand the role of renewable energy by providing funding for Small Scale Solar, Commercial Scale, and Community Renewables throughout Rhode Island. A Brownfields solar PV program is also available.

Section 5.5 – Economic Resilience

The Town's existing emergency permitting system goes a long way to ensure Town readiness and effective administration in the time period after a catastrophic event. However, a viable economy for Westerly requires robust economic resiliency to natural and man-made events. The Town will strive to anticipate the impact of catastrophic events on the local economy through study and strategic planning to reduce threats to public infrastructure, forecasted loss of property revenues, and mapping areas vulnerable to economic impacts. Alignment of town activities with the State strategic plan on the reduction of impact from climate change hazards will also help Westerly reduce fiduciary risks as well.

Chapter 6
SERVICES AND FACILITIES

This chapter contains an inventory of existing and forecasted needs for the public such as, and not limited to, community facilities, education and schools, healthcare, public safety, recycling and waste management, and social services. Figure **Public Facilities (SAF-M1)** shows all structures that contribute to Westerly's ability to provide a broad range of services including emergency response, medical services, education, waste disposal, library services, and social support. Datasets for these facilities were made available to RIGIS by several contributors and have been modified to indicate their current statuses. Some infrastructural components are also shown in this map, including public wells and electric transmission and gas lines.

Section 6.1 – Westerly Police Department

The Westerly Police Department (WPD) has 64 staff members (excluding constables and community service officers), 51 of whom are sworn officers. Its 27,700-square foot headquarters was completed in September 2007 at 60 Airport Road. The headquarters centralizes all police operations including Patrol, Community Policing, School Resource, Dispatch, Investigations, Detention of Prisoners, Marine Patrol, Harbor Management, Animal Control, Maintenance of Fleet, and Administration. The facility also serves as a regional emergency operations center in the event of a disaster. In FY2018, WPD received 48,418 calls for service, a less than one percent increase from the previous fiscal year. The following categories accounted for the largest percentage of calls in FY2018:

- Traffic warnings (7%)
- Traffic summons (3.7%)
- Criminal arrests (2.2%)
- Traffic collisions (1.7%)
- Criminal offenses (3.4%)

Updates to equipment were approved in the FY2017 budget for WPD to acquire and install new consoles, radios, computers, wall monitors, and access controls for the existing dispatch center. Now completed, the center serves as a state-of-the-art facility for public safety.

Approximately five high-mileage marked police cruisers are rotated out on an annual basis and replaced by fully-outfitted marked vehicles. Updates to desktop and mobile unit computers are in progress as of this Plan's adoption to support further advances in technology. Research is also being performed regarding the possible use of vehicle and body cameras to be used by sworn officers. Among the challenges to this proposal are the storage costs resulting from the transferal of data from the units.

Section 6.2 – Westerly Animal Shelter

The Westerly Animal Shelter is a municipally owned building but was financed by a local non-profit organization, Stand Up For Animals (SUFA). The Animal Shelter was opened in 2009 and was designed as a space where animals could be housed and maintained whenever possible until adopted. The Animal Shelter is run by the Animal Control Officer, a member of the Westerly Police Department, with assistance from an Assistant Director (civilian) and numerous volunteers. SUFA continues to fundraise for the Animal Shelter, providing monetary assistance for animals in need, in particular as to veterinary care. The Animal Shelter has a dog park on premises, with designated areas for large and small dogs. In partnership with local veterinarians, the Animal Shelter provides a low-cost clinic and ongoing educational information to current and prospective pet owners. Moreover, the Animal Shelter acts as an evacuation center for the placement of domestic animals during a major weather event.

Section 6.3 – Fire Protection Services

The Town of Westerly is divided into seven fire districts – Bradford (BFD), Dunn's Corners (DCFD), Misquamicut (MFD), Shelter Harbor (SHFD), Watch Hill (WHFD), Weekapaug (WKFD), and Westerly (WFD). Each fire district is incorporated to provide services within its boundaries and provides services, upon request, to neighboring districts with which it has a mutual aid agreement. Fire departments in Rhode Island have taxation powers and do not rely on appropriations from municipalities. Services provided by the departments include fire prevention and extinguishment, protection and preservation of life and property endangered by fire and related emergencies, and maintenance of fire district property such as beaches and facilities. BFD and SHFD have contracted with DCFD and WKFD has contracted with MFD to provide fire protection services. Following the termination of the recently approved contract between BFD and DCFD, it is anticipated BFD will merge with DCFD. All fire departments within the Town provide ongoing training programs. Training standards are consistent within all the fire districts and meet National Fire Protection Agency (NFPA) standards 1500 and 1501. The following table indicates the location and major characteristics of each fire department located in Westerly.

Table 6-1 Overview of Fire Departments in Westerly, 2018

Fire Department	Station	Apparatuses	Members[1]	Service Calls
Dunn's Corners	1 Langworthy Road	3 Engines, 1 Tower, 1 Tanker, 1 Brush, 1 Squad, and 1 Bucket	42	899
Misquamicut	65 Crandall Avenue	2 Engines, 1 Rescue Boat, 1 Truck, 1 ATV, and 1 Jet Ski	20	120
Watch Hill	222 Watch Hill Road	2 Engines, 1 Aerial Ladder 2 Rescue Boats, 1 EMS Response, 1 Car, and 1 ATV	28	177
Westerly	7 Union Street 180 Beach Street	6 Engines, 1 Aerial Ladder, 1 Fire Alarm, 2 WTs, 1 Decontamination, 1 Bucket, 1 Special Hazards, and 1 Car	60	712

Sources: DCFD, MFD, WHFD, and WFD, 2019

[1] Part-time and seasonal staff and volunteers are assigned as half-members

The fire departments have developed strong working relationships that allow them to provide support as needed in the form of Mutual Aid. DCFD, MFD, WHFD, and WFD have standing mutual aid agreements with all fire departments in Rhode Island utilizing the State of Rhode Island Mutual Aid Agreement as well as with all fire departments in New London County, Connecticut utilizing the New London County Chiefs' Association.

Section 6.4 – Ambulance Services

The Westerly Ambulance Corps, established in 1917, is a private, non-profit volunteer organization that provides basic life support (BLS) and advanced life support (ALS) emergency medical services to Westerly and portions of Stonington, Connecticut, including the Village of Pawcatuck. Other services include routine medical transportation, a Rescue Squad, 911 dispatching services (upgraded and automated in 2009) and first aid training courses. Ambulance services are provided by 8 full-time paid staff and 20 active volunteer members. The volunteer Rescue Squad, composed of 20 to 30 active members, specializes in vehicle extrication, dive rescue, swift-water rescue, ice rescue, rope rescue, and emergency scene lighting. Headquarters of the Westerly Ambulance Corps are located at 30 Chestnut Street and house a fleet of five Type III ambulances and three four-wheel drive rescue vehicles. Westerly Ambulance Corps members are required to attend training programs and to keep their certifications current. The Rescue Squad attends training programs sponsored by the Rhode Island Fire Academy and private Rescue Teaching Corporations.

Mutual aid agreements for rescue services exist with Charlestown Ambulance Services and the Ashaway and Pawcatuck Fire Departments. Mutual aid agreements for ambulance services also exist with ambulance corporations in Charlestown, Ashaway, Stonington, North Stonington, and Hope Valley.

Police, fire, and ambulance services in Westerly are very effectively meeting local needs. The proposed modernization of the police dispatch center will improve local dispatch services. This, together with programmed upgrades in equipment and training, will allow the current network to provide these services effectively for at least the 20-year planning period.

Section 6.5 – Medical Facilities and Services

The presence of well-maintained, functional, and high-performing medical facilities and services is an important component of in the quality of life for any community. For the next two decades, this will be an even more critical part of Westerly as its population ages and as the healthcare industry continues to outpace other economic sectors in State-wide growth.

Subsection 6.5.1 –Westerly Hospital

Since 1925, Westerly Hospital has been providing residents of southern Rhode Island and southeastern Connecticut with a full range of inpatient and outpatient services in a community hospital setting. Westerly Hospital was acquired by L+M Healthcare in 2013 and is now part of Yale New Haven Health, a system that includes Lawrence + Memorial Hospital, Bridgeport Hospital, Greenwich Hospital, Yale New Haven Hospital, the Visiting Nurse Association of Southeastern Connecticut, and Northeast Medical Group. As a 60-bed community hospital, Westerly Hospital provides the finest quality treatment in the following areas of care: emergency, medical, surgical, radiology, laboratory, and rehabilitative services. The hospital also offers heart and vascular care, interventional pain management, wound care, pulmonary rehabilitation services, inpatient geriatric psychiatric care, and comprehensive cancer care provided through the Smilow Cancer Hospital Care Center. All inpatient rooms are private. Westerly Hospital is a key economic driver in the region, employing more than 600 full and part-time clinical, professional, technical, and support staff. The hospital also has more than 200 volunteers who provide vital functions in numerous departments.

Subsection 6.5.2 – South County Health

South County Health is another major medical provider in the region. In May 2016, South County Health expanded its services in Westerly with the opening of its second medical and wellness center in the State. The center (15,600 square feet) offers numerous services including an anti-coagulation clinic, behavioral health specialist, cardiology, dermatology, diabetes care, diagnostic imaging, laboratory services, nutrition services, oncology and hematology, orthopedics, physical therapy, podiatry, primary care and family medicine, an Urgent/Walk-in Care, wound care, and services provided by the Center for Women's Health.

Prior to the construction of the medical and wellness center, South County Home Health (SCHH) had a local presence through visiting nurses, rehabilitation therapists, and other home-based care needs professionals to residents. Licensed by the State and accredited by Joint Commission on Accreditation of Healthcare Organizations (JCAHO), it is certified by Medicare and Medicaid and a member of the Visiting Nurse Associations of America and the National Association for Home Care. Low levels of insurance reimbursement from Medicare and other insurance companies and increasing documentation requirements to receive those reimbursements are issues that this and other medical facilities are struggling to address.

Subsection 6.5.3 – Wood River Health Services

Wood River Health Services (WRHS), a non-profit community health center, operates a satellite office in Westerly in addition to its main facility in the village of Hope Valley in Hopkinton. WRHS offers patients access to numerous services in several medical areas including family medicine, women's health, behavioral health, care management, and laboratory services.

Subsection 6.5.4 – Hope Recovery Center of Westerly

The Hope Recovery Center of Westerly is a relatively new community service provider for Westerly, housed at 55 Beach Street, Merchant's Square. A member of the Westerly Prevention and Wellness Partnership, the Hope Recovery Center offers numerous programs and outreach services to individuals in need of support for mental illness, addiction, and recovery from abuse. Its certified peer recovery support services are particularly helpful for those seeking support with substance misuse and/or mental health challenges. The Hope Recovery Center has already established itself as a resource for the Westerly Police Department.

Subsection 6.5.5 – Nursing Homes, Retirement Homes, and Assisted Living Facilities

Several nursing homes and retirement facilities are established in Westerly and summarized in the table below. An assisted living facility, the Elms, is also located at 22 Elm Street and has 119 units.

Table 6-2 Nursing Homes in Westerly, 2019

Facility	Address	Number of Beds
Apple Rehab Clipper	161 Post Road	60
Apple Rehab Watch Hill	79 Watch Hill Road	41
Westerly Health Center	280 High Street	106
Royal Westerly Nursing Center	79 Beach Street	66

Sources: Apple Rehab, 2019, Westerly Health Center, 2019, and Royal Westerly Nursing Center, 2019

Section 6.6 – Education

Westerly's public school system provides education from pre-kindergarten (Pre-K) through high school graduation at five school locations: Dunn's Corners School, Springbrook Elementary School, State Street School, Westerly Middle School, and Westerly High School. The stated mission of Westerly Public Schools is "to create an inspiring, challenging, and supportive environment where students are encouraged and assisted in reaching their highest potential."

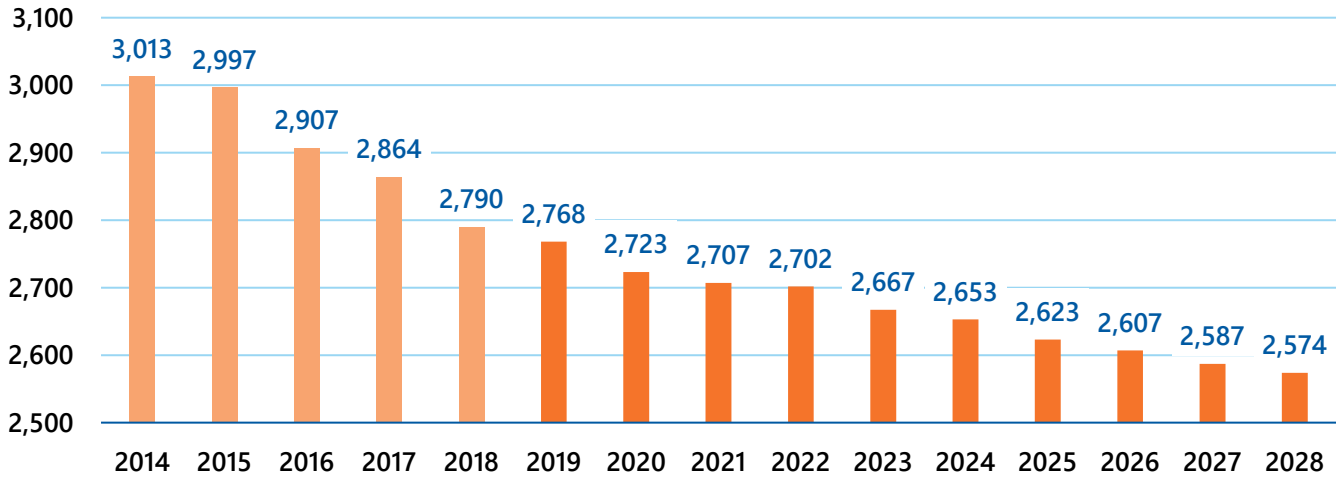
Since the preparation of the 1991 Comprehensive Plan, significant improvements have been made to the Town's public school facilities. Through a collaborative effort between the Town Council and the Westerly School Committee, land was acquired in 1995 for the construction of Springbrook Elementary School (completed in 1996) and an additional site was purchased in 2001 to establish a new Westerly Middle School (completed in 2005). Strategies to maintain and repair other school buildings have been identified and implemented as well, but many facilities are old and will require significant renovation or replacement over the next two decades.

Subsection 6.6.1 – Enrollment

Most of the Town's school-aged children (approximately 95%) attend public school. Enrollment for the 2017-2018 academic year included 756 students attending Westerly High School, 859 students attending Westerly Middle School, 945 attending an elementary school, and 90 within the preschool program at Babcock Hall. Beyond these numbers, additional students are also sent by the Westerly School District to the Chariho Regional Vocational School, charter schools, or outside placement.

Overall, the Westerly School District has a projected total enrollment of 2,723 for 2020. This continues a general decline in student population, which began trending in 2003. Enrollment projections prepared for the School Department, shown in Figure 6-1, indicate this negative trend is expected to continue until at least 2028 and will result in a loss of 439 students from 2014. Despite this projection, student capacity will likely fluctuate by school building and academic year for the foreseeable future and the distribution and condition of individual classroom spaces may require specific attention in addition to school-wide needs. The decline in the student population is generally attributed to the aging of the Town-wide population and stagnant economic climate in the State in comparison to other regions and, more specifically, metropolitan areas. Westerly is expected to see a continued decline in student population, with periods of leveling off or occasional and slight increases as economic conditions improve and employment opportunities increase.

Figure 6-1 Actual and Projected Public School Enrollment, 2014-2028



Source: RIDE Necessity of School Construction Stage II Submission, 2019

Subsection 6.6.2 – Demographics and Special Services

The most recent *And How Are the Children?* report by Washington County Coalition for Children (WCCC) provides several statistics regarding youth population and related characteristics for all towns in Washington County. According to the report, Westerly's population at age 18 or younger was the third largest in the county. At the same time, the community was identified as having the highest number of children not living with parents (also identified in the 2019 KIDS COUNT Factbook published by Rhode Island KIDS COUNT), receiving support through the Supplemental Nutrition Assistance Program (SNAP), and receiving free or reduced-price school lunches. According to the 2019 KIDS COUNT Factbook, Westerly School District also had the highest number of identified homeless children in Washington County as of the 2017-2018 academic year and the ninth-highest number State-wide.

These numbers, along with other economic and social demographics, are indicative of hardships many students may experience while enrolled in public school both currently and in the future. Westerly Public Schools, in its commitment to student well-being, staffs four (4) full-time school psychologists and 7.5 school social workers. A behavioral specialist has also been sought by the district in the past.

Subsection 6.6.3 – School Facilities

Since the turn of the century, three school facilities have been closed within the Town: Tower Street Elementary School in 2009, Bradford Elementary School in 2017, and a private Catholic academy in 2018. In all cases, these changes were due primarily to a decade-long trend of declining enrollment. The Westerly School District is now comprised of five public schools, as presented in the table below, and there are no local private schools offering education for kindergarten through twelfth grade.

Table 6-3 Public Schools Overview, 2018

School	Grades	Location	Enrollment	Year Built
Dunn's Corners School	K-4	8½ Plateau Road	325	1967
Springbrook Elementary School	K-4	39 Springbrook Road	316	1996
State Street School	K-4	35 State Street	304	1955
Westerly Middle School	5-8	10 Sandy Hill Road	859	2005
Westerly High School	9-12	23 Ward Avenue	756	1937

Source: RIDE Necessity of School Construction Stage II Submission, 2019

A Long Range Facilities Master Plan for Westerly Public Schools titled Vision 2020 completed by Gilbane and RGB was adopted by the School in 2002. Vision 2020 outlined the needs for each school building in the district from that time to 2020 with work to be completed in three major phases. As of winter 2020, two phases have been successfully completed:

- **Phase 1 (completed 2005)**
  Westerly Middle School (renamed from Babcock Middle School and previously located at Babcock Hall) was constructed and has been in use for grades 6 through 8 since the 2005-2006 academic year. Fifth grade classes were relocated from their respective elementary schools to the middle school beginning in the 2009-2010 academic year.

- **Phase 2 (completed 2012)**
  The School District relocated its offices to the first floor of Babcock Hall while the second and third floors became classroom space for Westerly High School (redesigned as a campus). The building previously used for the district's offices was torn down and replaced by a bus loop and increased parking capacity for students and staff. Renovations to the Ward Building resulted in several

improvements including a new science and technology wing, new art classrooms, installation of Smart Boards, and new flooring, windows, and ceilings. Due to decreasing enrollment, both historic and projected, there is additional capacity within the two-building campus that may allow for greater utilization by the high school and/or by the school district.

The third phase, redesigning the elementary schools, is ongoing despite being recommended to occur between 2005 and 2010. While both Dunn's Corners School and State Street School have supported larger enrollments in past academic years, Springbrook Elementary School may realistically be approaching its maximum enrollment. In the present, though, it does not represent a substandard environment.

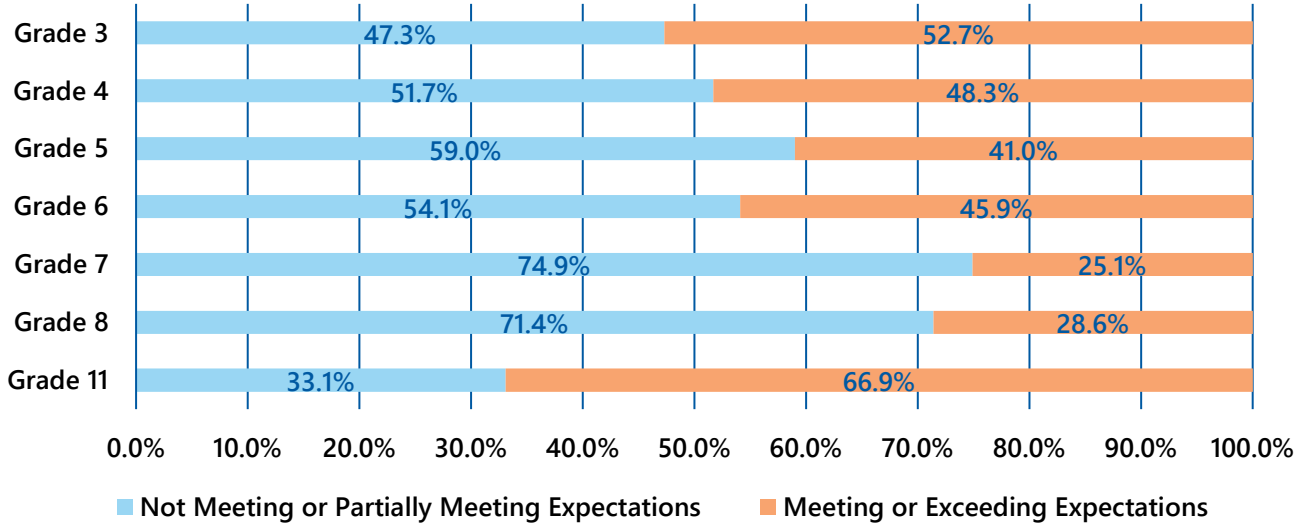
A 2015 Facilities Planning Services study made recommendations to close State Street School and undertake renovations of the three (3) remaining elementary schools. The issuance of a $38.5 million bond to fund the proposal was put to referendum and rejected by voters in 2016. A decision to close Bradford Elementary School was then approved by the School Committee in the following year and a new committee was formed. Prior to beginning its work, the committee conducted a survey of voters to better understand their concerns and assess the viability of another proposal.

The committee's ultimate product, the Westerly School Legacy Plan, was embodied within the Rhode Island Department of Education (RIDE) Necessity of School Construction Stage II Submission completed in February 2019. The plan proposed the renovation of Dunn's Corners School and Springbrook Elementary School as lower elementary schools serving kindergarten through second grade and the demolition and rebuilding of State Street School as an upper elementary school serving third grade through fifth grade. Westerly Middle School would return to serving sixth grade through eighth grade and Westerly High School would not be impacted, though both facilities would receive limited improvements to their heating and ventilation systems. Limited district-wide improvements to safety and technology were also included. The issuance of a $71.4 million bond, partially reimbursable by the State if the project met certain criteria at completion, was put to referendum. The proposal was rejected by voters in October 2019 and Westerly Public Schools is now in the process of evaluating next steps to complete Vision 2020.

Subsection 6.6.4 – Academic Performance

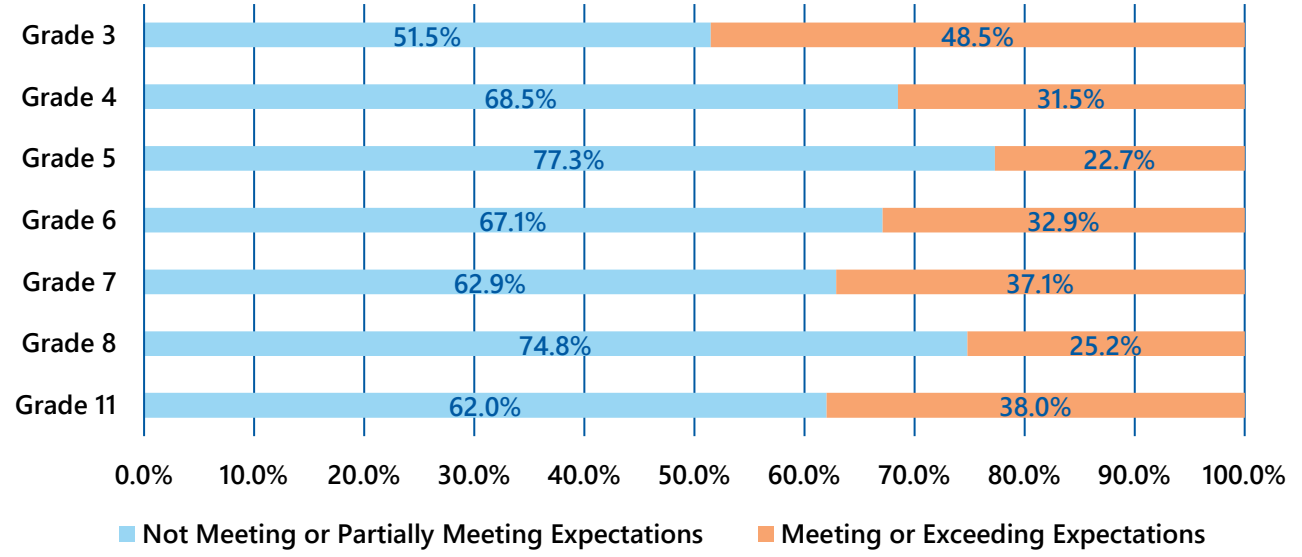
In 2010, the State of Rhode Island adopted a set of academic learning goals known as Common Core State Standards (CCSS) for students to achieve at the completion of each grade level. The full implementation of CCSS began in the 2013-2014 academic year and the State has since replaced Partnership for Assessment of Readiness for College and Careers (PARCC) testing with the Rhode Island Comprehensive Assessment System, which uses end-of-year standardized tests modeled on those used in the Commonwealth of Massachusetts. Select, simplified results from testing conducted in 2018 are visualized in Figures 6-2 and 6-3 on the next page and show performance varied considerably by grade year between the subjects of English language arts and mathematics.

Figure 6-2 Student English Language Arts Performance in State Assessments, 2018



Source: RIDE School District Report Card, 2019

Figure 6-3 Student Mathematics Performance in State Assessments, 2018



Source: RIDE School District Report Card, 2019

The Westerly School District is the sole authority of the Town to guide student achievement and it works continuously to ensure greater access to 21st-century educational programming within all schools for all students.

Subsection 6.6.5 – Other Educational Resources

In addition to Westerly Public Schools, the Town is also home to Westerly Education Center (WEC). Established in 2017, this facility was supported by the 2010 Comprehensive Plan and is a public-private partnership that includes all public institutions of post-secondary education within the State as well as additional private schools and State agencies. WEC has also been uniquely designed to include significant training areas which are used by employers, such as EB, to provide prospective employees with hands-on and simulated learning opportunities. Within the next two decades, it is anticipated that the facility's programming will expand and become an increasingly important resource for the Town and the local economy.

Section 6.7 – Solid Waste Disposal

The Town owns and operates the Westerly Transfer Station at 39 Larry Hirsch Lane and sells trash bags (known locally as orange bags due to their distinct color) which residents fill and return to the transfer station on their own in place of curbside pickup. The Westerly Transfer Station also operates a pay as you throw (PAYT) program for large disposals. Use of the solid waste facility is also available to residents of Hopkinton under an agreement between the two municipalities. In all cases, the solid waste collected at the transfer station is loaded and trucked to the Rhode Island Resource Recovery Corporation (RIRRC) facility in Johnston, Rhode Island where it is landfilled.

Adjustments to drop-off fees may be made in the future to cover costs and encourage recycling and diversion. If residents choose not to haul their trash, there are several licensed private haulers which will collect it for a fee. If residents use a private hauler, they are not required to use orange bags. It is estimated that slightly more than half of residents hire a private hauler. Overall, the system is generally affordable and is expected to continue effectively meeting community needs throughout this Plan's 2040 horizon.

Over the past several years, the Town has increased the types of materials which can be recycled at the facility to 25 categories. Items include, among others, propane tanks, electronics, scrap metal, used motor oil, automotive batteries and tires, oil filters, wood stove ashes, rubble, clothing, and mattresses. The facility will also accept truck tires and refrigerators. Various fees are associated with these items, except for cooking oil, books, bikes, scrap metal, paint, and rigid plastics, which are currently collected for free. This system has been in place for several years and generally works well, as residents have an incentive to separate their recyclables to save money. Residents can also currently drop off leaves and grass at no charge and brush for a per-ton fee. All compost materials are currently sent to Earth Care in neighboring Charlestown. Other services under consideration are the recycling of food scraps, composting, and new outreach programs.

According to RIRRC 2019 Municipal Summary, Westerly generated 25,236 tons of solid waste in 2019. This yielded a mandatory recycling rate of 32.1% and an overall diversion rate (meaning all items diverted from the landfill) of 33.3%. These are reductions in comparison to the percentages reported for 2014 (37.7% and 39.4%, respectively). Westerly continues to push towards improved recycling numbers and diversion rate to meet the State's minimum goals of 35% recycling rate and 50% diversion rate.

Section 6.8 – Westerly Library

The Westerly Library is located on an approximately 14.7-acre property shared with Wilcox Park in the heart of Downtown Westerly. The library, owned and operated by the Memorial and Library Association of Westerly, is a participating member of the Ocean State Libraries network which allows its more than 17,400 cardholders (free to residents of all Rhode Island municipalities and the Town of Stonington in Connecticut, as well as nonresident property owners in Rhode Island) to access the collections of all libraries throughout the State (Westerly's collection totals over 181,600). In FY2018, 37.2% of the library's total support in revenue (just over $2.8 million) came from State grant aid, municipal grant aid, and grant revenue.

In addition to traditional books and periodicals, the library's collection is made up of audiobooks, computer software, e-books, films, and online databases. Wi-Fi access and annual calendars of programs including plays,

concerts, lectures, and civic discussions are also made available. At present, the library is ranked among Rhode Island's 10 libraries with the highest number of items in circulation, number of library visits, number of programs offered, and program attendance. The table that follows presents selected library statistics for the most recent full five-year period.

Table 6-4 Select Westerly Library Statistics, 2014-2018

Statistics	2014	2015	2016	2017	2018
Items circulated	213,956	208,808	206,870	199,020	193,685
Size of collection	180,106	170,151	183,336	190,957	203,963
Full-time employees	15	17	15	16	18
Hours operated	2,906	2,906	2,913	2,913	2,950
Patron visits	243,009	242,607	256,167	263,342	272,032
Registered borrowers	17,690	17,424	16,934	16,861	15,327
Computer log-ons	34,177	29,186	30,012	24,155	20,636
Programs offered	461	636	636	796	987
Attendance of programs	28,681	31,424	49,204	50,694	44,670
Annual budget	$1,875,291	$1,987,233	$2,016,556	$2,063,335	$2,120,141

Source: Westerly Library, 2019

The library has had three additions since it was first constructed in 1894, the most recent occurring in 1992, necessitated by expansions of services. To address that and other needs, the Library is conducting an $8 million capital campaign. Roughly half of the hard construction costs will be provided by the Rhode Island Office of Library Services, which provides grants for library construction. Funds will be used for space reallocation in the library and renovations to the park. Interior renovations are expected to provide a 20% increase in floor space for each of the library's four floors without increasing the 50,000-square foot footprint. Most of the funds for this project are coming from private donations, but the project will require the combined efforts of federal, State, Town, foundation, corporate, and community supporters. Renovation work on the library structure was started in August 2009. In spring 2016, following the library's receipt of a grant provided by the Champlin Foundation, work was completed to update the library's circulation desk, create a new space for teenagers, and establish a modernized technology lab and makerspace.

The Westerly Library not only meets needs of Westerly residents but continues to exceed the expectations of both residents and visitors. With its continued improvements, and the continued support of the community, the library is expected to remain one of the community's most valuable assets.

Section 6.9 – Adult Day Center of Westerly and Westerly Senior Citizens Center

The Adult Day Center of Westerly (ADCW) is 501(c)(3) organization located in the former Police Department headquarters providing daytime care for adults with cognitive, emotional, and/or functional impairments for over 36 years. ADCW utilizes the PACE (Program of All-Inclusive Care for the Elderly) program to enable seniors to remain in their communities, rather than being placed in long-term care facilities. ADCW provides socialization, nursing support services, personal care services, physical therapy and rehabilitation, therapeutic activities, family counseling and a monthly Caregiver Support Group, and nutritious meals in a supervised setting to support adults in need. Such services allow caregivers to manage work, household maintenance, and other tasks knowing their loved ones are in a safe place.

Section 6.10 – Westerly Senior Citizens Center

The Westerly Senior Citizens Center is a 501(c)(3) organization providing social and transportation services and health programs to the senior and elderly population in Westerly and nearby communities. The Senior Center hosts daily meal pickups, with transportation to and from the mealsite and to medical appointments through the Rhode Island Public Transit Authority's (RIPTA) RIde (Riders with Disabilities) program. The Senior Center also provides transportation to other locations not covered by the RIde program, like grocery stores, pharmacies, banks, shopping centers, and libraries. A variety of social services are offered at the Senior Center, including support groups, nursing services and a monthly mini clinic, postal services, and assistance with finances, taxes, health insurance, and other services. Recreational and social activities are also hosted at the Senior Center daily.

Section 6.11 – Jonnycake Center of Westerly

Jonnycake Center of Westerly is a 501(c)(3) organization serving 3,000+ individuals annually through education, food pantry, and social services programs. In partnership with organizations such as Education Exchange, Washington County Literacy Volunteers, Families Learning Together, Westerly Parent Academy, and RI Real Jobs Partnership, Jonnycake provides continuing education and career advancement opportunities, including tuition assistance and scholarships and free education and training programs. Jonnycake provides financial assistance for basic needs like housing, utilities, prescriptions, and education, and offers vouchers to their onsite thrift shop, which sells low-cost clothing, furniture, and household items. Other services and programs hosted by Jonnycake include the Fresh Start Program, Domestic Violence Advocacy Program, and other seasonal drives and fundraisers. The food pantry provides free pantry items and prepared meals to those in need, including pet foods as well. Additional nutrition assistance programs offered at Jonnycake include the Rhode Island Supplemental Nutrition Assistance Program (SNAP), Power Pack Program and Summer Program Looking to Alleviate Student Hunger (SPLASH) for families with children, holiday dinner baskets, and a weekly free community farmer's market.

Section 6.12 – Westerly Area Rest Meals (WARM)

Westerly Area Rest Meals (WARM) Shelter is a 501(c)(3) organization providing an emergency shelter, soup kitchen, Attire for Hire program, tax assistance, and community outreach activities. The WARM Shelter has been operating at its current location in Westerly since 1990 and provides one of the three emergency shelters in Washington County. It often operates near or at full capacity (approximately 80 individuals) and offers temporary housing onsite, as well as long-term transitional housing onsite through its WARM-Up program. Additional offsite housing is provided through several projects and programs, including the Harvest Homes program, the Section 811 project , and WARM Supportive Homes, which provides permanent housing to disabled individuals and families with disabled adults. Anita's Kitchen, the WARM soup kitchen, serves nearly 100 meals every day to homeless individuals, and the Children's Summer Lunch Program delivers bagged lunches to children across Washington County. Case management services are provided to homeless individuals and families in crisis to connect them with needed services and/or funds.

Section 6.13 – Age Friendly Westerly

Age-Friendly Westerly is an affiliate of the Age-Friendly RI organization, a coalition of community and state agencies, healthcare and social service providers, advocacy and faith-based organizations, businesses, academic institutions, municipal leaders, and community members committed to healthy aging. This organization provides resources to aging community members and their loved ones and raises awareness about the value of building a community that supports older adults.

Section 6.14 – Westerly Education Center (WEC)

Westerly Education Center (WEC) is a public-private collaboration managed by the State of Rhode Island's Office of the Postsecondary Commissioner and designed to bring together higher education, business, industry, and community partners to provide high-quality educational programs to meet projected workforce growth in the region. Established in 2017, in partnership with all public institutions of post-secondary education within the State, as well as additional private schools and State agencies, over 4,000 people have already received education at WEC as of summer 2019. WEC provides undergraduate, graduate, and workforce training courses, with hands-on and simulated learning opportunities. Some affiliated institutions offering programming at WEC include Community College of Rhode Island (CCRI), Rhode Island School of Design Continuing Education (RISD CE), Rhode Island College (RIC), and University of Rhode Island.

Section 6.15 – Religious Organizations

Many of the religious organizations across Westerly offer additional social services and programs supporting Westerly residents. The following highlights some of these services, though others may exist within the community. St. Vincent de Paul Society is parish-based operation of Roman Catholic lay people operating locally at Immaculate Conception Church providing temporary financial assistance and a food pantry for individuals experiencing emergency situations. St. Pius X is a Catholic parish that hosts the Helping Hands Family Ministry (HHFM), a group with the mission to provide families in temporary crisis with financial support and/or meal delivery. Christ Episcopal Church operates the Living Supplies Closet, a 501(c)(3) community outreach program providing personal hygiene items not covered by food stamps or distributed by welfare agencies. Christ Episcopal Church also operates the Pastoral Care Commission, providing spiritual care to those in need during illness and/or difficult times.

Section 6.16 – Other Social Service Agencies and Programs

As indicated through data earlier in this chapter (and in other chapters as well), many of Westerly's residents experience or will experience financial and social hardships that require some form of assistance to manage and overcome. Along with relevant services described above, there are several locally involved agencies and programs, shown in Table 6-5 on the next page, that aim to provide needed assistance.

Table 6-5 Inventory of Select Social Service Agencies and Programs

Agency/Program	Description
Ayers Foundation	Charitable, educational, agricultural, and scientific non-profit corporation promoting local food and farming, sustainable agriculture, holistic nutrition, healthy living, and environmental literacy of youth
Domestic Violence Resource Center of South County (DVRCSC)	Non-profit organization dedicated to preventing and responding to domestic violence through offering safety, support, advocacy, education, and services
The Fogarty Center	Non-profit organization providing resources to children and adults with special needs
Grow and Go Seek	Nature-based early childhood education program with curriculum based on RI Early Learning and Development standards
Literacy Volunteers of Washington County	ProLiteracy America accredited affiliate providing English as a second language (ESL) learning and preparation for citizenship and General Education Diplomas (GEDs), among other services
Living Supplies Closet (LSC)	Ministry of Christ Church providing personal hygiene products at no cost
National Alliance on Mental Illness (NAMI) Westerly/Chariho	Local affiliate of NAMI, the largest grassroots organization in the United States dedicated to educating on, advocating for, and listening to individuals with mental illnesses and their families
New England Sailing and Science	Non-profit organization providing STEM (Science, Technology, Engineering, and Math)-based education programs using experiential learning on and off the water
Opening Doors for Westerly's Children	501(c)(3) organization promoting early childhood literacy by providing essential materials and opportunities and supporting academic programs and initiatives
Pawcatuck Neighborhood Center (PNC)	Multi-purpose facility offering social, educational, health and human services programs to Westerly and southeastern Connecticut communities
Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)	Program of the United States Department of Agriculture's Food and Nutrition Service offering grants to states for supplemental foods, health care referrals and nutrition education for low-income pregnant, breastfeeding and non-breastfeeding postpartum women and to children five years old and younger found to be at nutritional risk
SNAP	Program of USDA's Food and Nutrition Service offering financial assistance to eligible, low-income individuals
South County Community Action Agency (SCCAA)	501(c)(3) organization providing numerous financial, housing, learning and social services with offices in Westerly, Charlestown, North Kingstown, and South Kingstown
Washington County Coalition for Children (WCCC)	Coalition of social service agencies, healthcare providers and private and public individuals providing children's advocacy
Westerly Parent Academy	Westerly Public Schools parent education program offering workshops and courses to support student learning and help parents build personal, educational, and vocational skills for job and career growth
Westerly Parents as Teachers	Westerly Public Schools home visiting program, funded by federal Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program, providing parent support and education through early childhood (prenatal through kindergarten) to improve development, health, and well-being of at-risk families

Many agencies are involved in the **Basic Needs Network of Washington County (BNN)**, a group of basic needs providers established in 1995. BNN conducted a Regional Needs Assessment in 2011 which focused on low-income individuals achieving economic independence. A survey of 292 low-income individuals was conducted which found respondents represented a broad range of work experiences and over one-third were from Westerly.

This network of social service agencies and organizations continues to meet the needs of Westerly residents. The availability of funding for social services continues to be an issue. Just getting funding to continue on-going programs is a persistent problem in the social service sector, making it very difficult to create new programs or expand existing programs in response to demographic and economic changes. Changing priorities at the federal level, and corresponding changes in eligibility criteria for the CDBG program appear likely to tighten fiscal constraints. Westerly needs to champion the cause of these social service organizations and assist them in obtaining the funding that will allow them to respond to the expected increase in an aging population living on fixed incomes with limited savings.

Section 6.17 – Energy Usage and Conservation

Energy conservation and the efficient use of energy has long been a part of planning in Westerly. In 2008, the Town adopted a renewable energy policy that included a policy statement defining renewable energy as:

> "any energy resource that is naturally regenerated over a short time scale and derived directly from the sun (such as thermal, photochemical, and photoelectric), indirectly from the sun (such as wind, hydropower, and photosynthetic energy stored in biomass) or from natural movement and mechanisms of the environment (such as geothermal, tidal and river flow energy)."

The policy statement also included objectives such as obtaining at least 15% of the Town's energy from renewable sources, partnering with the State on renewable energy initiatives, and reducing energy consumption by applying sustainable measures in the management, operation, and maintenance of facilities and infrastructure.

The 2010 Comprehensive Plan also included measures proposed to conserve energy and seek alternative forms of energy production. One of the adopted energy objectives was to "decrease Westerly's dependence on petroleum-related energy sources through a municipal strategy of conservation and renewable energy generation." Action 6.3 called on the Town to "update land-use regulations to address and encourage appropriate renewable energy opportunities." Policy 9 stated "the Town shall encourage on a continuing basis the recycling and conservation of energy, water, and other environmental resources."

In 2011, Johnson Controls, Inc. (JCI) conducted a six-month audit of energy consumption in public facilities to find ways to reduce energy costs, provide capital upgrades, increase energy efficiency, increase reliability of the Town's mechanical and electrical systems, and maintain or improve occupant comfort and well-being. The results of the audit and subsequent recommendations were provided in the Town of Westerly Detailed Energy Audit Report prepared by JCI in 2012. Table 6-6 below shows a summary of audited energy usage in each of the Town's non-school buildings. The findings included a total of over 4.9 million kilowatt-hours (kWh) of electricity and range from 2.3 to 138.1 million British Thermal Units per square foot per year (MBTU/sf/year) of thermal energy used across Town buildings. For informational purposes, the therm (thm) is a measure of heat energy equal to 100,000 British thermal units (BTUs).

Table 6-6 Energy Usage in Municipal Buildings, 2011[1]

Municipal Building	Electrical Energy			Heating Oil			Natural Gas		
	kWh	$/kWh	MBTU/ sf/yr	Gallons	$/gal	MBTU/ sf/yr	Thm	$/thm	MBTU/ sf/yr
Adult Day Center[2]	21,409	0.23	5.2	-	-	-	5,112	1.5	36.5
Animal Control/Shelter	136,857	0.12	72.4	-	-	-	5,331	1.6	82.6
Armory	11,778	0.18	2.4	2,778	*3.33*	22.9	1,687	1.6	10.0
Beach Building #2	888	0.23	0.3	-	-	-	-	-	-
Bus Garage	-	-	-	1,126	*3.33*	21.9	-	-	-
DPW Highway	97,000	0.13	21.6	1,735	*3.33*	15.7	2,428	1.6	15.8
Landfill Building #2	19,575	0.15	8.0	-	-	-	-		-
Police Station	665,900	0.14	53.5	-	-	-	8,307	1.6	19.5
Senior Center	128,960	0.12	30.5	-	-	-	8,562	1.5	59.3
Town Hall	297,620	0.11	38.2	10,645	*3.33*	55.5	-	-	-
WWTF	2,275,524	*0.15*	215.8	*15,568*	*3.33*	*60.0*	-	-	-
Water Dept. Building #1	791,900	0.13	180.8	5,193	*3.33*	48.2	348	2.2	2.3
Water Dept. Building #2	482,750	0.13	-	-	-	-	4,058	1.5	138.1
Water Dept. Building #3	18,519	0.17	152.7	-	-	-	80	4.0	19.5

Source: Town of Westerly Detailed Energy Audit Report, 2012

[1] Italicized text indicates assumed numbers when billing history was not available.

[2] The Adult Day Center began operations in in 2013.

The major findings of the Johnson audit included the following:

- There are many opportunities to reduce energy costs within the Town buildings. By implementing the recommendations outlined in the audit study, the Town of Westerly could reduce energy usage by 9.3% in Town buildings (3.1% electric and 21.3% thermal) based on the average utility data established as the baseline period.
- Some of the mechanical and electrical systems are in poor condition, but are operated well, given current funding and staffing level constraints. Some of the Town buildings have programmable thermostats and the rest have pneumatic thermostats or electric dial gauge thermostats. All remaining electric and pneumatic thermostats should be replaced by programmable thermostats with two set points (day and night) for occupied and unoccupied hours. The installation of a control system was proposed that would upgrade and connect all control systems in the Town Hall via the district Wide Area Network (WAN) to a front end/host computer, allowing facility personnel to access all building systems via the front end to make changes to optimize the space conditions and maximize energy savings.
- The existing boilers in the buildings that are near the end of their useful life were recommended for replacement with high efficiency boilers that would provide the Town buildings with newer and more reliable equipment and contribute largely to energy savings.
- Several measures were recommended to reduce the demand for manual operations and labor to add to the Town Department's savings.
- The measures recommended were expected, at a minimum, to maintain, and in most cases improve, occupant comfort.

The facilities owned and operated by the School Department are also public buildings and their operating costs are ultimately paid by taxpayers. Any energy efficiencies that can be obtained from various measures proposed for other Town buildings could therefore equally apply to public school facilities. JCI conducted a separate energy audit of Westerly Public Schools in 2011 with its results made available in the Westerly School District Preliminary Energy Audit Report. The results are summarized in Table 6-7 below:

Table 6-7 Energy Usage in Public School Buildings, 2011[1]

School Building	Electric			Heating Oil			Natural Gas		
	kWh	$/kWh	MBTU/ sf/yr	Gallons	$/gal	MBTU/ sf/yr	Thm	$/thm	MBTU/ sf/yr
Bradford[2]	176,060	0.15	18.34	0		0	13,153	1.55	40.14
Babcock Hall	409,561	0.15	10.68	0		0	60,686	1.60	46.37
Dunn's Corners	*968,720*	*0.15*	*60.00*	0		0	4,222	2.81	7.66
Springbrook	274,305	0.15	21.54	0		0	20,304	1.54	46.71
State Street	217,820	0.14	17.39	0		0	43,248	1.55	101.14
Tower Street[3]	205,240	0.14	18.04	0		0	39,299	1.53	101.23
Westerly Middle	1,497,800	0.13	32.98	0		0	47,967	1.56	30.95
Ward Building	1,359,140	0.13	20.62	1,954.83	1.98	1.2	67,547	1.55	30.02

Source: Westerly School District Preliminary Energy Audit Report

[1] Italicized text indicates assumed number or basis on assumed number from JCI's experience working on similar projects.

[2] Bradford Elementary School closed in 2017 and its ownership by the School Department was relinquished to the Town in 2019.

[3] Tower Street Elementary School closed in 2009.

From the audit, 19 energy conservation measures (ECMs) were formed and recommended for Westerly Public Schools. The major findings of the schools' audit were comparable to non-school municipal buildings. The Town recommends that the School Department use all necessary measures to ensure energy efficient operations.

Subsection 6.17.1 – Evaluation of Energy Conservation Measures

In consideration of the findings made at that time, the JCI audit recommended the following energy saving improvements for Town buildings:

- Retrofit most existing T8 and T12 lamp fixtures with Super T8 lamps and replace standard power ballasts with low power electronic ballast
- Retrofit exterior lighting (Metal Halides and High-Pressure Sodium) with Induction/LED lights that have higher efficiency and longer life expectancy
- Add occupancy sensors to turn off lighting in storage rooms, mechanical rooms, and offices when unoccupied
- Install caulking, weather-stripping and seal roof-wall joints to prevent air infiltration and improve insulating properties
- Replace existing windows with energy efficient windows that cut solar heat gain, provide more insulation, and reduce infiltration
- Adjust scheduling of the air handling equipment, fan-coil units, and unit ventilators to set back to a lower temperature during unoccupied hours
- Replace existing boilers that are near the end of their useful life with high efficiency condensing boilers that provide increased reliability and significant energy savings
- Replace all existing steam traps (including Float and Thermostatic, Thermostatic and bucket types) with new steam traps to decrease losses in the heating system
- Install new insulation to decrease heat loss on all existing steam, hot water and domestic hot-water piping not already insulated.
- Add computer management software that will automatically power down the school computers during unoccupied/low usage hours
- Replace existing high flow fixtures with new low flow toilets, low flow urinals, faucet aerators, and low flow shower heads
- Repair dampers, controls, motors, air handling units, and exhaust fans that are non-functioning
- Provide new controls to optimize compressor and evaporator operation

Subsection 6.17.2 – Anticipated Energy Savings

Projected energy savings for Town facilities, excluding public schools, are presented in Table 6-8 and would total 5,524 kWh of electricity and 1,556 MBTUs of thermal energy per year. This reduction in energy consumption would result in a reduction in total of carbon dioxide (CO_2) emissions that would be otherwise equivalent to burning 1,140 barrels of oil or heating 45 homes for one year. Emissions of CO_2 have been implicated as a causative factor in the current pattern of global climate change.

To allow a comparison between buildings, an Energy Use Index (EUI) was also calculated by JCI for each municipal building. The EUI is calculated by converting annual consumption of all fuels to BTUs and then dividing that value by the area of the building (in this case, gross square footage).

Table 6-8 Energy Savings from Implementation of Recommended ECMs

Municipal Building	Electrical Energy Usage		Thermal Energy Usage		EUI Total	
	Before (kWh/yr)	After (kWh/yr)	Before (MBTU/yr)	After (MBTU/yr)	Before	After
Adult Day Center	21,409	15,330	511	453	42	36
Animal Control	136,857	133,550	533	367	155	128
Armory	11,778	8,865	555	389	35	25
Beach Building #2	888	575	0	0	0	0
Bus Garage	0	0	157	114	22	16
DPW Highway	97,000	89,571	484	368	53	44
Landfill #2	19,575	14,051	0	0	8	6
Police Station	665,900	639,449	831	841	73	71
Senior Center	128,960	89,844	856	703	90	70
Town Hall	297,620	256,146	1,480	821	94	64
WWTF	2,275,525	2,263,242	2,164	1,743	276	263
Water Dept. Building #1	791,900	782,760	757	718	232	227
Water Dept. Building #2	482,750	479,976	406	350	699	677
Water Dept. Building #3	18,519	18,421	8	7	172	168

Source: Town of Westerly Detailed Energy Audit Report, 2012

According to JCI estimates, application of the 11 recommended energy conservation measures to the Town buildings would cost an estimated $1,463,649 and would yield an annual savings of $69,650. With anticipated utility rebates and verification costs, the payback period for the 11 recommended energy savings was estimated at 24 years.

Subsection 6.17.3 – Recommended Energy Conservation Measures

In January 2016, less than five years after the JCI audits, the Rhode Island Office of Energy Resources and National Grid contracted with CHA Consulting on behalf of Westerly and other municipalities in the State to assist in Rhode Island Infrastructure Bank (RIIB) applications. In Westerly, this included completing Technical Energy Audit Reports for the police station and the Town Hall.

The audit report for the police station recommended three energy conservation measures:

- heating, venting, and air conditioning (HVAC) control improvements,
- replacement of high-intensity discharge (HID) lighting with light-emitting diode (LED) lighting, and
- replacement of fluorescent lighting with LED lighting.

These improvements were projected to cost approximately $185,000 and result in an annual energy savings of 299,954 kWh of energy. The amount equated to $33,746 in annual savings and an estimated payback of 5.5 years.

The audit report for the Town Hall recommended five energy conservation measures:

- Installation of attic insulation,
- Improvements to the domestic hot water (DHW) system,
- Replacing the dual temperature pump motor replacements with variable frequency drive pumps,
- Exterior lighting replacement, and
- General building lighting replacement.

These energy conservation measures were predicted to cost approximately $249,000 and would save 73,803 kWh of electricity and 1,330 therms (or 133,000,000BTUs) of natural gas. The total annual savings would be $10,187 and would be paid back after 24.4 years.

Westerly is now proceeding to prioritize energy conservation measures and actively seeks funding from the State for low-interest financing for energy improvements. Recently, Westerly successfully acquired and converted its streetlights to LED and installed solar panels on the DPW headquarters facility. The Town has also completed the following energy improvements recommended by CHA Consulting in the past decade:

- New exterior and interior LED lighting and a new HVAC control system were installed at Westerly Police Station.
- New exterior LED lighting, insulation, and hot water heater were installed at Westerly Town Hall. A control system allowing Public Works staff to access building systems via a front-end host computer to optimize space conditions and maximize energy savings was also installed.
- New exterior and interior LED lighting and roof-mounted solar panels were installed at the Public Works facility on Larry Hirsch Lane. All remaining electric and pneumatic thermostats were also replaced by programmable thermostats with set points for active (daytime) and non-active (nighttime) hours.
- All streetlights were converted to LED lighting.
- All existing boilers nearing their end of useful life in public facilities were replaced with high efficiency boilers that provide greater reliability and energy efficiency.

Several other measures were implemented to reduce the demand for manual operations and labor to add to the Town Department's savings. The Town, with assistance from an energy consultant to be determined, will also draft a Strategic Energy Plan in accordance with RIIB requirements for funding. The consultant will additionally advise the Town on the goals, policies, and action items of the Comprehensive Plan related to energy and assist with reviews of requests for proposals (RFPs), design-build solutions, and similar items.

Subsection 6.17.4 – Carbon Emissions Reduction

Reducing the Town's carbon footprint has been a policy of the Town for over a decade and, as recently mentioned, is an important step towards avoiding the most severe global climate projections. The Town must consider greater fuel efficiency in purchases of municipal vehicles and consider the carbon footprint of products procured by municipal and school operations as a matter of course when selecting vendors. Reducing energy demands through such measures as the use of EnergyStar© efficient appliances in all Town installations also reduces CO_2 emissions and decreases the size of the Town's carbon footprint. Ensuring that, as part of the development process for any new public facility, the result will be certifiable through the Leadership in Energy and Environmental Design (LEED) building rating system, will also help to diminish the Town's role in increasing climate-related risks.

Local food production shortens food transport distances, reducing energy usage and carbon emissions. Such initiatives as the Westerly-Pawcatuck Farmers Market, CSA, farm share, and farm-to-table programs have also increased the amount of locally grown food that is sold within the Town. The land trusts in Westerly have preserved hundreds of forested acres that absorb carbon, and Westerly has strongly supported the Farm, Forest, and Open Space Act tax reduction plan, which is typically applicable to managed forests. These land preservation efforts in Westerly have also, whether intentional or unplanned, reduced the maximum buildout population in the Town, which reduces energy demand for infrastructure and potential commuting to jobs elsewhere in Rhode Island, Connecticut, or beyond. Maintaining land as open space also reduces the mileage of roadways and power lines needed to be maintained, further contributing to a lower long-term total energy usage in the community. While comparatively small in impact, many residents also heat their homes, or supplement home heat, with wood rather than fossil fuels during colder months.

Chapter 7
INFRASTRUCTURE AND ENERGY

This chapter contains a written inventory of existing and forecasted infrastructural needs for the public, including potable water, stormwater management, sanitary sewer system, telecommunications, and energy. Components of the municipality's infrastructure are encompassed within the following mapped figures:

- Figure **Groundwater (INF-M1)** identifies community and non-community wellhead protection areas (portions of aquifers through which groundwater moves to a public community or non-community well), groundwater reservoirs (significant subsurface water sources defined by RIDEM), and groundwater recharge areas (areas intended to be protected drinking water sources). RIDEM's Office of Water Resources contributed to the datasets used to produce this map.
- Figure **Sewer and Water Infrastructure (INF-M2)** shows the location of the existing public water and public sewer infrastructure. The datasets were contributed by RIDEM, RIDOT, and the United States Geological Survey (USGS). Figure **State Designated Urban Services Boundary (INF-M3)** identifies the existing Westerly Urban Services Boundary and sewered area, as well as the proposed extension of the Westerly Urban Services Boundary and sewered area, within the State Designated Urban Services Boundary.

Section 7.1 – Potable Water System

Westerly's potable water system is a self-sustaining enterprise fund of the Town that is operated by DPW's Utilities Division. The system serves most of Westerly as well as a portion of the Village of Pawcatuck in the neighboring Town of Stonington, Connecticut, with a small portion (about six percent) of Westerly properties are dependent on private wells due to the remote location of some residences. As a water supplier obtaining, transporting, purchasing, or selling more than 50 million gallons of water per year, the Town is required by the State to adopt a Water Supply System Management Plan (WSSMP). Westerly's most recent WSSMP was prepared in October 2020 which described existing conditions and included a long-range program to improve the quality and quantity of water. Water studies are conducted every five years and their results are submitted to RIDOH and the Connecticut Department of Public Health for evaluation. The quality of the water is generally considered good and the Town previously implemented an updated and improved disinfection system.

Westerly's public water supply comes from groundwater accessed via wells. The Town undertook a comprehensive assessment of its groundwater resources that concluded its existing sites in White Rock, Bradford, and Aguntaug Swamp provided sufficient capacity. To enhance the Town's reserves, however, a new well (Bradford IV) was developed and became operational in October 2013. To ensure the functionality of these wells, the Town also continues to acquire land for aquifer protection. As required by the State of Rhode Island, the 2013 WSSMP includes procedures for addressing sustained periods of dry weather.

The water distribution system in Westerly is well over a century old. Extensive investments have been and continue to be made to extend the system's useful life. Improvement projects recently completed include the construction

of the new one million-gallon storage tank in Winnapaug, permitting of a new pump station and well in Bradford, design of a new main extension on Westerly-Bradford Road, the Tower Street tank rehabilitation, and a new transmission main in White Rock. A major pipeline rehabilitation study is also in progress.

Subsection 7.1.1 – Potable Water Source

Westerly's drinking water is obtained from wells that tap into the Bradford and Westerly groundwater reservoirs and pump from 12 supply wells at seven pumping stations. Generators are provided at several wells to ensure a constant supply of water is available in the event of a power failure. Pumping stations each have their own chemical feed pits where potassium hydroxide (KOH) is added to the raw water to adjust the pH (a measurement of how acidic or basic water is). Water is stored in six storage facilities before being distributed for use. Generally, the quality of the water is good; however, in three separate past incidents (in 1994, 1998, and 2000) the water became contaminated with fecal coliform, prompting the State to mandate some form of disinfection.

The Town successfully completed a pilot program for a Mixed-Oxidants (MIOX) disinfection system and transitioned to full implementation in autumn 2009. Westerly was the first town in Rhode Island authorized to conduct a year-long, full system test on water supply using the MIOX technology.

Subsection 7.1.2 – Potable Water Supply

The Town has undertaken a comprehensive assessment of its groundwater reserves. The conclusion has been that its existing sites at White Rock, Bradford II, Bradford III, and Aguntaug Swamp provide sufficient capacity. To further enhance the Town's reserves; however, Bradford IV was permitted in 2007 and became operational in October 2013 with a half-million gallons per day (mgd) capacity. The Town has implemented a program for hydraulic modeling which is used to ensure expected results are occurring within the water supply system. The volume of water the Town pumps into the system varies widely throughout the year due to seasonal requirements, residents, and visitors. As reported by the Utilities Division, the Town pumps three mgd from November to March and increases this volume to between four and six mgd from April to October due to the influx of seasonal residents and visitors.

The Town has actively acquired land for aquifer protection with the acquisition funded most notably through the RIWRB Grant program. As noted previously, Westerly also provides some water service to the Town of Stonington. While this has generally been a mutually beneficial arrangement, the level of future demand from Stonington is unknown and could possibly pose significant future implications. Westerly also owns water rights on land in the Town of North Stonington in Connecticut with proven water capacity of about one mgd. It would be important for the Town to preserve this critically important resource.

Subsection 7.1.3 – Drought Management

The State Planning Council adopted Rhode Island Water 2030 in 2012, which included a Drought Management Plan addressing drought mitigation to establish coordinated procedures for a State-wide response to severe drought episodes. It outlines the responsibility of the federal, State, and municipal governments and defines the roles each plays in response to long-term drought conditions.

The Drought Management Plan's policies, goals, and strategies should be viewed within the context of the four over-arching goals of the WSSMP, which seeks to ensure:

- Protection of public health, safety, and welfare
- Conservation of essential drinking water resources
- Reasonable allocation of water supply
- Support of essential and high priority water uses

This study functions as the master plan for the water system, addressing adequacy of water supply, the water distribution system, conservation measures, watershed protection, capital improvements, and emergency

preparedness. In the emergency operations management section of their WSSMPs, water suppliers are required to address drought contingencies and appropriate response. In addition, RIWRB regulations require that a WSSMP include an emergency component to assess system risks, including droughts, and response capabilities, and to describe a contingency plan for all foreseeable water supply emergencies.

Specific drought response activities described in the Town's WSSMP include procedures for the designation of a water supply alert followed by criteria and procedures for several drought phases including the following:

- Drought Watch/Advisory Phase
- Conservation Phase
- Expanded Restriction Phase

Subsection 7.1.4 – Distribution

Domestic water within the Westerly Water District is pumped through an extensive network of pipes totaling approximately 207 miles in length. Pipe sizes range from 1.25 to 20 inches and consist of multiple materials ranging from polyvinyl chloride (PVC) and ductile iron (recent use) to asbestos-cement and cast iron (historic use). In 2009, a 20-inch water main was constructed over a 2.6-mile distance from the White Rock pumping station to Granite Street due to a previous inability of the Town to access the full capacity of the White Rock wells. The improvement added two mgd (a 33% increase to capacity) to the distribution system capacity. There are just over 920 public hydrants located throughout Westerly and almost all have been replaced and upgraded over the past 30 years.

Improvements to the supply system are funded through the Town's Capital Improvement Program (CIP), which is a list of all known upcoming capital improvements within a projected five-year period. Improvement projects have historically included the construction of a new one-million-gallon Winnapaug Tank, the Winnapaug Tank site lead remediation, addition of a new pump station and well in Bradford, design of a new main extension on Westerly-Bradford Road, the Tower Street Tank rehabilitation and lead soil remediation, and the new White Rock Transmission Main. There was also a major pipeline evacuation study and hydraulic analysis completed by C&E Engineering Partners, Inc. in May 2009 to establish priorities for upgrading and establishing a long-term replacement schedule. Other completed projects have included:

- Exterior and interior painting of the Bradford tank in 2009
- A complete electrical upgrade and new standby gas generator for White Rock pump station 3 in May 2012
- Well redevelopment and inspections of wells 2B, 2D, 3, Bradford III, and Crandall in 2012
- Power washing of the Winnapaug and Bradford tanks in November 2013
- Well redevelopment and inspections of wells 1A, 1B, 1D, 2A, 2C, and Bradford II in 2013
- Masonry repairs to the Hinkley Hill tank's concrete structure in June 2014
- A new roof system for White Rock pump station 1 in September 2014
- Water main replacements on Bay Street, Oak Street, and Watch Hill Road
- Replaced 2,214 feet of water mains and 17 lead services
- Installed 800 feet of 8-inch water main to the Westerly Pee-Wee Football Complex and 16 new water services across the town
- Redeveloped wells 1A, 1B, 1D, 2A, 2C, and Bradford II
- Started a Lead Soil Removal project for properties surrounding the Tower Street Tank
- Contracted with GeoInsight to complete studies on the Bradford and White Rock aquifers
- Added 823 meters to the Radio Read System
- Repaired 77 water breaks
- Completed two rounds of Unregulated Contaminant Monitoring Rule (UCMR) Testing for EPA

In Fiscal Year (FY) 2019, the Utilities Division:

- Replaced 6,400 feet of water mains
- Redeveloped #1D PS 1, #2D PS 3, Bradford III, and Crandall wells

- Completed two rounds of UCMR testing for EPA
- Participated with RIDOH in perfluoroalkyl substances (PFAS) testing and protocol developments

Future projects include installing approximately 400 feet of guardrail along White Rock Road adjacent to the open well field, along with monitoring well installation in locations prescribed in recent Aquifer protection studies. These projects were all designed to ensure Westerly has an ample supply of high-quality water into the future.

There are approximately 14,500 service connections to the Westerly water system currently. Every residential, commercial, industrial, and governmental service connection is metered, and bills are sent out based on the volume of water used. The budget for the water supply system is prepared to incorporate all operating costs and water rates are set to ensure users fully fund its operation.

Subsection 7.1.5 – Anticipated Future Demand

Table 7-1 below details the total water supply in relation to the existing supply and proposed average and maximum day system demands. It should be noted that the development of future projections assumed reasonable estimates for unaccounted-for water and would therefore reflect the total amount of water supply needed (i.e. total pumping supply) to meet overall system demands.

Table 7-1 Available Water Summary

	Existing	Projected (2037)
Total Available Capacity	7.72 to 9.02	8.48 to 9.93
Average Day Demand (MGD)	3.33	3.83
Maximum Day Demand (MGD)	6.29	7.24

Source: WSSMP, 2013

The information presented above indicates that the Westerly water system's supply will remain adequate to meet existing and future demands for the planning horizon.

Section 7.2 – Wastewater Systems

Westerly, also through a self-sustaining enterprise fund, owns and operates a wastewater collection and treatment system that serves approximately 45% of the Town's properties. Of all residential properties, ±39% use public sewer and about ±61% use an individual OWTS. The Town has not itself extended sewer service in several years but has permitted some private developers to extended sewer lines in conjunction with completing their related development projects.

The wastewater in areas not serviced by sewers has been accommodated in many ways over time, including during time periods when minimal or no regulations existed. More recent systems have been installed under RIDEM regulations, including the Rules Establishing Minimum Standards Relating to Location, Design, Construction, and Maintenance of On-Site Wastewater Treatment Systems.

The Westerly WWTF discharges effluent through a 24-inch diameter outfall pipe into the Pawcatuck River. The plant's discharge is regulated by RIDEM through the RIPDES program. Effluent standards are based on the water quality classification of the receiving water body (in this case, the Pawcatuck River) and are regulated by RIDEM's Water Quality Regulations. A Wastewater Facilities Plan was prepared for the Town in November 1998 and revised in December 1999 by BETA Engineering, Inc. (now BETA Group, Inc.). The plan addressed deficiencies within the existing sewer collection system and sewage treatment plant as well as any deficiencies or problems in areas of the community without public sewer. Recommended improvements to the Westerly WWTF and the existing collection system were completed in September 2008. Additionally, the Bradford pump station was replaced in

2011. In February 2019, the Town's WWTF received a Regional Wastewater Treatment Plant Excellence Award from EPA for its operations and maintenance.

Subsection 7.2.1 – Existing Sewer System Capacity

The Town of Westerly owns and operates a wastewater collection and treatment system that services approximately 45% of the Town with the remainder of development within the Town being served by individual wastewater treatment systems such as septic tanks with on-site infiltration. In terms of residential parcels only, 39% have connectivity to the public sewer system and 61% use individual septic systems. There are areas within the Westerly Sewer District to which sewer service has not been extended; these include residential developments in Avondale and Misquamicut, around Springbrook Elementary School, Apache Drive, Ledward Avenue, and Winnapaug Road. The 2018 Westerly Wastewater Facilities Plan Amendment removed the Misquamicut, Avondale, and Mt. Moriah neighborhoods from the sewer expansion plan.

Westerly has one wastewater treatment plant that discharges effluent into the Pawcatuck River, as regulated by RIDEM, and went through a major upgrade in its biological nutrient removal capability in 2003. The plant is near the threshold of its treatment capacity. The Town is working to limit the amount of groundwater that infiltrates the system, which will help to reduce the amount of water currently being treated. The plant has been designed to allow for capacity increases with the installation of additional components.

The wastewater treatment plant was built in 1920 and has had modifications and upgrades made in the late 1950s, 1979, 1986, and1992. There was also a major upgrade in 2003 for biological nutrient removal and replacement of equipment dating from the 1970s.

The plant is currently designed to treat an average flow of 3.3 million gallons per day (mgd) and a peak hourly flow of 7.8 mgd. The plant is at 83.3% of capacity and averaged 2.75 mgd in fiscal year 2017-2018. The plant currently has capacity for all currently proposed and approved subdivisions within the sewer district, normal build-out within the district. The Town is also working to limit the amount of groundwater infiltration in the system. The Town has lined 33,929 linear feet of sewer piping to reduce infiltration into the sewer system.

There are nine active wastewater pumping stations in the Town. The four major sewer pump stations (one on Beach Street, one on Margin Street, and two on Canal Street) have all been rebuilt since 2003 and each is capable of handling current incoming flows. The Town will be evaluating future flows and capacities as part of the upcoming Facilities Plan update.

Subsection 7.2.2 – On-site Wastewater Treatment Systems

OWTSs (formerly Individual Sewage Disposal Systems [ISDSs]) are likely to continue playing an important role in the future of wastewater treatment in Westerly due to the limitations of the public sewer system. Unfortunately, negligence, improper operation, and/or unsatisfactory site conditions can lead to the failure of an OWTS, a potential threat to the health of surrounding residents due to the contamination of groundwater and other environmental damage. One future consideration is whether the Town should consider extending sewers to areas not currently served. This has been a contentious issue in the community and one which will require considerable informed dialogue among all interested parties. The impacts of climate change and sea level rise may direct future decision making.

In addition to the regulations referenced above, wastewater systems are also subject to RIDEM regulations for groundwater quality, titled Rules and Regulations for Groundwater Quality, and are not regulated by the Town. These State regulations are designed to protect and restore groundwater resources for drinking water purposes and other beneficial uses and to assure protection of public health, welfare, and the environment. BETA Engineering, Inc. prepared an On-site Wastewater Management Plan (OWMP) in January 2005 (revised in May 2007) which addresses many of the questions regarding OWTS. Additional information on this issue is available from URI's New England On-Site Wastewater Training Program.

OWTSs can have a direct impact on the integrity of both groundwater and surface water sources. Improperly functioning systems can contribute pollutants to the Town's water resources. Therefore, proper septic system function and maintenance is of long-term importance for Westerly. For a description on the relationship between OWTSs and water quality, visit the Natural Resources chapter. Advances in relatively inexpensive treatment systems and effluent fields have made formerly undevelopable properties now potentially developable and properties of limited development capacity now capable of supporting greater development. Additionally, recent changes in state law have mandated the use of these technologies in vulnerable coastal areas.

Section 7.3 – Stormwater System

The inability for impervious surfaces to absorb precipitation results in over-land stormwater flow which facilitates contaminant runoff and requires proper drainage to mitigate the potential for flooding. The Town of Westerly owns and maintains a stormwater drainage system with most of the system flowing into the Pawcatuck River or surrounding wetlands. There are no combined sewer overflow (CSO) connections between the sanitary sewer and stormwater drainage system. Most of the system flows by gravity with only a single pump station. There are several new developments in the Town that have created their own stormwater retention basins or ponds to comply with newer stormwater regulations. After a private developer constructs a stormwater basin associated with a public improvement, the Town may assume the responsibility for maintenance upon construction to Town design standards and Town acceptance. The Town has an ongoing maintenance program for the stormwater system that includes cleaning catch basins and pipes and replacing aging pipes and structures. In 2007, the Town received approval from RICRMC to install a municipal storm drainage collection and treatment system serving the Misquamicut area. This system is operational and successfully addressing serious flooding problems which occur during moderate and heavy rainfall.

EPA stormwater pollution regulations are applied locally through RIDEM. Communities that operate Small MS4, as defined by population of the community, were required in 2003 to obtain permits and establish storm water management programs that reduce the quantity of pollutants able to enter stormwater drainage systems during storm events. The permit, or Notice of Intent (NOI), must include a Stormwater Management Plan (SWMP) that describes the BMPs for each of the following six measures:

- Public Education and Outreach,
- Public Involvement/Participation,
- Illicit Discharge Detection and Elimination,
- Construction Site Runoff Control,
- Post Construction Runoff Control, and
- Pollution Prevention/Good Housekeeping.

The Town of Westerly is currently revising the SWMP to comply with the 2019 regulations. Parallel to this, the Town is also in the process of mapping its stormwater system.

Another stormwater pollution related study is the Phase II Storm Water Management Plan prepared by Fuss & O'Neill, Inc., in March 2004. The Town has received a grant from NEIWPCC to establish BMPs which would reduce or eliminate known contaminants and establish recommendations to correct problems where high concentrations have been detected and documented. In this process, recommendations will be made to update the 2004 Phase II SWMP.

Section 7.4 – Electricity and Natural Gas

Both natural gas and electrical lines in Westerly are currently maintained, owned, and provided by National Grid. An engineering study was prepared for the Watch Hill Conservancy for the relocation of utility lines below ground along a one-mile segment of Bay Street. The project ultimately became a public-private partnership involving the Town and was successfully completed in summer 2019. There is interest among some residents to bury existing utility lines in other areas, though the high cost of doing so restricts the Town's ability without partners, and some private developments have incorporated subsurface utilities.

In April 2015, the Town Council was presented a preliminary estimated savings by the Partnership for Rhode Island Streetlight Management (PRISM) of over $5 million after a 20-year period for the municipal purchase and collaborative maintenance of its approximately 3,100 streetlights. PRISM, parented by the Washington County Regional Planning Council, estimated the savings based on filings by the Rhode Island Public Utilities Commission (RIPUC) and previous experience in other communities in comparison to the Town's annual payment mandated by the rate tariff set by RIPUC.

As of April 2016, following its joining of PRISM, the Town received an updated estimate of between $147,477 and $395,600 in savings annually, which would be between $2.9 and $7.9 million in savings after 20 years. The estimate was dependent upon the purchase of streetlights and their conversion from conventional lighting to light emitting diodes (LED), which the Town has since completed.

While natural gas service is available in some portions of Town, the main transmission line is not adequate to provide Town-wide service. There is a major gate station along one of the large pipelines that runs parallel with many of the major roads. These lines can be extended to meet demand as needed. There are approximately 4,000 gas service connections in Westerly and National Grid performs improvements and upgrades to their distribution system within the Town routinely.

Section 7.5 – Solar, Wind, and other Alternative Energy

Along with the intent of conserving energy use, Westerly has also undertaken efforts to seek means of alternative energy generation. In 2010, EA Engineering was contracted by the Town to conduct a study, preliminary site screening, and pre-feasibility assessment for the possible establishment of a municipal wind energy system. The consultant was selected by the Alternate Energy Study Committee (AESC), a public body established in the same year with an additional task of drafting an updated ordinance for wind energy systems supporting both commercial and residential properties. While Westerly recognizes the benefits of wind energy as an alternative energy source for the State, Westerly has turned away from establishing municipal wind energy in the Town following a variety of investigations.

At the AESC's request, EA Engineering screened 151 Town-owned properties and conducted a site analysis for each location's suitability. The analysis eliminated sites due to multiple factors (including extensive forest, wetlands, properties near high density residential areas, and local flight paths) and ultimately identified 12 potentially feasible Town-owned properties. The AESC then sought and received $25,000 funding from the predecessor of the Rhode Island Commerce Corporation (Commerce RI) to evaluate and do a detailed study of the seven most promising sites.

While the project did not move forward, the second-highest ranked site, the transfer station on Larry Hirsch Lane, was ultimately selected the most advantageous due to the adequacy of the wind resource and it being well-buffered from residential neighborhoods as well as its favorable location relative to the (now former) National Grid substation and airport runways.

In November 2011, the Town approved a contract with rTerra of Middletown, Rhode Island to conduct a feasibility study on the former landfill site as a possible location for installing a municipal solar energy system. rTerra determined the landfill cover was not adequate to support a solar energy installation and was then directed to conduct a second feasibility study on undeveloped land abutting the White Rock facility to the north. The site was

determined to be suitable and rTerra subsequently filed a combined Master Plan-Preliminary Plan application for a one (1) megawatt, 5.5-acre, 4,000 panel solar photovoltaic system installation on the site in April 2012. During public review the following month, the Planning Board denied the Master Plan's approval due to concerns regarding the appropriateness of that use on the property. Additional factors, including a need for additional screening, issues regarding wind-load requirements, and dissatisfaction with financial terms, resulted in the abandonment of the project shortly thereafter.

Subsection 7.5.1 – Net Metering

In March 2016, the Town issued a request for proposals (RFP) seeking to procure up to 100% of the nearly 4.1 million kWh of electricity used by the Town annually by contracting with a private renewable energy developer to provide electricity through the development of one or more renewable energy projects. The purpose of the RFP was to select a qualified third-party renewable energy developer who would successfully plan, permit, design, install, finance, operate, and maintain one or more renewable energy projects at no cost to the Town to build, commission, operate, and maintain (potentially excluding routine grounds maintenance).

The RFP was issued in recognition of the benefits and value of renewable energy projects as a means of stabilizing and reducing long-term electricity costs, reducing the Town's carbon footprint and its correlating impact on the environment and community and incorporating local economic development opportunities. The State has made significant improvements in the number and types of incentives and related policies which support the development of new renewable energy projects, particularly those which benefit municipalities through public-private partnerships. Therefore, renewable energy technologies which will be considered in the future are those consistent with RIGL §39-26-5:

- Solar PV or concentrated solar power
- Wind power
- Hydropower
- Biomass (in compliance with RIGL§39-26-2[6])
- Fuel cells (using resources listed above)
- Waste-to-energy (in compliance with RIGL §39-26-2[6])
- Geothermal

The location and/or site of the proposed projects is not limited to the Town but a description of the proposed net metering (including virtual net metering through a municipal collaborative) must be provided. The 2010 net metering RFP was Westerly's first major effort towards locally generated renewable energy.

Subsection 7.5.2 – Future Alternative Energy

While these attempts to establish a renewable energy system as a primary use on an undeveloped property have not moved forward, the Town has had success in smaller-scale approaches. A notable example of this was the installation of roof-mounted solar panels on the DPW headquarters facility. The community has the potential to meet future energy needs through adoption of small-scale energy generation. Westerly's sea breezes and sunlight duration are well-suited for wind and solar generation. The Town adopted regulations for wind energy systems in September 2006 and solar energy systems in March 2019. Along with regulating the types of wind and solar energy systems allowed, they also established standards for their design, installation, operation, and maintenance to protect public health and safety and to preserve historic, natural, and cultural resources.

Solar energy is currently being pursued as an alternative energy source in the Town. There have been several sites permitted through zoning in the last calendar year. Residents can additionally meet some or all of their energy needs through the installation of small-scale systems and both private and public facilities can benefit from roof-mounted solar generators. Recent technological advances in the generation of electricity using tidal currents to turn turbines, sometimes built into bridge and breakwater structures, show considerable promise for future energy generation. In the future, tidal turbines associated with breachways and coastal waters may offer a way for Westerly

and neighboring towns to generate electricity without the adverse effects associated with combustion. Similarly, new advances in the use of wave action to generate energy indicate there may be a potential for the Town to take advantage of its coastal location to help meet future energy needs. While these technologies are mostly in the prototyping phase in the United States, they are already in use in some foreign states for power generation. Westerly should monitor these technological advances and remain open to alternative approaches to power generation as they are further developed.

Section 7.6 – Communications

There are several telecommunications providers in Westerly whose services include land line telephones, cellular and mobile phones, and networking, including internet access. This is a dynamic market and new suppliers continue to be established at a rapid rate. Although no official survey has been conducted, cellular coverage is reported to be generally good except for some areas lacking service dependent upon the individual provider and location. Most telecommunications infrastructure in Westerly is overhead and physical telephone lines are owned by Verizon Communications, Inc. The Town also seeks to establish a Municipal Broadband Infrastructure Upgrade and Expansion project, which would develop a fiber optic infrastructure (transmitting information as light impulses through optical fibers) enabling the ability to receive fiber optic connection across the Town. Development of 5G (Fifth Generation Wireless) networks in the Town is also a consideration for the future. Next-generation integrated street poles containing small cell 5G/4G electronics may help meet coverage in urban areas. Especially given the current climate of virtual learning and remote working, faster internet speeds and reliable communications are essential for economic growth and development in the Town.

Section 7.7 – Electric Vehicles and Electric Charging Stations

Vehicles, vehicle maintenance, and fuel costs are an unavoidable budget expense for the Town of Westerly. For the State of Rhode Island, transportation is the most carbon-intense energy sector, accounting for approximately 40% of State-wide energy expenditures and 36% of greenhouse gas (GHG) emissions. While transportation is still heavily dependent on petroleum-based fuels, the adoption of electric vehicles and other clean transportation has obtained popular support.

The installation of electric vehicle (EV) charging stations can provide many benefits within the Town. Access to EV charging for the public, customers, visitors, and employees is not merely a convenience. Embracing EV is a very visible commitment to environmental sustainability, protection of natural and cultural resources, and quality economic development. According to Rhode Island Office of Energy Resources (OER), there are four (4) electric vehicle charging stations in Westerly – Ocean House in Watch Hill, Misquamicut State Beach, the Weekapaug Inn, and 249 Post Road. Bay Street and other roadways with on-street parking, such as those in Downtown, may also be ideal locations for installing electric charging stations to encourage the use of electric and hybrid vehicles.

The Electrify RI Electric Vehicle Charging Station Program launched on November 1, 2019. This $1.4m initiative is supported by the State of Rhode Island's settlement of a lawsuit with Volkswagen Diesel and is administered by the OER. The Program provides financial incentives to install EV charging stations at Rhode Island workplaces, multi-unit dwellings, non-profits, and government-owned properties. Incentives are available for both DC Fast Charge and Level II stations at publicly-accessible and non-public (e.g. a workplace gated parking lot) locations. The Town of Westerly will pursue opportunities to provide publicly accessible electric charging stations and local government workplace charging through the Electrify RI Program.

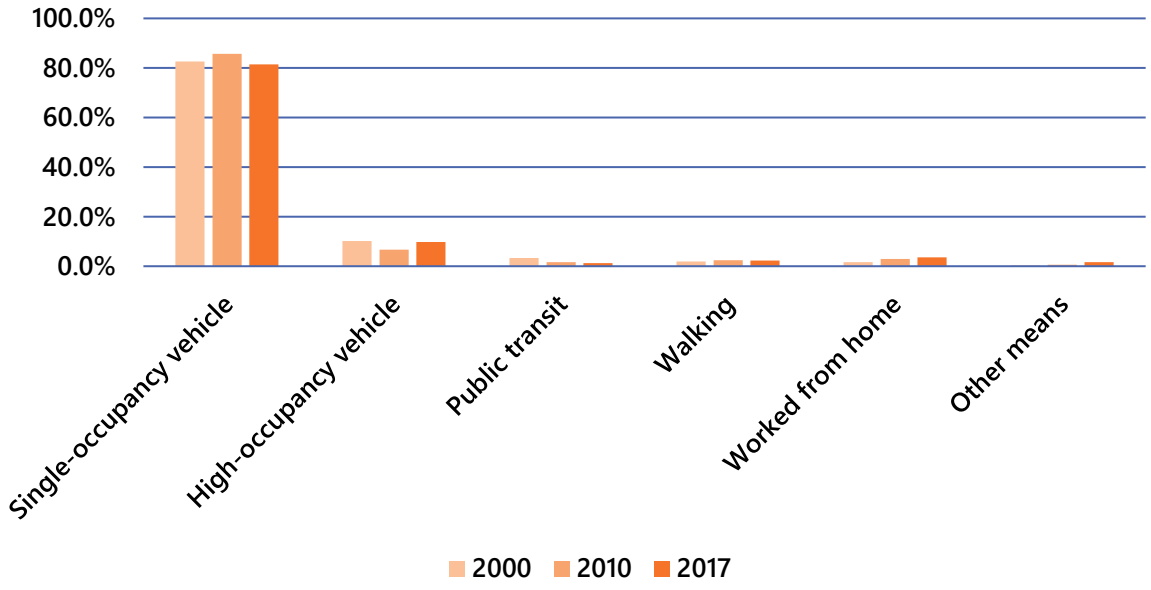
Chapter 8
TRANSPORTATION NETWORK

A transportation network has a major impact on the community it serves – defining community character, influencing affordability, and affecting public health. More fundamentally, though, a transportation network determines the ability for people and goods to enter, exit, and circulate within a defined place. This chapter covers the various elements contributing to Westerly's transportation network, including roadways, sidewalks and crosswalks, bike routes, air and rail services, boat launches and ramps, and public transit routes. Figure **Transportation (TRANS-M1)** offers a visual overview of these components through datasets contributed to and made available through RIGIS.

Section 8.1 – Roadways and Motor Vehicles

Like most communities in the US, the early development of the transportation network in Westerly considered several modes of travel including walking, biking, and public transit. Through the twentieth century, this original system was greatly transformed by the introduction and popularity of automobiles. As shown in Figure 8-1 below, the popularity of and reliance on motor vehicles has continued into the new millennium:

Figure 8-1 Means of Transportation to Work for Westerly Workers 16 years and over, 2000-2017



Source: 2000 US Census, 2006-2010 ACS five-year estimates, and 2013-2017 ACS five-year estimates

The largest single commuter group in Westerly is composed of those driving a motor vehicle alone to work. As such, Westerly has seen motor vehicle ownership increase steadily since at least 2000. In addition to the dominance of driving to and from work, the prevalence of automobiles is further indicated by the number of households with access to vehicles. Approximately 94% of households had access to a vehicle at the time of the 2000 Census, with 16.7% of households having three or more vehicles available. According to the 2013-2017 ACS five-year estimates, 93.3% of households had access to a vehicle and 19.2% had three or more vehicles available. This indicated that the number of total vehicles within the Town has increased since the turn of the century. Today, it is supported by a 219.7-mile network of public roadways maintained by RIDOT and DPW's Highways Division.

Subsection 8.1.1 – Functional Classification of Roadways

The Federal Highway Administration (FHWA) classifies roadways according to the function they provide and there are three major classifications of roadways and highways:

- Locals account for most roadways and limit vehicle traffic mobility to slower travelling speeds
- Collectors provide links between local roads and arterials as well as between different areas of a community, allowing vehicles comparatively greater accessibility and mobility than local roads; collectors are sub-classified as either major or minor
- Arterials provide the highest level of vehicle mobility due to high travelling speeds and larger traffic capacity meant for long distance, uninterrupted travel; arterials are also sub-classified as either principal (including interstate, other freeways and expressways, and other principal arterials) or minor

In Rhode Island, the functional classification system is prepared and maintained by the Rhode Island Statewide Planning Program in cooperation with RIDOT. There are 43.4 miles of arterials (6.2 miles of non-interstate freeways and expressways,10.5 miles of principal arterial roads, and 26.7 miles of minor arterials) in Westerly, as well as 18.8 miles of collectors (16.3 miles of major collectors and 2.5 miles of minor collectors), and 157.5 miles of local roads. Roadways are also further categorized locally as urban or rural, generally corresponding with the urban services boundary and the local history of development.

Route 78, also known as Westerly Bypass, serves as the longest arterial in Westerly and connects Connecticut to Westerly's beaches without disruption to local traffic in Downtown Westerly. Nearly all of Route 1, including Broad Street, Franklin Street, Granite Street, and Post Road, is a principal arterial which provides service through the central-southern portion of the Town and generally runs east-west. The scenic alternative to Route 1, Route 1A, also traverses the Town from east to west. It encompasses Beach Street, Elm Street, Shore Road, and Watch Hill Road and provides a collector route for traffic to and from coastal neighborhoods. Other arterials in Westerly include Route 91 (Oak Street and Westerly-Bradford Road) and Route 216 (Church Street and portions of Ross Hill Road). Route 3 begins on Grove Avenue as a principal arterial and continues to High Street and Ashaway Road.

Subsection 8.1.2 – Traffic Volumes and Safety

Input received from public meetings and focus group sessions held in conjunction with the preparation of this Plan indicated there are areas of Town that have long-standing concerns for residents regarding vehicle congestion. This issue peaks in the summer months when the year-round traffic volume is combined with the presence of seasonal residents and daily influxes of visitors. Significant congestion is particularly concentrated along those roadways providing access to the shoreline, such as Airport Road, Atlantic Avenue, Beach Street, Route 78, and Winnapaug Road. During summer weekends and holidays, Community Service Officers of WPD are commonly stationed at the intersections of Airport Road and Winnapaug Road and Atlantic Avenue and Winnapaug Road to direct and manage traffic. Notable year-round instances of traffic congestion may also be generated from Downtown Westerly as well as the community's five schools. New commercial developments can also pose additional traffic volume concerns.

Traffic congestion issues were previously addressed State-wide through a Congestion Management System (CMS) resulting from a 1997 plan. Routes 1 and 78 were both noted as part of the CMS and Route 1 was identified as experiencing congestion at that time. It was additionally forecasted to experience continued congestion as far out as 2025. Recommendations for improvements along Route 1 at that time included intersection improvements, signalization improvements, and access management. Some of these recommendations were realized near the Charlestown-Westerly line, with the installation of several traffic lights and turning lanes to enhance both traffic flow and safety. More recently, the Congestion Management Process (CMP) included as Appendix A to *Transportation 2037* identified Westerly's segments of both Route 1 and Route 78 as experiencing congestion in 2012, with congestion projected to continue until at least 2035.

From FY2017 to FY2018, decreases in the number of motor vehicle verbal warnings (20.4%), motor vehicle citations (20.5%), and vehicle collisions (11.3%) in Westerly were recorded by WPD. Since 2010, at least one fatality has occurred each year except in 2015 and 2018. WPD has initiated a traffic calming program managed by the Community Policing Division, which is forwarded all traffic complaints and concerns and then develops a plan to address the issue. Directed patrol, speed signs, electronic message signs, and public outreach are all utilized to achieve the desired results.

These improvements have been beneficial (as noted in the statistics above). Between 2014 and 2018, the number of individuals driving while intoxicated ranged between 79 and 116 and decreases were reported in the numbers of motor vehicle stops (21.9%) and erratic drivers (15.1%). Route 1 is a roadway which has experienced numerous collisions. The impact of autonomous vehicles (AVs) and other advances in vehicle technology is difficult to project. As of the date of this Plan's publication, the State government was one of fourteen with no legislation enacted or executive order issued for the appropriate, widespread use of fully-AV technology State-wide.

Subsection 8.1.3 – Motor Vehicle Parking

While most of the parking supply throughout Westerly is adequate for current and expected future needs, Watch Hill, Misquamicut, Shelter Harbor, and Weekapaug Fire Districts, as well as Historic Downtown Westerly are areas of concern regarding the availability of parking.

It can currently be estimated that Downtown Westerly is able to accommodate approximately 1,300 vehicles at any given time. This capacity is possible through a combination of on-street spaces, off-street parking lots, and one three-floor parking garage. The largest suppliers of parking are Ocean Community YMCA on High Street (a private parking lot reserved for members, though the YMCA has historically opened the lot to the public for downtown events), the Washington Trust Company on Broad Street (a two story garage, again privately owned and largely reserved for employees or clientele of the Washington Trust Bank), another lot owned by the Washington Trust Company on Main Street (leased by local restaurants for patrons and overflow for Bank employees), and the Town of Westerly parking lot off Union Street (with reserved parking for Town Hall staff, visitors to Town Hall, and Christ Church). A noteworthy amount of the off-street parking supply, however, is restricted for specific purposes. Following a successful petition in 2015 by the DBA and other downtown businesses, time restrictions for on-street parking and municipal lots were changed from a two-hour limit in place 9:00 a.m. to 6:00 p.m. on weekdays and Saturdays to a three-hour limit in place 9:00 a.m. to 5:00 p.m. every day.

Exploring opportunities for shuttle bus service, alternative parking facilities, developing traffic management, calming and parking plans and encouraging the growing trend of walking and biking, as well as use of taxi services, are some strategies which may assist in decreasing the demand for parking downtown. One taxi service, Wright's Oceanview Taxi, operated out of Westerly as of mid-2019 while additional taxi services and other ride-sharing and

networking services also operated in town at limited activity. Shared parking arrangements between day and evening uses and identifying properties which could provide additional parking would help to alleviate parking congestion. AVs may also come to alter current parking perceptions and configurations.

Parking in Misquamicut is an issue in the summer. While both Town beaches and Misquamicut State Beach provide on-site parking (the State beach alone has about 2,500 vehicle spaces), beachgoers often seek out parking at privately owned lots along Atlantic Avenue's commercial areas either due to cost or other lots being at full capacity. The primary cause for parking to be an issue in Watch Hill, like Downtown, is due to restrictions imposed on privately owned off-street lots. The area may thus benefit from the same strategies suggested for Downtown in the paragraph above.

Parking is an important concern for many residents and visitors, particularly in the downtown and coastal areas. Strategies to decrease demand for on-street parking in downtown may include encouraging walking and bicycling and exploring opportunities for shuttle bus service and/or other alternative parking initiatives. As the downtown continues to be re-energized and its most vital areas increase in popularity, people may be more willing to walk longer distances – particularly when opportunities exist for engagement with passive activities such as window shopping along the way. Parking shortages in other areas of Town also include Misquamicut and Watch Hill.

Section 8.2 – Public Transit Service

Public transportation is provided by the Rhode Island Public Transit Authority (RIPTA) throughout Rhode Island, including Westerly. Local service is limited with connections to Narragansett, Providence, Richmond, and South Kingstown through three different routes. Two operate each weekday and none operate on weekends. Americans with Disabilities Act (ADA)-compliant service is also available by request. Westerly Station serves as the Park-n-Ride lot for the route to Providence.

The first of the three (3) routes is the Westerly/Hope Valley Rural Ride Flex (301), which regularly operates each Friday and was established in November 2015. The 301 Flex route originates twice at Westerly Railroad Station and includes several stops in Westerly before continuing into neighboring Hopkinton and nearby Richmond. One additional trip originating in Richmond and terminating at Westerly Station is also scheduled. Table 8-2 overviews the stops included on this route, which takes a projected total of 78 minutes between Westerly Station and the Stilson Road/Stop & Shop stop in Richmond and averaged about eight riders each day the service was run in FY2019.

Table 8-2 Westerly/Hope Valley Rural Ride Flex Stops, 2016

Municipality	Stop	Street(s)
Westerly	Westerly Station	Railroad Avenue
	Downtown Westerly	Intersection of Broad/High/Main
	Westerly Senior Center	State Street
	Franklin Shopping Plaza	Franklin Street (Route 1)
	Wal-Mart	Post Road (Route 1)
	Village/Main	Intersection of North Main/Village
Hopkinton	Main/Champlin	Intersection of Champlin/Main
	Saugatucket Springs	Intersection of Clarke Falls/Main
	Wood River Health	Main Street
	Main/Spring	Intersection of Main/Spring
Richmond	Stilson/Stop & Shop	Stilson Road

Source: RIPTA, 2019

Westerly Flex (204) is a more regular route, operating Mondays through Fridays. As shown in Table 8-3, the 204 route originates at Westerly Station and terminates at Salt Pond Plaza in Narragansett, where riders may connect to the West Bay (14), University of Rhode Island (URI) / Galilee (66) and Narragansett Flex (203) routes. A total of 18,294 rides were taken in FY2019.

Table 8-3 Westerly Flex Stops

Municipality	Stop	Street(s)
Westerly	Westerly Station	Railroad Avenue
	Wal-Mart	Post Road (Route 1)
South Kingstown	Stedman Center	Tower Hill Road
Narragansett	Salt Pond Plaza	Point Judith Road

Source: RIPTA, 2019

RIPTA also operates a commuter-oriented bus route, the Westerly Park & Ride (95x), between Westerly and Providence, the State's capital and largest city. All buses used are equipped with bike racks to support multi-modal travel. Three morning trips, spaced 30 minutes apart, originate at Westerly Station and make several stops (overviewed in Table 8-4) along Interstate 95 before terminating at the Turk's Head building in Providence for a 75-minute projected duration. Three return trips are then operated in the late afternoon, with the same projected time duration. In FY2019, 21,810 total rides were taken on the 95x route.

Table 8-4 Westerly Park & Ride Stops

Municipality	Stop	Street(s)
Westerly	Westerly Station	Railroad Avenue
Hopkinton	Ashaway Park & Ride	Main Street
Richmond	Wyoming Park & Ride	Kingstown Road
West Greenwich	Exit 7|West Greenwich	New London Turnpike
Providence	Exchange Terrace	Exchange Terrace
	RI Convention Center	Sabin Street
	Empire & Westminster	Intersection of Empire/Westminster
	Weybosset & Eddy	Intersection of Eddy/Weybosset
	Turk's Head	Weybosset Street

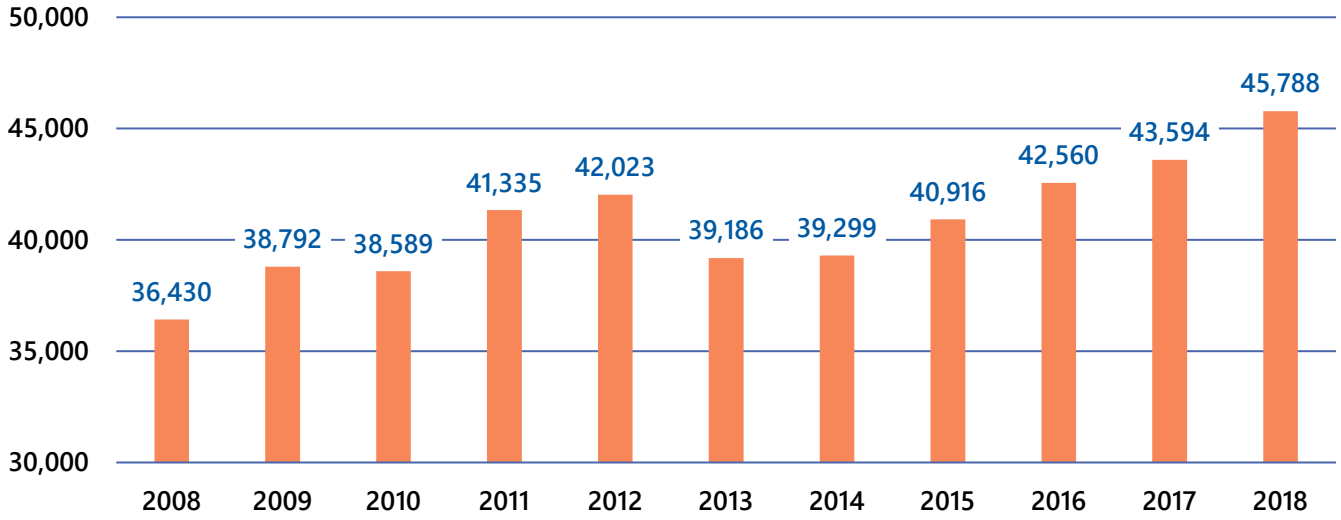
Source: RIPTA, 2019

RIPTA also provides ADA-compliant paratransit through the RIde program. Reservations need to be made at least one day in advance and rides are made available through either a van or taxicab. In addition to the RIde program, van services are offered through Westerly Senior Citizens Center and Pawcatuck Neighborhood Center. Through the strong economic and social connections between Downtown Westerly and the village of Pawcatuck in Stonington, Connect, many residents of the Town also are in proximity to Southeast Area Transit (SEAT) service, jointly governed by the Town of Stonington and seven other municipalities in New London County.

Section 8.3 – Rail Services

Westerly Station is located on Railroad Avenue between Downtown and the North End neighborhood. Built in 1912, it is today a stop on the most-heavily travelled railway line in the United States – the Northeast Corridor (NEC). Amtrak operates two services on the NEC, Northeast Regional and Acela Express and both offer passengers direct stops in major cities including Boston, New York, Philadelphia, and Washington. Figure 8-2 below shows the numbers of unlinked (defined as separating roundtrips [including layovers]) Amtrak ridership departing from and arriving at Westerly Station from 2008 to 2016.

Figure 8-2 Amtrak Ridership at Westerly Station, 2008-2018



Source: Rail Passenger Association Ridership Statistics, 2008-2018

As presented above, ridership at Westerly Station increased by 16.5% in the five-year period between 2014 and 2018. This rate was significantly higher than the ridership growth at Kingston Station (10.6%) in South Kingstown and slightly more than ridership at Providence Station (15.2%) as well. This level of activity is generally positive when considering the far greater number of trains which stop at both Kingston (169.5 thousand riders in 2018) and Providence (758.4 thousand riders in 2018) stations. Further, it may provide exploratory evidence to support a widely held interest in the Town for the extension of Shore Line East (SLE) and the Providence line commuter rail services.

Two ridership projections have been conducted for Westerly Station regarding commuter rail service -one in 1995, by Brown University and one in 2010 based on 2000 US Census data. A new study should take place to assess any changes in ridership and to provide new projections and any significant growth in potential ridership.

SLE service currently exists between New London and New Haven, Connecticut, where riders may then connect to New York via the New Haven Line of Metro-North Railroad, operated by the Metropolitan Transportation Authority (MTA). Growth in SLE ridership and public advocacy at a public hearing encouraged the Connecticut Public Transportation Commission to recommend service expansion to Westerly as soon as feasible in its 2015 Annual Report and Recommendations but noted the expansion was not the primary focus for ConnDOT.

RIDOT has also identified Westerly Station as suitable for commuter rail service due to its walkability and surrounding high density. Land Use 2025, Transportation 2035 and the Rhode Island State Rail Plan 2014 cite Westerly as a community to consider for future expansion. The rail line between New London and North Kingstown is the only segment of the NEC between Boston and New York currently not served by commuter rail. An extension

would allow Westerly to be a major commuter rail connection between New York and Boston, two of the country's largest metropolitan regions.

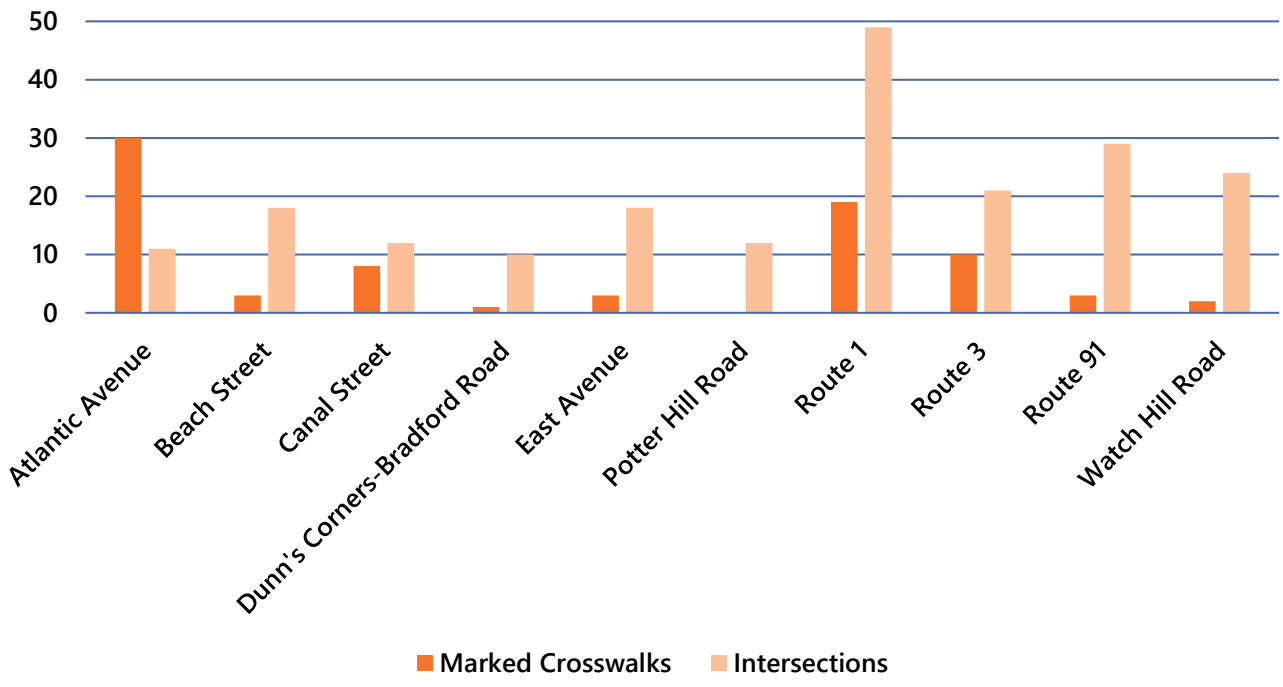
Westerly Station has also been an important component of the downtown revitalization project and in 2018, it was determined by *Evaluating the Potential for Transit-Oriented Development in Rhode Island,* prepared in partnership between Roger Williams University, GrowSmart RI, and Housing Works RI, to demonstrate some of the initial characteristics needed for transit-oriented development (TOD). Numerous community assets were identified within a half-mile radius of the train station and the population density within the same area equaled just under seven people per acre.

Westerly Station is one of the contributing elements to the historic fabric of the Historic Downtown District and an important connection to the transportation network in the region. In 2018, the waiting area of the Westerly Station was leased to the Artist Cooperative to create a temporary art gallery in the space. The Artist Cooperative intends to remain at the Westerly Station until renovations of the United Theater are completed, at which point the gallery plans to move back to its location adjacent to the Theater. Continued renovations of the Westerly Station, including construction of an ADA accessible tunnel that is currently underway, will provide improved ridership and accessibility for all members of the public.

Section 8.4 – Pedestrians and Walkability

Pedestrian infrastructure in Westerly, while located throughout the community, is less extensive than its vehicular counterpart. Figure 8-3 below is evidential of this, showing a comparison between the number of marked crosswalks and vehicle intersections on major roadways throughout the Town.

Figure 8-3 Marked Crosswalks and Intersections on Select Roadways, 2019



Source: Town of Westerly, 2019

While motor vehicle operation is the dominant means of travel in Town, walking is steadily becoming a more viable option for residents as they seek a more active lifestyle and the Town seeks to build upon its strong pedestrian infrastructure established prior to the automobile. Downtown, Misquamicut and Watch Hill areas are

arguably the most walkable neighborhoods in Westerly due to their historical development and roles within the community.

These places share many of the characteristics often cited as contributing to a walkable environment, including a mix or concentration of residential and commercial uses, greater population density, and human scale development practices (such as shorter setbacks, hidden parking lots, and aesthetic features) which together allow shorter walking distances and more attractive areas to observe while walking.

The Town has adopted several ordinances to better ensure the safety of those who walk. Arguably the most prominent of these is the required removal of all snow and ice from sidewalks within the first twenty-four hours following the end of any accumulation of winter precipitation. In 2018, 109 code violations were issued concerning inadequate sidewalk clearing by adjacent property owners.

Several streets have recently received or will be receiving improvements to their pedestrian infrastructure or streetscaping in the near future through municipal funds. These include Chestnut Street, Greenman Avenue, Main Street, Pearl Street, and Spray Rock Road. Improvements to several more streets in the North End and Granite Hill will be funded through the federal CDBG program and are expected to occur in spring 2021.

In May 2017, the Town was awarded a Main Street Rhode Island Streetscape Improvement grant to rehabilitate deteriorated sidewalks and install crosswalk access points compliant with Americans with Disabilities Act requirements along High Street, the main roadway in Downtown Westerly. One result from the funding award has been the elimination of parking spaces in advance of marked crosswalks to provide motor vehicle operators greater visibility of pedestrians.

The Bay Street Streetscape Improvements project consisted of reconstruction of the roadway and sidewalks for the entirety of Bay Street and approximately half of Larkin Road, both located in the village of Watch Hill. The proposed sidewalk improvements were compliant with the American Disabilities Act requirements and were funded by the State Transportation Improvements Program. Work began in autumn 2018 and completed in summer 2019. The Town also made further sidewalk and roadway improvements along the remainder of Larkin Road and on a portion of Bluff Avenue in 2019. Surface and emergency access improvements are also planned for a public right-of-way located along Bluff Avenue that provides walking access to the East Beach.

The Town has contracted with an engineering consultant for design of ADA-compliant sidewalks along an approximately one-mile long portion of Church Street (State Route 216), where sidewalks are in deteriorating condition. The Town also intends to proceed with an annual program for sidewalk saw cutting that will address sidewalk tripping hazards throughout the Town.

Public safety for sidewalk users remains a common concern, however. Many sidewalks are narrow and in poor condition and the clearing of snow and ice accumulation in the winter months is often insufficient. Continued enforcement of sidewalk clearing and funding for the maintenance and expansion of pedestrian infrastructure will be important aspects contributing to Westerly's progress towards being a more walkable community.

Section 8.5 – Cyclists and Bikeability

In an effort to promote biking (which also works to improve public health, reduce traffic congestion and subsequent air pollution) as a more viable travel option, the Town has endorsed a regional approach to the construction and financing of a safe bike network that serves the recreational and transportation needs of residents and visitors. Rhode Island's small size allows Westerly residents convenient access to the State's eight off-street recreational bike paths, including the 7.8-mile William C. O'Neill Bike Path (more commonly known as the South County Bike Path) that extends from South Kingstown to Narragansett.

Westerly currently shares a goal with South Kingstown and neighboring Charlestown for establishing a continuous bikeway which would become part of RIDOT's bike network and may serve, in part, as a segment of an off-street East Coast Greenway. This greenway is a planned bike interstate connecting Florida and Maine. Previously, cross-community collaboration occurred with a Shoreline Bikeway Report submitted by the Town of Charlestown to

RIDOT as part of the 2003-2005 Transportation Improvement Program (TIP) which proposed a signed bike route along four roadways between Charlestown and Westerly. Following this and other efforts, RIDOT established a signed on-street bike route system across southern Rhode Island which includes several roadways in the eastern portion of Westerly – Bradford Road, Church Street, Dunn's Corners-Bradford Road, Langworthy Road, and Ross Hill Road.

The 2007 *Bicycle and Pedestrian Facilities Study and Development: Shoreline Bikeway* prepared for Westerly and Charlestown noted a recommendation not to designate the segment of the proposed Shoreline Bikeway – Post Road (Route 1) from the Charlestown-Westerly municipal boundary to the intersection of Post Road and Shore Road and from that intersection to the intersection of Shore Road and Winnapaug Road – through the installation of signage. Experienced bicyclists had indicated they would not likely make efficient use of indirect paths and driving statistics collected for the study presented safety concerns. More recently however, Westerly's Bike Path Study Committee was working to establish a bike path generally aligning with Shore Road, Atlantic Avenue, Weekapaug Road and Winnapaug Road. A Feasibility Study for the Misquamicut Bike Path was completed in May 2018, shortly after re-establishing the study committee as the Bike Path and Cycling Advisory Commission.

In 2018, the Westerly Downtown Bike Loop was also established which involved the installation of posted signage and surface markings on several roadways in Downtown Westerly and its immediate surroundings. Bike parking is also available in Downtown Westerly through five bike racks: –one at Westerly Library, one at Wilcox Park's northwest entrance, one at the Ocean Community YMCA, one at Westerly Station, and one at Remy's Cycle. Possible locations for expanding the availability of bike parking include Westerly Town Hall, the US Post Office, and other key sites.

In 2017, the League ranked Rhode Island 22nd out of all states for its bicycle friendliness. Among five categories, the State earned its highest rank for education and encouragement (21st) while its lowest rank was in evaluation and planning (33rd). Overall, this was an improvement from the 2015 report in which Rhode Island ranked 26th.

Section 8.6 – Transportation Improvements

The Engineering Division has been proactive in designing and implementing programs for the rehabilitation and maintenance of local bridges, roadways, and sidewalks. There is a comprehensive pavement management plan that determines specifically where money is to be used for resurfacing of roadways and there also is bond money available for roadway reconstruction, roadway drainage, and overall improvements to Town roads.

Transportation projects which seek federal funding are required to be included in the State Transportation Improvement Program (STIP), which is adopted by the State Planning Council at a required minimum of every four years.

The STIP is proposed to cover federal fiscal years 2017 through 2025, to align the asset management-based system to which the State is currently shifting. There were 21 projects in Westerly requested for inclusion in the FY2017-2025 STIP. Of these, 10 were designated for funding in an April 2016 status report:

- Cross Street (Main Street to Granite Street) pavement capital program (FY 2017)
- Granite Quarry Bridge (Route 78 West bypass at Route 3) capital project (FY 2017)
- Guardrail and median improvements to Route 1 (FY 2017)
- High Street Railroad Bridge capital project (FY 2017)
- Safe Routes to School infrastructure improvements for State Street Elementary School (FY 2017)
- Potter Hill Road (High Street to Hopkinton town line) pavement capital program (FY 2019)
- Bay Street streetscape improvements transportation alternatives program (FY 2019)
- Route 78 (Route 1 to Connecticut state line) pavement capital program (FY 2022)
- Route 1 (Robin Hollow Road to Prosser Terrace) pavement capital program (FY 2023)
- Route 1 (Tower Street to Route 78) pavement capital program (FY 2024)

Several of these projects, as well as other transportation projects, have been completed as of the date of this Plan, and other projects are still being considered. The reconstruction of the entirety of Cross Street was completed in 2017 and the Friendship Street reconstruction as completed in 2019. The Bay Street Streetscape Improvements project began construction in Fall 2018 and was completed in 2019. This project was the result of a public-private partnership between the Town, the Watch Hill Fire District, and the non-profit organization the Watch Hill Conservancy. Resurfacing of several sections of Canal Street were completed over the course of several years preceding this Plan, the most recent of which was resurfacing of Upper Canal Street (White Rock Road to Potter Hill Road) in autumn 2019. Other projects being considered by the Town include reconstruction of School Street, road reconstruction and drainage improvements on Pasadena Avenue and Breen Road, a feasibility study for reconstruction of Atlantic Avenue, and various sidewalk and drainage improvements on local roads. An application was submitted in 2020 for a RIDEM Climate Resilience Grant to raise Atlantic Avenue along Winnapaug Pond in anticipation of sea level rise; however, the project was not selected as one of recipients of the grant. An engineering study began in Spring 2019 for reconstruction of School Street, with bidding scheduled for fall 2020, and construction is anticipated to begin in spring 2021. The Town is currently developing a proposal with an on-call engineering consultant for evaluation and redesign of Breen Road and Pasadena Avenue. Initial drainage improvements in this area were implemented in August 2020. The Town recently completed drainage, paving and sidewalk repair on Broad Street, Main Street, High Street, and Canal Street.

The Engineering Division implements programs for the rehabilitation and maintenance of local roads and bridges which support the community's transportation network, including a Guardrail Replacement Program, Pavement Management Program, Street Improvement Program and Sidewalk Replacement Program. The Pavement Management Program was established to determine specifically where funding is to be used for performing resurfacing of roadways. A $15 million bond referendum was approved in November 2018 and will be used to facilitate improvements to roads across the Town between 2019 and 2021, including the reconstruction of Boombridge Road bridge. The Town is working in coordination with the State of Connecticut, the State of Rhode Island, and the Town of North Stonington for reconstruction of the Boombridge Road bridge, which began in March 2020 and is anticipated to be completed by November 2020.

Section 8.7 – Water and Waterfront Access

The Pawcatuck River (which serves as the southernmost portion of the Connecticut-Rhode Island state boundary) and its estuary are under the jurisdiction of an RICRMC SAMP adopted in July 1992 and developed to provide a consistent, ecologically-based policy framework for decisions involving the use of the estuary's resources.

The State provides access to the Pawcatuck River at four locations in Westerly, two of which are hand carry boat launches and two are boat ramps, which include Bradford Landing, Post Office Lane (near Potter Hill Dam), Main Street RIDEM ramp, and an RICRMC designated right-of-way located off Avondale Road.

The Town has made many efforts to further connect its residents and visitors with its waters including the acquisition of 27 acres of tidal marsh adjoining Winnapaug Pond on the north side of Atlantic Avenue and a parcel on Main Street next to the sewer treatment plant. A third acquisition was a seven-acre parcel adjacent to land leased by the Town of Westerly to Westerly Marina. During the marina's operating season, the boats of Town residents can be launched there under that lease agreement between the marina's owners and the Town of Westerly. In addition to river access, there is a boat ramp across from the DPW facility on Larry Hirsch Lane to access Chapman Pond.

In October 2018, the Town Council adopted the Westerly Harbor Management Plan after several years in development. The Harbor Management Plan is intended to help manage the growing activity within the Pawcatuck River, its estuary, and Little Narragansett Bay and identified a total of 224 docks, 781 slips, and 336 moorings in the Town's waters. Revisions to the Harbor Management Plan were subsequently adopted in October 2019 following the adoption of a Chapter 86 to the Code of Ordinances, the hiring of an interim Assistant Harbor Master, and implementation of a mooring registration program.

Section 8.8 – Air Service

"WST" (Westerly State Airport), located on Airport Road, is operated by the Rhode Island Airport Corporation (RIAC) and serves corporate aviation and air passenger services, as well as aircraft maintenance and repair. In addition to general aviation which includes recreational flight, corporate and business flight and flight instruction, WST serves as the mainland base for the only regularly scheduled commercial flights to New Shoreham, RI (a/k/a Block Island) via New England Airlines. WST is classified as a commercial service airport due to annual passenger enplanement numbers above 2,500.

The Rhode Island Airport System Plan (State Guide Plan Element 640) was adopted by the State in September 2011 to address the six existing State airports within Rhode Island. The Plan defined Westerly Airport's future role as being general aviation/commercial service and projected total operations (the number of takeoffs and landings) to be between 18,500 and 29,700 in 2021, depending on the projection used for future growth. An issue regarding the future of the airport is the fact that the airport is largely surrounded by existing commercial and residential development which presents safety concerns. The plan proposed six goals for recommended facility and service improvements—obtaining easements and clearing obstructions, updating the Master Plan, improving security fencing and lighting, constructing an operations/maintenance building, providing T-hanger storage and providing corporate hanger storage—were included in the plan along with a separate goal to maintain commercial service between Westerly and Block Island. A sample survey of pilots using WST indicated the three primary needs at the airport included a restaurant, ground transportation, and a precision/instrument approach.

The 2013 Rhode Island Airport Land Use Compatibility Guidebook cited 20,528 operations at WST in 2009—a 33.3% increase from the 2006 estimate (15,400)—and noted passenger boardings in certain years may be in excess of 10,000. Most private aircraft activity occurs throughout the summer months due to the seasonal increase in residents and visitors.

In 2016, RIAC published the Aviation System Plan Update which was intended to provide more recent data on airport operations than the 2011 plan. According to the 2016 update, operations at WST had dropped from 2009 to 11,518 in 2014. Based upon the 2014-2040 Terminal Area Forecast (number of operations forecast by 2035 would be 12,525, an increase of 8.7% over a period of 21 years.

The community will continue to provide input on the scope and scale of airport operations, but RIAC has the responsibility to ensure the safety of airport operation. The preservation of safe airspace is a necessary component of safe airports. Safe airports require land be designed and set aside for the approach, landing, and taking-off of aircraft as defined by the Federal Aviation Administration and Code of Federal Regulations in Title 14 CFR Part 77 – "Safe, Efficient Use and Preservation of the Navigable Airspace". The objective is to develop effective and realistic land-use compatibility guidelines that satisfy local zoning ordinances and protects the safe and effective operation of the airport. Successful land-use compatibility with the airport requires continuous communication and coordination between the Town of Westerly, the FAA and RIAC.

Chapter 9
NATURAL HAZARDS AND RESILIENCY

Like the comprehensive plans of all other Rhode Island communities, this Plan must include an identification of areas that could be vulnerable to the effects of sea-level rise, flooding, storm damage, drought, and other natural hazards. Goals, policies, and implementation techniques must also identify what would help to avoid or minimize the effects that natural hazards pose to lives, infrastructure, and property.

This chapter provides a comprehensive overview of how various natural hazards, such as flooding, high wind, and changes in the climate, can impact Westerly. In this chapter, natural hazards will be ranked in order of priority based on their frequency of occurrence and area affected. The information provided also attempts to put the likelihood of an event occurring into perspective; recognizing that, although some events may occur more often, their impacts are less severe than events that may occur infrequently.

Identifying the risks and vulnerabilities of Westerly to natural hazards is the primary factor in determining how to allocate finite resources and to determine what actions are feasible and appropriate to address those vulnerabilities. The analysis involves identifying all the hazards individually to determine the degree of threat that is posed by each. Addressing these risks and vulnerabilities proactively will reduce the community's exposure to natural hazard impacts. Hazard mitigation is a sustained action taken to permanently reduce or eliminate longer term risks from the effects of natural hazards to vulnerable elements of the environment, people, and property. Resiliency is a fundamental concept within hazard mitigation strategies, being the ability to both withstand and quickly recover from the hazards listed below in Table 9-1 and the ensuing narrative.

Section 9.1 – Overview of Natural Hazards

The Town's Hazard Mitigation Committee reviewed many hazards impacting the local natural environment as part of the local Hazard Mitigation Plan update completed in early 2018. The hazards presented and analyzed in this Plan are included for a variety of reasons, including the historical prevalence and repetition of past events, the projected impacts of future events produced by models such as Sea, Lake, and Overland Surges from Hurricanes (SLOSH) and Flood Insurance Rate Maps (FIRMs), and their inclusion in the Rhode Island State Hazard Mitigation Plan (SHMP).

Table 9-1 Hazards

Wind-related	Winter-related	Flood-related	Geological-related	Others
Storm surge	Snow	Riverine flooding	Earthquakes	Wildfires
Tropical cyclones	Ice	Flash flooding		Droughts
Tornadoes	Extreme Cold	Coastal flooding		Extreme heat
High winds		Climate change and sea level rise		
		Coastal erosion		
		Dam breaches		

Source: SHMP, 2014

As presented above, many of the most prevalent hazards are storm events. The Town experienced historic flooding in spring 2010, Hurricane Irene in summer 2011, Superstorm Sandy in autumn 2012, and blizzards in the winters of 2011 and 2013. These storms all caused significant damage in Westerly.

Figures **Natural Hazards and Mitigation (HAZ-M1)** and **Storm Hazards (HAZ-M2)** depict several components of the Town's infrastructure, including dams, electric transmission lines, public facilities, and other facilities related to emergency management and sewer pumping stations. It also shows these components in relation to those areas of the community which are at greatest risk of impact from a natural hazard, primarily a major storm or flooding event. These areas include the coastline of Block Island Sound, the banks of the Pawcatuck River, and the wetlands within the center of the Town. Most of the information presented was made available by RIGIS datasets contributed by several departments of the State, URI, FEMA, and the United States Army Corps of Engineers (USACE).

Subsection 9.1.1 – Storm Surge and Wind

Due to Westerly's oceanfront location, many of its developed areas are susceptible to water and wind-related damage. Areas that have historically suffered damage from storms include Misquamicut State Beach and Westerly's two municipal beaches, all located directly on the coast. Additionally, Watch Hill, located in the southwestern portion of the Town, is situated on an exposed peninsula bounded by the open ocean and Little Narragansett Bay. A particularly susceptible area of Watch Hill is the Napatree Point Conservation Area, which is a sandy spit that extends westward from Watch Hill's commercial zone. Other areas prone to wind damage include Shelter Harbor and Weekapaug.

Hurricane and gale force winds and storm surges can also cover roadways with debris, making them impassable to conventional vehicles and presenting potentially dangerous situations for any person requiring immediate medical attention. This susceptibility was presented in the aftermath of Hurricane Sandy when a large segment of Atlantic Avenue, located on a spit between Block Island Sound and Winnapaug Pond, was buried under four feet of sand.

Subsection 9.1.2 – Tropical Cyclones

Tropical cyclones, a general term for tropical storms and hurricanes, are low pressure systems that usually form over the tropics. The Rhode Island shoreline faces south, so storms passing to the west raise the highest storm surges for the State. In addition, Little Narragansett Bay can funnel storm surge northward into the narrower Pawcatuck River, which subsequently amplifies the surge height.

Notable impact areas in Westerly include the coastal barrier beaches that separate the salt ponds from Block Island Sound and lands directly abutting the salt ponds to the north. These areas are all within the Special Flood Hazard Area (SFHA), meaning they are subject to inundation by a 100-year flood event. In some areas, they are also subject to storm-induced waves and their associated velocity wave action. Other areas of concern include low-lying portions of Watch Hill and properties along Shore Road.

The most recent hurricane to strike Westerly and much of the eastern seaboard was Superstorm Sandy in October 2012. Despite being reduced to tropical storm status by the time it reached the northeastern US, Rhode Island and, most notably, Westerly still experienced a great deal of damage from the storm. Rhode Island sought and received a federal emergency declaration from the federal government prior to the storm to ensure access to federal assistance would be immediately available for the recovery effort. In its aftermath, Sandy left over 122,000 people in Rhode Island without power and required $39.4 million in support from federal disaster relief programs. Other notable tropical cyclones to impact the Town were the Great September Gale of 1815, the 1938 New England Hurricane, Hurricane Carol in 1954, and Hurricane Bob in 1991.

Subsection 9.1.3 – Tornadoes

A tornado is a violently rotating column of air in contact with and extending between a cloud and the surface of the earth that is considered a low frequency, high-impact event. Winds in most tornadoes do not normally surpass 100 miles per hour but can exceed 250 miles per hour in the most extreme and least frequent cases. Tornado paths typically range between 300 feet and about 2.5 miles but, in the most extreme cases, can extend over 50 miles.

The central part of the US between Texas and North Dakota is informally known as Tornado Alley for its high tornado activity in comparison to the nation. Rhode Island falls well outside of this region, but tornadoes may still occur locally at any time. This situation may be more dangerous than for Tornado Alley because Rhode Island residents do not expect severe tornadoes and are ill-prepared to respond to such an event. One tornado was recorded in Rhode Island by the National Oceanic and Atmospheric Administration (NOAA)'s 2018 Annual Severe Weather Report Summary.

Subsection 9.1.4 – Thunderstorms

Thunderstorms are formed when moisture combines with rapidly rising unstable warm air and can occur at any time but are most common during summer afternoons and evenings in conjunction with a weather front. The National Weather Service (NWS) classifies a thunderstorm as severe if it produces hail at least one inch in diameter, winds of at least 58 miles per hour, or a tornado. NOAA reports that there are approximately 100,000 thunderstorms annually in the US, including about 10,000 severe thunderstorms.

In general, buildings are more likely to be struck by lightning if they are located on high ground or if they have tall protrusions, such as steeples or poles. Electrical-based utilities are also vulnerable to direct lightning strike and damage to them has the potential to cause power outages for businesses, residents, and critical facilities.

Subsection 9.1.5 – Winter-related Hazards

Westerly's location on Rhode Island's south coast results in it having a maritime climate that is cooler in the summer and warmer in the winter than much of New England. As a result, Westerly experiences less snowfall than

landlocked communities to its north and west. Nevertheless, Westerly is still susceptible to winter weather because of its geography.

The most common winter-related hazard is heavy snow, which is generally defined as an accumulation of more than six (6) inches in less than 24 hours. In these events, communities can be brought to a standstill by inhibiting travel and by causing collapses of trees, utility lines, and buildings due to the weight of the snow. In certain cases, snowfall may combine with sustained winds to also result in reduced visibility. When winds of 35 miles per hour or greater are sustained for at least three (3) hours and cause visibility to be less than a quarter-mile, NOAA identifies the event as a blizzard.

Another serious winter-related hazard is ice, which occurs when a critical nucleus of molecules crystallizes in liquid water in response to a freezing temperature and expands to encompass nearly the entire body, regardless of size. A very thin layer of liquid sometimes remains on the ice's surface and usually forms as the air temperature rises, resulting in the slippery condition that causes it to be hazardous. Ice storm occurs when freezing rain results in an accumulation of at least a quarter-inch of ice and it has similar, but often more severe, results compared to heavy snow due to the more concentrated weight of the ice.

Subsection 9.1.6 – Flood-related Hazards

NFIP's primary definition for flooding is:

> "A general and temporary condition of partial or complete inundation of 2 or more acres of normally dry land area or of 2 or more properties (at least 1 of which is the policyholder's property) from: overflow of inland or tidal waters; or unusual and rapid accumulation or runoff of surface waters from any source; or mudflow"

By their very nature, floodplains are the low, flat, periodically flooded lands adjacent to rivers, lakes, and other water bodies and watercourses that are subject to geomorphic and hydrologic processes. It is only during and after major flood events that the connections between a river and its floodplain becomes more apparent. These areas form a complex physical and biological system that not only supports a variety of natural resources but also provides natural flood and erosion control. In addition, the floodplain represents a natural filtering system, with water percolating back into the ground and replenishing groundwater.

In Westerly, the SFHA generally identifies the areas most susceptible to flooding and is composed of several flood zones that offer greater detail on the potential hazards. Zone VE designates areas along coasts subject to inundation by a 100-year flood event in addition to storm-induced velocity wave action. Zone V designates areas along coastline subject to inundation by the 100-year flood events and additional hazards associated with storm-induced waves; however, unlike Zone VE, no base flood elevations are described. Both Zones V and VE require mandatory flood insurance for federally backed mortgages. The coastal barrier beaches that separate the local salt pond region from Block Island Sound and the land directly abutting the salt ponds to the north are designated Zone VE. Other Zone VE locations include Napatree Point, Watch Hill Point, and portions of Weekapaug to the south of Wawaloam Drive and Ninigret Avenue. Along with the damages caused to the built environment, coastal flooding can also cause coastal erosion.

Zones A, AE, AH and AO are also subject to inundation by a 100-year flood event and require mandatory flood insurance for federally backed mortgages but are also susceptible to shallow flooding from ponding and/or sloping terrain. Zones A and AE are more expansive than Zones V and VE and include low-lying portions of Watch Hill, portions of Misquamicut located inland from the coastline, and many properties along the Pawcatuck River, Chapman Pond, and Aguntaug Swamp. Zone X exists outside the SFHA and is designated for areas subject to flooding by severe, concentrated rainfall coupled with poor drainage systems. A shaded Zone X indicates land subject to a 500-year flood event and unshaded Zone X indicates lands only subject to flooding in instances less frequent than a 500-year flood event.

In 1982, the United States adopted the Coastal Barrier Resources Act (CBRA) to establish the John H. Chafee Coastal Barrier Resources System (CBRS). The CBRS is comprised of several coastal areas along the Atlantic (including the Gulf of Mexico and the Caribbean Sea) and Great Lakes shorelines of the United States - designated in the CBRS as units - which buffer inland areas from storm surge and heavy winds and often support significant bio-diversity. While private development is allowed in CBRS units, federal expenditures and federal financial assistance for developments are prohibited. This means, among other restrictions, a structure built in a CBRS unit is ineligible for flood insurance and cannot receive funds from the Federal Emergency Management Agency (FEMA) for elevation, rehabilitation, or reconstruction. The CBRS units existing in the Town of Westerly are available for you to view as maps on the Town's website.

While riverine flooding in Westerly is a typical by-product of coastal storms, it can also occur during late winter and early spring due to melting snow and ice as well as seasonal precipitation. These flood conditions are exacerbated by constrictions of movement that can occur when large amounts of ice, debris, and/or fallen trees are obstructed by bridge piles or low-lying bridge decks. There are 12 bridges crossing the Pawcatuck River that connect Westerly to surrounding municipalities and several date to a period before structures were designed to pass floodwaters from a 100-year storm event. The collapse of one of these structures could cause a downstream catastrophe if a flood surge, laden with debris and other objects, piled up against a dam or bridge abutments further down the River. The Stillmanville Bridge is a structure vulnerable to flood events and debris buildup, for example, because of the location of the supporting columns within the middle of the River.

In 1978, 1982, and 2010, heavy rains caused the Pawcatuck River to overflow its banks. In the 2010 event, the floodwaters lasted nearly two weeks (from March 30 to April 12) and caused road blockages along Canal Street and on Route 91 between Downtown Westerly and Bradford. Marine transport became the sole mode of travel for residents living to the east of Chapman Pond to schools, grocery stores, and pharmacies. The flooding along Canal Street caused a complete failure of the National Grid substation (now demolished) that disabled power throughout the North End. Several businesses experienced severe water damage and one commercial building suffered a partial collapse. In Westerly, a mile of train track was inundated, resulting in a suspension of Amtrak services.

Subsection 9.1.7 – Coastal Erosion

Coastal zones are dynamic areas constantly undergoing change in response to multiple, simultaneously occurring factors including sea level rise (SLR), wave and current patterns, and human influence. High winds and flooding from storm events such as hurricanes and nor'easters further increase the local risk of exposure to potential loss of life and property damage ranging from thousands to millions of dollars. In addition to the natural events that cause erosion, human impacts are also affecting and accelerating erosion rates.

The beaches, barrier spits, and coastal bluffs of Rhode Island are vital economic, environmental, and cultural resources. A wide, healthy sand beach provides protection against the effects of storm surge, coastal flooding, and high surf impacts. The beach and barrier environment provide habitat for marine and terrestrial organisms with beach dependent life stages and are home to species of indigenous and endemic Rhode Island plants. Beaches, barrier spits, and coastal bluffs are also the basis for the tourism industry, exceeding by a factor of three (3) all other industries combined in terms of direct revenue to the State.

The headlands and barrier beaches of the south shore, ranging from Watch Hill in Westerly to Point Judith in Narragansett, are generally eroding at a higher rate than other shorelines along the Rhode Island coast. According to the Rhode Island Sea Grant program, East Matunuck State Beach, Misquamicut State Beach, and South Kingstown Town Beach combined lost over 400 feet of beach combined from 1974 to 2014, in comparison to 250 feet lost on average for Rhode Island's total coastline from 1964 to 2014. Of the six shoreline types found in Rhode Island, beaches and barrier spits are the most susceptible to erosion. About seven of Westerly's nine miles of coastline are comprised of these unconsolidated sediments, with the exceptions being rocky headlands located at Watch Hill Point and Weekapaug Point.

Coastal erosion threatens both waterfront property and fragile shoreline habitats and can occur even during moderate coastal storms. In addition, the predicted increase in global SLR will exacerbate coastal erosion as traditionally lower intensity storms cause greater amounts of damage and flooding than their historic counterparts. Westerly is composed of headland beaches and barrier beaches, which experience erosion at different rates. The average coastal erosion rate in Rhode Island, as identified in the Town's Hazard Mitigation Plan, is 1.6 feet per year. According to the Shoreline Change SAMP, the sea level at the Newport tide gauge has risen 10 inches from 1930 to 2017 and nearly 1.7 feet of additional SLR is projected to occur between 2017 and 2030 with an 83% confidence interval. Figure **Sea Level Rise Hazards (HAZ-M3)** better visualizes the impact of SLR locally by showing areas of the Town that would become permanently submerged due to one (1) foot, three (3) foot, and five (5) foot increases in sea level. As SLR increases, storm surges and waves will extend further inland and flood greater quantities of homes, businesses, and roadways. Figures **Sea Level Affecting Marsh Model 1' Sea Level Rise (HAZ-M4)**, **Sea Level Affecting Marsh Model 3' Sea Level Rise (HAZ-M5)**, and **Sea Level Affecting Marsh Model 5' Sea Level Rise (HAZ-M6)** show the Sea Level Affecting Marshes Model (SLAMM), which indicates potential impacts of these same increases in SLR on wetlands and shorelines.

The vulnerability of many of Rhode Island's beaches and shoreline areas to coastal erosion and flooding tends to increase dramatically as manmade structures can be built along the shoreline, thus impeding the natural, dynamic system of the beach. Coastal armoring, such as the construction of jetties, may serve as protection for individual private properties but it severely impacts sediment deposits from occurring elsewhere along the shoreline and ultimately accelerates erosion activity which reduces the effective life of the coastal armoring.

Superstorm Sandy caused significant erosion to beaches and dunes in Misquamicut. In the following year, with assistance from the USACE, the Town began a project to repair the damage on the beach caused by the storm through a sand replacement project. A significant portion of the sand, unfortunately, washed out to sea in succeeding years. The most significant local example of the impact of coastal erosion diminishing or resulting in the loss of beach area, though, is Sandy Point. In 1938, Sandy Point was permanently severed from mainland Rhode Island as a result of the high winds and storm surge resulting from the 1938 New England Hurricane.

Subsection 9.1.8 – Dam Breaches

Dam failures can result from natural events, human-induced events, or a combination of the two. The most common cause is overtopping, which occurs when a dam's spillway capacity is exceeded and portions of the dam that are not designed to convey flow begin to pass water, erode, and ultimately fail. Other causes of dam failure include design flaws, foundation failure, internal soil erosion, inadequate maintenance, or mis-operation. Complete failure occurs if internal erosion or overtopping results in a complete structural breach, releasing a high-velocity wall of debris-laden water that rushes downstream, damaging or destroying everything in its path. As noted previously, an additional hazard concern is the cascading effect of one dam failure causing further structural failures downstream due to the sudden release of flow.

Dams are classified by RIDEM in terms of size and hazard risk. The size classification is composed of three categories – small, medium, and large – and is based on the storage capacity and height of the impounded water. The hazard classification relates to the probable consequences of failure or mis-operation of the dam are defined in the Rhode Island Dam Safety Regulations as follows:

- **High Hazard** means a dam where failure or mis-operation will result in a probable loss of human life,
- **Significant Hazard** means a dam where failure or mis-operation results in no probable loss of human life but can cause major economic loss, disruption of lifeline facilities, or impact other concerns detrimental to the public's health, safety, or welfare, and
- **Low Hazard** means a dam where failure or mis-operation results in no probable loss of human life and low economic losses.

It is important to note that the hazard classification does not relate to the current condition or the likelihood of failure of the dam, though. According to the 2018 Dam Safety Annual Report, five dams within Westerly are designated as low hazard. The five dams are Boiling Spring Dam (Dam No. 752) on Mastuxet Brook, the Olaf Farm Pond Dam (Dam No. 493) on Cedar Swamp Brook, the Stillmanville Dam (Dam No. 256) on the Pawcatuck River, the Woody Hill Reservoir Dam (Dam No. 454) on Perry Healy Brook, and the unnamed dam (Dam No. 547) on the Misquamicut Club Pond. The Potter Hill Dam was not included in the inventory and the previously existing Bradford Dam was removed in 2017.

During the historic flooding in 2010, breaches of the Blue Pond Dam in Hopkinton and the Hewitt Farm Dam in North Stonington, Connecticut caused the surge of water that incapacitated the National Grid substation on Canal Street and flooded the North End. Other dams that were closely monitored during the 2010 flooding included the Alton Dam in Hopkinton the Bradford Dam, which both experienced overtopping and led to evacuation orders in their surrounding areas. The dams they did not fail but a deep crevice was created in the Bradford Dam, which was a factor in the decision for its removal.

Subsection 9.1.9 – Wildfires

Wildfires are fueled by natural cover, including native and non-native vegetation, along with weather conditions and topography but are most often caused by people through criminal or accidental misuse of fire. Westerly is a well-developed coastal town with large areas of open space that are mostly composed of beaches and wetlands. Fires can occur in these open spaces under the right conditions due to the grasses and underbrush found in these areas. Wildfires that occur in undeveloped areas pose a greater risk as they may be less accessible to fire protection services.

The likelihood of fire varies based on several weather-related factors including:

- Drought, which leads to increasing dryness, and
- Wind speed, which influences the direction and speed of the wildfire spreading.

Locations in Westerly most vulnerable to wildfire include the Woody Hill Management Area and the Town Forest. Both areas are largely inaccessible to motor vehicles. Other critical areas are the coastal grasslands of Avondale, Watch Hill, and the local salt pond region. While these grassland areas are relatively small, their spread could quickly threaten nearby structures and their distance from hydrants would necessitate the transport of water to burning vegetation and delay the controlling of the fire.

Subsection 9.1.10 – Drought and Extreme Heat

Drought is defined by NOAA as "a period of abnormally dry weather sufficiently prolonged for the lack of water to cause serious hydrologic imbalance in the affected area." The period can range from weeks to years and, while causing very little structural damage, can result in significant economic, environmental, and social impacts.

In Westerly, the primary risk of drought is to its groundwater. Potable water supply is drawn from three (3) major aquifers all located within the Pawcatuck Basin, designated in 1988 as a sole-source aquifer. At the local level, DPW has the primary responsibility for managing the Town's water supply distribution system and for ensuring that it can provide enough water to meet public health and safety needs of its customers. The RIWRB issues notices

regarding drought conditions in the State, and Rhode Island Water 2030 outlines State policy relative to long-term drought response.

The White Rock WHPA draws approximately 70% of the Town's average daily potable water supply from the Pawcatuck Basin. During seasonally dry months, the Pawcatuck River's flow through the WHPA provides recharge to groundwater. Land-use activity surrounding this WHPA is a mix of medium to high-density residential development (about 380 acres) and agriculture (about 100 acres). Institutional and recreational land uses account for just over 105 additional acres. Some industrial uses are also present.

The Town has the lead role in preparing for and managing all stages of drought at the local level and drought preparedness measures are included in Westerly's WSSMP. Policies are included that promote water conservation wherever possible, including a provision for local ordinances to ensure that established regulations and procedures can effectively respond. Westerly's water distribution deficiencies have caused water use restrictions in the past partly due to insufficient drought planning and water-supply protection but have been relatively infrequent.

Subsection 9.1.11 – Geological-related Hazards

The primary geological-related hazards are earthquakes, rapid shaking of the earth's surface in both horizontal and vertical directions caused by shifting in the rock layer below. This ground movement begins at the focus, or hypocenter, deep in the earth and is divided into two wave types: primary waves are compressional and secondary waves have a shear motion. Rhode Island is in an intraplate region of the North American Plate and falls within seismic zone 2A, indicating an area subject to moderate ground acceleration. This means that people may experience shaking that can lead to slight damage during an earthquake event.

According to the USGS' Earthquake Hazards Program, 14 earthquakes ranging in local magnitude from 1.3 to 3.1 have been recorded in Rhode Island between 1974 and 2019. European settlers in Rhode Island noted the effects of several earthquakes beginning in the mid-seventeenth century. The largest earthquake ever recorded in Rhode Island occurred in Kingston in June 1951 at a 4.6 local magnitude. The most recent earthquake to affect a portion of Connecticut and Rhode Island was a 3.3 magnitude quake that occurred on January 12, 2015 with an epicenter in Wauregan, Connecticut (USGS, January 12, 2015).

Subsection 9.1.12 – Climate-related Hazards

Changes in the climate are considered hazardous within themselves but also exacerbate and intensify other naturally occurring events. NOAA released Technical Report NESDIS 142-1 in 2013 which presented two climate model simulations projecting the effects of high and low greenhouse gas emission scenarios. Analyses of the simulated future climates were provided for the periods of 2021-2050, 2041-2070, and 2070-2099, based upon data from three historical climate reference periods (1971-1999, 1971-2000, or 1980-2000). The federal agency noted the intent of the exercise was to present the scenarios but not to assume the probability of either. Key findings included:

- Models indicate an increase in temperature for all three future periods, with little spatial variation. Changes along coastal areas, such as Westerly, are slightly smaller than inland areas.
- Simulated temperature changes are similar in value for the high and low emissions scenarios for the near future, whereas late in the twenty-first century the high emissions scenario indicates nearly twice the amount of warming.
- The range of model-simulated temperature changes is substantial, indicating substantial uncertainty in the magnitude of warming associated with each scenario. However, in each scenario, the modeling is unequivocal and large compared to historic variations.
- Increases in the number of days with a maximum temperature above 95°F are simulated to occur throughout the northeast, with the largest increases occurring in the southern and western areas.

- Simulated decreases in the average annual number of days with a minimum temperature below 10°F are largest (21 days or more) in northern areas. Decreases in the number of days with a minimum temperature below 32°F are 20-23 days across most of the region.
- The freeze-free season is simulated to lengthen by at least 19 days across the region by the mid-twenty-first century. Simulated increases in most areas are 3-4 weeks.
- The far northern regions show the largest simulated increases in average annual precipitation, while southern and coastal areas show less of an increase. Models are mostly in agreement that precipitation will increase over the entire region under these scenarios. Simulated seasonal changes are mostly upward in winter, spring, and fall, and downward in summer.
- All areas see simulated increases in the number of days with precipitation totals exceeding 1 inch, with the greatest increases (up to 30%) occurring in parts of New York. The simulated increases are statistically significant in most northern areas.
- Most models do not indicate a statistically significant change in temperature (with respect to 2001-2010) for the near future; however, as the time period increases, a greater number of models simulate statistically significant temperature changes, with all being significant at the 95% confidence level by 2055 (for the high emission scenario).

In either scenario, warmer weather, and increased precipitation, along with other current climate trends such as increased SLR, will affect Westerly in the long-term through flooding, increasing storm intensity, coastal erosion, and/or drought.

Section 9.2 – Resiliency

Because of its geographic characteristics, extensive shoreline on Rhode Island Sound, and its location on the Pawcatuck River, Westerly is subject to a wide range of natural hazards with the potential to adversely affect public health and safety. Resiliency requires identifying all the hazards that potentially threaten Westerly and analyzing them individually to determine the degree of threat posed by each.

Subsection 9.2.1 – Local Hazard Mitigation Plan (HMP)

Westerly adopted its local Hazard Mitigation Plan update in February 2018 to help better organize the future allocation of the Town's finite resources, determine what actions are feasible and appropriate to address local vulnerabilities, and to enhance community resiliency. Analysis of these threats recognizes that some events, such as flash flooding, may occur more frequently, but may also have impacts which are less severe than events that occur infrequently, such as coastal storms and hurricanes. The appropriate mitigation actions to address these threats are then established based on the probability of events and of significant impacts. Addressing risk and vulnerability through hazard mitigation measures is an effective way to reduce the community's societal, economic, and environmental exposure to natural hazards' most damaging effects.

Subsection 9.2.2 – Community Resilience Building

The Town recognizes the need to begin planning to increase resilience and adapt to a changing climate and its impacts – from extreme weather events to SLR. In response to this recognition, the Town is collaborating proactively with partners to reduce Westerly's vulnerabilities while reinforcing its strengths and serving as a model for other communities throughout the region.

In spring 2019, in conjunction with RIIB and TNC, Westerly was chosen to embark on certification within the State's newly established Municipal Resilience Program, Resilient Rhody. As an important step towards certification, RIIB and TNC provided the Town with a community-focused process to assess current hazard and climate change impacts and to identify and prioritize projects, plans and policies for improved resilience. They also facilitated a community resilience building (CRB) workshop in August 2019 that was attended by more than 50 community stakeholders. The core directive of this effort has been engagement with and between these community partners

to assess climate vulnerabilities, education, planning, and future implementation of priority resilience actions for Westerly. Overall, the CRB workshop's main objectives included:

- Defining top local natural- and climate-related hazards of concern,
- Identifying existing and future vulnerabilities and strengths,
- Developing prioritized actions for the Town of Westerly, and
- Identifying opportunities to collaboratively advance actions to increase resilience.

The result of the CRB were included in a Summary of Findings report. The top hazards included:

- In-land and riverine precipitation-driven flooding,
- Coastal flooding and inundation due to storm surge and SLR,
- Major storms, such as hurricanes, nor'easters, and blizzards, that create high winds, and
- Extreme temperatures and drought resulting from heatwaves.

The report identified a long list of items as Westerly's key area of concerns and challenges across three different categories:

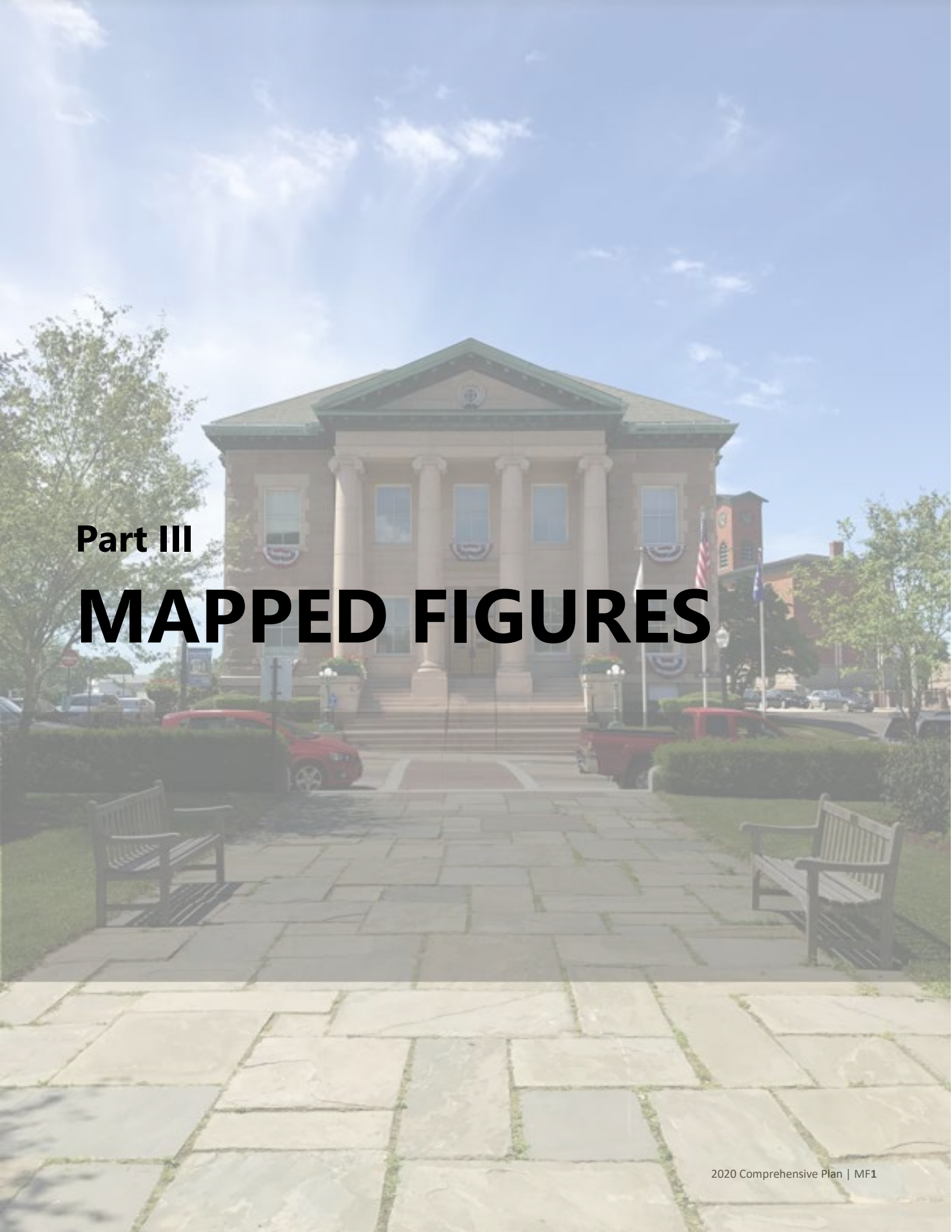
1. Infrastructure concerns and challenges,
2. Societal concerns and challenges, and
3. Environmental concerns and challenges.

Workshop participants identified several key strengths in the community and expressed interest in using them as the core of future resilience building interventions. Items such as engaged and responsive leadership, experienced staff, a well-coordinated and connected sheltering system, rich historic and cultural resources, desirable economic and natural resources, open space, agricultural enterprises, a strong social support network, actively engaged civic groups, and the willingness of local employers and businesses to contribute to the common good in times of disaster and major need were all identified.

A common thread throughout the CRB workshop was the recognition that Westerly needs to be better prepared through longer term, community-based contingency planning across all areas of concern. The workshop participants collectively identified several key priority areas stated below as items to focus on:

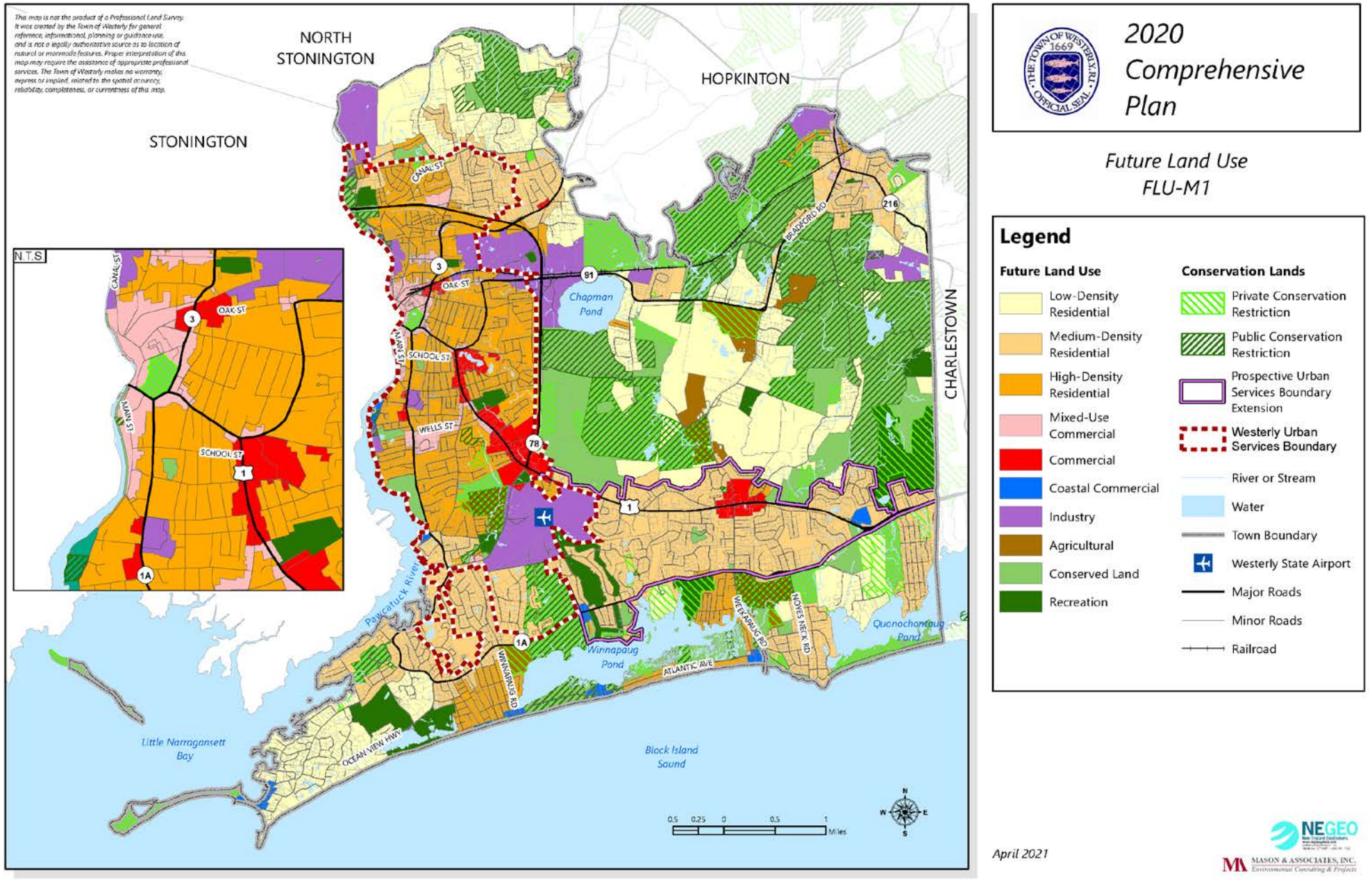
- Infrastructure improvements to the WWTF, stormwater management system, and the roadway network, including bridges,
- Natural system conservation and water quality protection for ecological and public health, and
- Emergency preparedness, communication systems and continuation of services

The information collected during this community stakeholder workshop is extremely helpful in developing plans for capacity building, ranking prioritization of resiliency project and determining the need for future plans, studies, education, and outreach.



Part III

MAPPED FIGURES



2020 Comprehensive Plan

Future Land Use
FLU-M1

Legend

Future Land Use

- Low-Density Residential
- Medium-Density Residential
- High-Density Residential
- Mixed-Use Commercial
- Commercial
- Coastal Commercial
- Industry
- Agricultural
- Conserved Land
- Recreation

Conservation Lands

- Private Conservation Restriction
- Public Conservation Restriction
- Prospective Urban Services Boundary Extension
- Westerly Urban Services Boundary
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

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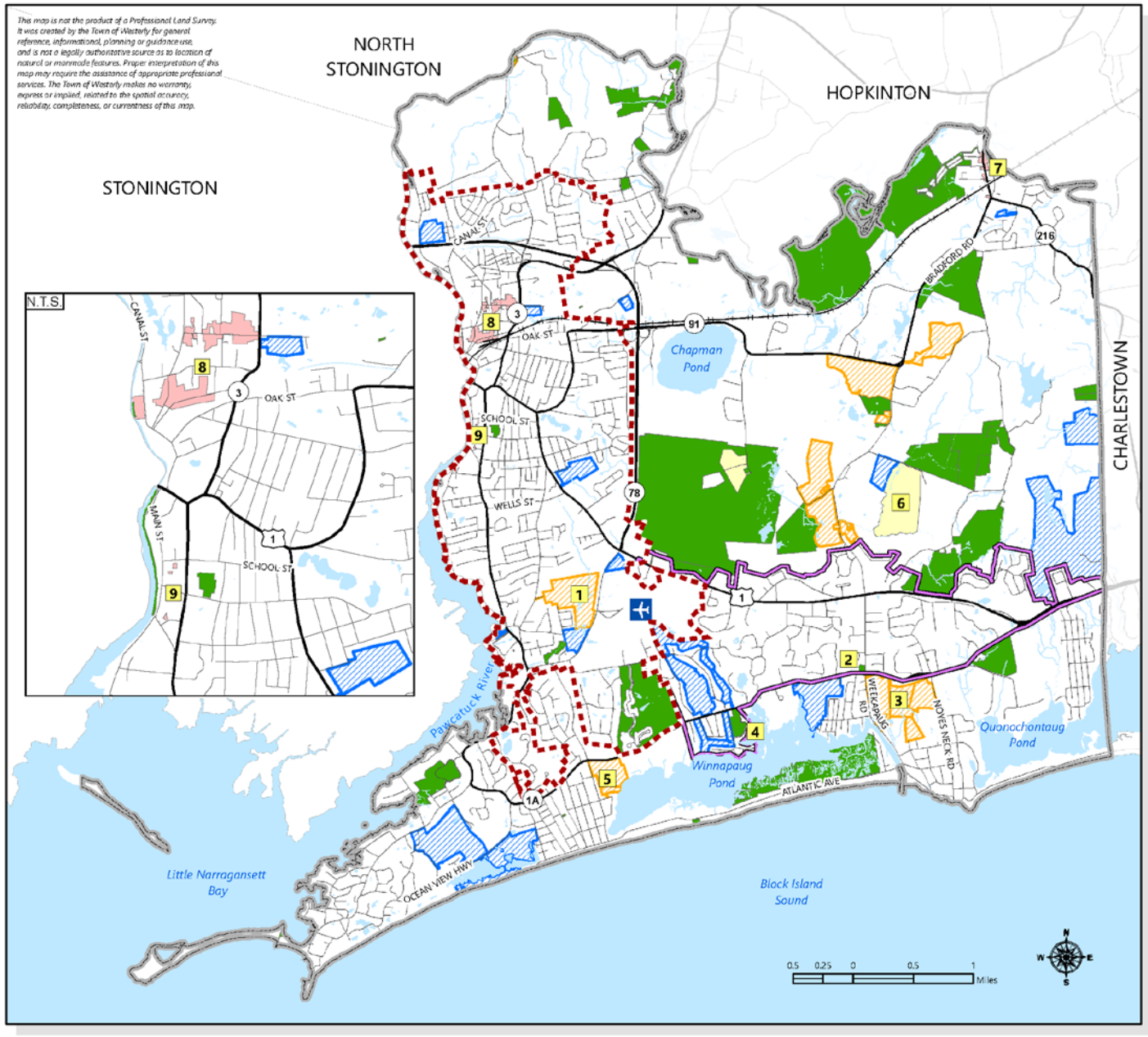

2020 Comprehensive Plan

Future Land Uses
Inconsistent with Existing Zoning
FLU-M2

Legend

- Agriculture
- Recreation
- Low-Density Residential
- Mixed-Use Commercial
- Coastal Commercial
- Conserved Land
- Westerly Urban Services Boundary
- Prospective Urban Services Boundary Extension
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

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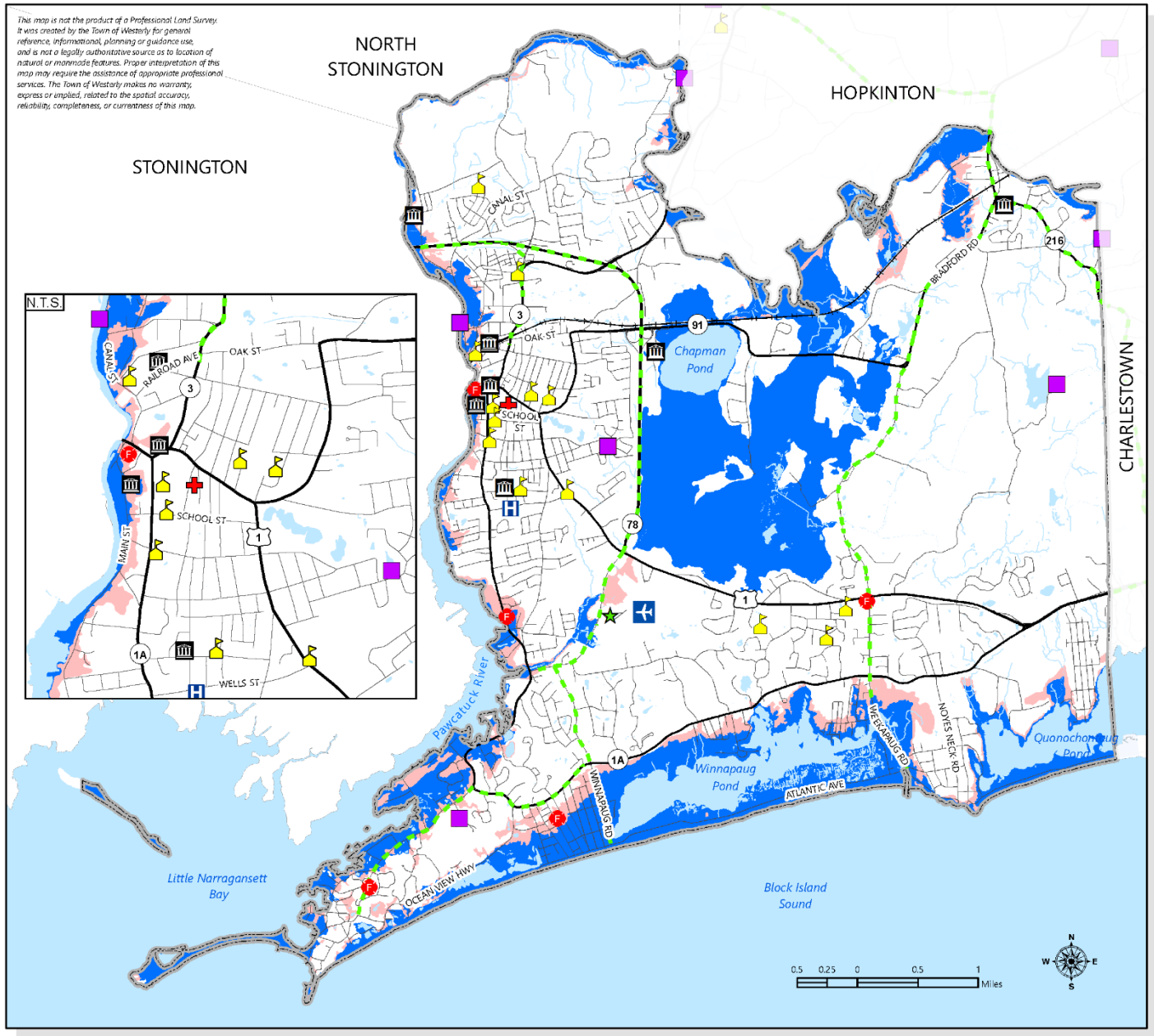

2020 Comprehensive Plan

Flood Hazards
HAZ-M1

Legend

- Municipal Facility
- Fire Station
- Dam
- School
- Hospital
- Police Station
- Westerly Ambulance Corps
- Evacuation Route

FEMA Flood Zone

- 100-Year Event
- 500-Year Event
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

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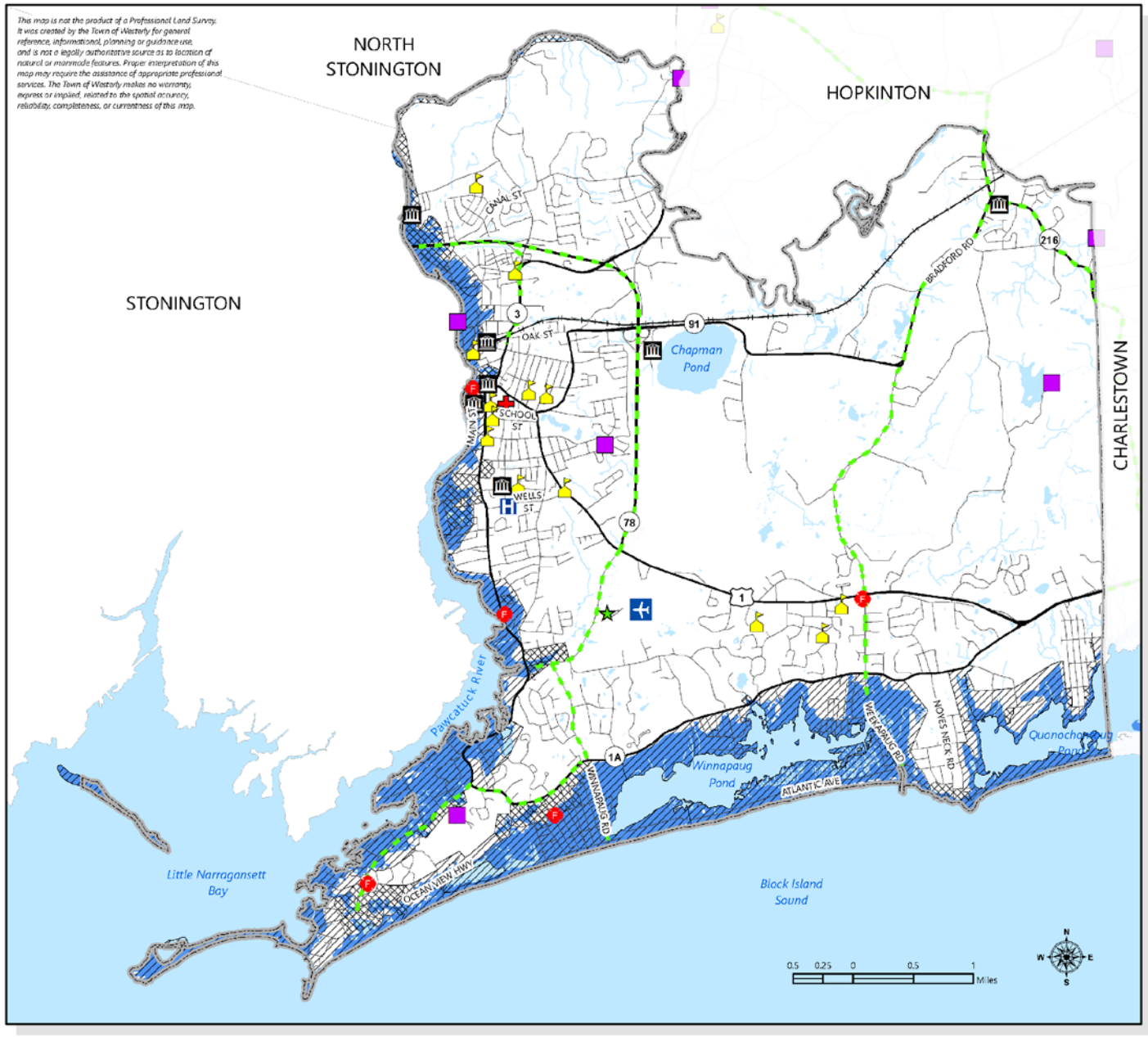

2020 Comprehensive Plan

Storm Hazards
HAZ-M2

Legend

- Municipal Facility
- Fire Station
- Dam
- School
- Hospital
- Police Station
- Westerly Ambulance Corps
- Evacuation Route

Evacuation Area

- Category 1 or 2 Hurricane
- Category 3 or 4 Hurricane
- Hurricane Surge Inundation (USACE)
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

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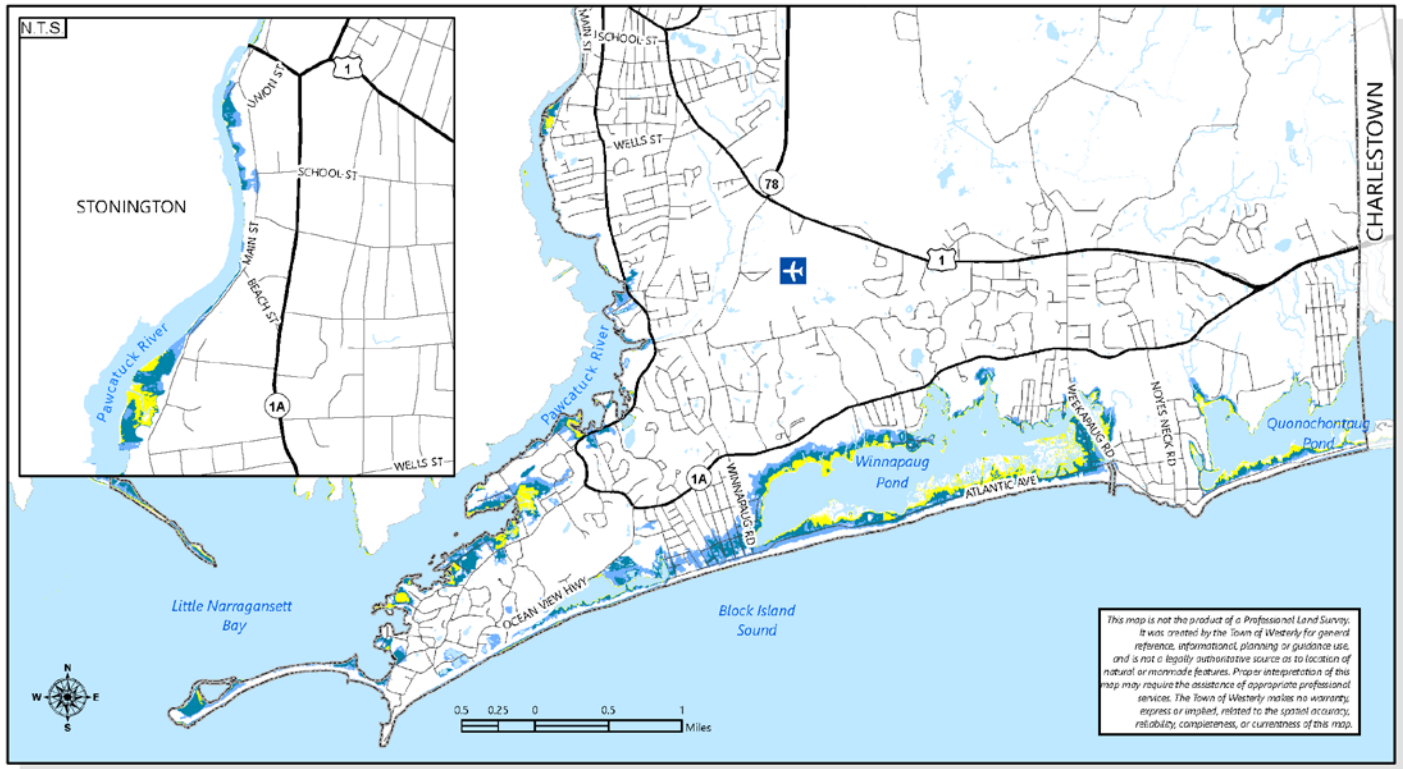
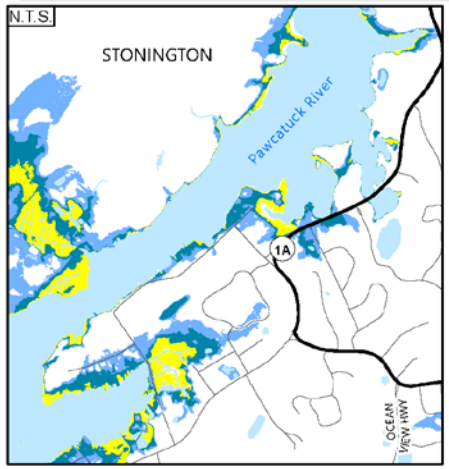
2020 Comprehensive Plan

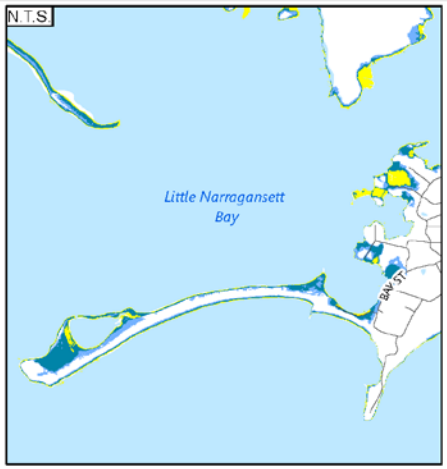
Sea Level Rise Hazards
HAZ-M3

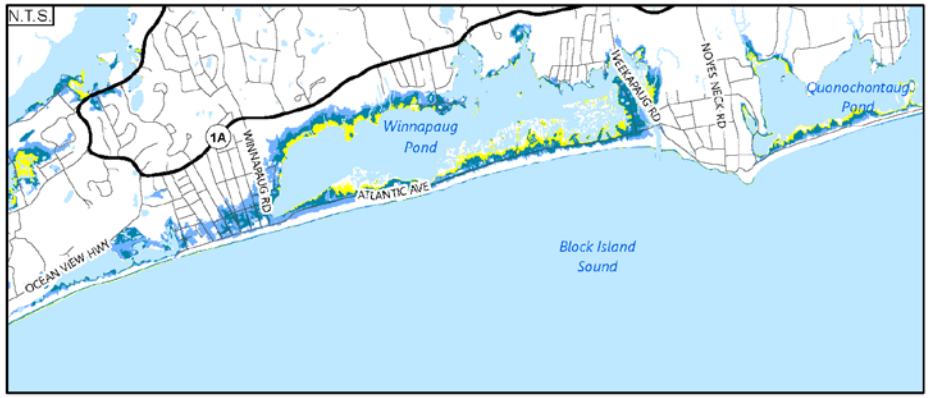


Legend

- 1' Sea Level Rise
- 3' Sea Level Rise
- 5' Sea Level Rise
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad







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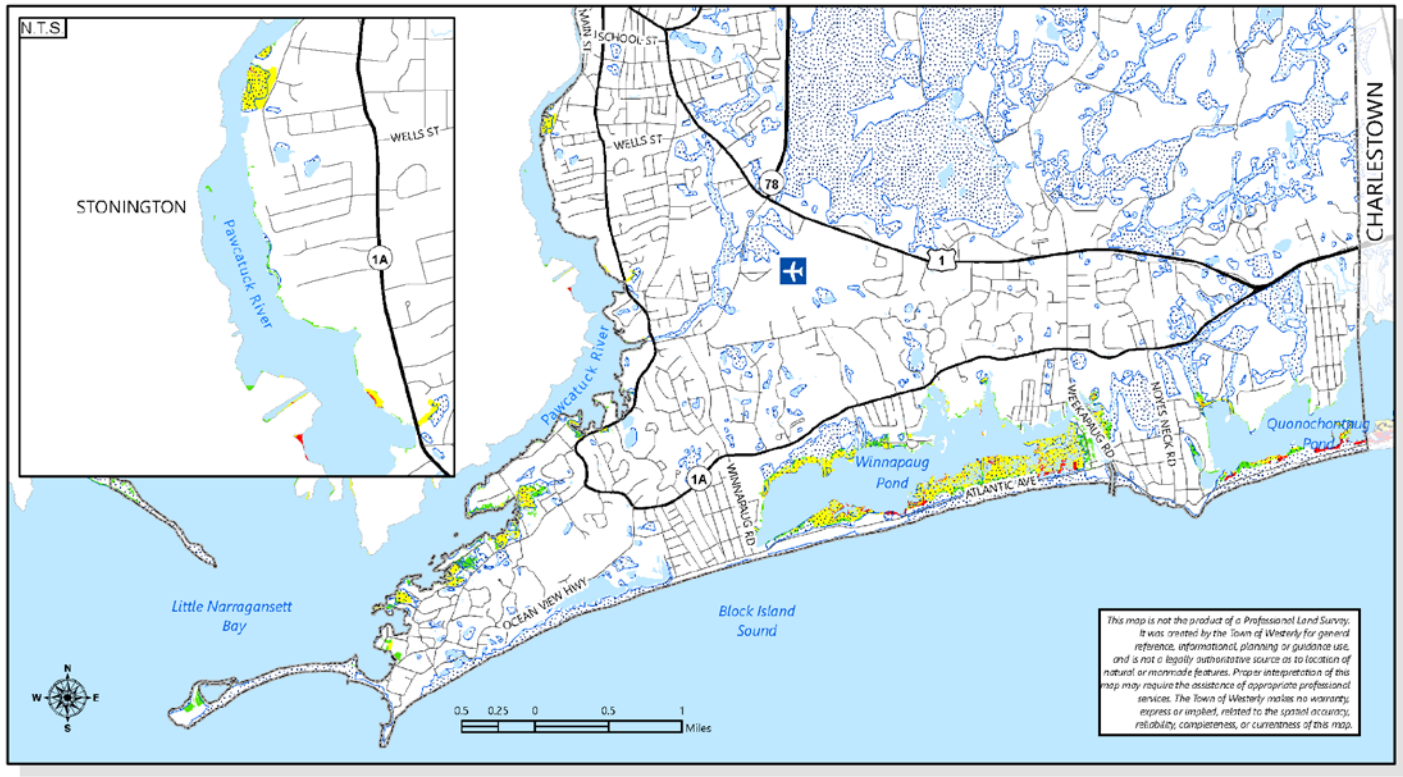
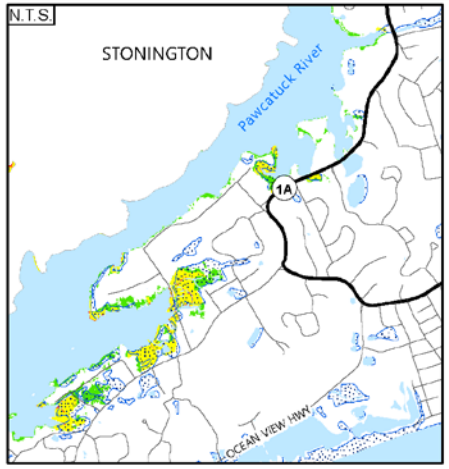


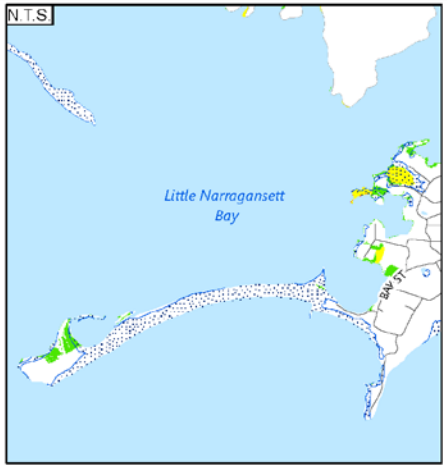
2020 Comprehensive Plan

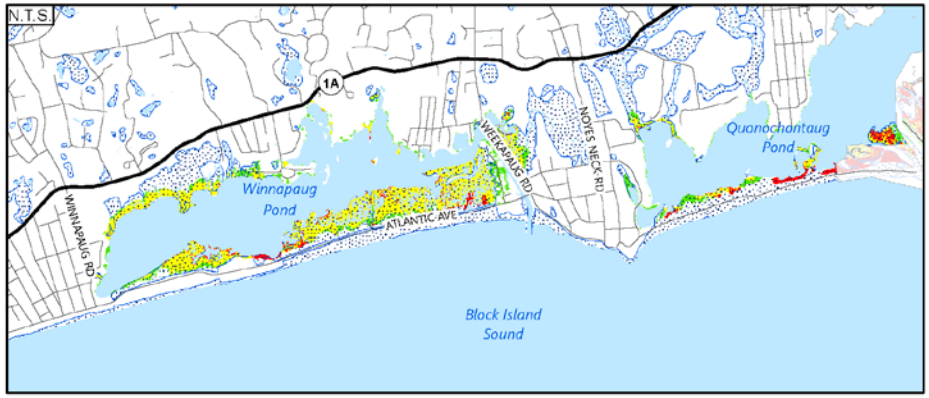
Sea Level Affecting Marsh Model
1' Sea Level Rise
HAZ-M4

Legend

- New Tidal Habitat
- Persistent Tidal Habitat
- Tidal Habitat Loss
- Wetland
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad







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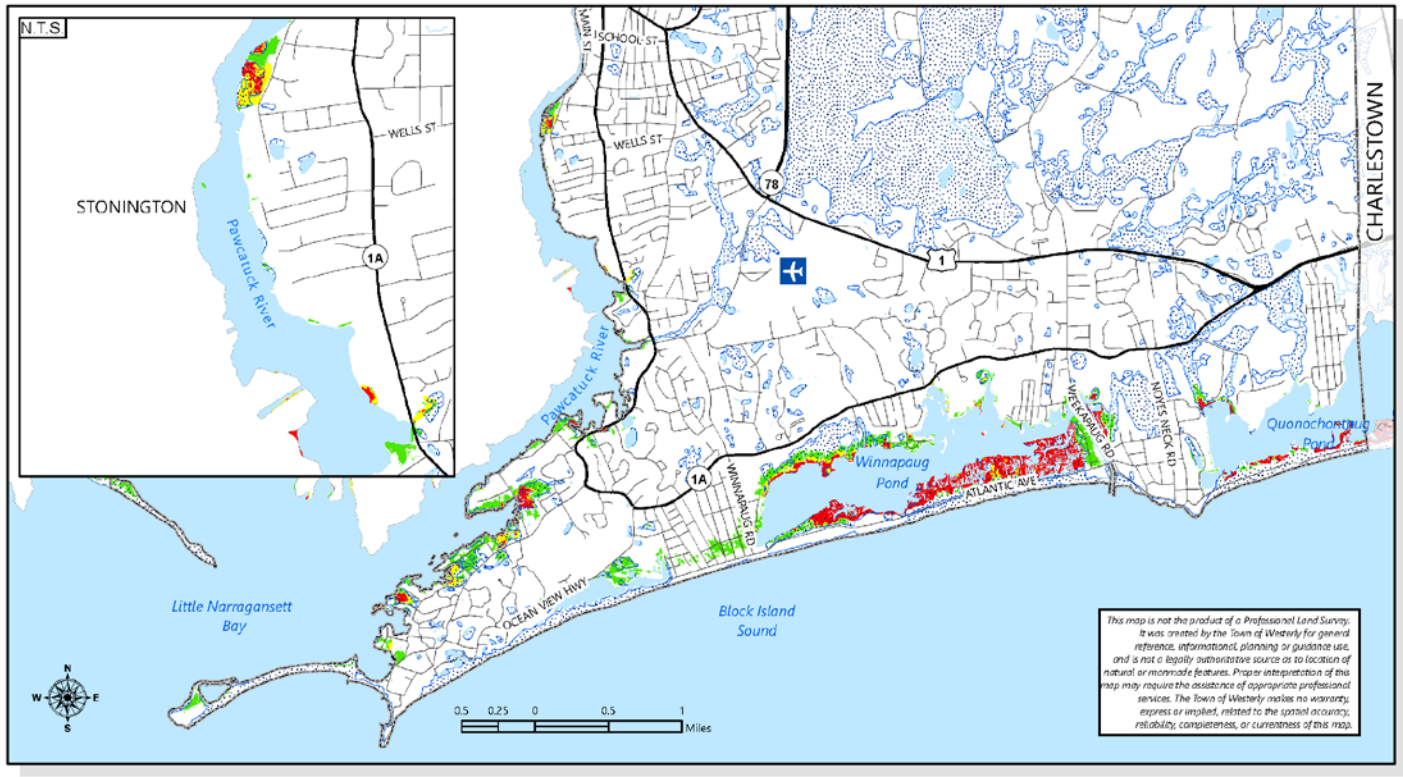
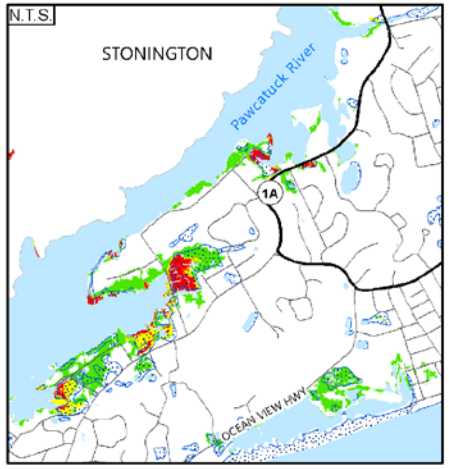


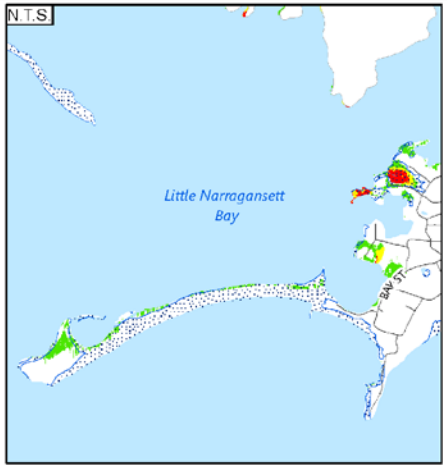
2020 Comprehensive Plan

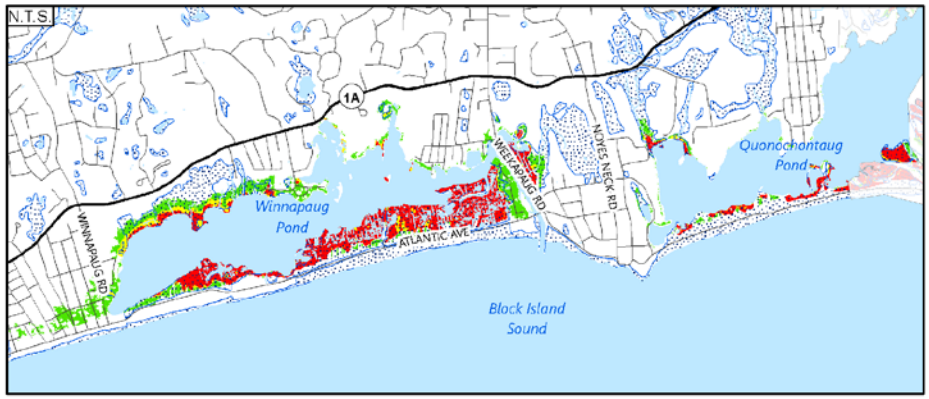
Sea Level Affecting Marsh Model
3' Sea Level Rise
HAZ-M5

Legend

- New Tidal Habitat
- Persistent Tidal Habitat
- Tidal Habitat Loss
- Wetland
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad







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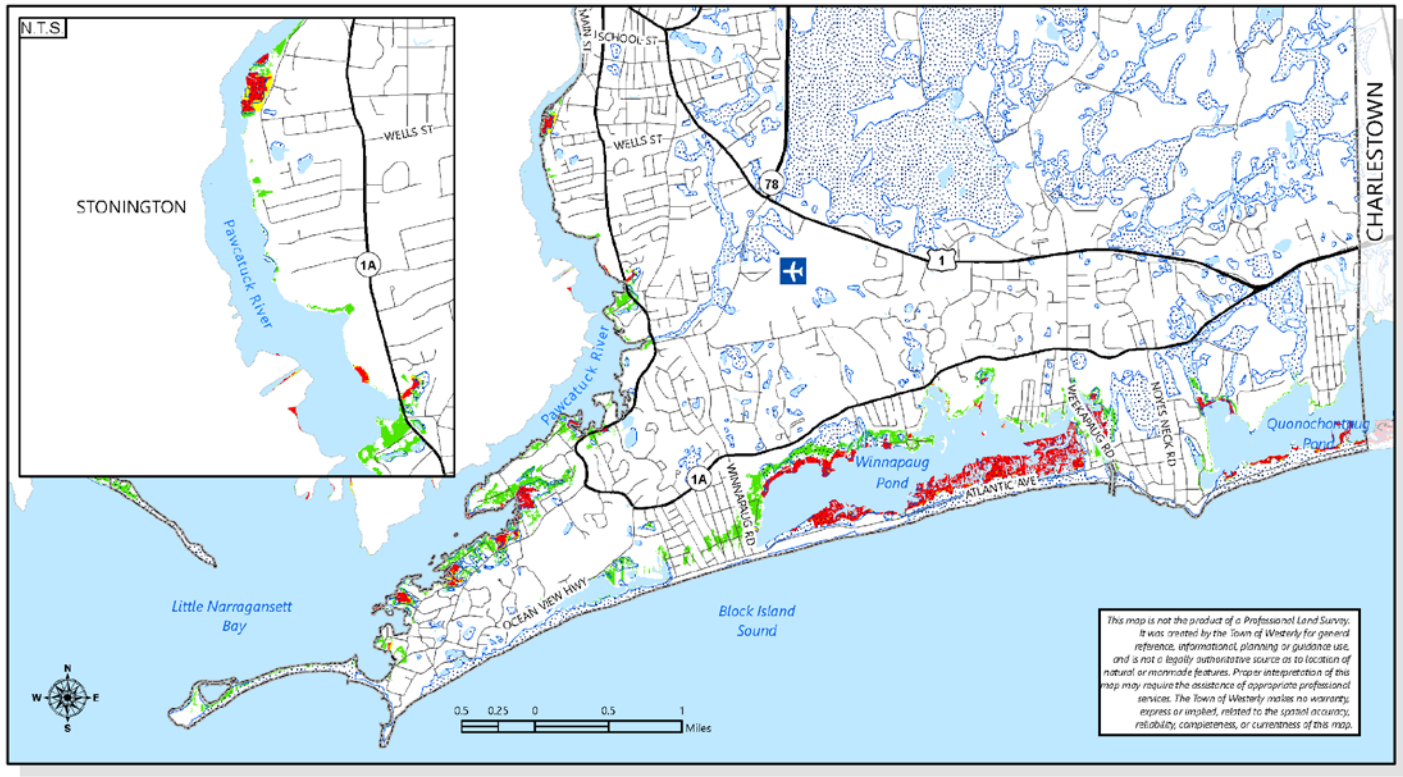
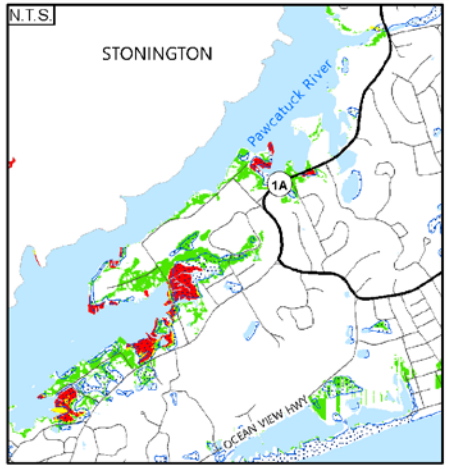


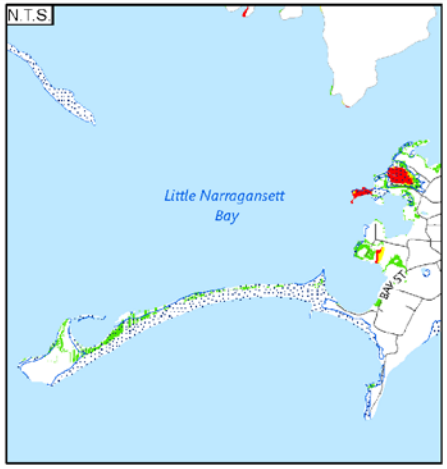
2020 Comprehensive Plan

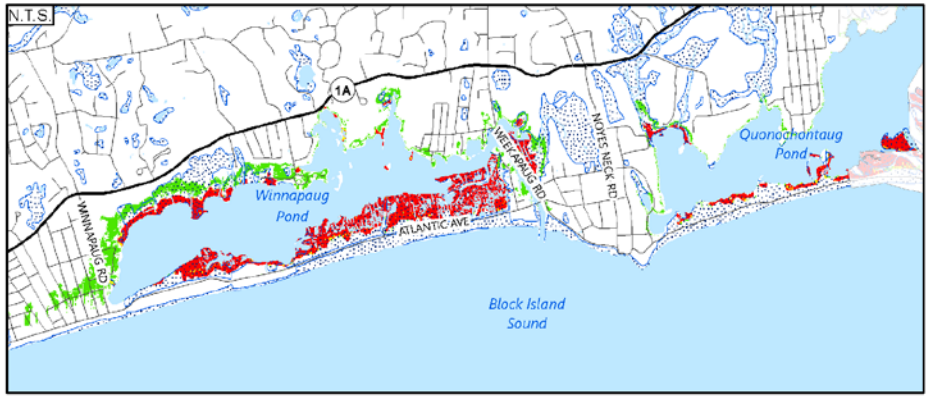
Sea Level Affecting Marsh Model
5' Sea Level Rise
HAZ-M6

Legend

- New Tidal Habitat
- Persistent Tidal Habitat
- Tidal Habitat Loss
- Wetland
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad







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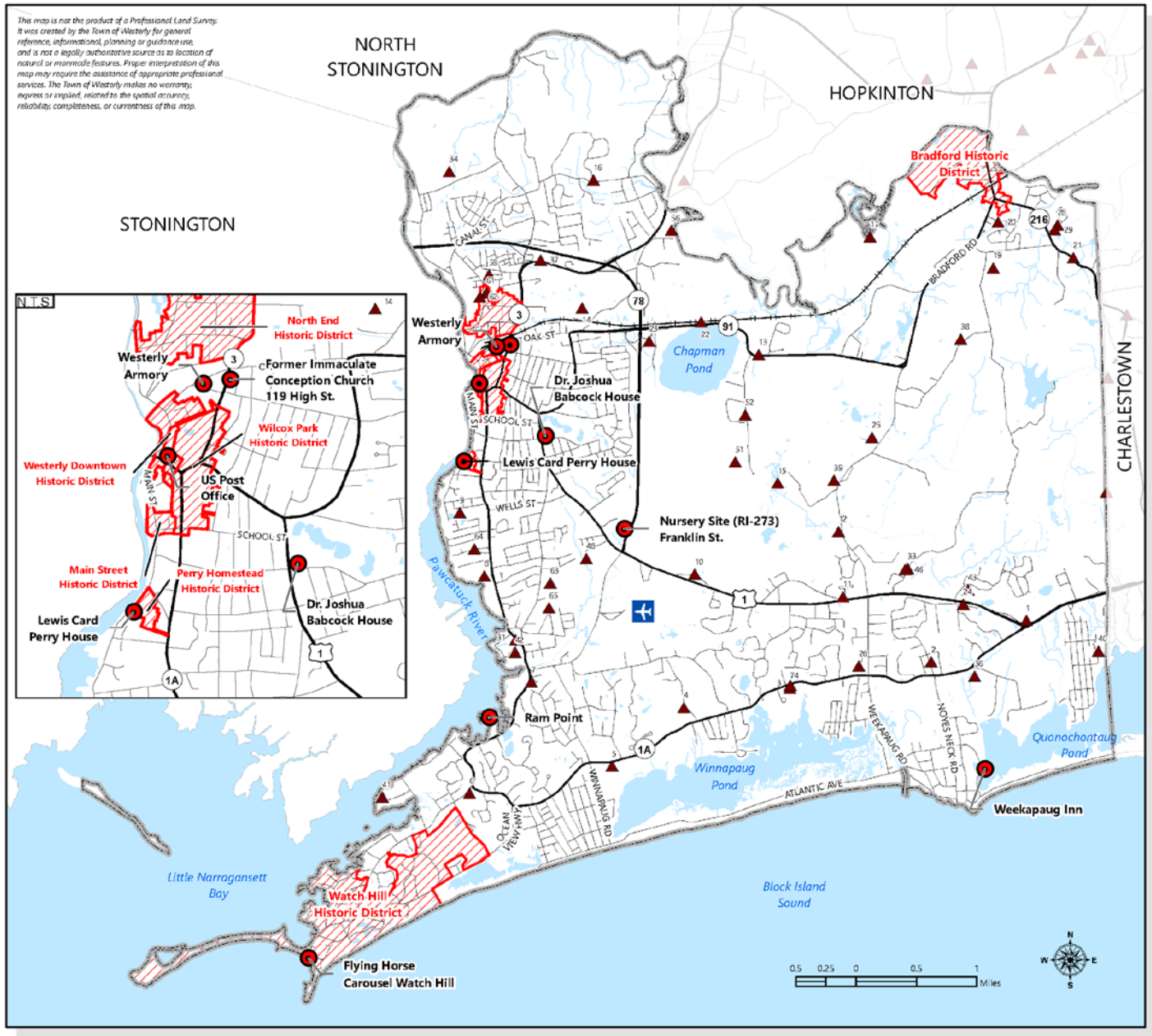

2020 Comprehensive Plan

Historic and Cultural Resources
HCR-M1

Legend

- National Register Historic Site
- National Register Historic District
- Historic Cemetery
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

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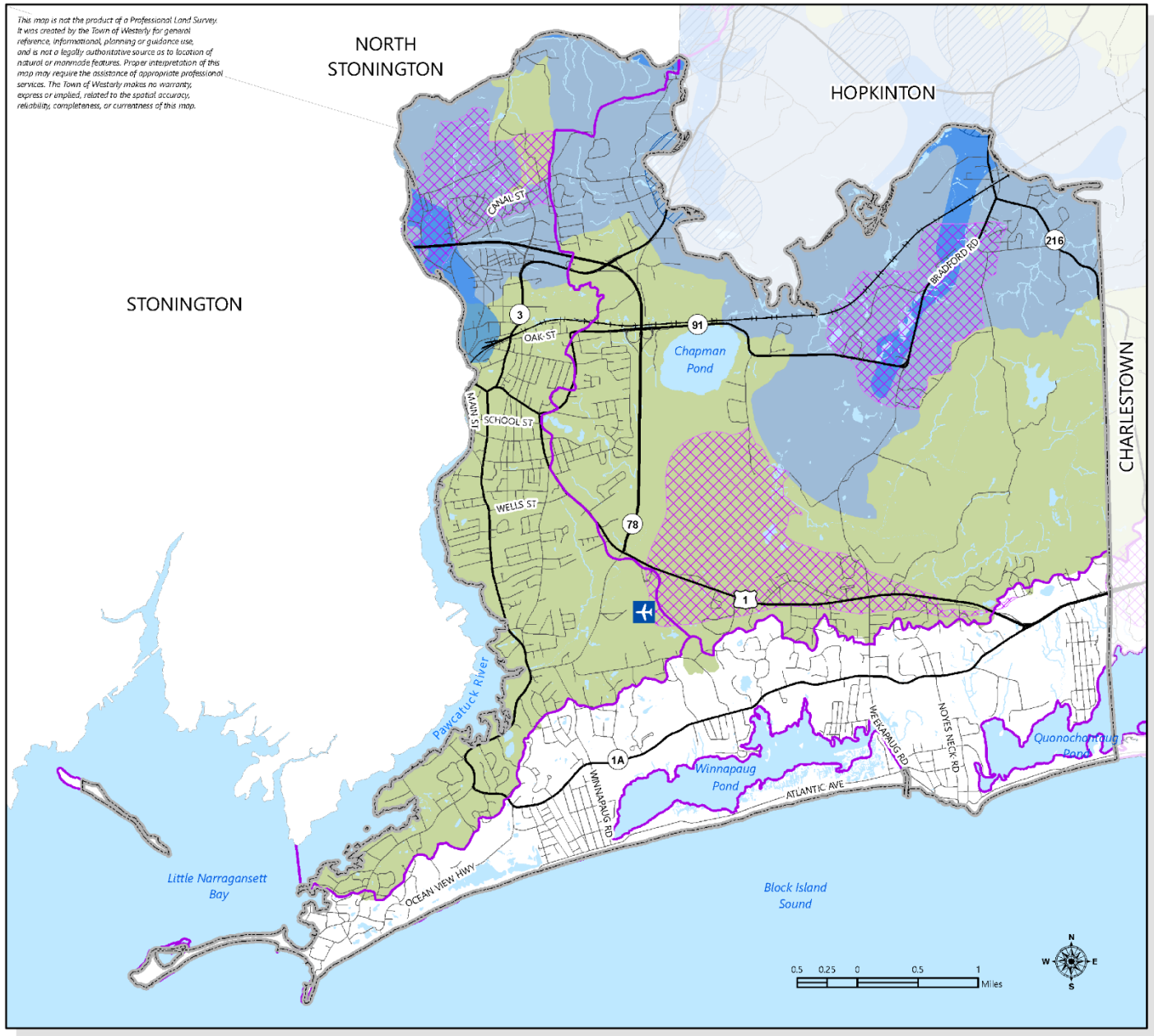

2020 Comprehensive Plan

Groundwater
INF-M1

Legend

- Community Wellhead Protection Area
- Non-Community Wellhead Protection Area
- Groundwater Reservoir
- Groundwater Recharge Area
- Sole Source Aquifer
- Watershed Boundary
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

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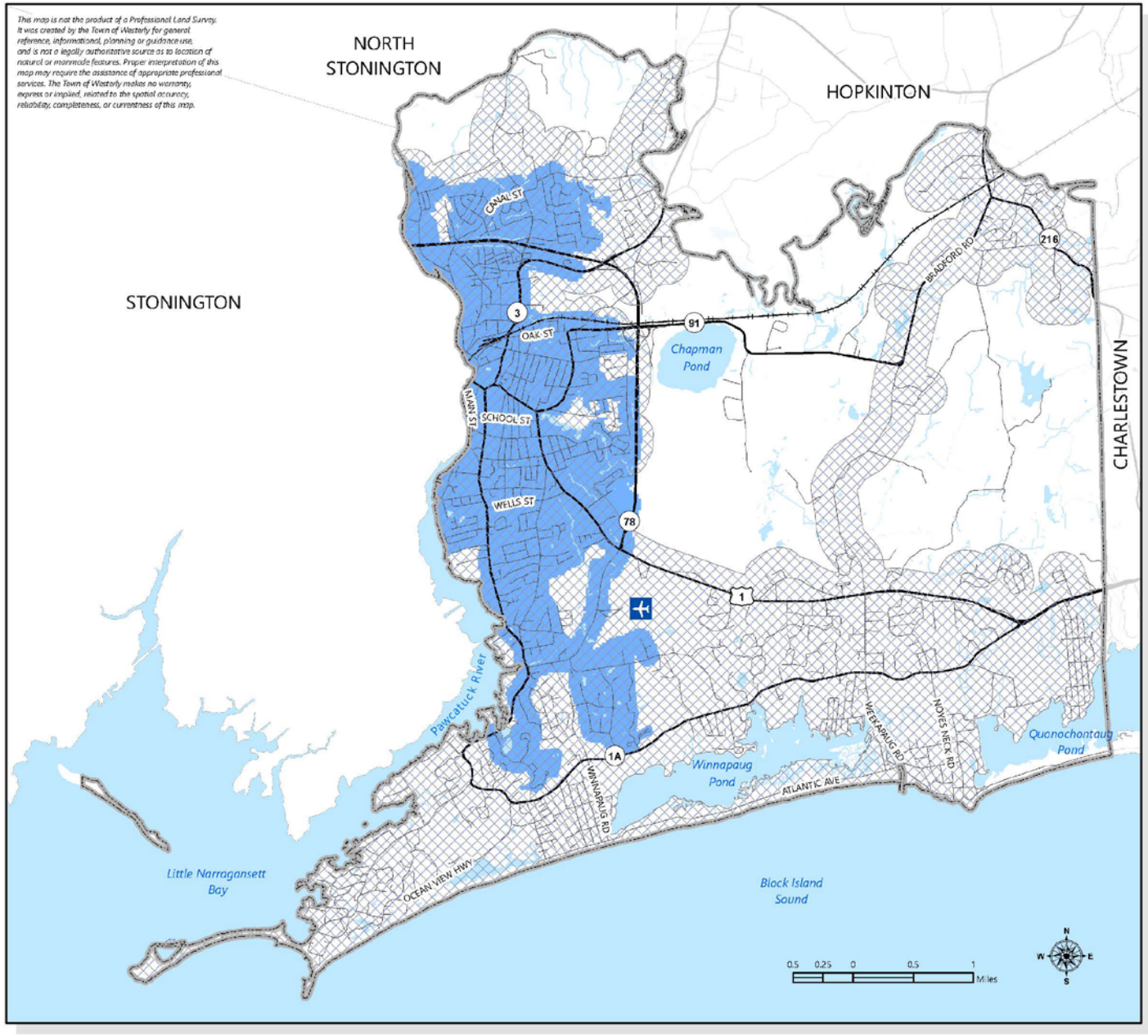

2020 Comprehensive Plan

Sewer and Water Infrastructure
INF-M2

Legend

- Public Water
- Public Sewer
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

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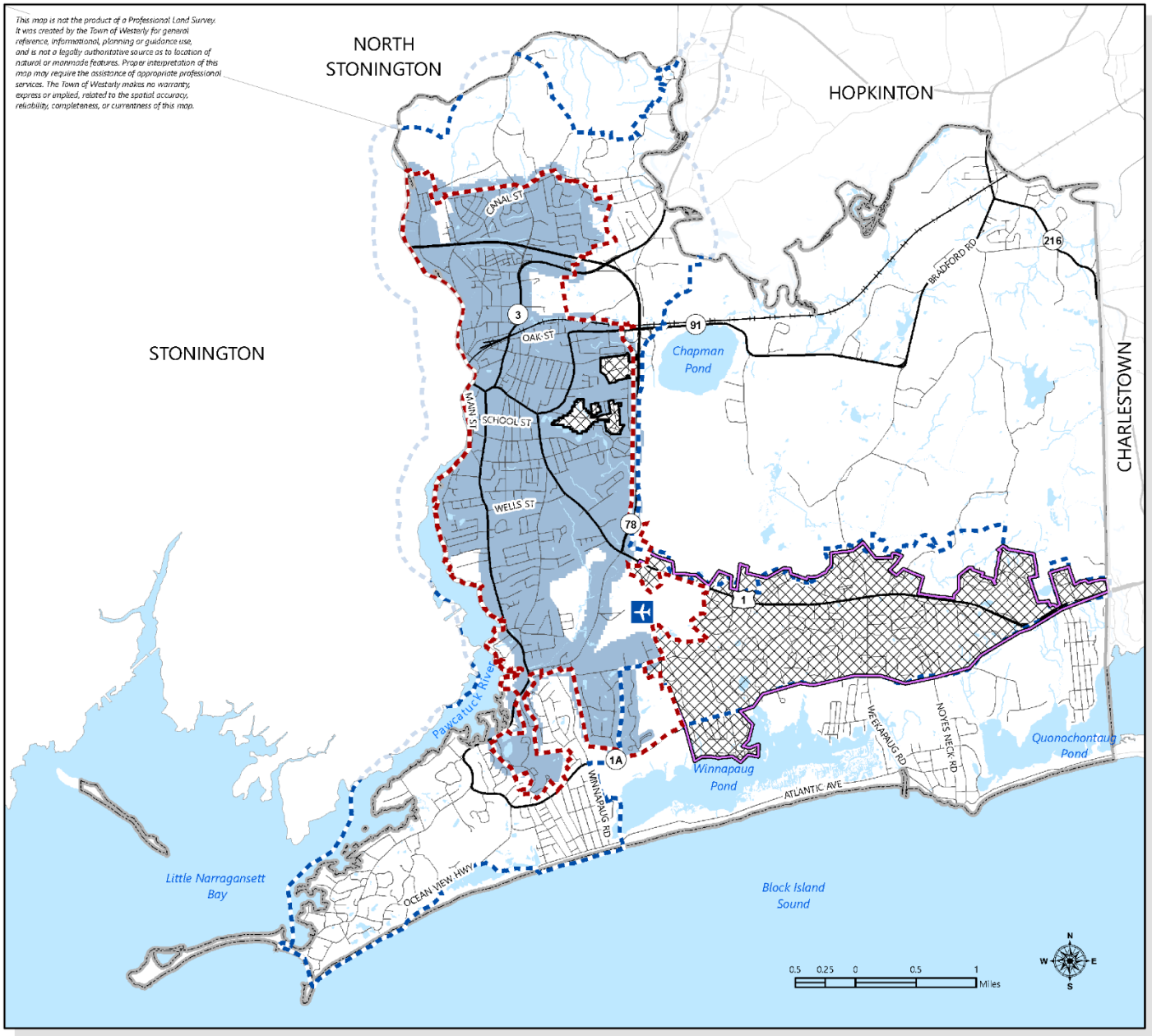

2020 Comprehensive Plan

State Designated Urban Services Boundary INF-M3

Legend

- State-Designated Urban Services Boundary
- Westerly Urban Services Boundary
- Prospective Urban Services Boundary Extension
- Prospective Sewer Service Extension Area
- Public Sewer
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

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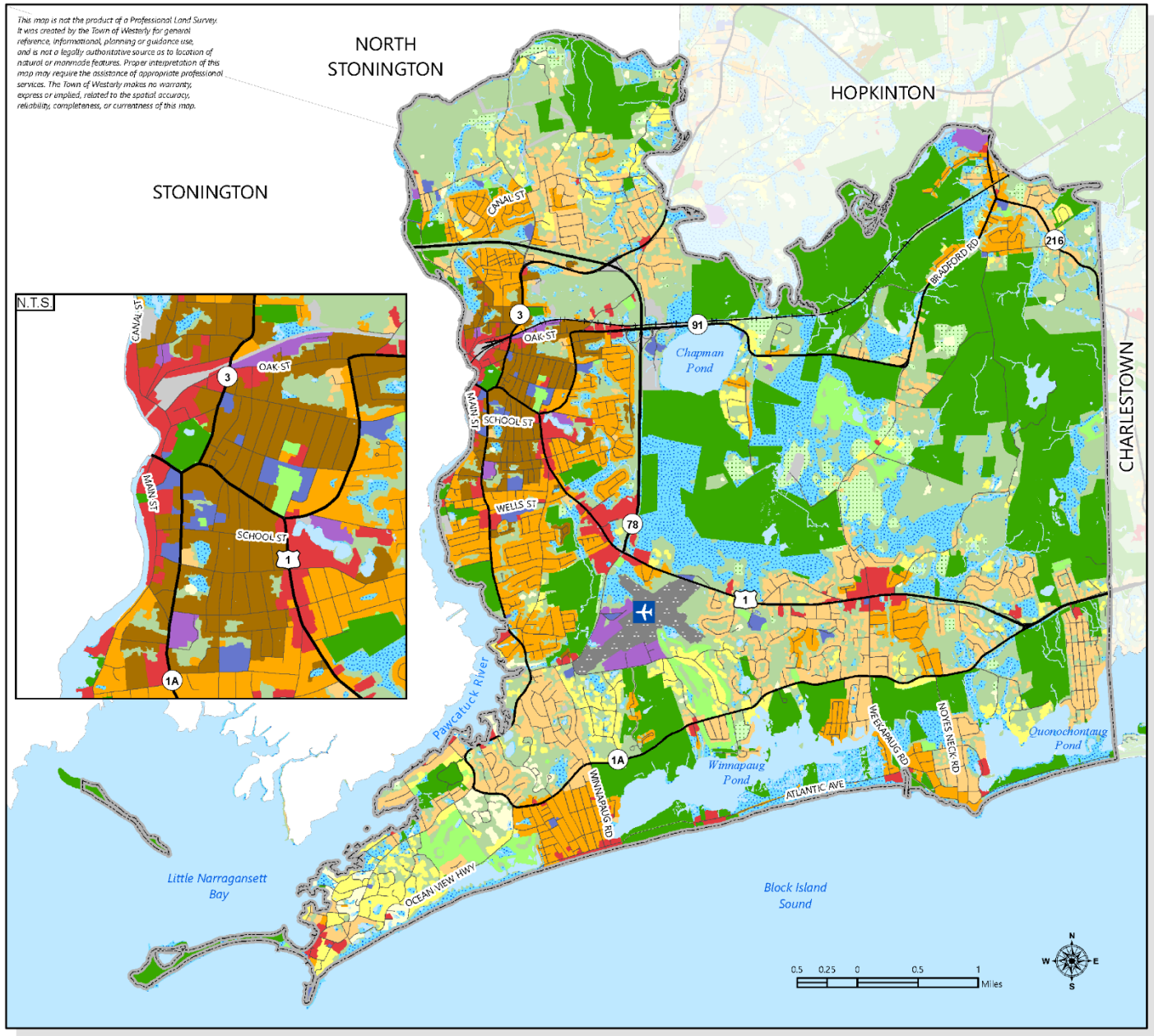

2020 Comprehensive Plan

2011 Land Cover
LUZ-M1

Legend

- High Density Residential
- Medium High Density Residential
- Medium Density Residential
- Medium Low Density Residential
- Low Density Residential
- Commercial
- Industrial
- Transportation and Utilities
- Airports
- Mixed Use
- Developed Recreation
- Conservation/OS
- Institutional
- Agricultural
- Undeveloped/Unprotected
- Water
- Wetland
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

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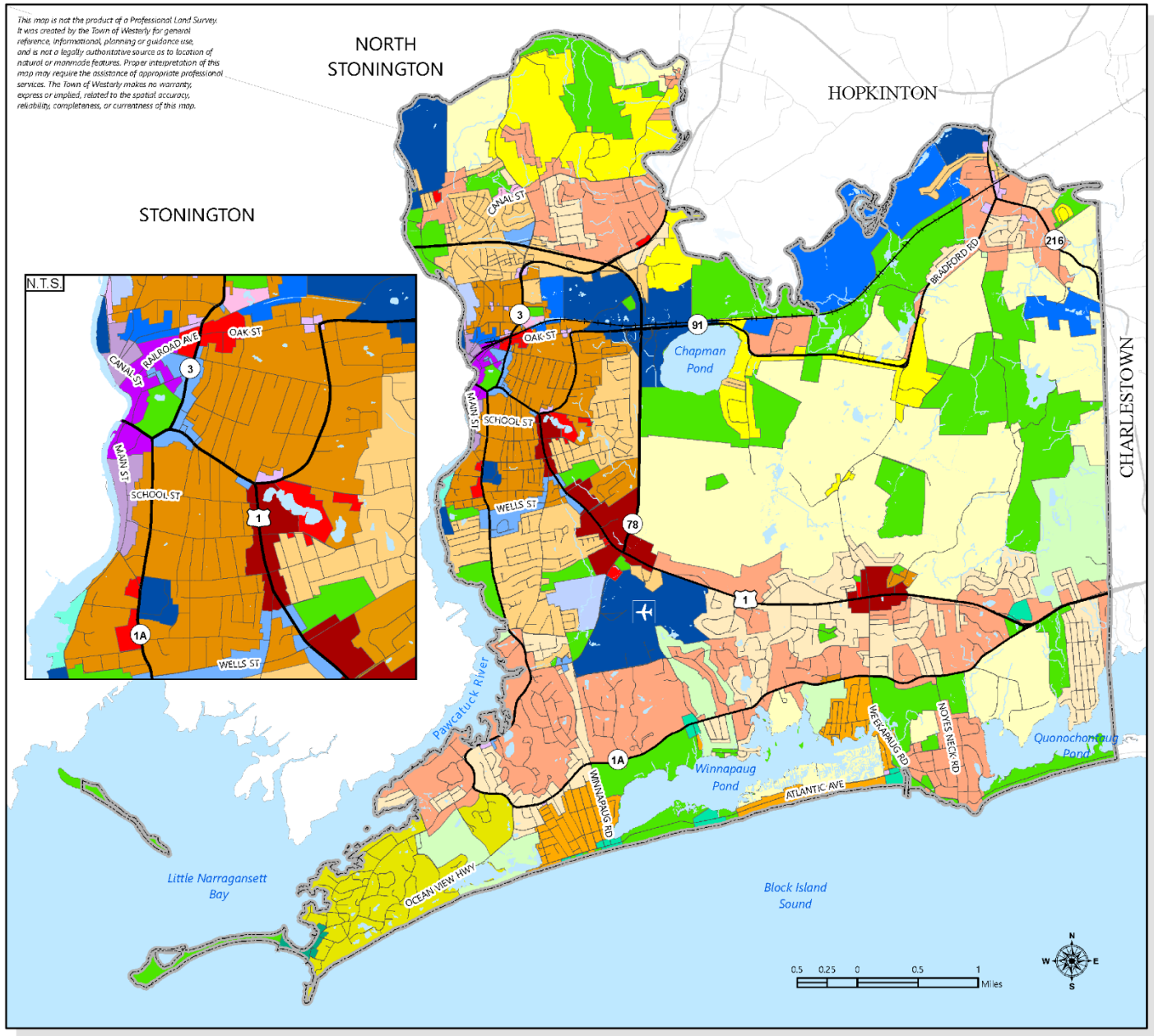

2020 Comprehensive Plan

Zoning
LUZ-M2

Legend

- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

- Rural Residential 60
- Low-Density Residential 43
- Low-Density Residential 40
- Medium-Density Residential 30
- Medium-Density Residential 20
- High-Density Residential 15
- High-Density Residential 10
- High-Density Residential 6
- Professional 15
- Neighborhood Business
- Downtown Center 1
- Downtown Center 2
- General Commercial
- Highway Commercial
- Marine Commercial
- Shore Commercial - General
- Shore Commercial - Watch Hill
- Office Research, Assembly, and Technology
- Light Industrial
- General Industrial
- Commercial Recreational
- Open Space and Recreation
- Planned Unit Development

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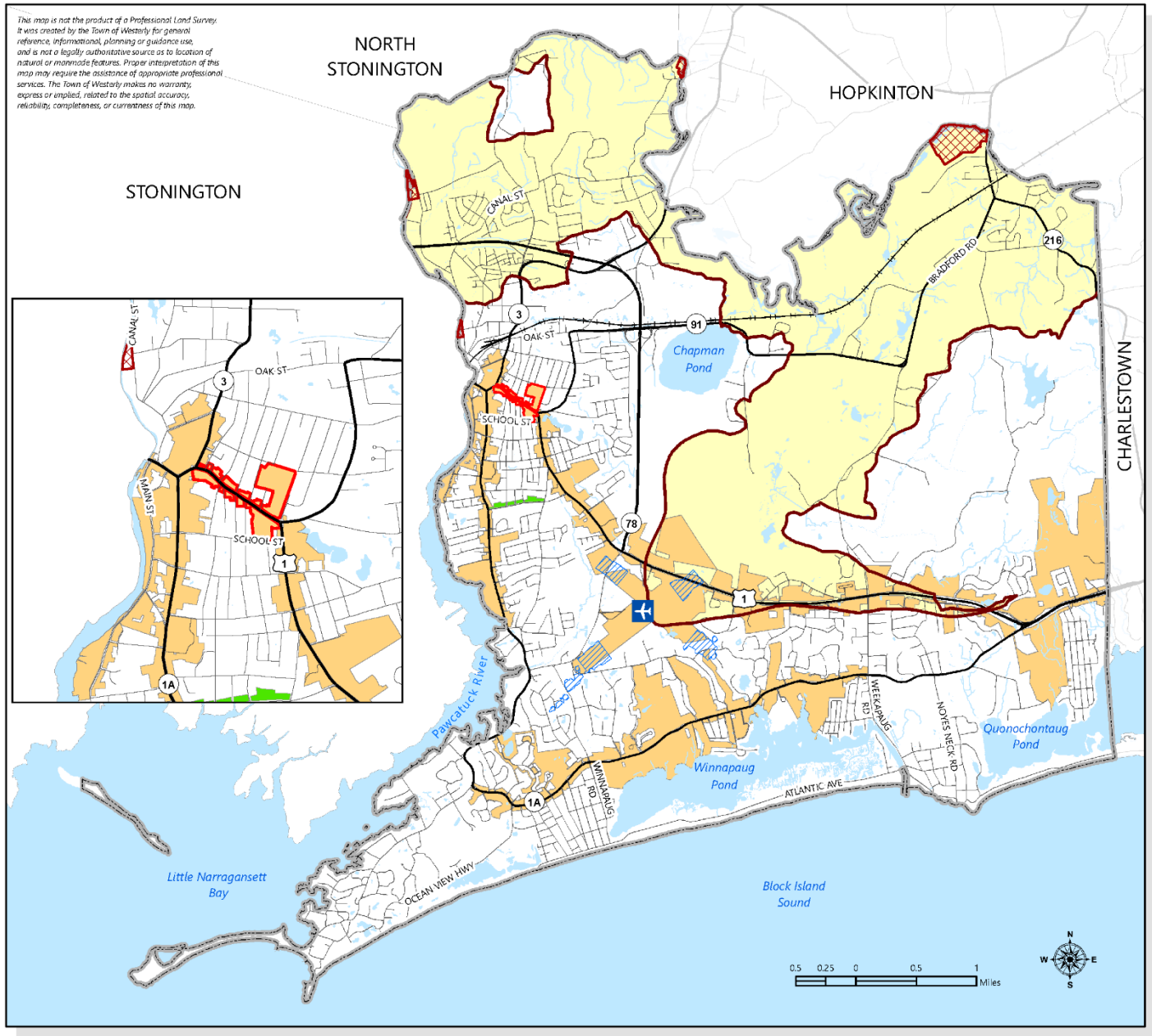

2020 Comprehensive Plan

Zoning Overlays
LUZ-M3

Legend

- Bed & Breakfast Overlay
- Granite Street Overlay
- Wells Street Overlay
- Historic Mill Overlay
- Airport Overlay
- Future Aquifer Protection Overlay District*
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

*Based on RI GIS GAA classified groundwater data

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NEGEO New England Geosystems

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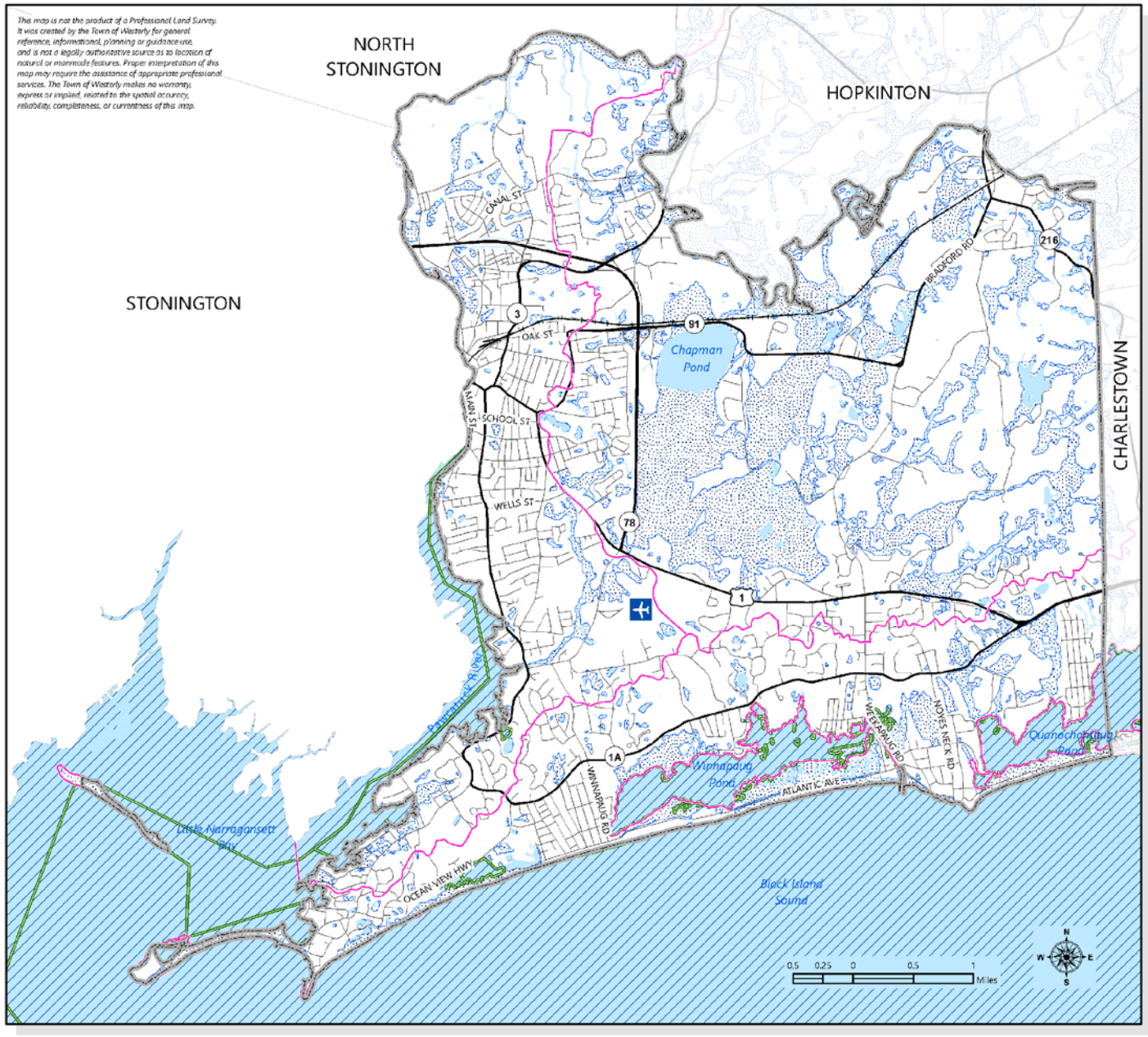

2020 Comprehensive Plan

Surface Water Resources
NAT-M1

Legend

- Estuarine Water Quality Standard Boundary
- Watershed Boundary
- Coastal Water
- Wetland
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

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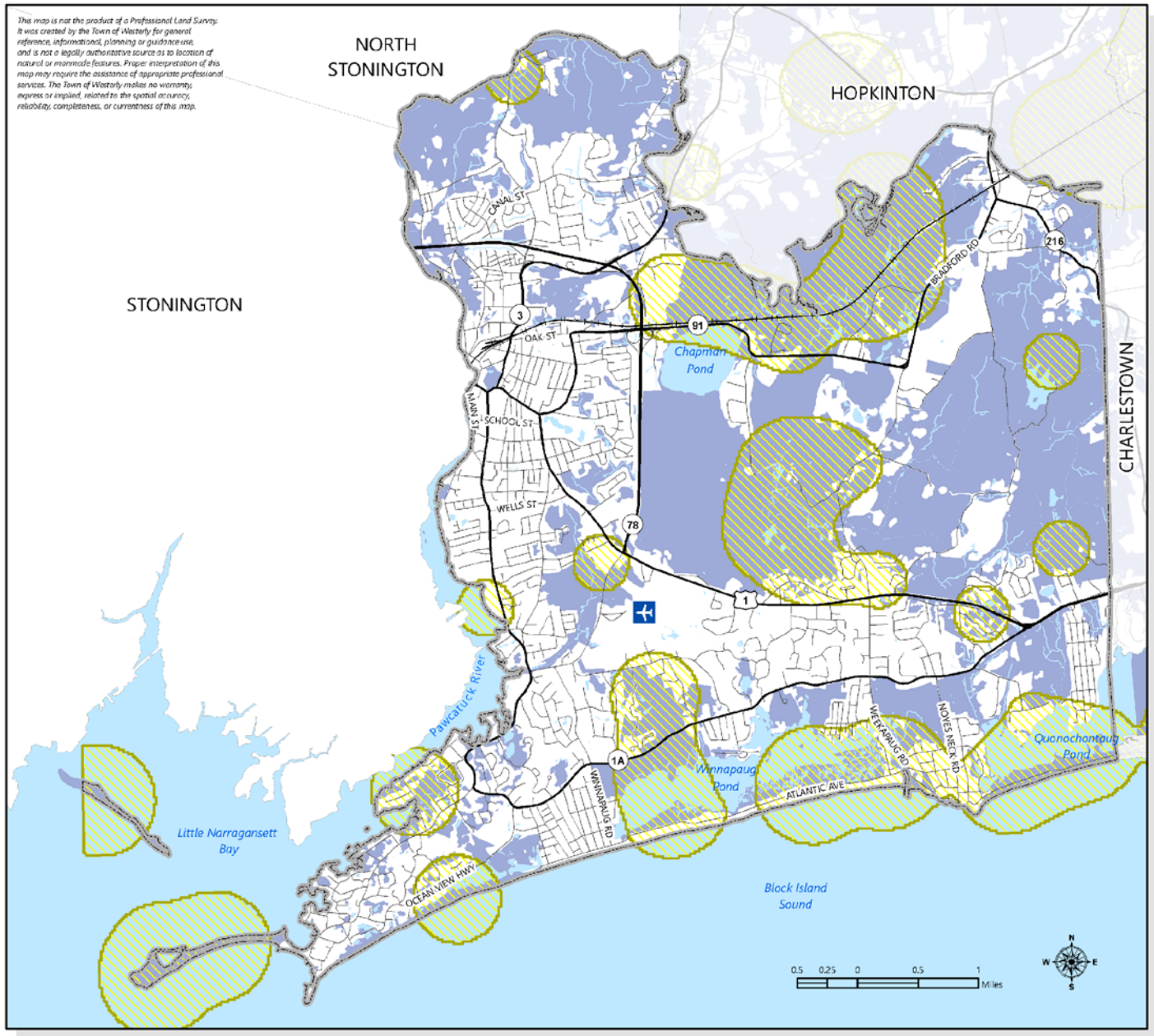

2020 Comprehensive Plan

Habitat Resources
NAT-M2

Legend

- Natural Heritage Area
- Conservation Opportunity Area
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

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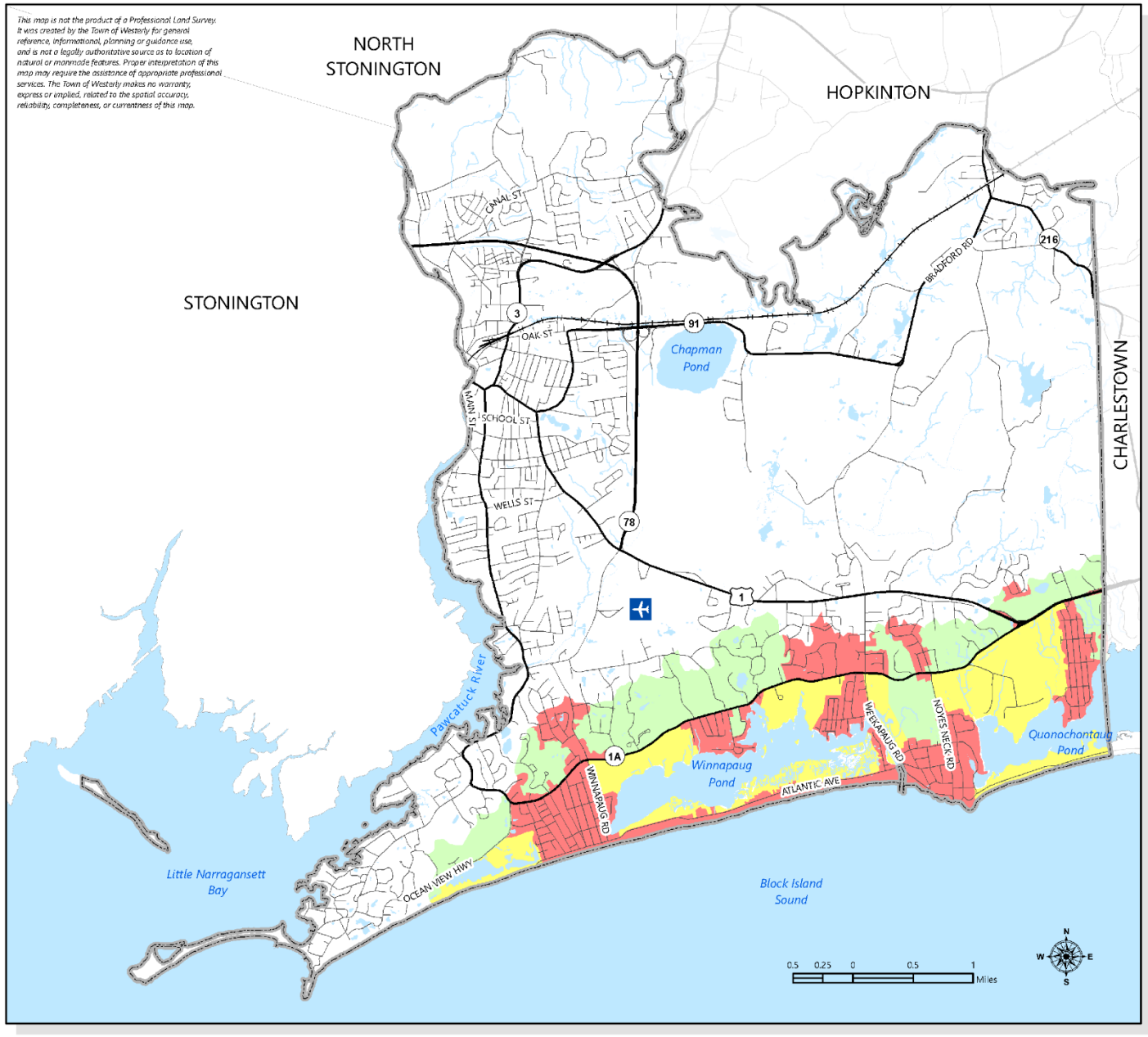

2020 Comprehensive Plan

CRMC
Salt Ponds Region SAMP
NAT-M3

Legend

- Developed Beyond Carrying Capacity
- Lands of Critical Concern
- Self-Sustaining Land
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

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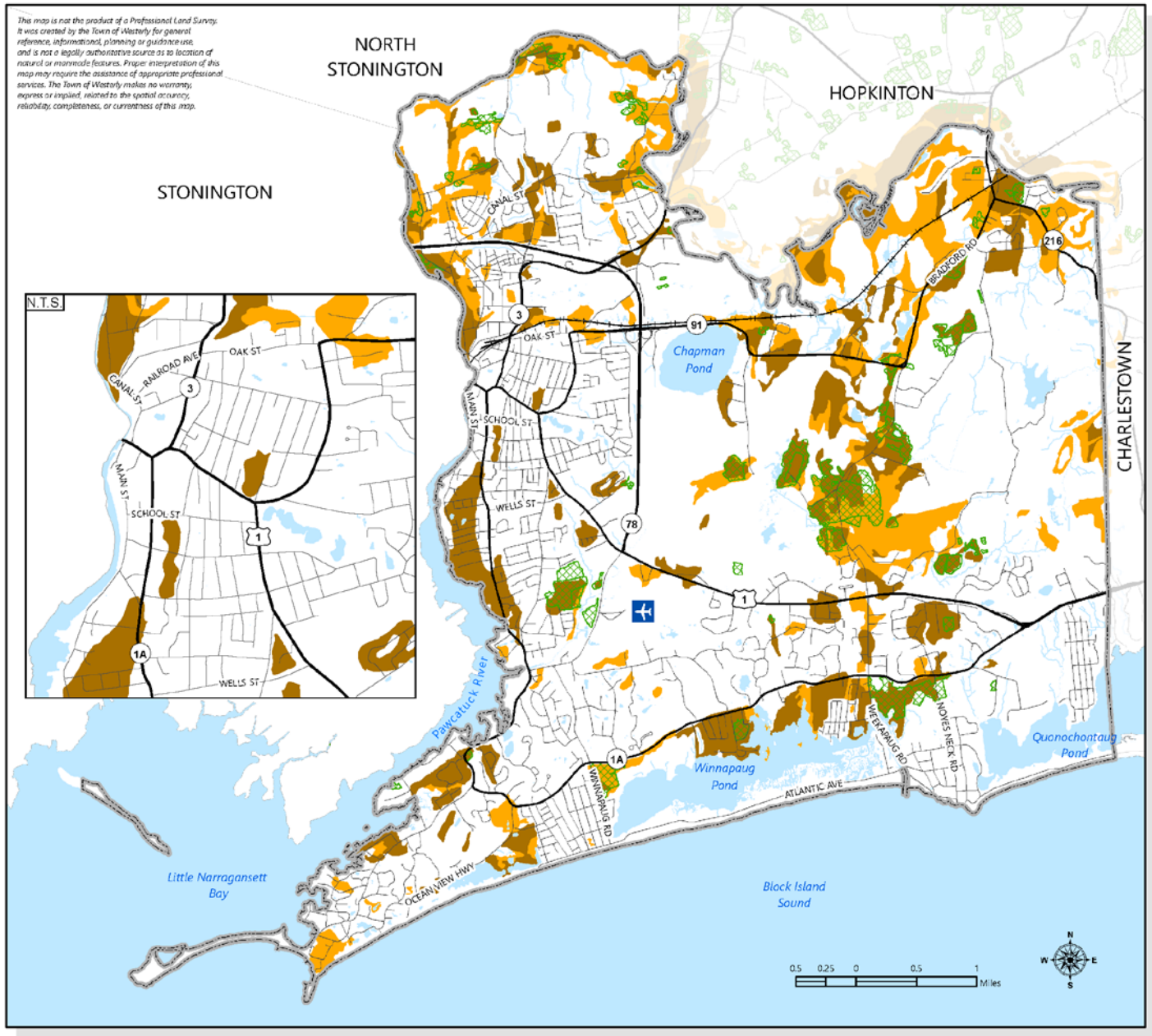

2020 Comprehensive Plan

Agricultural Soils
NAT-M4

Legend

- Prime Farmland
- Statewide Important
- Agricultural Use (2011)
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

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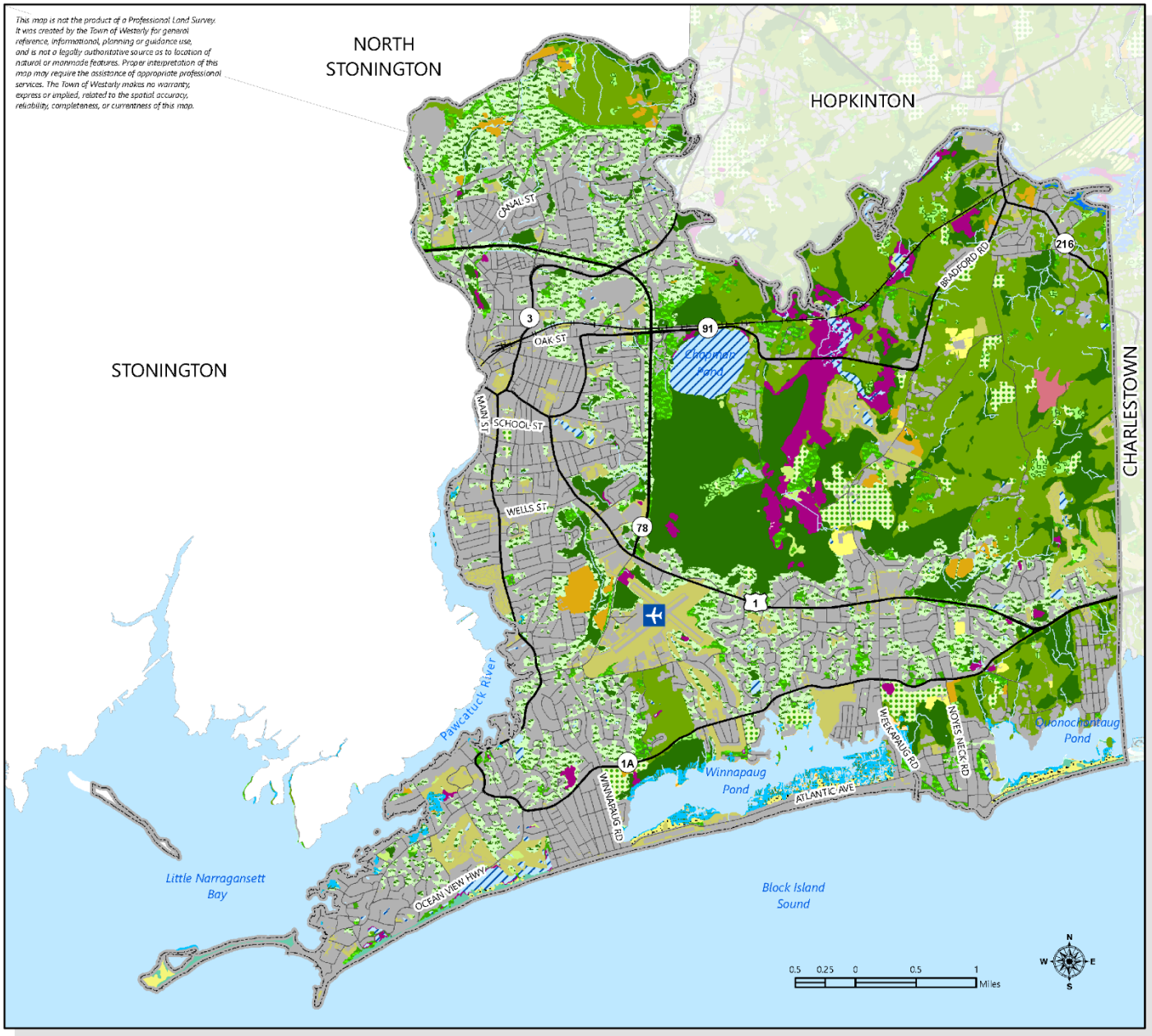

2020 Comprehensive Plan

Ecological Communities
NAT-M5

Legend

- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

Ecological Communities

- Forested Swamp
- Floodplain Forest
- Emergent Marsh
- Modified Marsh
- Fresh Water
- Peatland
- Intertidal Shore
- Salt Water
- Salt Marsh
- Shrub Swamp
- Mud Flat
- Tidal Creek
- Tidal River/Stream
- Oak Forest
- Mixed Forest
- Pitch Pine Woodland
- Ruderal Forest
- Ruderal Grassland/Shrub
- Inland Sand Barren
- Maritime Shrub Dune
- Maritime Shrubland
- Coastal Grassland
- Tree Nursery / Cropland / Orchard
- Turf
- Pasture
- Hayfield
- Urban Grass
- Developed
- Vacant Land

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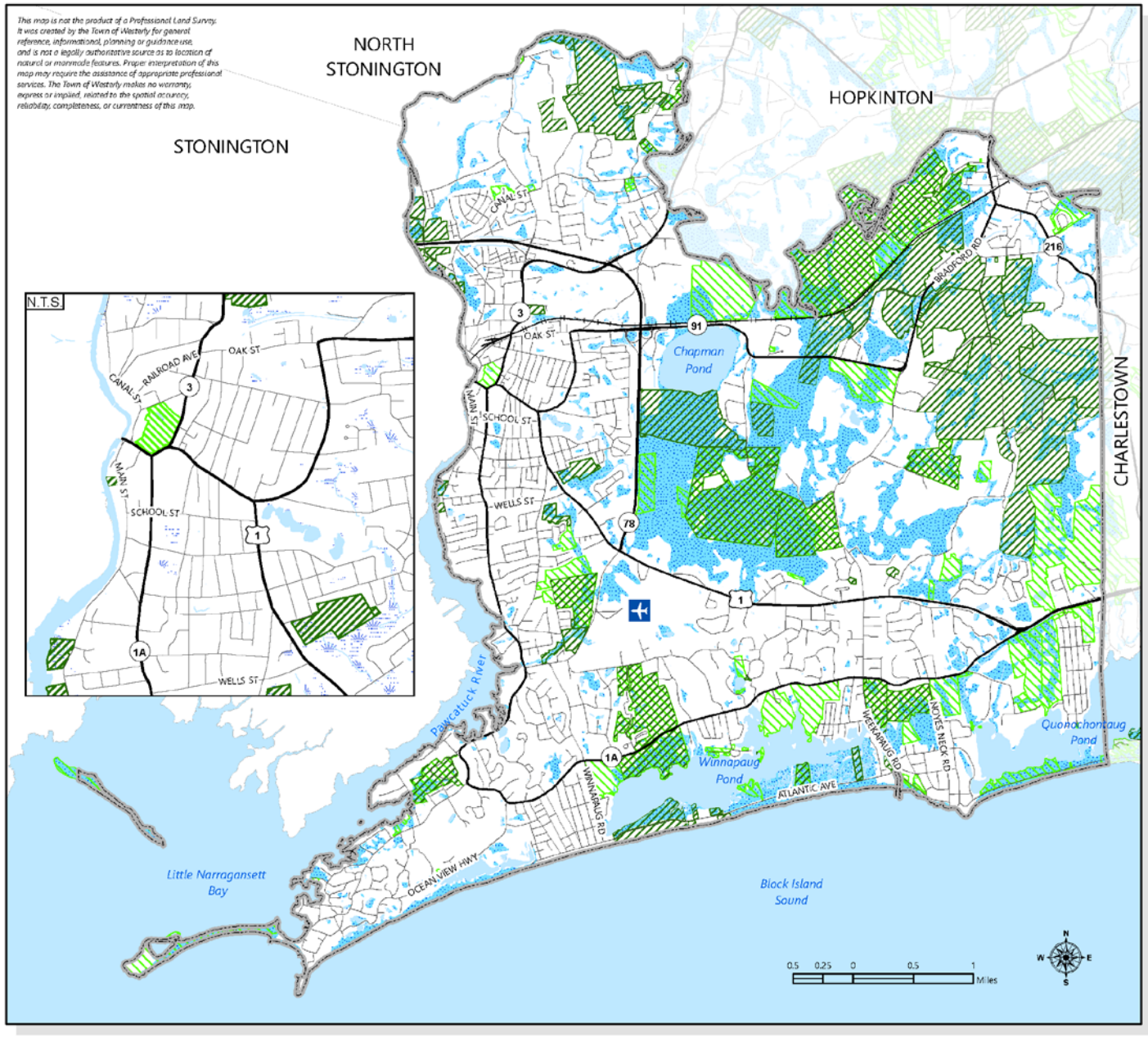

2020 Comprehensive Plan

Conservation Lands
NAT-M6

Legend

Conservation Lands

- Private Conservation Restriction
- Public Conservation Restriction
- Wetland
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

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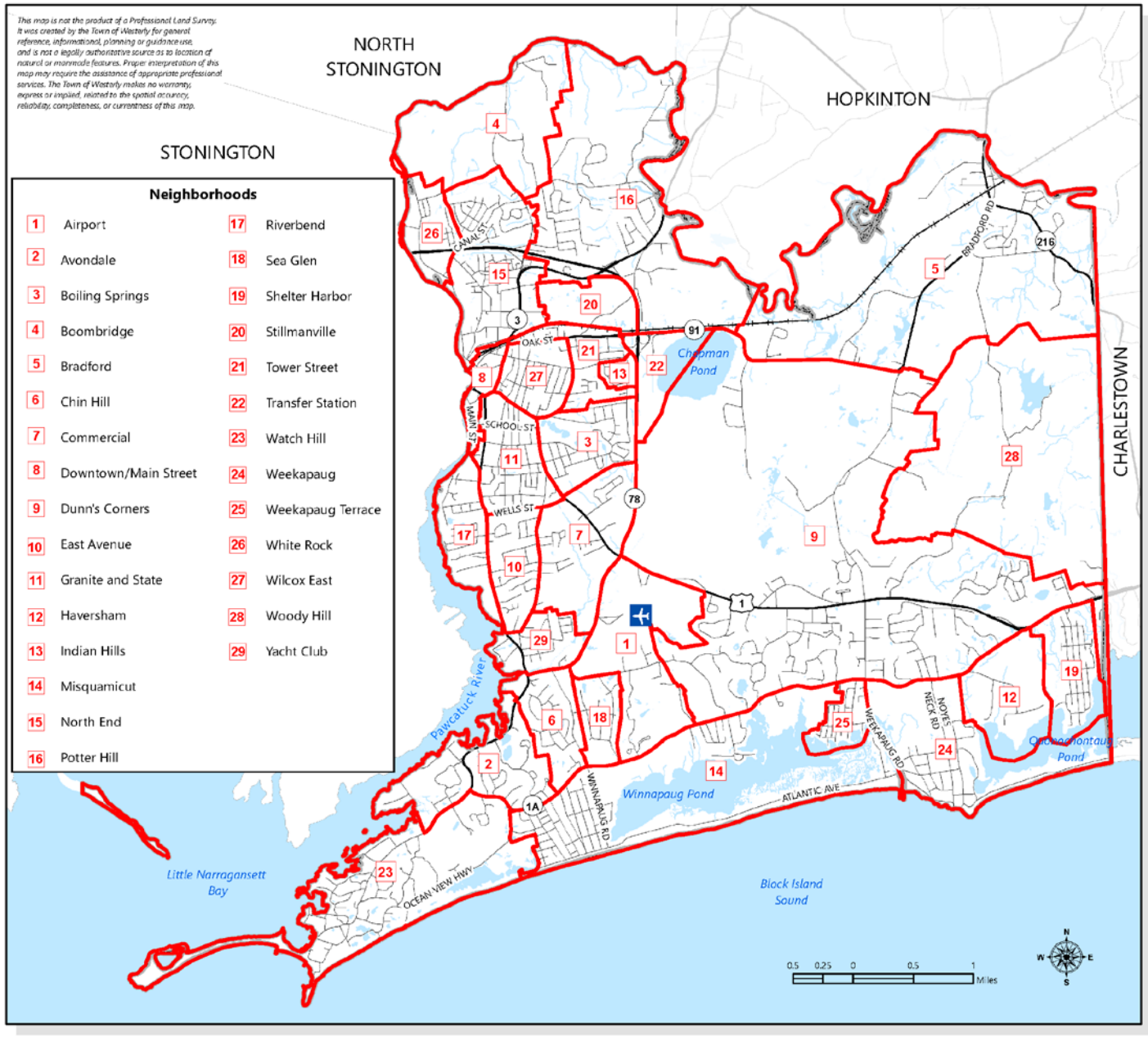

2020 Comprehensive Plan

Neighborhoods
NBH-M1

Legend

- Neighborhood Boundary
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

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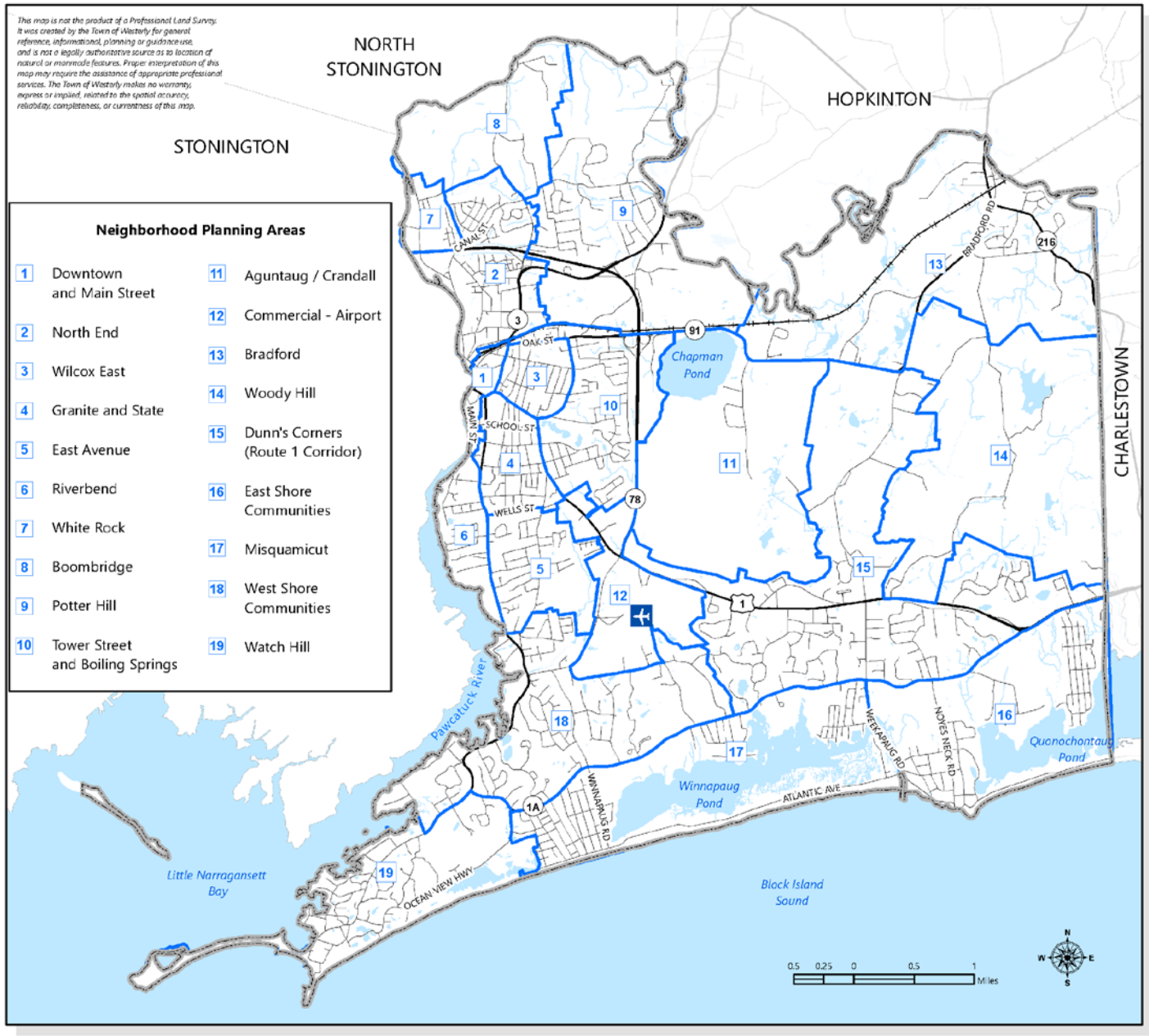

2020 Comprehensive Plan

Neighborhood Planning Areas
NBH-M2

Legend

- Neighborhood Planning Area
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

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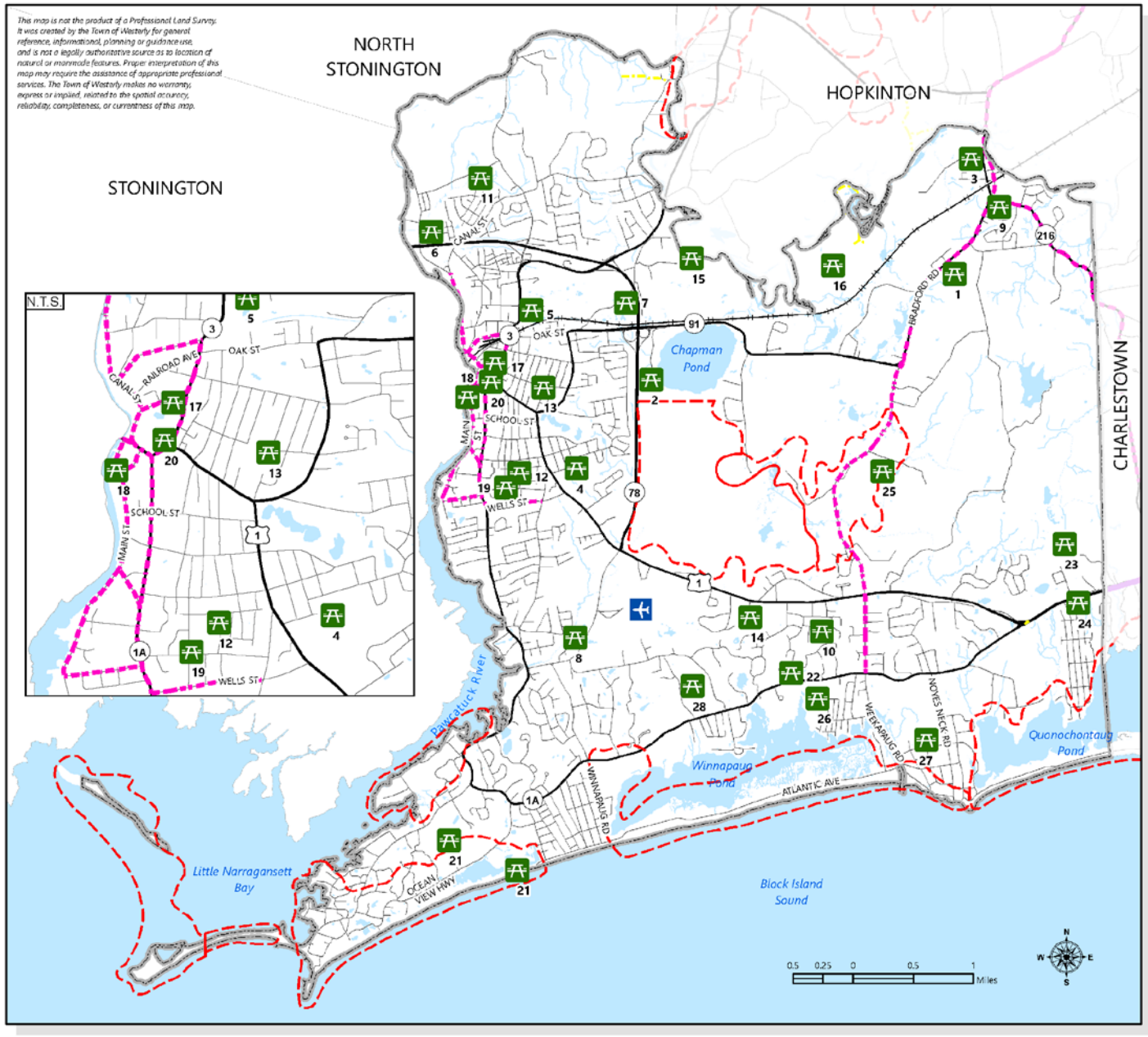

2020 Comprehensive Plan

Land-Based Recreation
REC-M1

Legend

- Land-Based Recreation Site
- Scenic Road
- On-Street Bike Route
- Trail
- Scenic Area
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

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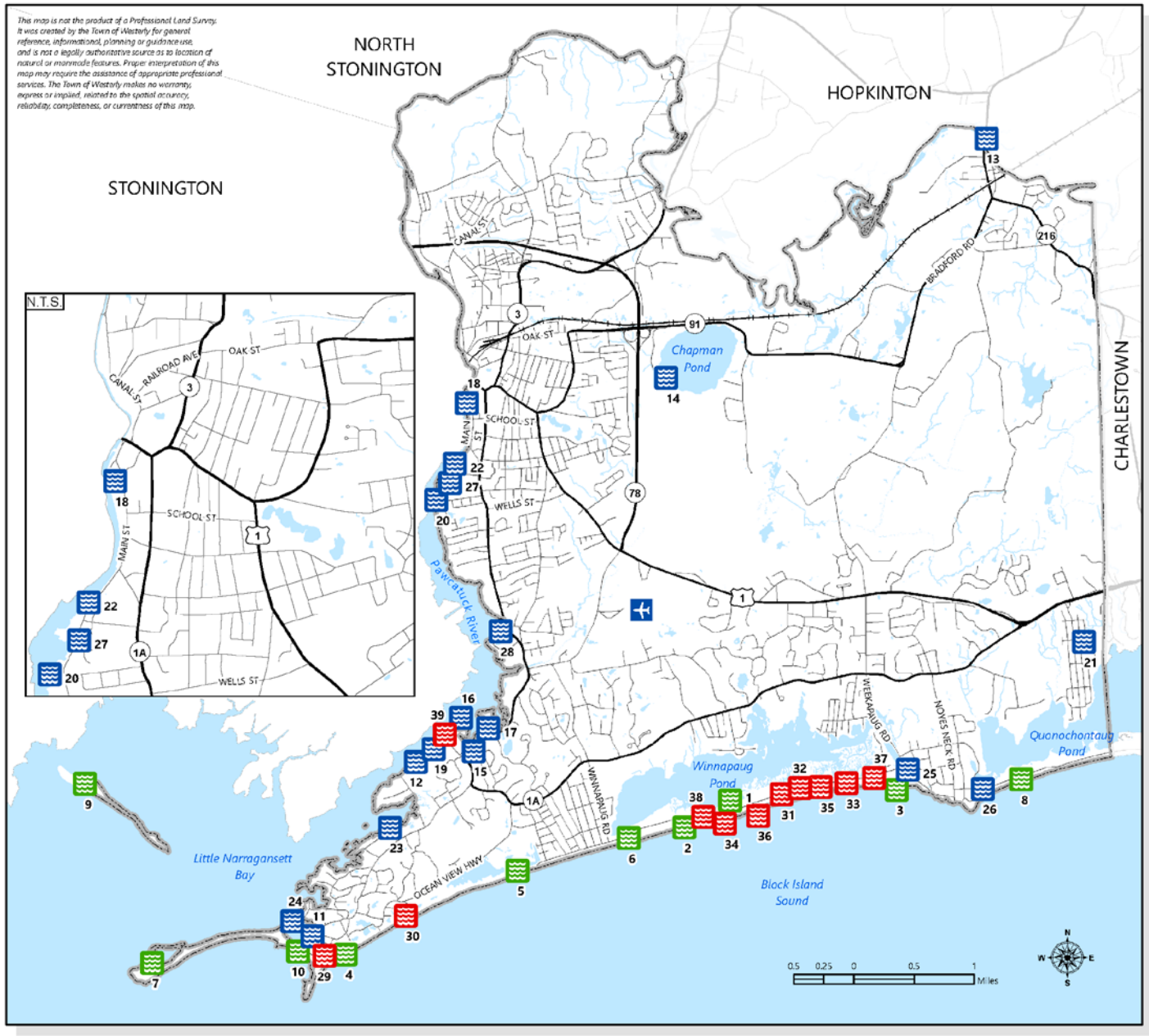

2020 Comprehensive Plan

Water-Based Recreation
REC-M2

Legend

- Recreational Boating & Fishing Facility
- Publicly Accessible Water-Basted Recreation Facility
- RI CRMC-Designated Right-of-Way
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

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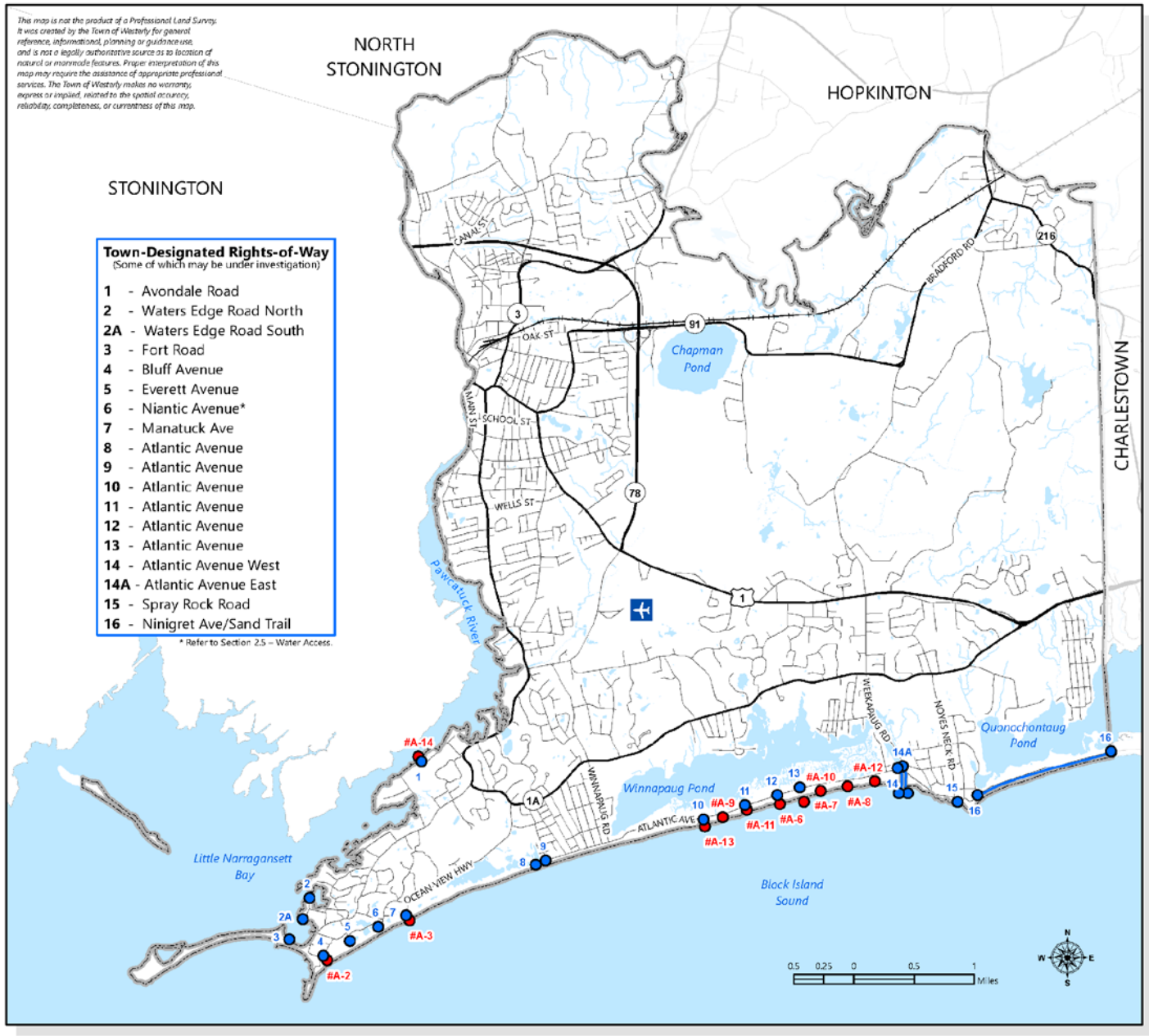

2020 Comprehensive Plan

Westerly Harbor Management Plan
Rights of Way to the Shore
REC-M3

Legend

- Town-Designated Right-of-Way
- RI CRMC-Designated Right-of-Way
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

RI CRMC-Designated Rights-of-Way

#A-2 - Bluff Avenue
#A-3 - Manatuck Avenue
#A-6 - Atlantic Avenue #1
#A-7 - Atlantic Avenue #2
#A-8 - Atlantic Avenue #4
#A-9 - Atlantic Avenue #5
#A-10 - Atlantic Avenue #6
#A-11 - Atlantic Avenue #7
#A-12 - Atlantic Avenue #8
#A-13 - Atlantic Avenue #9
#A-14 - Lotteryville Marina

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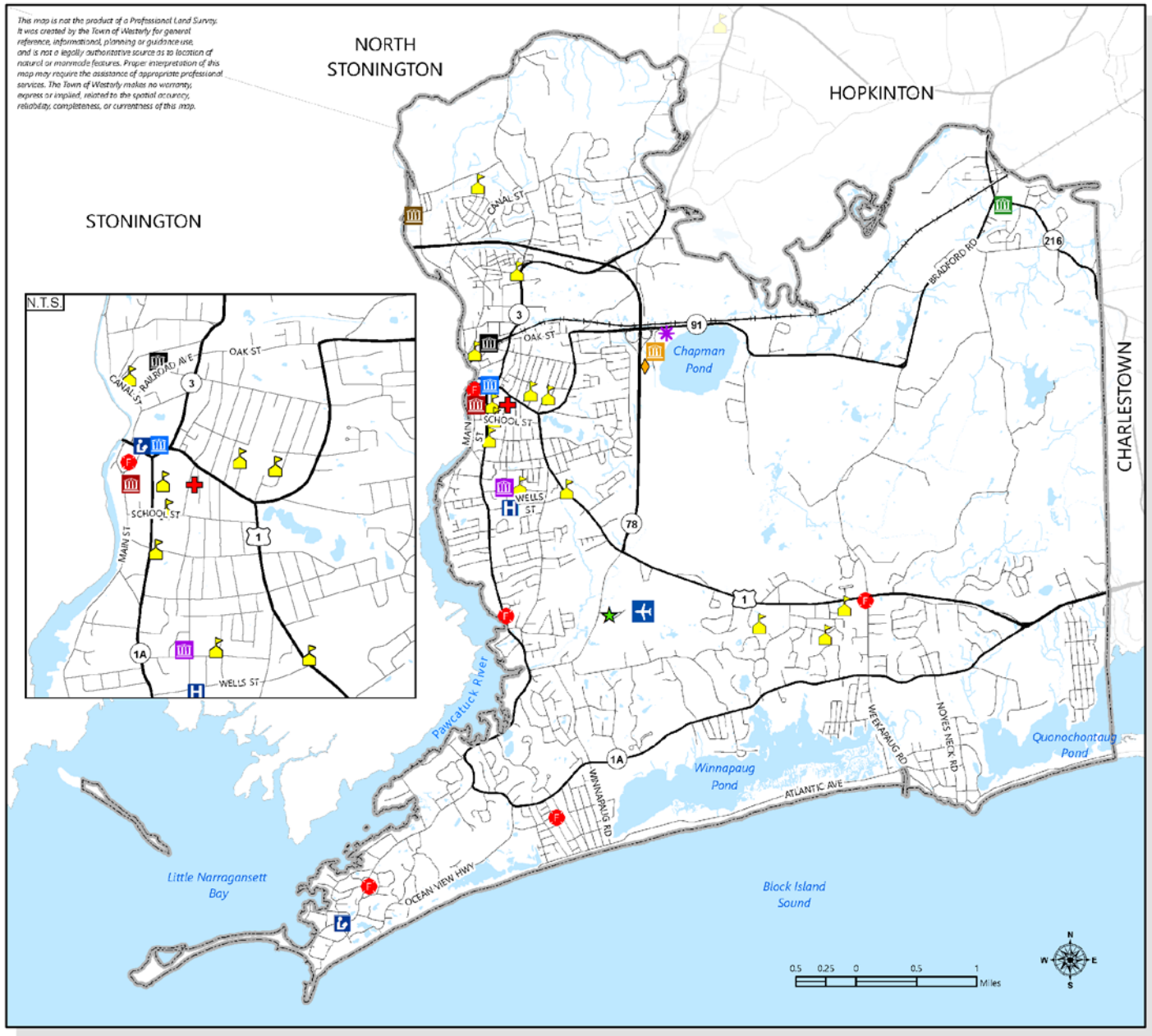

2020 Comprehensive Plan

Public Facilities
SAF-M1

Legend

- Westerly Town Hall
- Recreation Department
- DPW-Highways
- DPW-White Rock
- Westerly Armory
- Senior Center
- PACE Adult Day Center
- Library
- School
- Hospital
- Fire Station
- Police Station
- Westerly Ambulance Corps
- State Facility
- Active Solid Waste Facility
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

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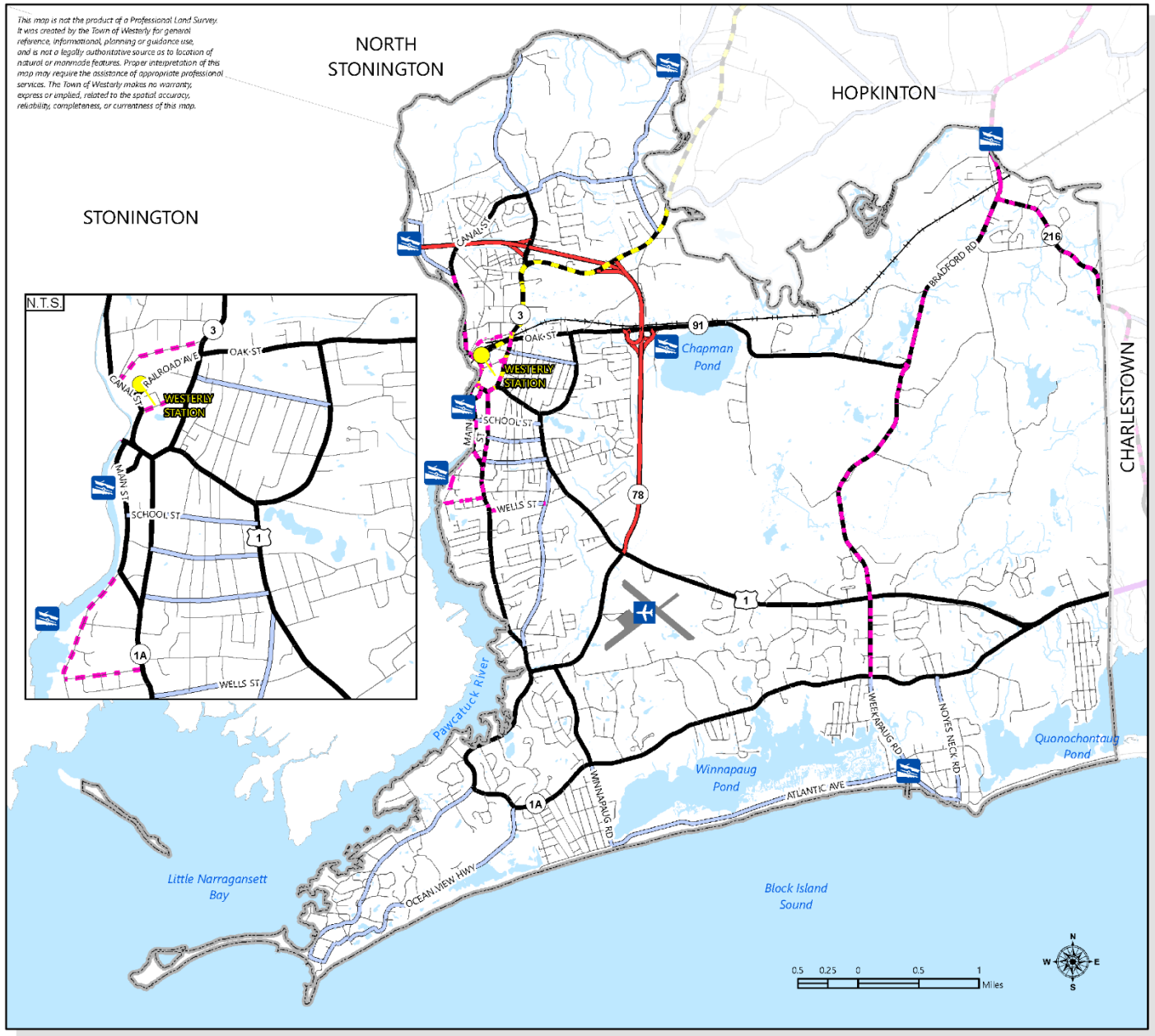

2020 Comprehensive Plan

Transportation
TRANS-M1

Legend

- Westerly State Airport
- Public Boating/Fishing Access
- RIPTA Fixed Bus Stop
- RIPTA Fixed Bus Route

Road Classifications

- Interstate Highway & Expressway
- Arterial Roadway
- Collector Roadway
- Local Roadway
- Scenic Road
- On-Street Bike Route
- River or Stream
- Water
- Town Boundary
- Railroad

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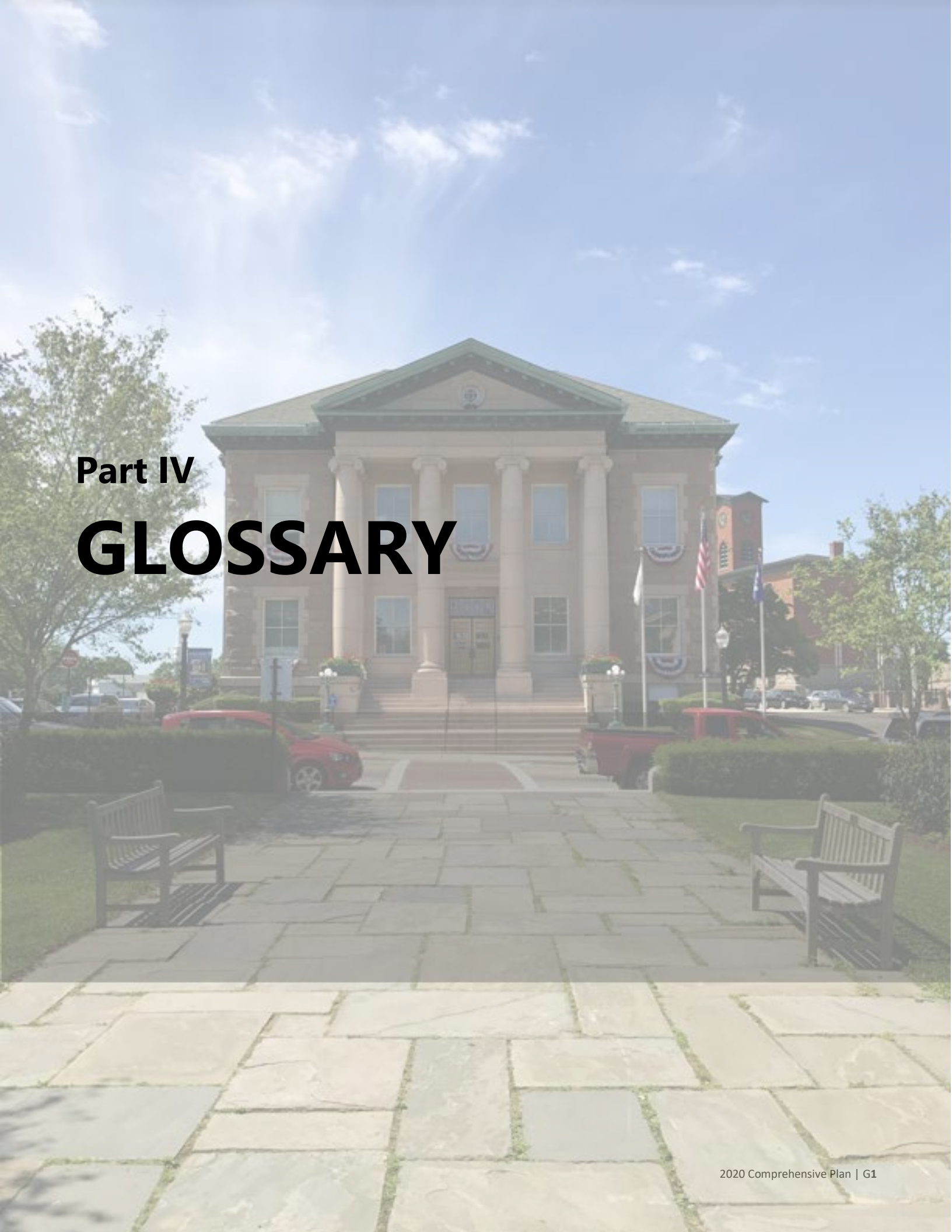

Part IV
GLOSSARY

ACRONYMS, INITIALISMS, & SHORT FORMS

A

ACS	American Community Survey
ADA	Americans with Disabilities Act
AirBnB	Air Bed & Breakfast
APOD	Aquifer Protection Overlay District
AV	Autonomous vehicle

B

BDA	Bradford Dyeing Association
BFD	Bradford Fire Department OR Bradford Fire District
BMP	Best management practice
BTU	British Thermal Unit

C

CAO	Certificate of Apartment Occupancy
CDBG	Community Development Block Grant
CDC	Community Development Corporation
CHAS	Comprehensive Housing Affordability Strategy
CIS	Composite Index Score
CIP	Capital Improvement Program
CMP	Congestion Management Process
CMS	Congestion Management System
CommerceRI	Rhode Island Commerce Corporation
ConnDOT	Connecticut Department of Transportation
CPTC	Connecticut Public Transportation Commission
CRMC	Coastal Resource Management Council
CRMP	Coastal Resources Management Program
CRS	Community Rating System
CSA	Community-supported agriculture
CSO	Combined sewer overflow
CWA	Clean Water Act

D

DBA	Westerly-Pawcatuck Downtown Business Association
DCFD	Dunn's Corners Fire Department OR Dunn's Corners Fire District
DHW	Domestic hot water
DPW	Department of Public Works

E

EB	General Dynamics/Electric Boat
ECM	Energy conservation measure
EDC	Economic Development Commission
EDR	Environmental Data Resources, Inc.
EPA	United States Environmental Protection Agency
EUI	Energy Use Index
EV	Electric vehicle

F

FAR	Floor Area Ratio
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
FLUM	Future Land Use Map
FMR	Fair Market Rent
FTE	Full-time equivalent
FY	Fiscal Year

G

GED	General Education Diploma
GI	Green infrastructure
GIS	Geographic Information System

H

HABS	Historic American Buildings Survey
HAER	Historic American Engineering Record
HAMFI	HUD Area Median Family Income
HID	High-intensity discharge
HMI	Housing Market Index
HMIS	Homeless Management Information System
HNRI	Housing Network of Rhode Island
HUD	United States Department of Housing and Urban Development

I

IBHS	Insurance Institute for Business and Home Safety
i.e.	In essence

J

JCAHO	Joint Commission on Accreditation of Healthcare Organizations
JCI	Johnson Controls, Inc.

K

KOH	Potassium hydroxide
kWh	Kilowatt-hour

L

LED	Light-emitting diode
LEED	Leadership in Energy and Environmental Design
LMI	Low-to-moderate income
LSC	Living Supplies Closet
LUST	Leaking underground storage tank

M

ACRONYMS, INITIALISMS, & SHORT FORMS

MBA	Misquamicut Business Association
MBTA	Massachusetts Bay Transportation Authority
MBTUs	Million British Thermal Units
MFD	Misquamicut Fire Department OR Misquamicut Fire District
MGD	Million gallons per day
MIOX	Mixed-Oxidants
MLS	Multiple Listing Service
MoE	Margin of error
MSA	Metropolitan Statistical Area
MS4	Municipal separate storm sewer system
MTA	Metropolitan Transportation Authority

N

NAMI	National Alliance on Mental Illness
NEC	Northeast Corridor
NECTA	New England City and Town Area
NEIWPCC	New England Interstate Water Pollution Control Commission
NFIP	National Flood Insurance Program
NFPA	National Fire Protection Agency
NHA	Natural Heritage Area
NOAA	National Oceanic and Atmospheric Administration
NOI	Notice of Intent
NPDES	National Pollution Discharge Elimination System
NPS	National Park Service
NRCS	National Resources Conservation Service
NRHP	National Register of Historic Places
NWEA	Northwest Evaluation Association
NWS	National Weather Service

O

OCCC	Ocean Community Chamber of Commerce
OCCF	Ocean Community Chamber Foundation
OSDRI	Operation Stand Down Rhode Island
OWMP	On-site Wastewater Management Plan
OWTS	On-site wastewater treatment system

P

PAYT	Pay as you throw
PFAS	Perfluoroalkyl substance
PNC	Pawcatuck Neighborhood Center
PRISM	Partnership for Rhode Island Streetlight Management
PVC	Polyvinyl chloride
P-TECH	Pathways in Technology Early College High School

R

RFP	Request for proposal
RIAC	Rhode Island Airport Corporation
RIAP	Rhode Island Agricultural Partnership
RICH	Rhode Island Coalition for the Homeless
RICNPCP	Rhode Island Coastal Nonpoint Pollution Control Program
RICRMC	Rhode Island Coastal Resources Management Council
RIDE	Rhode Island Department of Education
RIDEM	Rhode Island Department of Environmental Management
RIDLT	Rhode Island Department of Labor and Training
RIDOH	Rhode Island Department of Health
RIDOT	Rhode Island Department of Transportation
RIEMA	Rhode Island Emergency Management Agency
RIFPC	Rhode Island Food Policy Council
RIGIS	Rhode Island Geographic Information System
RIGL	Rhode Island General Law
RIHPHC	Rhode Island Historical Preservation and Heritage Commission
RIIB	Rhode Island Infrastructure Bank
RINHP	Rhode Island Natural Heritage Program
RINHS	Rhode Island Natural History Survey
RIPDES	Rhode Island Pollution Discharge Elimination System
RIPTA	Rhode Island Public Transit Authority
RIPUC	Rhode Island Public Utilities Commission
RIRC	Rhode Island Rivers Council
RIRRC	Rhode Island Resource Recovery Corporation
RISCA	Rhode Island State Council on the Arts
RIWRB	Rhode Island Water Resources Board
RPCP	Rivers Policy and Classification Plan
RtI	Response to intervention

S

SAMP	Special Area Management Plan
SCORP	State Comprehensive Outdoor Recreation Plan
SCCAA	South County Community Action Agency
SCHH	South County Home Health

ACRONYMS, INITIALISMS, & SHORT FORMS

SEAT	Southeast Area Transit District
SHAB	State Housing Appeals Board
SHFD	Shelter Harbor Fire Department OR Shelter Harbor Fire District
SHMP	State Hazard Mitigation Plan
SLE	Shoreline East
SLOSH	Sea, Lake, and Overland Surges from Hurricanes
SLR	Sea level rise
SNAP	Supplemental Nutrition Assistance Program
SPRW	Special resource protection waters
STEP	Sustainable Tourism Eco-Certification Program
STIP	State Transportation Improvement Program
SWMP	Stormwater Management Plan

T

Thm	Therm
TIP	Transportation Improvement Program
TMDL	Total maximum daily load
TNC	The Nature Conservancy
TOD	Transit-Oriented development
TSA	Tax Stabilization Agreement

U

UCMR	Unregulated Contaminant Monitoring Rule
UConn	University of Connecticut
URI	University of Rhode Island
US	United States
USACE	United States Army Corps of Engineers
USB	Urban Services Boundary
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey

V

VRBO	Vacation Rental-by-Owner

W

WAN	Wide Area Network
WARM	Westerly Area Rest and Meals, Inc.
WCCC	Washington County Coalition for Children
WCCU	Westerly Community Credit Union
WEC	Westerly Education Center
WFD	Westerly Fire Department OR Westerly Fire District
WHBO	Watch Hill Business Organization
WHFD	Watch Hill Fire Department OR Watch Hill Fire District
WHPA	Wellhead protection area
WIC	Women, Infants, and Children
WKFD	Weekapaug Fire Department OR Weekapaug Fire District
WLT	Westerly Land Trust
WMLT	Westerly Municipal Land Trust
WPD	Westerly Police Department
WPWA	Wood-Pawcatuck Water Association
WRAP	Westerly Regional Arts Partnership
WRF	Westerly Revolving Fund
WRHS	Wood River Health Services
WST	Westerly State Airport
WWTF	Wastewater Treatment Facility

Y

YE	Year end
YNHHS	Yale-New Haven Healthy System

TERMS & CONCEPTS

The following descriptions are provided to explain and identify the meaning of certain planning terms and concepts referred to in this Plan that may not be well-known to some readers. They are not intended for use as legal definitions.

A

Affordable by design — Residential dwelling units that cost less to own or rent because they are smaller, more efficient, and have fewer amenities, such as in-unit storage, in-unit laundry, and/or off-street parking space.

Age-friendly — Efforts to promote an environment which improves the health, participation, and security of older adults by enabling them to age safely in a place that is comfortable for them, to be free from poverty, to continue their personal development, and to contribute to the community.

B

Best management practice — A procedure, process, rule, or other type of high-quality water pollution control.

Bikeability — The extent to which the built environment and public realm is welcoming to the active presence of bicyclists living, shopping, visiting, enjoying, travelling, or spending time in an area.

Built environment — The environment that contains all physical, human-made parts of where people live and work, such as buildings, streets, and open spaces, that influence a person's physical and mental activity.

C

Community food system — A food system in which all components are sustainable and integrated to enhance the economic, environmental, nutritional, and social wellbeing of a defined area.

Community-supported agriculture — An economic model in which an agricultural producer, such as a farmer, sells or otherwise supplies a specified number of goods directly to local consumers.

Complete street — A street that provides people, regardless of age or level of ability, with safe and accessible options for multiple travel modes, including walking, bicycling, using public transit, and operating or riding in a motor vehicle.

Culinary tourism — Unique, memorable, and sometimes untraditional eating and drinking experiences that offer authentic sense of place.

G

Green infrastructure — A cost-effective, resilient stormwater management approach designed to reduce and treat stormwater at its source while delivering environmental, social, and economic benefits by using vegetation, soils, and other natural elements and practices.

Growth center — A municipally-designated and State-approved area which encompasses a core of commercial and community services, residential development, and natural and built landmarks and boundaries that provide a sense of place.

TERMS & CONCEPTS

H

Human scale — The extent to which the built environment and public realm is designed to be experienced by people walking at a casual pace rather than while driving or riding in a motor vehicle.

K

Knowledge-based industry — An economic subsector characterized by a dependence on high skill levels, information, knowledge, and modern technology.

N

Nature Tourism — Travel for the purpose of enjoying underdeveloped natural areas or wildlife.

Neighborhood plan — A document presenting a vision and strategy to guide change within a contiguous, often predominantly residential portion of an urban area.

New economy — A service-based industry which is characterized by high growth, innovation, and a use of or reliance on modern technology.

P

Parking maximum — A land development regulation that sets a limit on the number of parking spaces which can be provided or otherwise assigned to a single commercial, industrial, or residential dwelling unit.

Place-based — An approach to economic development that uses a community's attractiveness and quality of life as a tool for the growth and vitality of its wealth and resources.

Placemaking — The practice of creating, enhancing, and expanding a community's large-scale and small-scale assets to improve its overall attractiveness and quality of life.

Public realm — The publicly accessible space around, between, and within buildings, encompassing streets, squares, parks, and other open spaces, that supports and facilitates the experiences, lives, and social interaction of people.

Q

Quality of opportunity — The condition of circumstances and possibilities for people to advance their personal and professional development.

R

Recreational tourism — Active participation in some recreational activity or participating in a sport or cultural event as spectator.

TERMS & CONCEPTS

S

Smart city
A municipality that uses a combination of computing devices and other technologies to derive data from multiple components of the urban area and use the processed and analyzed information to improve the experience and lives of the urban area's residents and visitors.

Smart growth
An approach to development that encourages a mix of building types and uses, diverse housing and transportation options, and community engagement.

Strong town
A municipality that focuses on its contemporary conditions and undertakes a process of continuous adaptation through small, incremental steps, rather than large-scale or legacy-based projects, to positively impact its future.

Sustainable city
A municipality which actively plans for the social, economic, and environmental impacts of its actions to maintain and increase its resiliency for existing and future residents and visitors.

T

Transit-oriented development
The creation of a compact, walkable, pedestrian-oriented, mixed-use area concentrated around a high-quality group travel system, such as a passenger train, which reduces or eliminates dependence on a motor vehicle to conveniently maintain a person's quality of life.

U

Urban
Relating to, or being characteristic of, a concentration of people within a defined area, such as a town, and the impacts of those people on the pre-existing natural environment within and surrounding the defined area.

Urban agriculture
The cultivation, processing and distributing of an agricultural product or service, including food, horticultural crops, composting, aquaponics, aquaculture, and hydroponics, in an area with little or no direct access to natural resources.

W

Walkability
The extent to which the built environment and public realm is welcoming to the active presence of pedestrians living, shopping, visiting, enjoying, travelling, or spending time in an area.

Town of Westerly

Harbor Management Plan

2016 Revised 10/28/19

Proposed Revisions May 2021

As Adopted by the Westerly Town Council, October 28, 2019

In general, known access-points will be outlined here—29 designated sites of various types and descriptions in 2009. Where issues and questions remain, those sites will be listed as 'Prospective Future Sites and Site Ideas' at the end of the section.

2. FINDINGS

*Note: All directions (north/south/east/west) referred to in this section are 'by the compass'.

SHORELINE PUBLIC ACCESS AND RIGHTS OF WAY TO THE SHORE (referenced from Westerly ROW book and 2004 RI CRMC Public Access manual)

Site #1--Avondale Road- (State designated ROW #A14). Located next to the Lotteryville Marina, this ROW is approximately 25-feet wide, covering 3776 square feet, and is bordered on its north side by a stone wall marking the boundary with the Frank Hall Boat Yard. There is a stone wharf and a launching ramp, both in need of repair. The site is posted. It appears to have been set up as a launching ramp, but the terrain at entry needs attention and upgrading. The exact size and dimensions of this parcel should be identified for possible upgrading. No parking nearby.

Site #2 & 2A- Water's Edge Road (Town-designated—previously Meadow lane). Located at the end of Pawcatuck Avenue, running north/south, this ROW runs the entire length of Waters Edge Road, ending on the north side at Foster Cove and on the south side at Watch Hill Cove. A blue ROW sign has been posted at the intersection of Pawcatuck Avenue and Waters Edge Road. ~~The site is not posted.~~ Access~~,~~ to the north side is blocked by fencing and established undergrowth. Access here would be unsafe due to steep slopes and management would be cost prohibitive. As such, no signs have been posted on the north side. On the south side, at Watch Hill Cove, a granite pillar has been posted at the south side access. ~~the launching ramp is ill-maintained and the right-of-way has been narrowed by vegetative growth on one side and large rocks on the other.~~ Currently, ~~N~~no turnaround or parking is available. ~~No parking is available.~~ This ROW is the subject of a pending CRMC permit that includes improvements to access and installation of kayak racks. The access point has been reestablished for launching kayaks and canoes. A new kayak rack may be installed in the near future. No public parking is immediately available except on Bay Street.

Site #3- Napatree Point Access~~Fort Road (Access along Fort Road shoreline)~~. Located off Bay Street, generally running along Watch Hill Cove ~~adjacent to shops and cabanas~~, ~~the~~ pedestrian ~~easement~~ access leads to Napatree Point, ~~running along the seawall as a shoreline path and leading~~ through a posted entrance ~~gate to Napatree Beach~~. This ~~ROW~~ pedestrian access is heavily used in the summertime~~,~~ and moderately used in the off-season.

Site #4- Bluff Avenue, Watch Hill- (*Both Town and State-designated as CRMC ROW #A-2*). Located at the top of Larkin Road as it becomes Bluff Avenue. This ROW is pictured and described as a 40-foot wide road that leads to the beach. Now a pathway bordered by

and described as a 40-foot wide road that leads to the beach. Now a pathway bordered by evergreens and beach rose bushes, about 10-feet wide at the Bluff Avenue entry, narrowing to approximately 6 feet as it winds down toward the beach. A town sign and CRMC ROW marker ~~is~~are posted at the entry-point. A boardwalk has been added to the end of this ROW. Legal notice from the Solicitor's Office has been sent to the landowner of 12 Bluff Avenue (Plat 185, Lot 16A) with encroachments on the ROW. **This ROW should be kept clear and upgraded; it is heavily used in summer, moderately used off season.*

Site #5- Everett Avenue, Watch Hill- (Town-designated) Located just north of the Ocean House, this ROW is a path 30 feet wide and 260 feet long. There are private homes on both sides of the right-of-way. There is a sign posted at the right-of-way itself, designating this as a beach entry point, ~~but no~~and a sign has been added at the entry to Everett Avenue. This access-point is heavily used in the summer season and has been utilized as a vehicular beach-entry point by fishermen during the off-season.

Site #6- Niantic Avenue, Watch Hill (Determined to be Private ROW)
This right-of-way was once posted with a Town sign~~;~~, however, a title search has revealed that the pathway is privately owned, and the sign has been removed. A No Public Parking sign is also posted at this location, yet the egress/ingress has not been blocked or prohibited from access during the past 100+ years.

Site #7- Manatuck Avenue, Watch Hill—(*State-designated ROW—CRMC #A-3*). Located at the beach-end of Manatuck Avenue, this is a wide sandy path leading to the beachfront. It is posted with a RI CRMC right-of-way sign. It is heavily used during the summer months as a beach-access and used as a vehicular entry-point during the off season. A 3-point turn-around (cul de sac) is proposed for public safety at this location. A CRMC assent has been granted for this project and construction is anticipated to occur in the summer of 2021.

Site #8- Atlantic Avenue, Misquamicut- (Town-designated) This right-of-way is located at the very end of Atlantic Avenue, going west. It is, technically, the hurricane-eroded extension of Atlantic Avenue that once led to several summer cottages. There is a town sign posted, and a chained-and-posted entry-point. It has been historically utilized as a pedestrian and vehicular right-of-way, used heavily by the public both during the summer and in the off-season.

Site #9- Atlantic Ave, Misquamicut- (*Town-designated*). Located on the western end of Atlantic Avenue near pole #154, this is a ten-foot wide path to the shore, marked by a town ROW sign. It is bordered by a wooden fence and a thick growth of beach roses. There are private homes on both sides. This ROW is used moderately in the summer months as a beach-entrance.

Site #10- Atlantic Avenue, Misquamicut—(*State-designated ROW, RI CRMC #A-13*) Located near pole #91 near Atlantic Beach Park on the north side of the State Beach, between two buildings (Windjammer Lounge and a 3-story residential condominium).

This right-of-way appears to coincide with a private parking-lot entrance. It is marked with a state shoreline access sign and appears to be utilized at least moderately in the summer season. It has also been used as a vehicular entry-point in the off-season.

Site #11 Atlantic Avenue, Misquamicut—(*State-designated ROW, RI CRMC #A-11*) Located near pole #72 on the east end of Atlantic Avenue, this right-of-way is marked and posted with a sign. It is well-marked and heavily-used in the summer season.

Site #12 Atlantic Avenue, Misquamicut—(Town-designated, State-designated, RI CRMC #A-6)- Located on the east end of Atlantic Avenue near pole #54, this right-of-way is a long sandy path to the beachfront. It is marked with a CRMC access sign and bordered with a snow-fence. This right-of-way has been used historically. It is used moderately in the summer season.

Site #13 Atlantic Avenue, Misquamicut—(Town-designated, State-designated, RI CRMC #A-7) Located on the east end of Atlantic Avenue (near pole #46), this right-of-way is clearly posted with signs and appears to be used regularly in the summer season. It is a long sandy path bordered by a wood-framed, chain link fence.

With the help of CRMC personnel (Kevin Cute & Janet Freedman) several additional state-designated ROW's, previously not mentioned, were reviewed. These are included below. These ROW's may or may not be accessible, but they have been designated by the state as legitimate ROW's. In some cases, accessibility may be possible, however, and every effort should be made to clear them and open them to pedestrians.

Site #A-12, state-designated ---This ROW is located between telephone poles #19-20, and street numbers 601-611, at the Weekapaug end of Atlantic Avenue. The site is not passable. Starting from Atlantic Avenue, the ROW crosses Phragmites marsh, thick brush, a sand dune and a boulder revetment. The boulder revetment encroaches on the 'beach' to the east as depicted on a Westerly Plat map of 1909. The revetment impedes lateral access along the shore at high tide.

Site #A-8, state-designated---Moving from site A-12 along Atlantic Avenue toward Watch Hill, this ROW is located between telephone poles #29-30, and street numbers 563-567. The ROW is not passable at present. Starting from Atlantic Avenue, it crosses thick brush and a boulder revetment. The boulder revetment along this section of shoreline is approximately at the 'foot of bank', possibly encroaching on the 'beach' in places.

Site #A10, state-designated---This ROW is located between telephone poles #39-40, and street numbers 523-529, at the Weekapaug end of Atlantic Avenue. There is a walkway (private?) leading to the beach that is connected to a ground-level deck, adjacent to 529 Atlantic Avenue.
If the exact dimensions and location of this ROW can be determined, reopening it to public use should not be difficult.

Site #A-9, state-designated—This ROW passes through the Westerly Town Beach between telephone poles #80-81. Pedestrian access through this town-owned shorefront property is permitted.

Site #16A—West Beach Road, Charlestown—This ROW was not included in the initial list as it is located in Charlestown. It does, however, provide public water and boat access to Quonochontaug Pond, a portion of which is located in the Town of Westerly and a portion in Charlestown. This RI state access area has a boat-launch ramp and ample parking. It is located at the end of West Beach Road, adjacent to the Quonochontaug breach way in Charlestown.

WEEKAPAUG AREA—

Site #14 Atlantic Avenue, Misquamicut/ Weekapaug Bridge—(*State-designated (DEM) fishing area*) Located on both sides of the Weekapaug Bridge, these state-designated parking areas for fishing, allow fishermen and pedestrians access to the Breachway and the shoreline. From the west side parking area, a vehicle-path leads along the Breachway to the shore. This is used in the off-season as a vehicular access for fishermen; it is used in the summer season as a pedestrian right-of-way to the Breachway and the shore. The east side of the breachway contains a DEM fisherman's parking lot and a footpath. CRMC and DEM have established a clear and well-defined path for public access entirely on state property and have installed signage to guide the public from the DEM fisherman's parking lot to the shore.

Site #15 Spray Rock Road overlook, Weekapaug (sea-walled scenic overlook and shoreline access.) Located at a scenic bend in Spray Rock Road, this parking area (time-limited in summer) has been used as a scenic overlook and shoreline access for fishermen and surfers for many years. Parking in the off-season is not time-limited.

Site #16 Spray Rock Road, Weekapaug (*State-designated pedestrian and vehicular ROW*) Located at the north end of Spray Rock Road, abutting the Weekapaug Yacht Club, this gravel-to-sand road leads to the Quonochontaug breach-way (4X4 vehicles only on sand road to breach-way). By an agreement reached in Superior Court in 1997 (CA# 94-321/ dated 2-26-97) this roadway (with limited public parking near the entrance) is available to all residents as a pedestrian access-path and to property owners and other authorized vehicles (such as fishermen with permits) who wish to reach the shoreline or the Quonochontaug breach-way in Charlestown. Harbor Management members, town officials and concerned groups (such as fishermen) must continue to maintain and improve both pedestrian and vehicular right-of-way access to this Westerly/Charlestown shoreline area.

WINNAPAUG POND RIGHTS-OF-WAY

Site W1 – Atlantic Avenue and Winnapaug Road, Misquamicut – Located east of Winnapaug Road and north of Atlantic Avenue, on the south side of Winnapaug Pond, on State of Rhode Island property, across from Misquamicut State Beach. CRMC and DEM

are working on creating an access point to the Pond with a boat launch and seasonal parking limited to the shoulder season. Boat drop-off would be permitted during the high season, with parking across the street at the State Beach. If authorized by DEM, a kayak rack may be installed.

Site W2 – Atlantic Avenue at Old Town Beach, Misquamicut – Located on the north side of Atlantic Avenue near the Old Town Beach parking lot, on the south side of Winnapaug Pond, this potential access point exists on Town-owned property and will be reviewed by CRMC for approval of launch improvements and installation of a kayak rack.

Site W3 –Atlantic Avenue and Breach Drive, Misquamicut – Located on the north side of Atlantic Avenue, west of the breachway and east of Breach Drive, on State of Rhode Island property, this access point includes a state-designated 50-foot right of way to the breachway. This ROW has existed since the breachway was constructed by DEM and the Town is requesting that this be designated as a CRMC ROW. Parking exists on the site owned by the State of Rhode Island.

[INSERT MAP OF RIGHTS OF WAY HERE]

PUBLIC BEACH ACCESS

Site #17- Misquamicut State Beach, Atlantic Avenue. (RI Department of Environmental Management (DEM))—Located on the west end/south side of Atlantic Avenue, this is Rhode Island's largest state-owned beach with 3600 feet of frontage on the Atlantic Ocean. The parking lot and facilities (bathrooms, changing rooms, snack bars) are open for the summer season (Memorial Day to Labor Day) for an entrance fee; in the off season there is no charge for parking. Pedestrian access always welcome. The beach is part of 102 acres of state-owned land that also borders Winnapaug Pond.

Site #18- New Westerly Town Beach (Wuskenau), Atlantic Avenue, Misquamicut—Located just to the east of the State Beach, with parking on both north and south sides of Atlantic Avenue, this new town beach has almost 300 feet of beach frontage and is open to the general public for a fee. Facilities (bathrooms, showers, changing rooms, concessions) available. Lifeguards on duty during summer season.

Site #19 Westerly Town Beach, Atlantic Avenue, Misquamicut—Located on the south side of Atlantic Avenue, also east of the State beach, abutting an RV park, this 10-acre beachfront property has 550 feet of ocean frontage. Attendance is restricted to permitted Westerly taxpayers. Two parking lots available, on north and south sides of Atlantic Avenue, 400 total parking spaces. The beach pavilion has facilities (showers, bathrooms, concessions). Lifeguards on duty during the summer season.

BOATING, FISHING AND SCENIC ACCESS

Site #20- Main Street Boat Launch, Westerly—(*State-owned)* Located on the Pawcatuck River, near Westerly's Town center on Main Street between Union and School Streets,

The Providence Journal

LOCAL

Is this wealthy RI town using parking tickets to limit the public's access to the beach?

Antonia Noori Farzan
The Providence Journal

Published 6:34 p.m. ET July 22, 2021 | **Updated 8:12 a.m. ET July 23, 2021**

When Ken Block got a dog two years ago, his perspective on Barrington started to change.

Tilly, a Goldendoodle, loves to swim. So Block, best known locally for his runs for governor in 2010 and 2014, began looking for spots to take her. And he quickly discovered that getting to the water was much harder than it seemed.

On a map, Barrington's western coastline appears to be dotted with public right-of-ways that lead to Narragansett Bay. Typically found at the ends of quiet residential streets, they're exactly the kind of place where an excitable Goldendoodle can happily spend hours bounding around in the gentle waves.

The problem, Block found, is that parking near these access points tends to be illegal. Unless you happen to live in one of the nearby neighborhoods, where homes routinely sell for upwards of $1 million, you'll likely find yourself driving down street after street and encountering one "No Parking" sign after another.

"I was pretty aggravated that there were these public access points that I, as a member of the public, could not access," Block said.

While Rhode Island's Constitution guarantees the right to access the shore, there's nothing in the law that prevents towns from making it impossible to park near the water. Wealthy oceanfront communities across the state have exploited that loophole, making it difficult for the average Rhode Islander to access large swaths of the shoreline, according to Conrad Ferla, an advocate for coastal access who lives in Wakefield.

"Removing parking has been the back-door way to privatize the shoreline for a couple of

decades now," Ferla said.

Block, who has lived in Barrington since 1993, doesn't think that officials sat down one day and decided to find a way to cut off all access to the beach.

The parking bans gradually appeared over a long period of time, first on one street and then another — likely at the behest of residents who wanted to make it harder for people from outside their neighborhood to get to the beach, he believes.

He points to a log of all the complaints that the Barrington Police Department received about illegal parking between January 2019 and June 2021, which he obtained through a public records request and shared with The Providence Journal. The majority of calls were about cars parked in neighborhoods directly north and south of Nayatt Road, within a short walk of the water. Many make specific reference to the beach.

"[O]ccupants had beach items with them," the summary of one complaint from September 2020 notes. Another, from last July, states that the caller told police that an individual had parked illegally, then "got out of the vehicle with two dogs and walked towards the beach." (The records do not identify the callers.)

Over the past few years, Barrington has spent nearly $20,000 to install attractive carved granite pillars that mark the locations of public-access points. The notion that parking bans are being deliberately used to keep people away from some of those same spots is a "conspiracy theory," said Town Manager James Cunha.

But Cunha also said that part of the impetus to install the granite markers was that "previously, when you'd put out a metal sign, a neighbor would take it and get rid of it so people wouldn't realize it was public access."

One reason public right-of-ways have become so controversial is that Barrington prevents non-residents from parking at its town beach, a move that sets it apart from most other coastal Rhode Island communities.

For decades, locals knew to head a little further down the road to "RISD Beach" — Tillinghast Place, which is owned by the Rhode Island School of Design — but the college began banning people from parking on its property during the pandemic.

As a result, getting to Barrington's sandy coastline, with its sweeping views of Narragansett Bay, requires a detailed knowledge of local parking loopholes. For

instance, it's possible to leave a car at Nayatt Elementary School and walk roughly half a mile to the beach — as long as school isn't in session.

The rest of the time, the best bet is to head to the skate park on Legion Way, and then walk about a mile and half on busy roads with no sidewalks.

"Nothing's stopping people from riding a bike down," said Cunha, the town manager.

Remarks like that are a constant source of frustration to Tina Guenette Pederson, an advocate for people with disabilities who runs a non-profit organization called Real Access Motivates Progress.

"What if you're elderly and you have a walker and cane?" she asks. "Or maybe you've just had surgery and you want to go and clear your mind at the local town beach, and you can't walk that far."

Block, similarly, points out that he has a friend and neighbor who is an amputee. "To ask him to walk three-quarters of a mile before he gets to the beach feels wrong," he said.

More: Ban out-of-staters from R.I. beaches? Can't be done, DEM says

During his run for governor on the Moderate Party ticket, and later as a Republican, Block argued that Rhode Island needed to rethink how it was spending taxpayer money. Today, he says he has no plans to run for office, and that the governorship is the only position that would interest him if he did.

But he categorizes the fight for coastal access in terms that don't sound too different from his previous campaign platforms, noting that he's helped pay to maintain Barrington's public right-of-ways for years through his taxes.

Part of Block's frustration stems from his sense that parking enforcement depends on neighborhood residents' whims. Barrington police wrote a total of 358 parking tickets between January 2019 and June 2021, all on streets that are less than a mile from the nearest waterfront access point. The majority were issued after someone called to complain.

Since Barrington doesn't have meter maids, parking enforcement "typically comes from complaints," Cunha said. Police will proactively monitor areas where parking has been "abused," he added, but generally aren't going around looking for people who they can ticket.

"They have better things to do with their time," he said.

More: Political Scene: Beach-access politics heating up this summer

From the town's perspective, safety is the main concern, Cunha said. The National Fire Protection Association recommends that roads be at least 20 feet wide so that emergency vehicles can easily pass through, which means that a street would need to be at least 26 feet wide in order to also have room for parking.

Some roads near the beach meet that standard, but others don't. In order to address the debate over public access in an "objective" manner, police are measuring every street in Barrington for a comprehensive parking study, Cunha said.

The review will take another two or three months to complete, Cunha says. Once the results are in, he plans to propose banning parking on any street that doesn't meet the 26-foot rule, and opening it up on those that do, if there are no other "mitigating circumstances."

Among those circumstances, Cunha acknowledged, could be that "some of the neighbors don’t want parking." Ultimately, it will be up to the Town Council to decide how to proceed.

More: Voting rights and the beach: ACLU gets involved in Bonnet Shores dispute

Block is skeptical that emergency vehicles really need 20 feet of space on residential streets with little traffic, and he's not convinced that safety is the main issue at hand.

In the same parts of town where visitors are issued parking tickets for going to the beach, he says, it's common to see streets packed with illegally parked cars because someone is having a Fourth of July party. But his records request didn't turn up any cases where tickets were issued during the holiday, nor during the week of Barrington High School graduation, another occasion that tends to see large celebrations.

Residents will also sometimes call and ask that a specific car parked on the street not be ticketed, and Cunha acknowledged that police are in the habit of granting the occasional (and reasonable) request.

"You can’t make the argument that it's not safe for me and my dog to park there, but it is safe for a neighbor to have party-goers park there," Block said.

Lately, though, Block has been ignoring the "No Parking" signs whenever he takes Tilly to the beach.

"I would welcome getting a ticket," he said. "I would love to make the case to the judge about what, in effect, is a discriminatory ticketing policy."

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February 23, 2024

Shawn Lacey, Town Manager
Westerly Town Hall
45 Broad Street
Westerly, RI 02891

RE: WATER'S EDGE ROAD/PAWCATUCK AVENUE PARKING ISSUES AND HISTORY

Dear Shawn:

It was a pleasure meeting with you on Wednesday, February 21st to review the history and relevant documents regarding the Town's initiative to establish a boat launch site at Water's Edge Road South. As I mentioned, the Town, through its Town Manager, Mark Rooney, was involved in this initiative along with CRMC representatives. Residents of Water's Edge Road and Pawcatuck Avenue were also involved in the process at various points in time.

After many months of meetings, discussions, proposals, and filings with CRMC and the Attorney General's Office, the parties were able to reach an agreement that allowed for the establishment of a kayak/canoe rack at Water's Edge Road South. In addition, the parties agreed that the "no parking, tow zone" restrictions as noted in the Town Ordinance § 238-67 A (3), would remain in full force and effect and that there would be no parking on either of those streets.

As I mentioned, Julia Beasley, Director of Recreation, was trusted to administer the kayak/canoe racks and to the best of my knowledge she has done an excellent job and there have been no issues with respect to same over the last 3 years. However, in order to give you chronological evidence with respect to the history of this transaction and as requested, please see the following:

- **Exhibit A**: Sometime on or about September 16, 2020, the Town, through the Town Manager, applied for a Maintenance Permit to CRMC and identified the scope of the work as follows:

  "Removal of rock in right of way and removal of rock and debris at launch area"

  This document was received by CRMC on September 21, 2020 and is noted as 2020-09-108.

- **Exhibit B**: Because of my clients concerns regarding the proposed Maintenance Certification Application, I wrote a letter to CRMC on September 29, 2020 seeking to receive notice of the Town's Proposals and requesting an opportunity to participate and be heard on my clients behalf.

- Subsequently, many of the residents of Water's Edge Road and Pawcatuck Avenue met with the Town Manager, Mark Rooney, on October 22, 2020 to discuss the Town's Proposal to expand the Town's Right-of-Way on Water's Edge Road to include parking. At that time, the Town Manager agreed that the nature and degree of the clearing at the Water's Edge Road South site would be limited and that the Town Manager, on behalf of the Town, agreed that the road would not be widened and that parking would not be imposed upon the residents on Water's Edge Road and/or Pawcatuck Avenue.

- **Exhibit C**: Because of the October 22, 2020 agreement with the Town Manager, I was directed to stand down and withdraw the residents' objection to CRMC regarding the Town's Proposed Plans.

- **Exhibit D**: Because of "mixed messages" that were being received from the Town Manager, I was directed by the residents on November 13, 2020 to confirm the agreement reached on October 22, 2020 between the Town Manager and the residents.

- **Exhibit E**: On or about December 10, 2020, the Town, through its Town Manager, supplemented/supplanted the September "Maintenance Certification Application" to include widening the roadway for parking places. This Application for State Assent included a two (2) page document from the Town Engineering Division which laid out three (3) options:

  "Option 1

  As part of Option 1, the following activities will be conducted:

    - *Resurfacing/restoration of the existing earthen boat ramp;*
    - *Repair of the existing deteriorating asphalt at the southern terminus of Waters Edge Road;*
    - *Installation of a new asphalt driveway apron at the driveway for 14 & 16 Waters Edge Road; and,*
    - *Installation of (a) new kayak rack(s) in the grassy area to the southwest of the southern terminus of Waters Edge Road, adjacent to the earthen boat ramp.*

  The boat ramp restoration will consist of removing the mixture of gravel, sand, and grass from the first 50 feet of the ramp, and replacing it will an approximately 8-inches of 2- to 3-inch diameter stone. Any fine silts or organic deposits will be "mucked out" and replaced with beach sand, as necessary, for the remaining 40 feet of the ramp. Any concrete debris located within and alongside of the earthen ramp will be removed and disposed off-site. Any existing boulders that obstruct use of the ramp will be relocated to a nearby

location. The use of the 2- to 3-inch stone will stabilize the surface beyond the asphalt road for vehicular passage, and will also act as a sedimentation buffer between the road and the lower part of the earthen ramp. Removal and replacement of the fine silts and localized organic deposits within the limits of the lower ramp will provide a safer and more stabilized kayak launch for public use. The new asphalt driveway apron is intended to delineate the public ROW from the private driveway, while also providing an erosion control measure for the existing stone driveway.

Option 2

All activities described in Option 1 would be included in Option 2. Additionally, Waters Edge Road would be widened by approximately 9 feet, for a length of approximately 190 feet, in order to provide 6 parking spaces while still allowing/or two-way traffic. Widening of the road would require removal of 3-joot and 6-foot wide grass strips located parallel to the north and south sides of the road, respectively. White pavement markings would be placed to delineate the six 20-foot long, 9-foot wide parking spaces, with hatched no-parking areas located near the driveway for 11 Waters Edge Road and the southern terminus of Waters Edge Road.

Option 3

All activities described in Option 1 would be included in Option 3. Differing from Option 2, Option 3 proposes to add parking spaces on the abutting street (Pawcatuck Avenue), which is currently wide enough to provide parking and still allow two-way traffic. Pavement markings added along the southern side of Pawcatuck Avenue, between the driveways/or 10 Waters Edge Road and 12 Pawcatuck Avenue, would provide for seven 20-foot long, 9-foot wide parking spaces, with hatched no-parking areas located adjacent to the driveways."

The Town Engineer suggested that he preferred Option 2 which states as follows:

"Preferred Option

The Town has identified Option 2 as the preferred option. The activities described in Option 2 can be completed by the Town o/Westerly's Department of Public Works, and does not require substantial road reconstruction activities to provide public parking/or use of the improved boat ramp."

The residents were unaware of this proposal to CRMC.

- **Exhibit F**: Because of the residents' concerns over the years, they had hired experts to review the issues associated with establishing Water's Edge Road as a "boat launch site." However, after the Town Council and Town Manager filed an Application with CRMC in 2020-2021, the following experts were engaged to provide their analysis and reports with respect to the Town's proposal to establish a boat ramp and parking on Water's Edge Road and/or Pawcatuck Avenue.

Alfred DiOrio Alfred W. DiOrio, RLS, Inc. Surveyor	Thomas Cunningham Commonwealth Engineers & Consultants, Inc. Engineering Consultant
Scott Rabideau Natural Resource Services, Inc. Environmental Resource Expert	Joseph Lombardo JDL Enterprises Town Planner

They reviewed the Town's Certification Application and proposal to establish a boat ramp and expand the roadway for parking purposes.

- Thereafter, on January 11, 2021, I received an email from the Town Manager in which he states in relevant part as follows:

"I am informing you that staff will be proposing changes to the local Parking Ordinance to include parking at various locations to meet the "Public Access" of ROW designations throughout Town. Tom, your clients are not the only citizens with concerns. I appreciate their concerns and recognize the hardship real or perceived; but the needs of the many outweigh the self-interest of the few when establishing public policy. I hope this makes clear where I stand and where staff will be coming from on the 25th.

CRMC requires parking as part of "Public Access "for any ROW staff and I will do our best to minimize the impact to the neighbors in close proximity of (any/all), ROW's.

Yet, do not continue to expect the Town to relinquish or diminish Public Access to satisfy a local self-interest group is folly as the staff and I work for the community writ large."

- **Exhibit G**: Because the above noted email did not represent the agreement that was reached by the parties with the Town Manager and CRMC, I responded to the Town Manager on January 11, 2021.

- **Exhibit H**: Thereafter, on or about January 12, 2021, I spoke to David Reis, the Supervising Environmental Scientist of CRMC, who was overseeing the Town's December 10, 2020 Application. Mr. Reis informed me that "CRMC is not recommending parking on Water's Edge Road because of the construction required, among other things, but its preferred area is Pawcatuck Avenue."

- Significantly, Al DiOrio, one of the experts who was hired, provided his opinion with respect to the Town's proposal to establish parking on Water's Edge Road South. His report is noted previously (**Exhibit F**).

- **Exhibit I**: Finally, on or about February 18, 2021, I received confirmation from the Town Manager that CRMC approved and provided a Notice of Assent to establish the kayak/canoe site at Water's Edge Road South and that there would be no parking and no further improvements.

- Since that time, there have been no issues with respect to the kayak/canoe racks and the Town and CRMC have abided by the terms and conditions of the Assent and the parties agreement.

I trust that the aforementioned will assist you and others with respect to the consideration that was extended by the residents of Water's Edge Road and Pawcatuck Avenue as they worked collaboratively with the Town, Town Manager, and CRMC to establish the kayak/canoe rack facility at Water's Edge Road South.

Sincerely,

Thomas J. McAndrew, Esq.

TJM/cpm
Enclosures

Cc: Jim Orthwein
Chris Galvin
Mary Dillow
Melinda Dempsey
Joan Beth Brown

Exhibit A

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

MAINTENANCE CERTIFICATION APPLICATION

Project Location Waters Edge Road Westerly (No. / Street / City/Town)	File No. (CRMC USE ONLY): 2020-09-108
Owner's Name Town of Westerly	Plat: / Lot(s):
Mailing Address 45 Broad Street City/Town Westerly State RI Zip Code 02891	Contact No.: 401-348-2572
Contractor RI Reg. #: Town of Westerly Department of Public Works Address:	
Name of Waterway: Little Narragansett Bay	Estimated Project Cost: $ Fee (chart based on EPC): $
Description of facility to be maintained (type of facility and present conditions) Kayak/Canoe launch is obstructed as a result of rock and debris	
Describe accurately the maintenance work proposed. (Use additional sheets of paper if necessary and attach this form.) Removal of rock in right of way and removal of rock and debris at launch area	
Describe equipment to be used, construction methods, access routes, etc. Backhoe	

Have you or any previous owner filed an application for and/or received an assent for any activity on this property?
(If so please provide the file and/or assent numbers): _____

Is this site within a designated historic district? ☒ YES ☐ NO

Is this application being submitted in response to a coastal violation? ☐ YES ☒ NO

If YES, you must indicate NOV or C&D Number: _____

NOTE: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible adhered to the policies and standards of the program. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. The filing of false information can result in the Coastal Resources Management Council revoking state assent.

J. Mark Rooney

Owner's Signature

J. MARK ROONEY
Town Manager

Apl 03/2020

SEE REVERSE SIDE →

RECEIVED
SEP 21 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

Exhibit B

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

September 29, 2020

Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: WATERS EDGE ROAD SOUTH

Dear Sir or Madame:

I attended a meeting with the Westerly Town Council on Monday, September 14, 2020 and was informed by the Town Council that there would be no activity performed at Waters Edge Road South unless and until the Town petitioned CRMC for an Assent and Order. On behalf of my clients, neighbors and abutting landowners we would appreciate notice and the opportunity to appear before CRMC to contest the Town's petition for numerous reasons.

To date, I have not received anything from the Town or CRMC regarding this initiative, but wanted to reaffirm my previous correspondence dated September 8, 2020 and enclosed indicating that I, on behalf of abutting landowners, would like notice and the opportunity to appear before CRMC along with other residents of the neighborhood, who too have concerns with respect to the Town's initiative.

Please provide notice to me if the Town of Westerly and/or through its employees, agents and others seek to change clear or modified in any way the Town's Right-of-Way at Waters Edge Road South in Watch Hill.

Thank you very much for your kind attention to this.

Sincerely,

Thomas J. McAndrew, Esq.

Enclosure

Exhibit C

Managed Cloud Systems

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>

WATERS EDGE ROAD SOUTH , RIGHT-OF-WAY

2 messages

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com> Tue, Oct 27, 2020 at 11:53 AM
To: jwillis@crmc.ri.gov

Good Morning Mr. Willis:

Please see attached hereto my correspondence concerning the above-referenced matter.

Thank you.

Tom
(Dictated but not read)

Attachment

—
Thomas J. McAndrew, Esq.
Thomas J. McAndrew & Associates
One Turks Head Place, Suite 205
Providence, Rhode Island 02903
(401) 455-0350 Tel
(401) 455-0882 Fax

Jeff Willis Letter of 10.27.2020.pdf
50K

Jeff Willis <jwillis@crmc.ri.gov> Tue, Oct 27, 2020 at 1:06 PM
To: Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>

Tom – thank you for this. It contains good news indeed on the collaborative nature of any potential work at the Water's Edge Rd site.

A suggestion: we do not have an application from the town in front of us regarding this location at this time. However we suspect we will have one sooner than later. When we do receive an application would it be possible to have worked with the town to have letters of support from your clients be included with their application? At least two things will come from this: first, the obvious one being support from the abutting property owners which certainly helps in any subsequent review; and second, should any agency notification be required from our review, those abutting property owners would receive all notices relevant to the review of the application, again, should any be necessary.

I realize your attached letter pretty much accomplishes this but as you said therein, collaboration is ongoing as to what the final design/use of the site will be. Hence the letters of support upon application.

Again thanks for making this contact and providing the clarification letter. We look forward to the continued collaboration between all parties at this site.

Thanks,

Jeff

****

Jeffrey M. Willis, Executive Director

RI Coastal Resources Management Council

Stedman Government Center / Room 116

4808 Tower Hill Road

Wakefield, RI 02879-1900

(401) 783-3370

www.crmc.ri.gov

[Quoted text hidden]

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

October 27, 2020

Mr. Jeff Willis, Director
Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: WATERS EDGE ROAD SOUTH – RIGHT-OF-WAY

Dear Sir:

I previously wrote to you on September 29, 2020 requesting that the residents of Waters Edge Road receive "notice" if the Town of Westerly sought to change in any material way the existing Right-of-Way at that site. I am afraid that my letter requesting "notice" has been misunderstood or misinterpreted because on behalf of those residents that I represent they do not have an objection to improve this site and have been working with the Westerly Town Manager to establish appropriate conditions that will make this site safe and accessible to the public.

To date there have been excellent collaborative meetings held between the parties that portend for a mutually agreed upon Agreement to improve access and to establish, among other things, kayak racks at this site.

I trust that this note clarifies the position of the abutting land owners, and we look to continuing to work with the Town Manager to finalize a mutual understanding with the Town that incorporates appropriate conditions.

Please feel free to contact me should you have any questions, concerns or comments regarding the abutting neighbors support for this initiative.

Sincerely,

Thomas J. McAndrew, Esq.

Cc: Mark Rooney
Joan Beth Brown

Exhibit D

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

November 13, 2020

Mr. Mark Rooney
Town Manager
Westerly Town Hall
45 Broad Street
Westerly, RI 02891

Re: Waters Edge Road South
Kayak/Paddle Boards Launch Site

Dear Mark,

Some residents on Pawcatuck Avenue and Waters Edge Road have contacted me with respect to the Town's ongoing plans to clear a portion of the property at Waters Edge Road South to establish a Kayak/Paddle Board launch area for the public to safely access.

A number of these individuals previously met with you and Joan Beth Brown on October 22 to discuss the nature and degree of your plans and thought that the Parties had reached a compromise and that there was a "meeting of the minds". Moreover, in various conversations that I had with you over the last month or more, I was led to believe that the following items were essentially agreed to by the parties and would be implemented:

1. There would be no attempt to change the historical "No Parking" on Pawcatuck Avenue and Waters Edge Road.

2. Ramp area not to exceed 15' wide.

3. There would be no widening of the roadway on Waters Edge Road

4. The site would be used for Paddle Boards and Kayaks and would be so designated with appropriate signs that would say something along the following lines: "Kayaks/Paddle Boards, small non-motorized crafts only".

5. Minimal pruning of vegetation

6. Addition of some stone where pavement ends and Crushed shells to the highwater mark

7. CRMC application for "Maintenance" only; Town Designated ROW, not CRMC

8. Removal of 3 rocks to allow for car turn around, (no trailers)

9. New Apron on town property and intersection of #14 Water's Edge

10. Potential Kayak Rack managed through Harbor Management Office

11. Signage to indicate "No Parking," "Dead End/No Outlet," "Children at Play"

12. Signage to indicate no trailers at intersection of Pawcatuck and Water's Edge

13. Signage to identify ROW

The residents are very concerned by the recent Town Council action of Monday, November 9 to send the Waters Edge Road Right of Way to CRMC for undisclosed reasons, because it seems inconsistent with their understanding and agreement with you. Moreover, because of my understanding of the agreement, I had a conversation with you on Monday, October 26 at a Town Council meeting and agreed to your request to withdraw my correspondence to CRMC and did so on Tuesday, October 27. Consequently, the residents do not understand why the Town of Westerly would send this to CRMC, and particularly since they and the Moderator have worked with you and your office in a collaborative manner to establish an appropriate resolution that they thought was mutually acceptable and agreeable consistent with the items noted above.

I know you are aware that it is the homeowners in the Watch Hill , Weekapaug and other communities south of Shore Road who pay millions of dollars in taxes, which approximate 46% of the Town's budget to support the Town and its governmental functions including its public educational system, while at the same time not having the use or benefit of same. Moreover, it is these very same people who are often solicited to support the many worthwhile organizations in the Town including the Westerly Hospital, Westerly Public Library, Westerly Chorus, Westerly Pops etc. and readily open their checkbooks to support those and other very worthwhile organizations.

The fact that they reside in the community typically three months of the year and make these significant contributions to the community should be acknowledged and embraced and when possible, discretionary policies that affect them should be addressed in a respectful and mutually agreeable manner.

Joan Beth and I look forward to meeting with you at a mutually convenient time next week to discuss this matter and confirm our mutual understanding of the previously agreed to conditions noted above that paved the way to clear and establish a Kayak/Paddle Board Launch area at Waters Edge Road South and further prompted me to withdraw my correspondence to CRMC.

I will call your office to setup an appointment for me and Joan Beth and look forward to seeing you. Hopefully, you will have had a restful and safe time away from the office.

Sincerely,

Thomas J. McAndrew, Esq.

Cc: Joan Beth Brown

Exhibit E

CRMC Application Review Sheet

File Number: 2020-12-108

Owner Name: Town of Westerly

Site Address: Waters Edge, Westerly
Plat: ; Lot:

SCANNED

Administrative Review

Reviewer: BMS
Completed on 12/11/2020

- ☐ Application Complete
- ☐ Application Deficient
- ☐ FONSI
- ☐ Enforcement compliance _____

Missing

- _____ Application
- _____ Fee
- _____ ISDS
- _____ Proof of Ownership
- _____ Building Permit
- _____ Site Plans

As Applicable:

- ____ CHA Worksheet
- ____ Stormwater Calcs
- ____ Structural Lot Calcs

☐ **EXTENSION** (Enforcement review)

Notes: _____

Team Review for Acceptance

Application Deficient

- ☐ Deficiency Letter Required
- ☐ Notified Via Phone Call – waiting for _____

☑ NEW SUBMISSION Application Accepted

Date: 1/5/21

Assigned To		Date Completed	Denial Recommendation	Management Sign-off
Project Manager	DR			
Engineer				
Biologist	DR			
Geologist				
Aqua				
Dredge				
Other				

Category: A

Project Type: 32

Water Type: _____

Water Area: WATCH HILL HARBOR

PGP Category: SV PCN IP ☐ Public Access 355 ☐ Public Access Easement

Short Project Description: BOAT RAMP & ROADWAY MAINTENANCE WITH ROADWAY WIDENING FOR PARKING PLACES

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

APPLICATION FOR STATE ASSENT

To perform work regulated by the provisions of Chapter 279 of the Public Laws of 1971 Amended.

Project Location Waters Edge, Westerly (No. Street City/Town)	File No. (CRMC USE ONLY) 2020-09-108
Owner's Name Town of Westerly	Plat: Lot(s):
Mailing Address 45 Broad Street	401-348-2562 Contact No.: Email Address: kzaleski@westerlyri.gov
City/Town Westerly State RI Zip Code 02891	
Contractor RI Reg. # Address	Email address: Tel. No.
Designer Owner Address See Above	Tel. No. See above
Name of Waterway Little Narragansett Bay	Estimated Project Cost (EPC): Application Fee:

Describe accurately the work proposed. (Use additional sheets of paper if necessary and attach this form.)
See attached sheet

Have you or any previous owner filed an application for and/or received an assent for any activity on this property?
(If so please provide the file and/or assent numbers): _____

Is this site within a designated historic district? ■ YES □ NO

Is this application being submitted in response to a coastal violation? □ YES ■ NO

If YES, you must indicate NOV or C&D Number: _____

Name/mailing addresses of adjacent property owners whose property adjoins the project site. Accurate mailing addresses will insure proper notification. KZR Applicant must initial to certify accuracy of adjacent property owners and accuracy of mailing addresses.

_____

_____

STORMTOOLS (Http://www.beachsamp.org/resources/stormtools/) is a planning tool to help applicants evaluate the impacts of sea level rise and storm surge on their projects. The Council encourages applicants to use STORMTOOLS to help them understand the risk that may be present at their site and make appropriate adjustments to the project design.

NOTE: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible, adhered to the policies and standards of the program. Where variances or special exceptions are requested by the applicant, the applicant will be prepared to stand and present testimony on the criteria and burdens of proof for each of these relief provisions. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. If the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then the permit granted under this application may be found to be null and void. Applicant requires that as a condition to the granting of this assent, members of the CRMC or its staff shall have access to the applicant's property to make on-site inspections to insure compliance with the assent. This application is made under oath and subject to the penalties of perjury. 02/04

_____
Owner's Signature (sign and print)

PLEASE REVIEW REVERSE SIDE OF APPLICATION FORM

RECEIVED
DEC 10 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

Town of Westerly, R. I.

Town Assessor's Office 45 Broad St Westerly RI 02891
Tel (401) 348-2541 Fax (401) 348-2616

COASTAL RESOURCE MANAGEMENT COUNCIL
STEDMAN GOVERNMENT CENTER
TOWER HILL ROAD
WAKEFIELD, RI 02879

TO WHOM IT MAY CONCERN:

RECORDS AT THE ASSESSOR'S OFFICE, TOWN OF WESTERLY, RI, INDICATE THAT THE FOLLOWING OWN PROPERTY IN SAID TOWN:

NAME:	TOWN OF WESTERLY
ADDRESS:	45 BROAD STREET WESTERLY, RI 02891
PROPERTY LOCATION:	WATERS EDGE ROAD WESTERLY, RI 02891
PLAT/LOT:	/
LAND EVIDENCE RECORDS:	BOOK 2 PAGE 86
DATE OF ISSUE:	September 16, 2020

SINCERELY,

DAVID B. THOMPSON
TOWN ASSESSOR

RECEIVED
DEC 10 2020
COASTAL RESOURCES

TO: Coastal Resources Management Council
4808 Tower Hill Road Suite 3
Wakefield, RI 02879
Phone: (401) 783-3370

FROM: Building Official DATE: September 16,2020

SUBJ: Application of: Town of Westerly

Location: Waters Edge Road

Address: Adjacent to Plat No. 179 Lot No. 15

To Construct: Resurfacing of existing earthen kayak ramp with stone and sand; repair of existing asphalt road and installation of asphalt driveway apron

I hereby certify that I have reviewed _____ foundation plan(s).
_____ plan(s) for entire structure
_____ site plans
Titled: _____

Date of Plan (last revision): _____

___ and find that the issuance of a local building permit is not required as in accordance with Section _____ of the Rhode Island State Building Code.

___ and find that the issuance of a local building permit is required. I hereby certify that this permit shall be issued once the applicant demonstrates that the proposed construction/activity fully conforms to the applicable requirements of the RISBC.

___ and find that a Septic System Suitability Determination (SSD) must be obtained from the RI Dept. of Environmental Management.

___ and find that a Septic System Suitability Determination (SSD) need not be obtained from the RI Dept. of Environmental Management.

___ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final. The Zoning Board approval shall expire on _____.

Building Official's Signature Date

___ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final.

Zoning Officer's Signature Date

rev. 5/11/2001

RECEIVED
DEC 10 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

Town of Westerly, Rhode Island
Engineering Division

Application for State Assent
Waters Edge Road Improvements

Project Narrative

Existing Conditions

The public right-of-way (ROW) identified as Waters Edge Road is located in the Watch Hill section of Westerly. The ROW is improved with an asphalt-paved road, approximately 18 feet side and 800 feet in length, that is bisected by Pawcatuck Avenue. The paved road dead ends to both the north and south of Pawcatuck Avenue, terminating just beyond the driveways for 3 and 4 Waters Edge Road, and 14 and 16 Waters Edge Road, respectively. The ROW extends further north and south to the waters of the Little Narragansett Bay. An earthen boat ramp exists at the southern terminus of Waters Edge Road that gradually slopes towards the water, which is approximately 90 feet in length and 10 feet in width. Starting at the terminus of the road, the first 50 feet of the earthen ramp is surfaced with gravel, sand, and grass. The remaining 40 feet of the ramp is surfaced with fine sand and silt. Some boulders and concrete debris were noted within and alongside of the ramp.

Proposed Conditions

The Town of Westerly proposes to improve this ROW to provide the public with better access to the Little Narragansett Bay. These improvements consist of the following: installing a kayak rack; restoring the surface of the earthen boat ramp to provide ease of access to the water, mitigate erosion of the earthen ramp, and mitigate sediment accumulation along Waters Edge Road, and conducting repairs to the existing asphalt paved road to improve vehicular access while also delineating private property. The description of the three options proposed by the Town are provided below.

Option 1

As part of Option 1, the following activities will be conducted:

- Resurfacing/restoration of the existing earthen boat ramp;
- Repair of the existing deteriorated asphalt at the southern terminus of Waters Edge Road;
- Installation of a new asphalt driveway apron at the driveway for 14 & 16 Waters Edge Road; and,
- Installation of (a) new kayak rack(s) in the grassy area to the southwest of the southern terminus of Waters Edge Road, adjacent to the earthen boat ramp.

The boat ramp restoration will consist of removing the mixture of gravel, sand, and grass from the first 50 feet of the ramp, and replacing it will an approximately 8-inches of 2- to 3-inch diameter stone. Any fine silts or organic deposits will be "mucked out" and replaced with beach sand, as necessary, for the remaining 40 feet of the ramp. Any concrete debris located within and along side of the earthen ramp will be removed and disposed off-site. Any existing boulders that obstruct use of the ramp will be relocated to a nearby location. The use of the 2- to 3-inch stone will stabilize the surface beyond the asphalt road for vehicular passage, and will also act as a sedimentation buffer between the road and the lower part of the earthen ramp. Removal and replacement of the fine silts and localized organic deposits within the limits of the lower ramp will provide a safer and more stabilized kayak launch for public use. The new asphalt driveway apron is intended to delineate the public ROW from the private driveway, while also providing an erosion control measure for the existing stone driveway.

RECEIVED
DEC 10 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

Option 2

All activities described in Option 1 would be included in Option 2. Additionally, Waters Edge Road would be widened by approximately 9 feet, for a length of approximately 190 feet, in order to provide 6 parking spaces while still allowing for two-way traffic. Widening of the road would require removal of 3-foot and 6-foot wide grass strips located parallel to the north and south sides of road, respectively. White pavement markings would be placed to delineate the six 20-foot long, 9-foot wide parking spaces, with hatched no-parking areas located near the driveway for 11 Waters Edge Road and the southern terminus of Waters Edge Road.

Option 3

All activities described in Option 1 would be included in Option 3. Differing from Option 2, Option 3 proposes to add parking spaces on the abutting street (Pawcatuck Avenue), which is currently wide enough to provide parking and still allow two-way traffic. Pavement markings added along the southern side of Pawcatuck Avenue, between the driveways for 10 Waters Edge Road and 14 Pawcatuck Avenue, would provide for seven 20-foot long, 9-foot wide parking spaces, with hatched no-parking areas located adjacent to the driveways.

Preferred Option

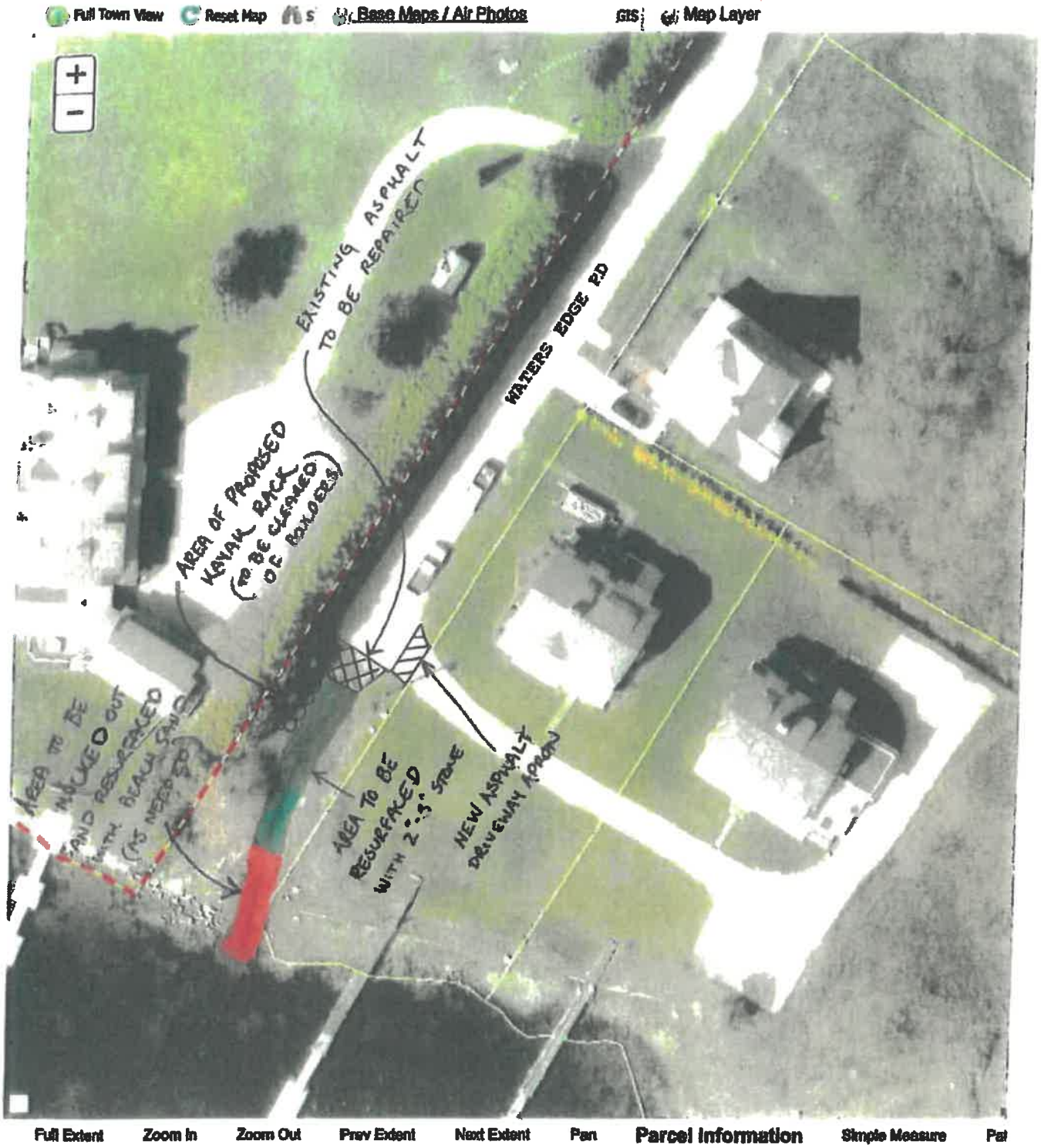
The Town has identified Option 2 as the preferred option. The activities described in Option 2 can be completed by the Town of Westerly's Department of Public Works, and does not require substantial road reconstruction activities to provide public parking for use of the improved boat ramp.

Adjacent Property Owners

- Thomas F & Melinda Dempsey, 348 Pondfield Road, Bronxville, NY 10708
- Watch Hill LLC, 14 Waters Edge Road, Westerly, RI 02891
- Jane Ross Orthwein, 50 Lock Road, Deerfield, FL 33442-1580
- Jonathan Bicknell, 1015 Winding Way, Baltimore, MD 21210
- Elizabeth Wendelin Wilkes, Waccabuc, NY 10597
- D Trust, 66 Mt Vernon Street Unit 2, Boston, MA 02018

RECEIVED
DEC 10 2020
COASTAL RESOURCES

WATERS EDGE IMPROVEMENTS: OPTION 1 (PAGE 1 OF 1)



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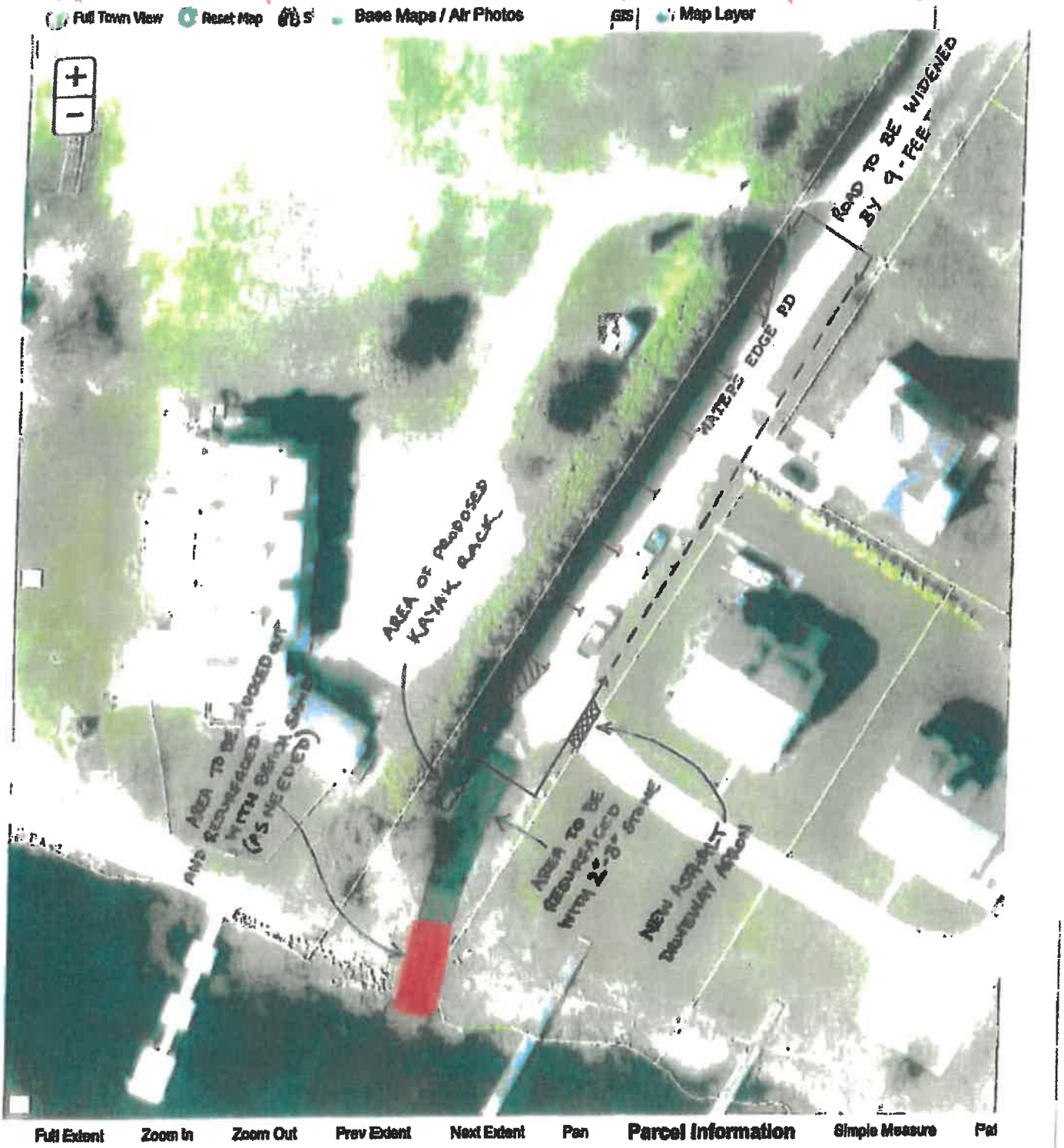
COASTAL RESOURCES

WATERS EDGE IMPROVEMENTS : OPTION 2 (PAGE 1 OF 1)



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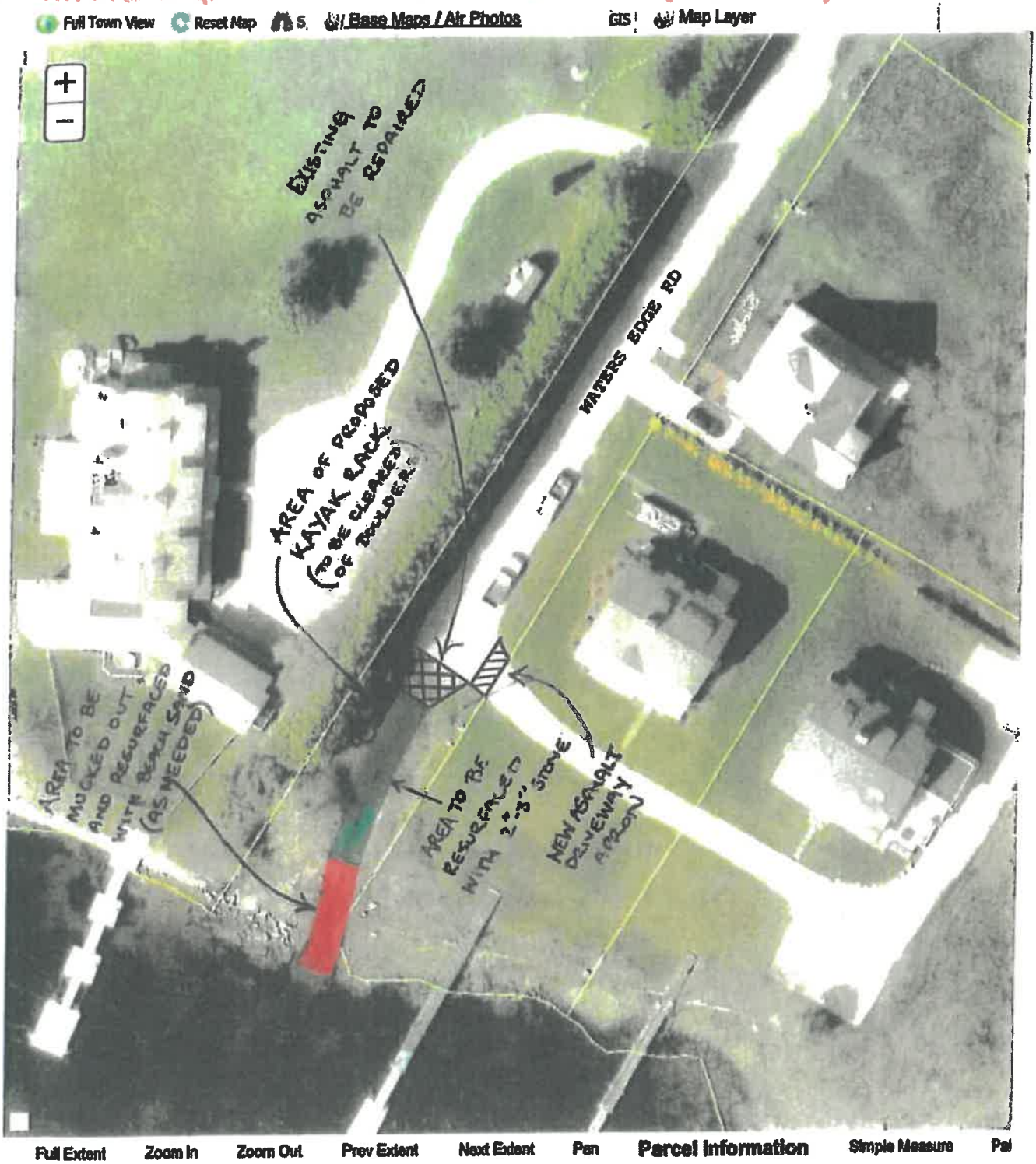
WATERS EDGE IMPROVEMENTS: OPTION 3 (PAGE 1 OF 2)



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WATERS EDGE IMPROVEMENTS: OPTION 3 (PAGE 2 OF 2)

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Town of Westerly, Rhode Island
Engineering Division

Waters Edge Road

Existing Conditions Photolog

December 7, 2020

Photo 01: View looking south along Waters Edge Rd. The driveway shown immediately to the right is associated with the property identified as 11 Waters Edge Rd.

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COASTAL RESOURCES MANAGEMENT COUNCIL

Photo 02: View looking south along Waters Edge Rd. The gravel driveway shown to the left is associated with the properties identified as 14 and 16 Waters Edge Rd

Photo 03: View looking south to the earth boat ramp located do the south of the asphalt paved section of Waters Edge Road. The area with standing water contains deteriorated asphalt.

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Photo 04: View looking south along the earthen boat ramp located to the south of Waters Edge Road. The area immediately to the south of the road contains gravel and grass surface cover.

Photo 05: View looking View south along the earthen boat ramp to the south of Waters Edge Road. The southern 40 feet of the ramp contains sand and silt surface cover, with vegetative debris, concrete debris, and boulders.

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COASTAL RESOURCES

Photo 06: View looking south of the earthen boat ramp to the south of Waters Edge road as it approaches the waters of the Little Narragansett Bay.

Photo 07: View looking east along Pawcatuck Avenue. The driveway shown immediately to the left is associated with the property identified as 10 Waters Edge Rd. The road is approximately 27 feet wide.

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DEC 10 2020
COASTAL RESOURCES

One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

November 16, 2020

Mr. Jeffrey M. Willis, Executive Director
RI Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: WATERS EDGE ROAD SOUTH – RIGHT-OF-WAY

Dear Jeff:

I previously wrote to you on September 8, 2020, September 29, 2020 and October 27, 2020 regarding the Town of Westerly's Right-of-Way at Waters Edge Road South because residents and abutting landowners were concerned about the manner in which the Town intended to improve that site.

As a result of a collaborative effort between the parties and Town Manager, I withdrew/clarified the residents' concerns in correspondence sent to you on October 27, 2020. At that time, we believed that an appropriate compromise had been reached with the Town Manager and that there were a number of conditions agreed to by the parties.

Today I received an email from the Town Manager in which he now indicates that I have "overstated" the parties understanding about this site and that neither the Town nor he have intention of being bound by conditions that I might add, he previously agreed to with the residents and the Watch Hill Fire District Moderator.

Significantly, on Monday, November 9, 2020 for some unknown reason the Town Manager proposed that the Town Council send a matter to CRMC regarding Waters Edge Road South. My clients have no idea what this referral was all about and wish to inform you that if CRMC asserts some form of jurisdiction over this matter as a result of the Town Council's November 9, 2020 action, the abutting property owners and residents wish to be heard.

It is entirely possible that this issue will be "academic" and particularly if the conditions that the Manager and the parties agree to are honored. However, if for some reason those conditions are modified in any material way, the residents wish to be heard with respect to their concerns and/or objections.

I look forward to hearing from you regarding this matter and next steps that CRMC envisions as a result of the Town Council's referral of November 9, 2020.

Sincerely,

Thomas J. McAndrew, Esq.

TJM/cpm

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NOV 18 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

October 27, 2020

Mr. Jeff Willis, Director
Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: WATERS EDGE ROAD SOUTH – RIGHT-OF-WAY

Dear Sir:

I previously wrote to you on September 29, 2020 requesting that the residents of Waters Edge Road receive "notice" if the Town of Westerly sought to change in any material way the existing Right-of-Way at that site. I am afraid that my letter requesting "notice" has been misunderstood or misinterpreted because on behalf of those residents that I represent they do not have an objection to improve this site and have been working with the Westerly Town Manager to establish appropriate conditions that will make this site safe and accessible to the public.

To date there have been excellent collaborative meetings held between the parties that portend for a mutually agreed upon Agreement to improve access and to establish, among other things, kayak racks at this site.

I trust that this note clarifies the position of the abutting land owners, and we look to continuing to work with the Town Manager to finalize a mutual understanding with the Town that incorporates appropriate conditions.

Please feel free to contact me should you have any questions, concerns or comments regarding the abutting neighbors support for this initiative.

Sincerely,

Thomas J. McAndrew, Esq.

Cc: Mark Rooney
Joan Beth Brown

RECEIVED
OCT 29 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

2020-09-108

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

September 29, 2020

Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: WATERS EDGE ROAD SOUTH

Dear Sir or Madame:

I attended a meeting with the Westerly Town Council on Monday, September 14, 2020 and was informed by the Town Council that there would be no activity performed at Waters Edge Road South unless and until the Town petitioned CRMC for an Assent and Order. On behalf of my clients, neighbors and abutting landowners we would appreciate notice and the opportunity to appear before CRMC to contest the Town's petition for numerous reasons.

To date, I have not received anything from the Town or CRMC regarding this initiative, but wanted to reaffirm my previous correspondence dated September 8, 2020 and enclosed indicating that I, on behalf of abutting landowners, would like notice and the opportunity to appear before CRMC along with other residents of the neighborhood, who too have concerns with respect to the Town's initiative.

Please provide notice to me if the Town of Westerly and/or through its employees, agents and others seek to change clear or modified in any way the Town's Right-of-Way at Waters Edge Road South in Watch Hill.

Thank you very much for your kind attention to this.

Sincerely,

Thomas J. McAndrew, Esq.

Enclosure

RECEIVED
OCT 01 2020

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

September 8, 2020

Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: JANE ROSS ORTHWEIN REVOCABLE TRUST
11 Waters Edge Road, Westerly, RI 02891

Dear Sir:

This office represents Jane Ross Orthwein as Trustee of the JANE ROSS ORTHWEIN REVOCABLE TRUST DATED 1/29/2004 (the "Trust"). The Trust owns property located at 11 Waters Edge Road, Westerly, RI 02891. Waters Edge Road is a public road in the Town of Westerly, and is bounded on the north and south terminus by Little Narragansett Bay.

The Town Manager of the Town of Westerly has indicated that the Town intends to improve the southerly terminus of Waters Edge Road so as to make it useable as a public access. It is difficult to understand how any plan for improvement at this site would not require a permit from your office. We have secured a number of reports from a group of professionals who have studied this site and opined that it is an unsuitable location for improvement as a public boat launch site. Among those reasons are the impossibility of satisfying CRMC's regulations and associated issues including access, trespassing, parking, health and welfare, and safety.

The fact that the Town prohibits parking along the entire length of the road, and the road is bound by private property and homes, makes this site inappropriate for development. It would inevitably require people to trespass on Private Property.

If the Town of Westerly files an application for a permit to clear or modify this area, I would respectfully request notice of same so that we can participate in the review process and if necessary, file a formal Objection to the Town's application.

Sincerely,

Thomas J. McAndrew, Esq.

Cc: James Orthwein

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OCT 01 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

Jennifer R. Cervenka, Chair
Coastal Resources Management Council
Stedman Government Center, 4808 Tower Hill Road
Wakefield, RI 02879

CRMC File Number: 2020-09-108

Applicant: Town of Westerly

Town: Westerly

Response Date: 10/6/20

Dear Ms. Cervenka,

The Rhode Island Historical Preservation & Heritage Commission has reviewed the above- referenced project. It is our conclusion that this project will have no effect on any significant cultural resources (those listed on or eligible for listing on the National Register of Historic Places).

These comments are provided in accordance with 650-RICR-20-00-1.2.3 Areas of Historic and Archaeological Significance of the Coastal Resources Management Council. If you have any questions, please contact James Toner, Project Review Coordinator, or Charlotte Taylor, Senior Archaeologist, at this office.

Very truly yours,

Charlotte Taylor (for)

J. Paul Loether
Executive Director, RIHPHC
State Historic Preservation Officer

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OCT 06 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

CRMC Application Review Sheet

File Number: 2020-09-108
Owner Name: Town of Westerly
Site Address: Waters Edge Road, Westerly
Plat: ; Lot:

Administrative Review

Reviewer: BMS
Completed on _____
☐ **Application Complete**
☐ **Application Deficient**
☐ **FONSI**
☐ **Enforcement compliance** _____

Missing
_____ **Application**
_____ **Fee**
_____ **ISDS**
_____ **Proof of Ownership**
_____ **Building Permit**
_____ **Site Plans**

As Applicable:
____ **CHA Worksheet**
____ **Stormwater Calcs**
____ **Structural Lot Calcs**

☐ **EXTENSION** (Enforcement review)

Notes: _____

Team Review for Acceptance

Application Deficient
☐ **Deficiency Letter Required**
☐ **Notified Via Phone Call – waiting for** _____

☐ Application Accepted	Assigned To		Date Completed	Denial Recommendation	Management Sign-off
Date: _____	Project Manager				
	Engineer				
	Biologist				
	Geologist				
	Aqua				
	Dredge				
	Other				

Category: _____
Project Type: _____
Water Type: _____
Water Area: _____
PGP Category: SV PCN IP ☐ **Public Access 355** ☐ **Public Access Easement**
Short Project Description:

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

MAINTENANCE CERTIFICATION APPLICATION

Project Location Waters Edge Road Westerly (No. Street City/Town)	File No. (CRMC USE ONLY): 2020-09-108
Owner's Name Town of Westerly	Plat: Lot(s):
Mailing Address 45 Broad Street City/Town Westerly State RI Zip Code 02891	Contact No.: 401-348-2572
Contractor RI Reg. #: Town of Westerly Department of Public Works Address:	
Name of Waterway: Little Narragansett Bay	Estimated Project Cost: $ Fee (chart based on EPC): $
Description of facility to be maintained (type of facility and present conditions) Kayak/Canoe launch is obstructed as a result of rock and debris	
Describe accurately the maintenance work proposed. (Use additional sheets of paper if necessary and attach this form.) Removal of rock in right of way and removal of rock and debris at launch area	
Describe equipment to be used, construction methods, access routes, etc. Backhoe	

Have you or any previous owner filed an application for and/or received an assent for any activity on this property?
(If so please provide the file and/or assent numbers): _____

Is this site within a designated historic district? ☒ **YES** ☐ **NO**

Is this application being submitted in response to a coastal violation? ☐ **YES** ☒ **NO**

If YES, you must indicate NOV or C&D Number: _____

NOTE: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible adhered to the policies and standards of the program. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. The filing of false information can result in the Coastal Resources Management Council revoking state assent.

J. Mark Rooney

J. MARK ROONEY
Town Manager

Owner's Signature

Apl 03/2020

SEE REVERSE SIDE →

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SEP 21 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

ELLIE DERRIG
ASSISTANT PROJECT MANAGER

Town of Westerly
Rhode Island
Engineering

68 White Rock Road
Westerly, RI 02891
TEL: (401) 348-2572
FAX: (401) 596-9512

September 16, 2020

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Gov't Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

Re: Town of Westerly Maintenance Application

Dear Sir/Madam:

Enclosed please find the 4 (four) copies of the Town of Westerly Maintenance Application for Waters Edge Road.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Ellie Derrig
Assistant Project Manager

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SEP 21 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

Town of Westerly, R. I.

Town Assessor's Office 45 Broad St Westerly RI 02891
Tel (401) 348-2541 Fax (401) 348-2616

COASTAL RESOURCE MANAGEMENT COUNCIL
STEDMAN GOVERNMENT CENTER
TOWER HILL ROAD
WAKEFIELD, RI 02879

TO WHOM IT MAY CONCERN:

RECORDS AT THE ASSESSOR'S OFFICE, TOWN OF WESTERLY, RI, INDICATE THAT THE FOLLOWING OWN PROPERTY IN SAID TOWN:

NAME:	TOWN OF WESTERLY
ADDRESS:	45 BROAD STREET WESTERLY, RI 02891
PROPERTY LOCATION:	WATERS EDGE ROAD WESTERLY, RI 02891
PLAT/LOT:	/
LAND EVIDENCE RECORDS:	BOOK 2 PAGE 86
DATE OF ISSUE:	September 16, 2020

SINCERELY,

DAVID B. THOMPSON
TOWN ASSESSOR

RECEIVED
SEP 21 2020

TO: Coastal Resources Management Council
4808 Tower Hill Road Suite 3
Wakefield, RI 02879
Phone: (401) 783-3370

FROM: Building Official DATE: September 16,2020

SUBJ: Application of: Town of Westerly

Location: Waters Edge Road

Address: Adjacent to Plat No. 179 Lot No. 15

To Construct: Removal of rock in right of way and removal of rock and debris in water at canoe/kayak ramp

I hereby certify that I have reviewed _____ foundation plan(s).
_____ plan(s) for entire structure
_____ site plans
Titled: _____

Date of Plan (last revision): _____

___ and find that the issuance of a local building permit is not required as in accordance with Section _____ of the Rhode Island State Building Code.

___ and find that the issuance of a local building permit is required. I hereby certify that this permit shall be issued once the applicant demonstrates that the proposed construction/activity fully conforms to the applicable requirements of the RISBC.

___ and find that a Septic System Suitability Determination (SSD) must be obtained from the RI Dept. of Environmental Management.

___ and find that a Septic System Suitability Determination (SSD) need not be obtained from the RI Dept. of Environmental Management.

___ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final. The Zoning Board approval shall expire on _____.

Building Official's Signature Date

___ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final.

Zoning Officer's Signature Date

rev. 5/11/2001

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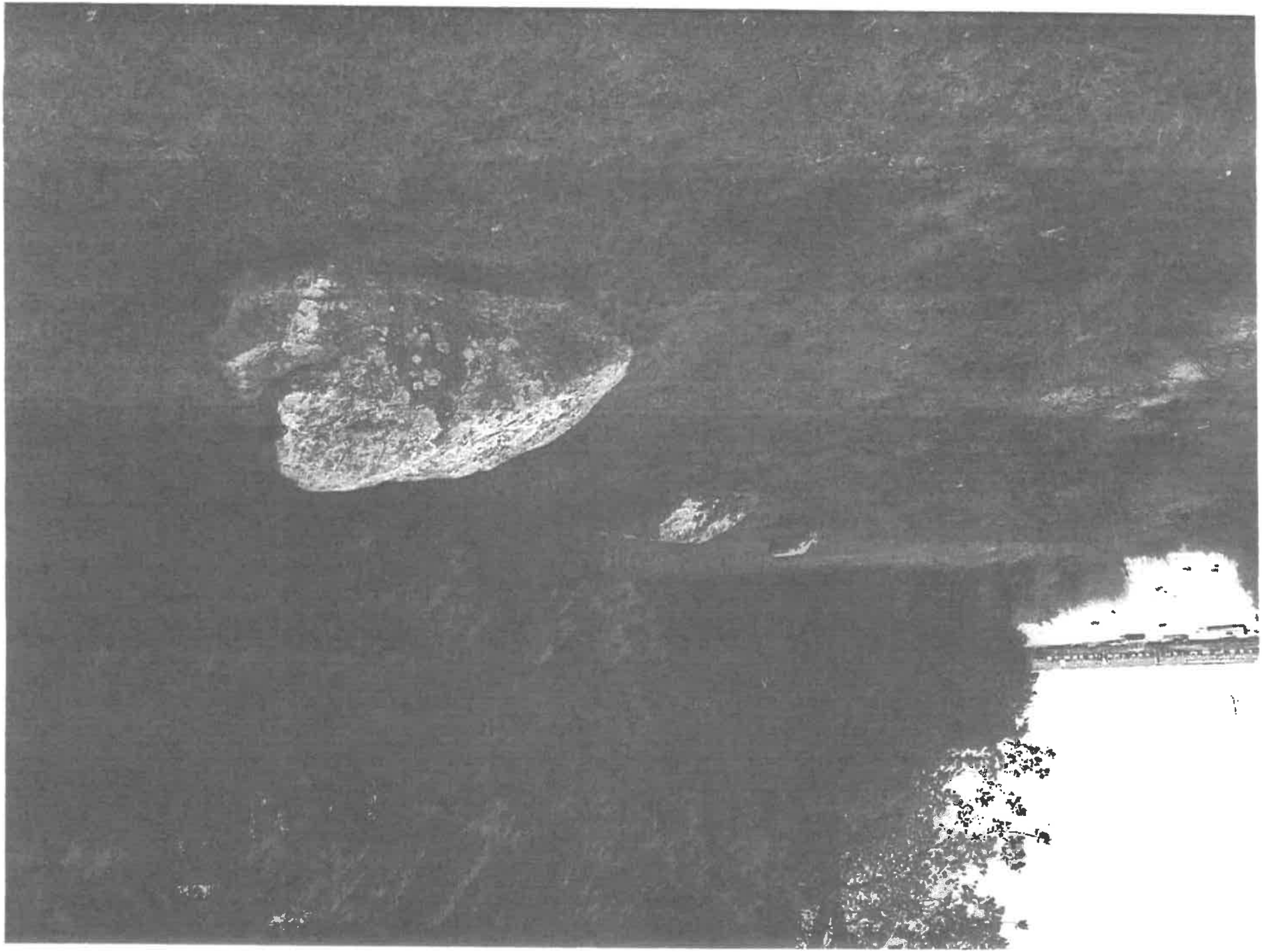
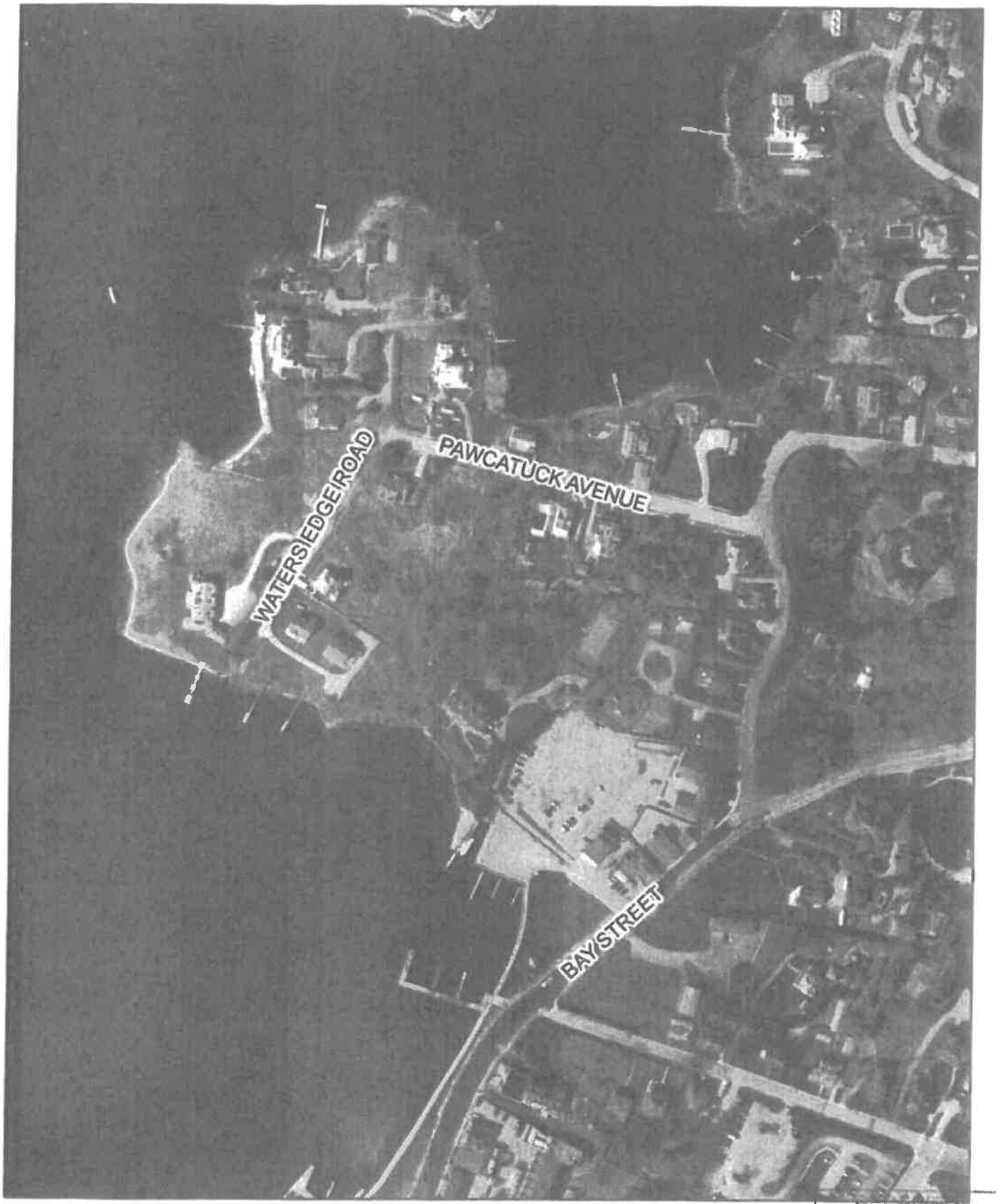
SEP 21 2020





N

Town of Westerly
CRMC Maintenance Application
Waters Edge Road

RECEIVED
2020

Exhibit F

Natural Resource Services, Inc.

Regulatory Feasibility Analysis for Proposed Boat Launch

Waters Edge Road
Westerly, Rhode Island

Prepared for:

Attorney Thomas J. McAndrew
Thomas J. McAndrew and Associates
One Turks Head Place, Suite 205
Providence, RI 02903

Analysis Prepared by:

Scott P. Rabideau, PWS
Principal

March 29, 2019

P.O. Box 311 Harrisville, RI 02830 401-568-7390 FAX 401-568-7490

Contents

Introduction 3
Existing Conditions 3
Westerly Harbor Management Plan Consistency 4
Conformance with the CRMP 6
Beach and Shoreline Change SAMP 8
Marsh Migration Value 8
Summation 9
References 11

Appendix

STORMTOOLS Sea Level Rise Projections
SLAMM Projections

Introduction

Natural Resource Services, Inc. (NRS) was retained by Thomas McAndrew and Associates to review the regulatory feasibility of constructing/upgrading a boat launch at the southerly terminus of Waters Edge Road. This report has been prepared as a critique on the potential project in the context of the Town of Westerly's planning documents as well as the RI Coastal Resources Management Program (CRMP). The CRMP is administered by the RI Coastal Resources Management Council (CRMC). Any proposal for work within 200 feet of the shoreline feature, which includes the footprint of the existing launch, is subject to review under the standards of the CRMP.

The Town of Westerly administers the Westerly Harbor Management Plan (WHMP; 2018) The purpose of the WHMP is to regulate the Town's coastal water resource uses with a long range vision for controlled growth and development of the harbor. This planning document also provides recommendations for the existing boat ramps and rights-of-way to coastal waters. Included in this guidance is the subject public access along the southern limit of Waters Edge Road, which the WHMP refers to as 'Site 2'. This document provides considerations for potential upgrades to the access as a boat launch and a commentary on its potential limitations on public use.

Under state review, the CRMP maintains specific permitting criteria relative to boat launches. Specifically, Section 1.3.1(D)(10) of the CRMP provides minimum standards for the review and approval of this project type. This includes an evaluation of access and mobility for emergency vehicles, concerns for slope/grading, average width of the launch and physical requirements for the side slopes. Any proposal to create or upgrade this public access to a boat ramp shall also be subject to the Category B requirements listed in Section 1.3.1(A).

Upgrading the access to a boat launch along the southerly extent of Waters Edge Road, whether through the context of the WHMP or other planning goals, is subject to a number of physical and regulatory challenges that are to be considered in the planning process. The purpose of this report is to catalogue these review requirements and to provide an alternative use for the launch area that would be a benefit to the public and is consistent with the aforementioned regulatory programs.

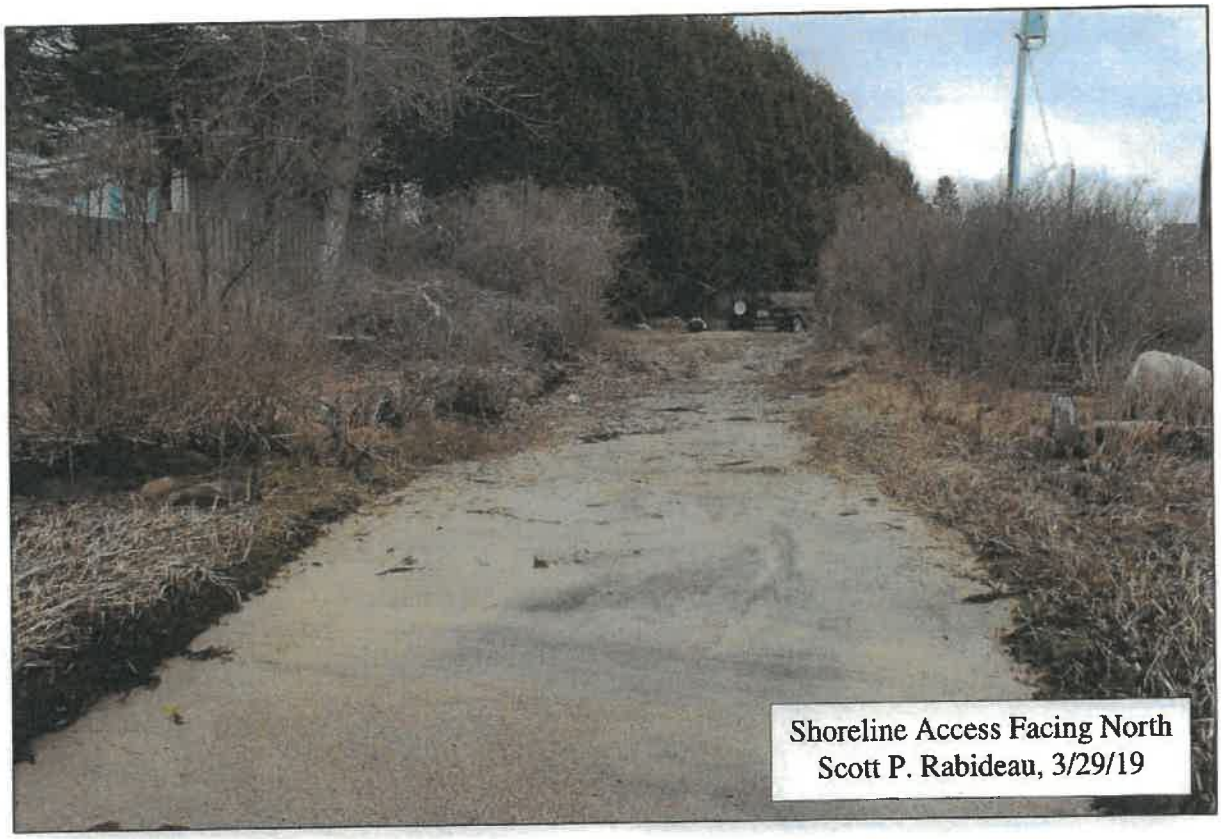
Geographic information systems (GIS) graphics have been appended with this report for reference. These graphics utilize data from the RIGIS database relative to water type categories under the CRMP, sea level rise projections and marsh migration models. This information has been overlain onto a historic aerial image for illustrative purposes. Although this information is not to be confused with a professional survey, these graphics are designed to aid in the preliminary planning process.

Existing Conditions

The area subject to this report is the southerly terminus of Waters Edge Road in the Town of Westerly, Rhode Island. Public access to the shoreline is provided in this area by way of an undeveloped public road which extends the width of Waters Edge Road. A remnant paved ramp extending into the water is located at the southerly end of the road. Private property featuring

residential development abuts the public road to the east and west. There is no available parking or turnaround locations along Waters Edge Road.

The areas to the immediate east and west of the existing access are vegetated with various species of shrubs and vines. The access way itself is approximately eight to ten (8-10) feet wide. Pursuant to Section 1.1.11 of the CRMP, these vegetated areas function as the coastal buffer zone associated with the shoreline feature. The CRMP does not allow for the disturbance to or reduction in size of the buffer zone (i.e. expanding the ramp) without relief to this standard through the variance process (Section 1.1.7).



Shoreline Access Facing North
Scott P. Rabideau, 3/29/19

The abutting coastal waterbody is the Watch Hill Cove portion of Little Narragansett Bay (Waterbody ID: RI0008038E-02B). According to the CRMC's Water Type Map, the interior portion of the cove starting at the westernmost limit of Waters Edge Road is considered to be a Type 5 Water, or an area that is considered a recreational or commercial harbor (CRMP Section 1.2.1(E)). A number of recreational boats utilize the cove from other public and private launches throughout the season.

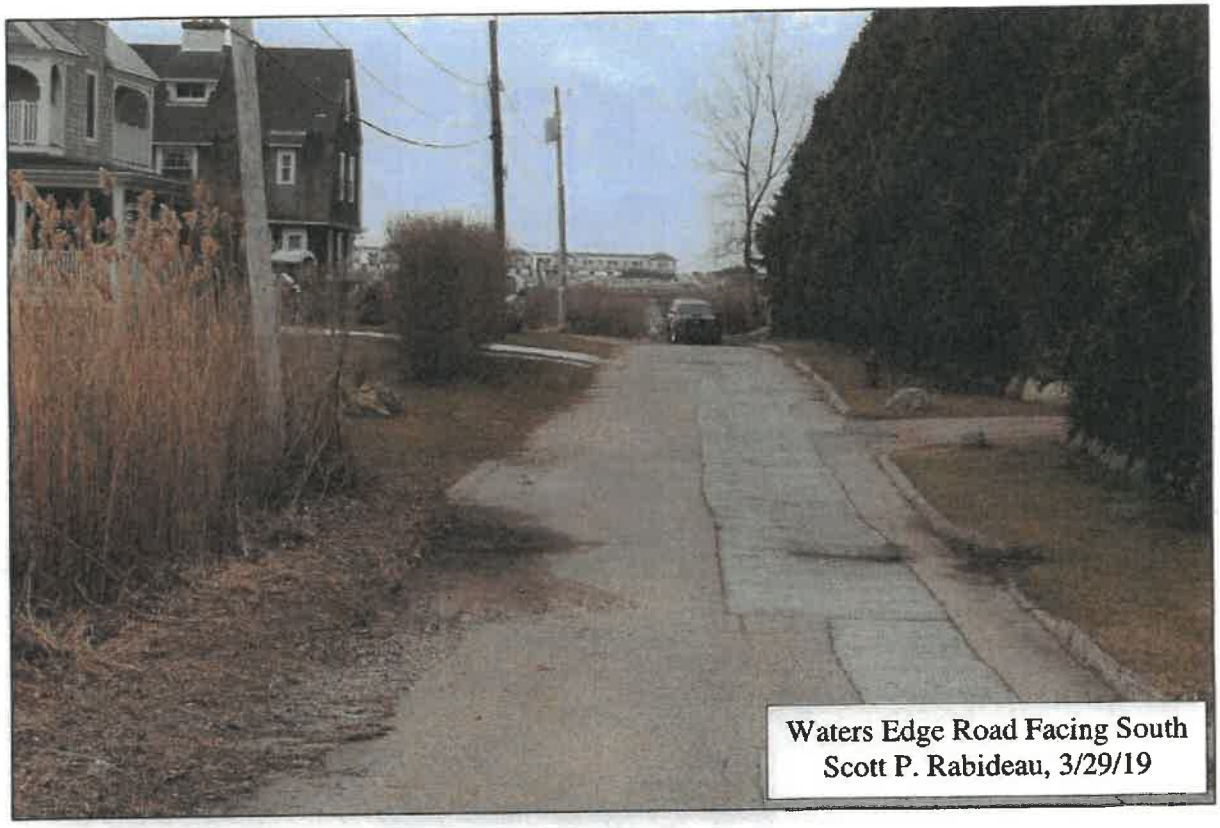
Westerly Harbor Management Plan Consistency

The Westerly Town Council adopted the WHMP in October of 2018. The WHMP was formulated in order to regulate the Town's coastal water resource uses with a long range vision for controlled growth and development of harbor and shoreline areas. In its discussion of rights-of-

way and public access, the WHMP calls attention to the public access points along Waters Edge Road (Sites 2 and 2A).

According to the WHMP, the right-of-way (ROW) associated with Waters Edge Road spans the entire length of roadway with a consistent width of forty (40) linear feet. Site 2, the subject area, features a water-entry ramp for boat launching. The WHMP notes that this ramp is used, though infrequently. The management plan states that *the launching ramp is ill-maintained and the right-of-way has been narrowed by growth on one side and large rocks on the other. Lack of nearby parking will limit the use of this site but it should be fine for kayaks and small boats* (pp. 48).

The lack of public parking is further evidenced by the town's assessor's map (A.P. 179) which notes that multiple privately owned lots abut the launch area. Due to the lack of adjoining roads at the terminus, vehicles accessing the launch would either need to reverse approximately 450 feet or turn around on private property, both of which could be problematic for vehicles towing boats. Even if the right-of-way were to be cleared to its full width as recommended, the lack of connecting roads to this portion of the street posits a problem for vehicle congestion were this launch to be upgraded.



Waters Edge Road Facing South
Scott P. Rabideau, 3/29/19

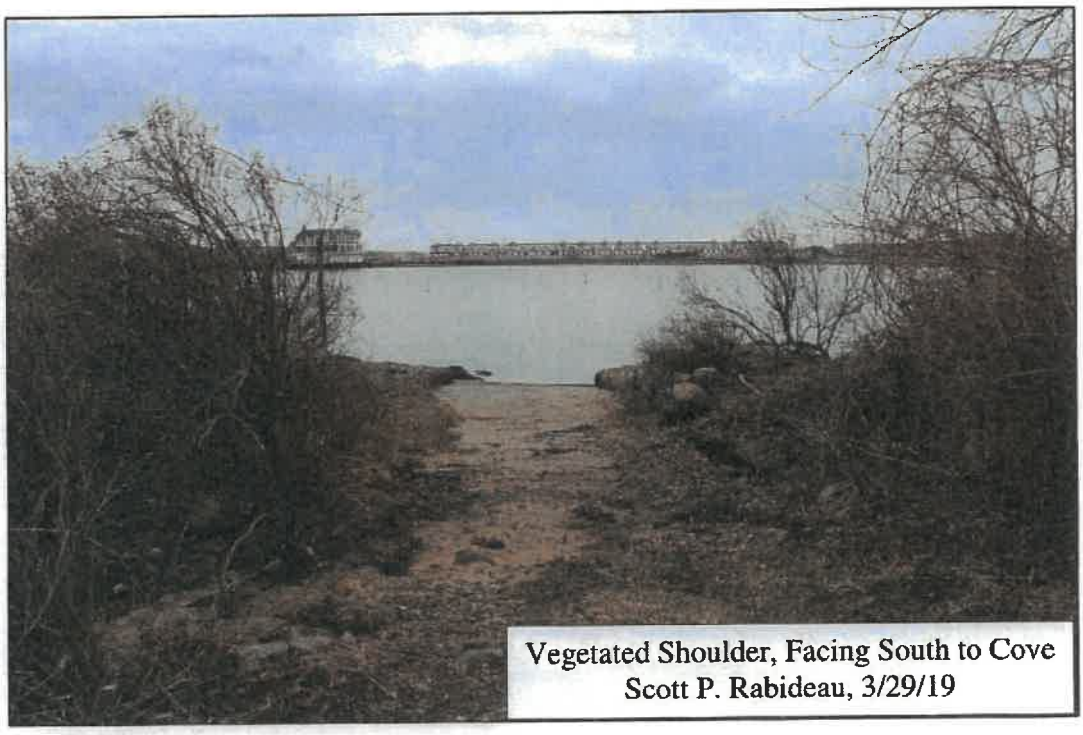
It is important to note that the WHMP describes local yacht clubs and other public boat launches as providing access to Little Narragansett Bay and subsequently the Watch Hill Cove area. When compared to other public launches such as Site 3, the Fort Road access point, the

subject launch does not and cannot support a high volume of use. Although the WHMP does provide guidance on how this small area could be upgraded (i.e. clearing vegetation and expanding the width of the launch), the Town of Westerly may also consider other uses for the launch which would support its function as a public space. Thus, concentrating the town's efforts to upgrading alternative and more viable boat launches than Site 2 would yield a greater recreational benefit to residents.

Conformance with the CRMP

The CRMP regulates land-use activities within or in close proximity to coastal waters and shoreline features. Therefore, any upgrade or installation of a boat launch will be subject to review from the CRMC to consider the project's consistency with the coastal regulatory program. This review process takes into consideration the type of adjacent water, the category of activity and the applicability of a coastal buffer zone. In the case of the subject access, upgrading this area to available boat launches would be reviewed as a 'Category B' application under the CRMP.

Section 1.3.1(A)(1)(a.-k.) of the CRMP establishes the minimum review requirements of Category B Applications. For the purposes of what is considered federal consistency reviews, all persons (including municipalities) applying for a Category B Assent are required to demonstrate and respond to the requirements listed therein. Of particular note is that prospective applicants maintain the burden of proving that the proposed activity will not *result in significant impacts on the abundance and diversity of plant life* per Section 1.3.1(A)(1)(e.). The naturally vegetated areas bounding the boat launch are along its shoulder slope. Expanding the width of the launch as per the WHMP would directly alter these vegetated areas.

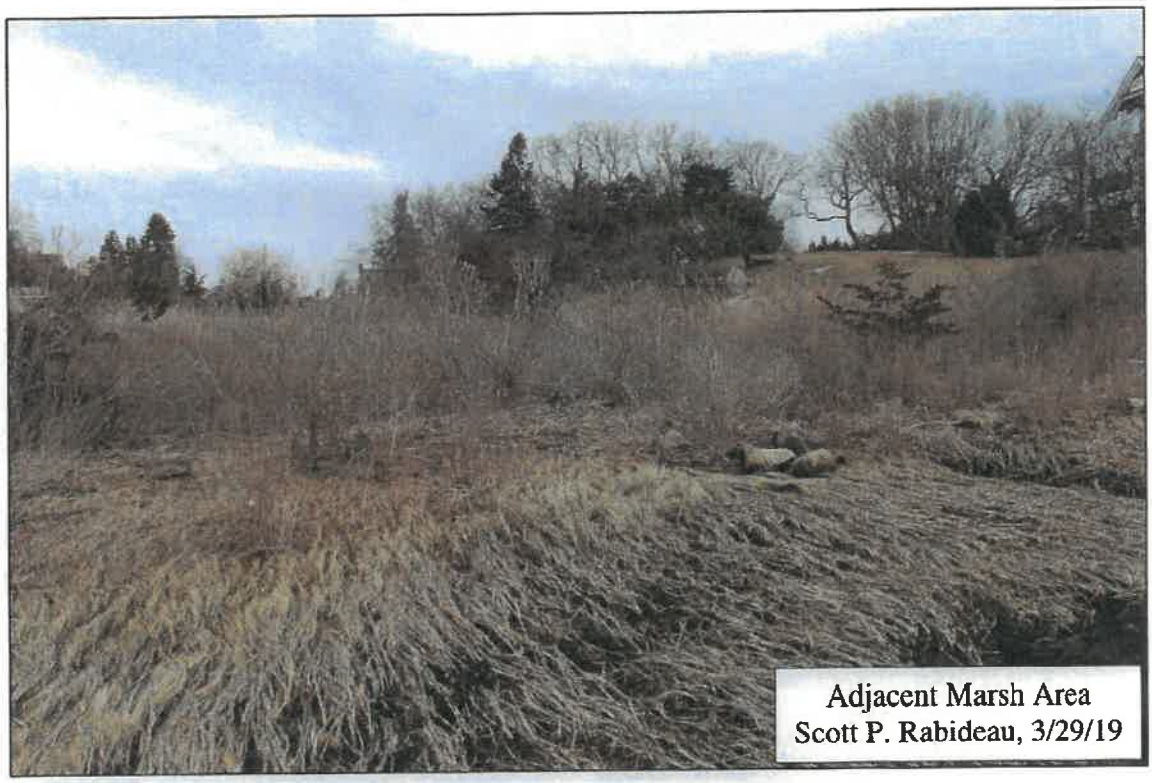


Vegetated Shoulder, Facing South to Cove
Scott P. Rabideau, 3/29/19

The aforesaid vegetated area currently functions as coastal buffer zone associated with a shoreline feature. This buffer zone is administered under Section 1.1.11 of the CRMP. Any alteration to the buffer zone would require a variance to said standards as outlined under Section 1.1.7 of the CRMP. While such a request can be filed in conjunction with a Category B submission, the variance request shall be subject to standalone review criteria listed therein, standards which require the applicant to demonstrate that if a variance to alter the buffer zone was not granted, it would result in an undue hardship to the applicant. Any proposal to expand the width of the launch into the buffer zone would be subject to a level of review requiring a variance to the program.

In addition to the Category B requirements and the variance criteria, boat launches are subject to the review standards listed in Section 1.3.1(D)(10)(a.-d.). Such standards outline parking requirements to support "two (2) areas to allow vessel prep and tie down in close proximity to the haul/launch area" and "all ramps shall have clearly marked parking for car top vessels". Given the lack of parking along Waters Edge Road, the Town of Westerly will find meeting this standard to be problematic.

Under the CRMP's public boat launch design standards, the ramp must also be constructed at an angle that is no greater than fifteen percent (15%). The current slope is not defined in the WHMP so additional topographic review may be warranted to determine consistency with this standard. Furthermore, this section of the CRMP requires that side slopes above the water line shall be comprised of sloped rip-rap or be vegetated.



Adjacent Marsh Area
Scott P. Rabideau, 3/29/19

Beach and Shoreline Change SAMP

The CRMP shall also review any work within the existing launch through the Beach/Shoreline Change Special Area Management Plan (SAMP; 2018). This plan requires applicants to factor climate change, sea level rise and storm event scenarios into all planning decisions within the jurisdiction of the CRMC.

The Shoreline Change SAMP prompts applicants to consider the 'design life' of the project. For a project such as residential development, the SAMP recommends a thirty-year design life similar to the lifespan of an average mortgage. Having a distinct year (end of the design life) in mind aids in the planning process to consider the short and long term impacts of sea level rise on a given project site. For example, if the target year at the end of the project's design life is 2050, then applicant's should plan for approximately 3.25 feet of sea level rise when submitting a project to the CRMC (SAMP 2-25; Table 2).

A public project such as a boat launch can oftentimes be problematic in determining a 'design life'. As per the WHMP, such changes to rights-of-way are for long range planning without a discrete end point or projected design life. It is important to note that a primary goal of establishing or upgrading a boat launch would be to maintain this feature in perpetuity to the extent possible for public use. Thus, a reasonable assumption is that this feature would be anticipated to be maintained for longer than thirty years. If applicants were to estimate the design life of the launch expansion to conclude in 2080, the project would have to consider the possibility of approximately 6.69 feet of sea level rise above existing conditions (SAMP 2-25; Table 2).

NRS has appended sea level rise models with this report for review purposes. These GIS graphics incorporate STORMTOOLS data prepared by the Beach SAMP team and stored on the RIGIS database. While not to be considered a survey, these are the models in which the CRMC bases its permitting decisions relative to sea level rise. Based on these models, the existing shoreline access and potential launch area would be totally inundated by a projected sea level rise of three (3) feet.

Marsh Migration Value

The CRMC notes that coastal marshes are one of the most susceptible ecosystems to climate change and in particular accelerated sea level rise. The CRMC, working in conjunction with other agencies, produced the Sea Level Affecting Marshes Model (SLAMM). As noted in their guidance documents, "the purpose of these SLAMM maps is to show how coastal wetlands will likely transition and migrate onto adjacent upland areas under projected sea level rise scenarios of 1, 3 and 5 feet in the coming decades" (SLAMM Project Summary Report 2015). These models approximate the trajectory of marsh migration inland. In some cases, municipalities may see a gain in the net area of marsh ecosystems. However, Westerly, due in part to developed land prohibiting the inland migration of its marshes, is "projected by the model to see net losses under 3 and 5 feet of SLR" (SLAMM Project Summary Report 2015).

The SLAMM map denotes that the subject public access is considered partially 'developed land' bounded by 'hardened shore' and 'potential marsh zone' in the various sea level rise scenarios (SLAMM Panel 129). As sea levels continue to rise, areas of marsh will attempt to migrate into the footprint of the access location, an ecological shift which would not likely be successful given the developed conditions of the site.

From an environmental planning perspective, the Town of Westerly has an opportunity to facilitate the transition of this area into coastal marsh. The area to the south and east of the limits of Waters Edge Road could be used to off-set losses where other marshes cannot migrate into developed land. Given the fact that public and private boat launches are abundant in this portion of Westerly and the infrequent use of this site, there would not be a detrimental impact to the overall public recreational value of the surrounding area. Furthermore, through the permitting process, the town could maintain this area with native marsh species which would provide greater ecological functions than the marshes comprised of common reed (*Phragmites australis*) monocultures located to the east of the project site (contiguous with the north portion of the cove).

Summation

Thomas J. McAndrew and Associates retained NRS to provide a regulatory analysis regarding the potential upgrade of an existing shoreline public shoreline access located to the south of Waters Edge Road to a boat launch. This access area, its upgrade potentials, frequency of use and limitations are documented in the WHMP. This guidance document recommends widening the area to match the right-of-way but also acknowledges the infrequent use and limitations for parking given the presence of private property and limited spaces to reverse motor vehicle traffic.

Any potential upgrade to the existing shoreline access will be subject to the review standards of the CRMP. Under the regulatory authority of this program, the existing vegetated areas within the right-of-way surrounding the launch are considered to be coastal buffer zone. Additionally, the CRMP requires applicants to consider existing slope and access for emergency vehicles when permitting new or upgrading existing boat launches. The CRMP further requires applicants to consider climate change and sea level rise scenarios into projects within the Council's jurisdiction. Based on the appended models from CRMC data, this site and the surrounding land would be completely inundated from sea level rise during its design life.

While upgrading the existing shoreline access may provide a small increase in recreational access to Watch Hill Cove and Little Narragansett Bay, this potential launch is overshadowed by the abundant public and private access points to coastal water that already exist in the immediate area. These alternative access points are subject to more frequent use due in part to their ability to provide public parking and turnaround spaces.

NRS recommends that the Town of Westerly consider the ecological value of allowing the launch to revert into marsh habitat either through natural processes or through the assistance of a management plan. Westerly is among four (4) communities anticipated to see a net loss of coastal marsh habitat in the event of three (3) and five (5) feet of sea level rise. The launch area is unique in that it could be managed in such a way as to promote native coastal vegetation to re-establish and outcompete the *Phragmites* monoculture which currently inhabits the adjacent wetlands.

Where the upgraded use of this existing shoreline access for boating provides minor contributions to the recreational value of Watch Hill Cove, managing and restoring this area as coastal marsh will provide the town a greater opportunity to contribute to the ecological goals of its long range planning.

References

RI Coastal Resources Management Council, 2018. Coastal Resources Management Program. Re-codified under 650 RICR 20-00-01

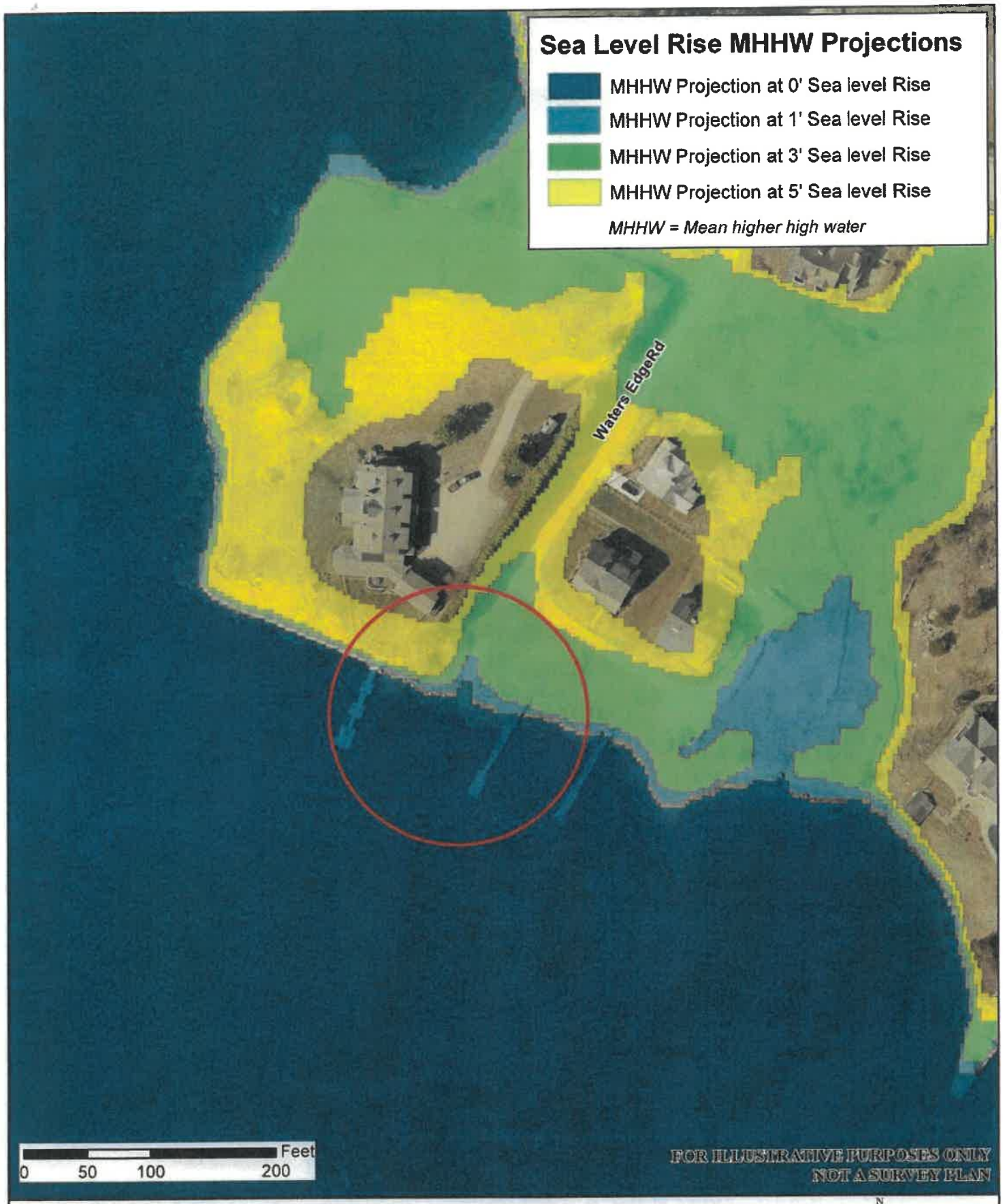
RI Coastal Resources Management Council, 2014 & 2015. Sea Level Rise Affecting Marshes Model. Project Summary Report (March 2015) and Panel No. 129 (2014).

RI Coastal Resources Management Council, 2018. Shoreline Change Special Area Management Plan. Retrieved from http://www.crmc.ri.gov/samp_beach/SAMP_Beach.pdf

Town of Westerly, 2018. Westerly Harbor Management Plan. As Adopted by the Westerly Town Council, October 22, 2018. Retrieved from http://westerlyri.gov/DocumentCenter/View/6393/WesterlyHMPFINAL_AsAdopted_102218

Appendix

STORMTOOLS Sea Level Rise Projections
SLAMM Projections



Sea Level Rise Projections
Water's Edge Road

Westerly, RI

Approximate Site Location

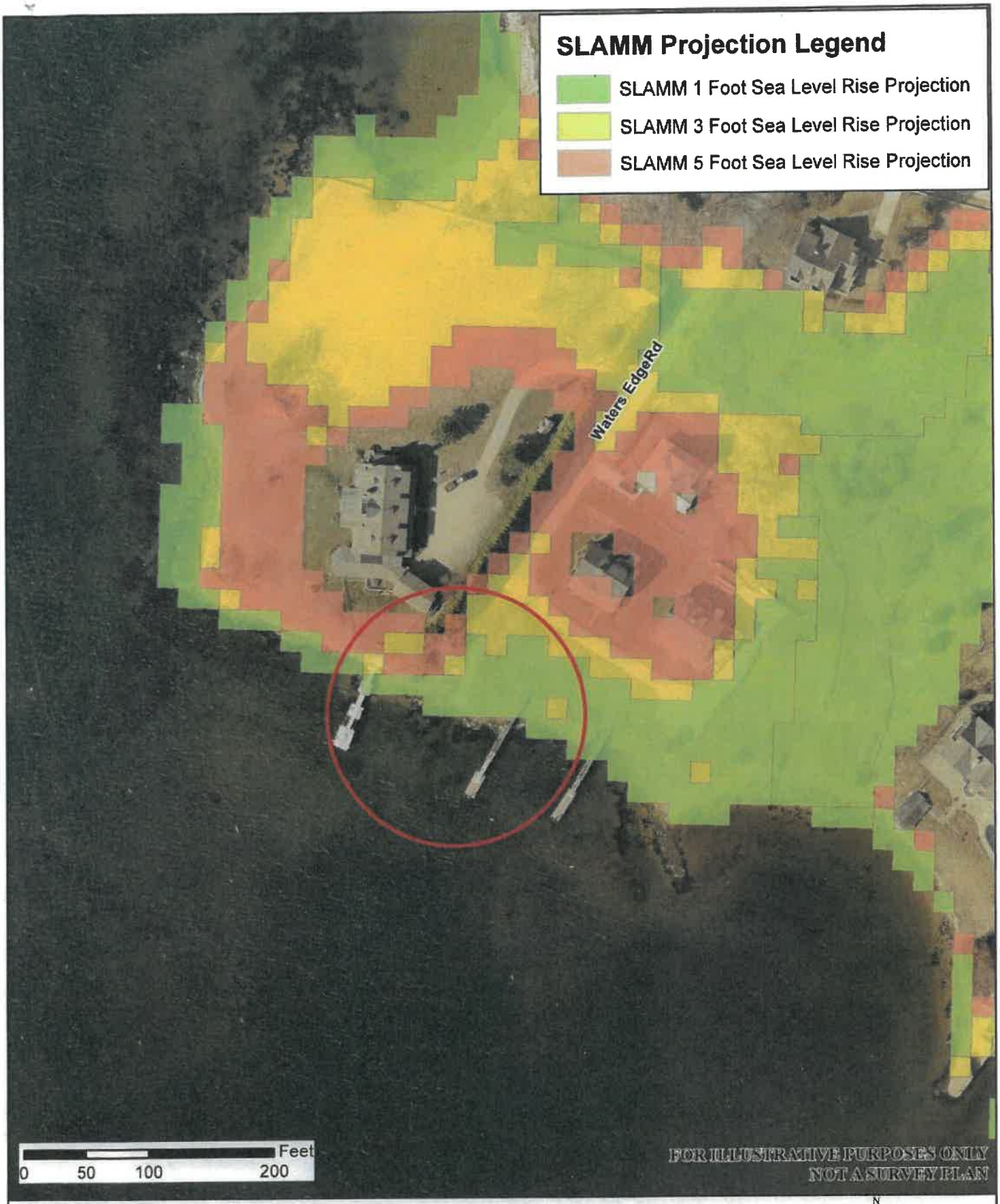
Storm Event Polygons retrieved from STORMTOOLS/RIGIS Database
(c) Shoreline Change SAMP Team

N
W E
S

RIGIS April 2018 aerial
RI DEM Mapping

Natural Resource Services, Inc.
PO Box 311
160 Tinkham Lane
Harrisville, RI 02830
p: (401) 568-7390
f: (401) 568-7490

(c) RIGIS



SLAMM Projections
Water's Edge Road

Westerly, RI

Approximate Site Location

Sea Level Affecting Marshes Modelling (SLAMM)
Retrieved from RIGIS Database

N W E S

RIGIS

April 2018 aerial
RI DEM Mapping

Natural Resource Services, Inc.
PO Box 311
130 Tinkham Lane
Hamilton, RI 02830
p: (401) 568-7390
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(c) RIGIS

JDL

ENTERPRISES

11 Grancera Drive

Hope Valley, R.I. 02832

Phone: (401) 539-2232 (O) (401) 207-1200 (C)

Email: Lombardo33@cox.net

Memorandum

To: Thomas McAndrew, Esq.

From: Joseph D. Lombardo, AICP

Date: May 14 2020

Re: Review of the Proposed Pubic Boat Launch by Town of Westerly, RI – Waters Edge Road – North End

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Per your request, the following includes my review of the proposed of an ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp by the Town of Westerly, in its Harbor Management Plan with regard to compliance with the Comprehensive Community Plan and Zoning Ordinance and good planning practice for such a facility.

Overview –

In October of 2018 the Town Council adopted a new Westerly Harbor Management Plan (known as WHMP or Plan). The overall purpose of the WHMP is to regulate the Town's coastal water resource uses and provide a long-range plan that manages growth and development particularly for the harbor and shoreline areas in Town. In the portion of the Plan, numerous rights-of- way and public access points are described.

Site Context –

According to the Plan, the right-of-way for Waters Edge Road has a consistent width of forty (40) linear feet for its entire length. The Plan notes that Site #2 & 2A- Water's Edge Road (Town-designated—previously Meadow lane.) is located at both ends of Pawcatuck Avenue, running north/south. This ROW runs the entire length of Waters Edge Road, ending on the north side at Foster Cove and on the south side at Watch Hill Cove. The site is not posted. The subject Site #2A is blocked by fencing and established undergrowth.

The purpose of this report is to discuss the merits, and short-comings of the specific public access point on Waters Edge Road known as Site #2A.

Zoning District Description –

The terminus of Waters Edge Road – north end, the subject of proposed public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp is located in the Zoning District described as:

Low-Density Residential 43. The Low-Density Residential 43 Zoning District is intended for residential areas, such as Watch Hill, which are comprised predominantly of large single-family homes on large lots and which are served by municipal water but not by municipal sewers systems. The minimum one-acre lot size is designed to preserve the existing character of such neighborhood.

THE SUITABILITY QUESTION ~

The Future Land Use Plan, which is contained in the Land Use Element of the Comprehensive Plan, relates the proposed land use classifications and densities to other provisions of the Comprehensive Plan. The key theme for Comprehensive Plans is balance. The Plan recognizes the need for both preservation and development and the importance of establishing a balance between them. The property is designated as Low Density Residential, which the R-43 district reflects this land use.

The aerial photo below, and a site examination illustrates that the majority of current uses are in fact large scale residential homes on predominately one acre or larger lots in Watch Hill. It is clear that proposed public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility use with associated parking, signage, vehicular access and activity is not in keeping with the primary purpose of this district***: intended for residential areas, such as Watch Hill, which are comprised predominantly of large single-family homes on large lots and which are served by municipal water but not by municipal sewers systems. The minimum***

one-acre lot size is designed to preserve the existing character of such neighborhood. This report will focus on the rationale for that opinion.

ZONING ORDINANCE CONSIDERATIONS -

CONSISTENCY AND COMPLIANCE WITH THE PURPOSES OF ZONING ~

While the proposed boat launch facility is part of the WHMP, the Town has made no effort to reconcile the proposed public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility with the goals established by the Comprehensive Plan or the regulatory provisions of the Zoning Code. Further, the Town has not sought a review by the Planning Board or any other Town Board or Commission charged with interpreting and enforcing land use regulations. However, this proposed facility, and all the design components that are associated with such a facility, should be scrutinized for consistency with both the Comprehensive Plan and the Zoning Code. The Town Council should focus on the Purposes of Zoning as enumerated below as they consider the merits of Site #2A on Waters Edge Road North.

The following purposes are taken from the Zoning Ordinance - Purposes and are deemed applicable and important to consider regarding the proposed (Site 2A) public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility, as this should be reviewed as a land use decision:

§ 260-5 **General purposes.**

This Zoning Ordinance is designed to implement the Comprehensive Plan and to serve the following purposes, which are intended to be given equal weight and are numbered for reference only:

A. Promoting the public health, safety, and general welfare.

Opinion: There are many elements of the proposed public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility that affect public health and safety. The right of way width is forty feet, which has been clearly demonstrated as insufficient space for any vehicle, and in particular an emergency vehicle, to turn around.

B. Providing for a range of uses and intensities of uses appropriate to the character of Westerly and reflecting current and expected future needs.

C. Providing for orderly growth and development which recognizes:

(1) The goals and patterns of land use contained in the Comprehensive Plan;
(2) The natural characteristics of the land, including its suitability for use based on soil characteristics, topography, and susceptibility to surface or groundwater pollution;
(3) The values and dynamic nature of coastal and freshwater ponds, the shoreline, and freshwater and coastal wetlands;
(4) The values of unique or valuable natural resources and features;
(5) The availability and capacity of existing and planned public and/or private services and facilities;
(6) The need to shape and balance urban and rural development; and
(7) The use of innovative development regulations and techniques.

D. Providing for the control, protection, and/or abatement of air, water, groundwater, and noise pollution, and soil erosion and sedimentation.

E. Providing for the protection of the natural, historic, cultural, and scenic character of Westerly or specific areas therein.

G. Providing for the protection of public investment in transportation, water, stormwater management systems, sewage treatment and disposal, solid waste treatment and disposal, schools, recreation, public facilities, open space, and other public requirements.

I. Promoting safety from fire, flood, and other natural or man-made disasters.

J. Promoting a high level of design quality in the development of private and public facilities.

K. Promoting implementation of the Comprehensive Plan.

Opinion: Again, these purposes of zoning are highlighted and do not appear to be met by the proposed public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility known as Site #2A – Waters Edge Road.

The Use Table specifies those uses that can be allowed in any given zone district, and those that are not. The LDR 43 zone is very restrictive and primarily allows only residential uses. A public public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility is similar in intensity and type of use to a commercial operation, all of which are prohibited in the LDR 43 zone. Examining the character of this neighborhood it is difficult to reconcile a public boat launch facility, a high intensity use in a low-density residential zone.

Site #2A does not allow for on-street parking, plus there are no sidewalks. A boat launch user would have no provision to park, unload the vessel, turn around, and park their vehicle, likely with a trailer, elsewhere then are forced to travel on foot on a public roadway for a considerable distance to gain use of the boat launch.

COMPREHENSIVE PLAN CONSIDERATIONS –

From the Comprehensive Community Plan dated 2010

THE FUTURE LAND USE PLAN

The key theme of this Plan is balance. The Plan recognizes the need for both preservation and development and the importance of establishing a balance between them. Included among its goals are maintaining Westerly's character and heritage and preserving open space and irreplaceable natural resources. The Plan also calls for providing for economic development and for the homes, jobs and services needed by current and future generations. It acknowledges the need for balance among the various aspects of Westerly which include a home to year-round and seasonal residents, a short-term tourist destination, and a regional service and retail center. The goals, objectives, and actions enumerated in the next chapter provide specific detail on how balance among these competing needs can be achieved through careful planning.

The Comprehensive Plan's Future Land Use Plan (FLUM) Map #4-1 designates the subject property as Low Density Residential, which the LDR-43 Zoning District is defined as:

Low-Density Residential 43. The Low-Density Residential 43 Zoning District is intended for residential areas, such as Watch Hill, which are comprised predominantly of large single-family homes on large lots and which are served by municipal water but not by municipal sewers systems. The minimum one-acre lot size is designed to preserve the existing character of such neighborhood.

OTHER CONSIDERATIONS ~

Access Points for Boating and Fishing: Other important water-based facilities provide access points for boating and fishing. The following table lists the available water access points in Westerly.

Table 6-8 Water Access Points for Boating and Fishing in Westerly Water Access

Bradford Landing, State owned. Parking

Chapman Pond, State owned. Parking

Main Street, State owned. Parking

Westerly Marina, Public boat launch. Limited Parking

Viking Marina Privately owned. No Parking

Lotteryville Marina, Privately owned. Parking

Gray's Boatyard, Privately owned. Parking

Watch Hill Boat Yard, Privately owned. Parking

Cove Edge Marina, Privately owned. Parking

Hall's Boatyard, Private –

Weekapaug Breachway (Fishing only, no boating)

Watch Hill Dock Floating Docks for Dinghies - Watch Hill Fire District –

Opinion: As evidenced above, it is my opinion as a land use planner, that opportunities exist within the Town for river and harbor access, including those in the vicinity of the proposed public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility at Waters Edge Road. These are developed facilities and have all the requisite components to allow safe and manageable launch and access to key water bodies in Westerly.

None of these existing facilities are located in the LDR-43 zone district. In fact, most are located in commercial type zones in the Town of Westerly that are intended to accommodate such intense uses. They include areas for parking, pre-launch & post launch areas, rest rooms, lighting and emergency facilities.

GOAL 2 Promote transportation strategies that ensure the safe and efficient flow of traffic within Westerly to enhance the quality of life for residents and visitors.

Opinion: It is difficult to view this proposal in a way that ensures safe and efficient flow of traffic. The right of way width is forty feet, there are no sidewalks, and the area is designated as a no parking zone by the Town. The proposed public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility leaves open the possibility of cars and emergency vehicles entering the Site 2A area without the ability to turn around, and backing down to the nearest intersection. The possibility of striking a pedestrian while this activity is being conducted is high, as people using the facility need to launch a boat or kayak and remove their vehicle, and then walk back to Site 2A on the roadway. Again, there are no sidewalks.

Objective 1. Explore strategies that support access to shore, river, and local businesses

Opinion: It is my opinion as a land use planner, that the proposed public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility, even with improvements that may be possible but severely limited at Site #2A at Waters Edge Road, cannot compare to the existing facilities within the Town for river and harbor access, including in the vicinity of the proposed public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility at Waters Edge Road. Again, these are developed facilities and have all the requisite components to allow safe and manageable launch and access to key water bodies in Westerly. The proposed public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility at Waters Edge Road – Site #2A, cannot meet either the overall Goal # 2 nor Objective #1 as stated above from the Comprehensive Plan.

Objective 1.4 Develop a systematic prioritized plan, including potential funding alternatives, to acquire open space for water resources protection, habitat protection, and water-dependent recreation and to protect farmland, forests and natural landscapes.

Opinion: It is my opinion as a land use planner, that the proposed public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility, does not meet this objective of the Comprehensive Plan. The Town is being directed to have a systematic and prioritized plan for access to the shore and river that includes funding, acquisition of necessary land to adequately develop these sites for public access and use, and to have the dual but equal direction of protecting the water resources. I concur with the report prepared by Natural Resources Services, Inc. that concludes:

While creating shoreline access may provide a small increase in recreational access to Foster Cove and Little Narragansett Bay, this potential launch is overshadowed by the abundant public and private access points to coastal water that already exist in the immediate area. These alternative access points are subject to more frequent use due in part to their ability to provide public parking and turnaround spaces.

NRS recommends that the Town of Westerly consider the ecological value of allowing the existing coastal buffer zone to remain intact in order to provide structural stability to the shoreline bank. Where the creation of a shoreline access for boating provides minor contributions to the recreational value of Watch Hill Cove, sustaining a well vegetated buffer will provide the town a greater opportunity to contribute to the ecological goals of its long-range planning.

8.5. Insure that land-use regulations and decision making consider the implications and potential impacts upon the four key elements of our community (tourism, seasonal residents, year-round residents, and regional service and retail) and upon Westerly's quality of life and economy.

Opinion: It is my opinion as a land use planner, that the proposed public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility does not meet this objective of the Comprehensive Plan. The Town is being directed to consider these four main elements of the Town of Westerly when making decisions that affect the quality of life for its residents. It is my strong opinion that the proposed public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility cannot meet this objective of the Comprehensive Plan because it will have a profound impact on both seasonal and year-round residents of the Waters Edge Road neighborhood.

3.6.3. Findings and Implications. A systematic prioritized plan, including potential funding alternatives, is needed for open space preservation. Both the state and the town propose greenways that follow the Pawcatuck River and the town's coastline. The public has long supported development of a bikeway system; however, previous attempts to create one have been unsuccessful. Trails are the most clearly demanded recreation in state-wide surveys. It is necessary to identify trail needs in the town and continue to develop interconnected pedestrian paths. Seventy-nine percent of respondents in the Westerly community survey agreed or strongly agreed that the riverfront should be developed with more greenspace. This finding implies that one of the key recreation focuses should be on the development of greenspace along the river, enhancing the efforts of the riverwalk project.

Opinion: It is my opinion as a land use planner, that the proposed public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility does not meet this objective of the Comprehensive Plan. The Town is being directed to consider a systematic plan that emphasizes: Open Space Preservation, Greenways along the Pawcatuck River, Bikeway, Pedestrian Paths, and a Riverwalk. Since 79% of the residents responding to a survey felt that these were the priorities, spending resources on an ill-conceived public boat launch facility in a large-scale, large lot neighborhood does not align with this policy statement in the Comprehensive Plan. Further, this site is isolated and incapable of becoming part of a larger greenway. It makes no sense to develop this site in isolation in light of this requirement to create a prioritized plan.

Further direction comes from this policy statement in the Comprehensive Plan:

3.7.6 Water Access for Boaters Boats can be launched during the operating season at the Westerly marina, which is free to all Westerly residents and is operated under a lease agreement between the owners of the marina and the town. Another free boat launch area with parking for boat trailers is the Rhode Island Department of Environmental Management facility located on Main Street. There are several other marinas on the Pawcatuck River where boat ramps are available for a fee. Westerly has had a Harbor Management Plan under development for some time and its successful completion should help manage the growing activity within the Pawcatuck River and Little Narragansett Bay.

Review of the Updated Draft of the Comprehensive Plan discusses:

The Recreation map (REC-1), which like the Conservation Lands map, also shows conservation lands. In addition, however, it also includes boat launches and ramps, bike routes, hiking trails, recreation sites, and scenic landscapes and roadways. The recreation sites included are those on the most up-to-date State Comprehensive Outdoor Recreation Plan (SCORP) Inventory of Facilities as contributed by RIDEM and include both water based and non-water-based sites.

Opinion: It is my opinion as a land use planner, that the proposed public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility does not meet this objective of the Updated Comprehensive Plan under final review for adoption. The Town Plan here focusses on the existing boat launches and ramps, bike routes, hiking trails, recreation sites, and scenic landscapes and roadways.

It is silent on any mention on directing Town Staff to pursue additional facilities as it includes the same Objective from the current Comprehensive Plan 2010 regarding 3.8.3 Findings and Implications - The Town is being directed to consider a systematic plan that emphasizes: Open Space Preservation, Greenways along the Pawcatuck River, Bikeway, Pedestrian Paths, and a Riverwalk. Since 79% of the residents responding to a survey felt that these were the priorities, spending resources on an ill-conceived public boat launch facility in a large-scale, large lot neighborhood does not align with this policy statement in the draft Comprehensive Plan.

KEY ITEMS TO ADDRESS:

Opinion: As a land use planner, the proposed use as a public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility will most definitely have an effect on the general character of the surrounding area, primarily a large-scale, large-lot residential portion of Westerly, namely Watch Hill. In addition, I have already pointed out that numerous purposes and intent of the Zoning ordinance cannot be met by this proposed facility. Other equally important considerations are:

IMPACT TO ABUTTING PROPERTY OWNERS ALONG AND AT THE NORTHERN END OF WATERS EDGE ROAD, PRIMARILY FROM CARS & TRUCKS WITH TRAILERS FOR BOATS OR KAYAKS, TRAFFIC, PARKING AND PEDESTRIAN SAFETY, AS WELL AS NOISE ISSUES. SINCE THE RIGHT OF WAY IS ONLY FORTY FEET WIDE, THE ONLY PRACTICAL USE OF THIS FACILITY WILL REQUIRE PEOPLE WITH BOAT AND KAYAK TRAILERS TO TRESPASS ONTO THE NEIGHBORS' PROPERTY IN ORDER TO TURN AROUND.

NUMBER OF PARKING SPACES NORMALLY ASSOCIATED WITH SUCH A FACILITY REQUIRED CANNOT BE ACCOMODATED WITHIN THE NARROW RIGHT OF WAY, NOR IS ANY ADDITIONAL LAND AVAILABLE. ALSO, ON-STREET PARKING IS PROHIBITED.

MINIMUM DRAINAGE IMPROVEMENTS THAT WOULD BE REQUIRED FOR THE PROJECT. THE IMPROVEMENT OF THE BOAT LAUNCH WITH IMPERVIOUS SURFACE WILL CAUSE AN INCREASE OF ROAD RUNOFF INTO THE WATCH HILL COVE.

MEASURED IMPACTS ON THE SHORELINE PLANT AND AQUATIC COMMUNITIES DUE TO DEVELOPMENT OF A PUBLIC ADA PEDESTRIAN ACCESS VISTA FACILITY, ADA RAMP TO THE SHORE LINE OR RECREATIONAL BOAT RAMP FACILITY AT THIS LOCATION. ALSO, SHORELINE PLANT AND AQUATIC PLANT COMMUNITIES WILL NEED TO BE REMOVED.

CRMC REVIEW WOULD NEED TO BE COMPLETED AND THERE ARE MANY CONCERNS FOR A PROJECT IN A TYPE 5 WATERBODY

INADEQUATE INGRESS AND EGRESS TO THE PUBLIC ADA PEDESTRIAN ACCESS VISTA FACILITY, ADA RAMP TO THE SHORE LINE OR RECREATIONAL BOAT RAMP FACILITY WITH PARTICULAR REFERENCE TO AUTOMOTIVE AND PEDESTRIAN SAFETY AND CONVENIENCE, TRAFFIC FLOW AND CONTROL, AND ACCESS IN CASE OF FIRE, EMERGENCY OR CATASTROPHE. CURRENTLY THE TOWN DOES NOT PERMIT PARKING ALONG WATERS EDGE ROAD.

In a report prepared by Commonwealth Engineering, Inc., (**CE&C**)the possible construction and improvement of the existing Site #2A at the northern end of Waters Edge Road was evaluated and utilized approved and standard requirements necessary for such a public boat launch facility. This includes Town of Westerly Design regulations, AASHTO transportation stands, RI CRMC design standards, and RIDEM requirements for such a facility.

Based on their expertise and evaluation of the existing conditions and limitations of the location, Commonwealth concluded:

It is our opinion that this site offers considerable challenges that would need to be addressed in the future planning, design, and implementation of an ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp.

The site is situated in a secluded residential area, with a narrow right-of-way, prohibited parking and insufficient emergency response access turning area.

The narrow 17-foot width of Water's Edge Road and approach roads result in

- **Insufficient parking (presently prohibited by the Town),**
- **Restricted mobility of vehicle,**
- **Overall concerns regarding the safe and controlled operation of a public use facility.**

CE&C has reviewed the standard engineering design criteria used in the design of roadways and public use facilities. We have reviewed the Town of Westerly's Design and Street Improvement construction requirements, and CRMC, ACOE, and RIDEM permitting and construction requirements. We found to construct an ADA public pedestrian vista, pedestrian shore line access, or a recreational boating facility at this site, although potentially feasible, there are significant impacts to the natural resources.

The public benefit to cost ratio does not make this site cost justifiable based on the potential public usage. It is therefore our professional opinion that this site is not suitable for further public access consideration

Opinion: If we utilize the State CRMC definition of Recreational Boating Facility, and review of the Town's Zoning Ordinance, Use Table, Use number I. 10 – Boating Marina/Yacht Club comes closest to that definition. That use, I.10 is strictly prohibited in the LDR-43 Residential Zone. As a land use planner, I fully agree with Commonwealth's conclusions regarding the proposed use as a public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility. Parking for such a public facility may be considered a primary use of land, and is also prohibited in the LDR-43 zone.

All of the design requirements for a fully functional a public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility are common elements found in all commercial type development uses: parking, lighting, access areas, landscaping, and signage. In no manner could the very restrictive land area at the northern end of Waters Edge Road be classified as similar in size and nature with those features found listed on page #6 of this report.

SUMMARY ~

Based on:

- The LDR-43 Zone District: The Low-Density Residential 43 Zoning District is intended for residential areas, such as Watch Hill, which are comprised predominantly of large single-family homes on large lots and which are served by municipal water but not by municipal sewers systems. The minimum one-acre lot size is designed to preserve the existing character of such neighborhood. The proposed *public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility* is not in keeping with that definition of the zone district which accurately describes the area surrounding Waters Edge Road.

- That the proposed *apublic ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility* does not meet many of the purposes of Zoning, particularly to provide for a range of uses and intensities of use appropriate to the character of the Town and reflecting current and expected future needs.

- Land Use Vision – In the Land Use Element: **The Comprehensive Plan recognizes the need for both preservation and development and the importance of establishing a balance between them.**

- Review of the Goals, Objectives and Policies in the Land Use Element with the proposed use in mind, several are counter to these stated Goals and Policies, particularly Goal #2, Objectives 1.4, 3.63 and 8.5.

- Review by two competent and respected experts in the fields of environmental review and permitting, and traffic and road engineering design, concluded that this location (Waters Edge Road – Site #2A) for a *public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility* is inadequate, not suitable, and likely not permittable.

- There are a number of important considerations that must be considered by the Town Council regarding the proposed *public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility* use on the subject property including: impacts to abutters, and surrounding low density residential uses, difficultly with the adequate and minimum standard design for parking, traffic & access, public safety, lighting, noise impacts, and visual impacts.

-

It is the professional opinion of Joseph D. Lombardo, AICP, President of JDL ENTERPRISES that the proposed Public Boat Launch Facility at Waters Edge Road (Site #2A) is **NOT** fully

CONSISTENT WITH, AND IN COMPLIANCE WITH THE WESTERLY ZONING ORDINANCE

AND

THE COMPREHENSIVE COMMUNITY PLAN OF THE TOWN OF WESTERLY

AND

SOUND PLANNING PRACTICES

It would not be in the Town's best interest from land use planning perspective to allow this public ADA pedestrian access vista facility, ADA ramp to the shore line or recreational boat ramp facility use to be developed in the LDR-43 Residential Zone, and specifically the subject property (Site #2A) as presented.

Managed Cloud Systems

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>

PARKING IN WESTERLY

al@awdrls.com <al@awdrls.com> Tue, Jan 19, 2021 at 8:30 AM
To: Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>, Thom Cunningham <TCunningham@commonwealth-eng.com>, Joe Lombardo <lombardo33@cox.net>, Scott Rabideau <nrsscott@gmail.com>
Cc: al@awdrls.com

Good Morning, Tom et al…

I've reviewed the information provided regarding the Water's Edge site.

While circulation is not my specific area of expertise, I don't think credentials are required to sense that neither Option 1 nor Option 2 provide safe, efficient circulation patterns for this area.

There are number of similar sites in town where town Rights of Way 'dead end' into the water. I would present Salt Pond Way in the Weekapaug area, the westerly portions of Dogwood Avenue and the westerly end of Elmwood Avenue in the Misquamicut area, and Manatuck Avenue in Watch Hill as examples.

At all these sites, while there is a clear point of access to their adjacent waters, there is no available area to turn vehicles around once they enter the right of way areas. This creates situations where vehicles resort to entering onto the adjacent private property to conduct their turns OR they back out of these areas, creating potentially unsafe conditions.

While I support and applaud the town for moving to improve access to the waters of the community, and further acknowledge that the current town staff did not create these conditions (most of which have existed for decades), proposals that exacerbate the above issues do not appear reasonable.

Let me know if there is anything else that I can provide so as to assist.

Thanks and best wishes to all…be safe,

A

Alfred W. DiOrio, PLS, CPESC, CFM

Alfred W. DiOrio, RLS, Inc.

PO Box 999, Ashaway, RI 02804

401-377-8124 401-742-1850 Cell

www.awdrls.com

• Surveying (Boundary, Topographic, Location, GPS, Control, Asbuilt, Construction Stakeout)

• Sewage Disposal System (OWTS/ISDS) Applications/Designs • Soil Evaluations • Septic System Inspections

• Subdivision and Zoning Applications and Presentations • Land Use Consulting • Site Design • Erosion Control Design

• Elevation Certificates • Cell Tower Locations and Mapping • Certified Floodplain Manager

• High Definition Laser Scanning • UAV (Drone) Flight Services/Mapping • Licensed FAA UAV Pilot

International Erosion Control Association Northeast Chapter Board Member – Rhode Island Representative

"Life is a storm, my young friend.

You will bask in the sunlight one moment, be shattered on the rocks the next.

What makes you a man is what you do when that storm comes.

You must look into that storm and shout as you did in Rome.

Do your worst, for I will do mine!

Then the fates will know you as we know you."

- Alexandre Dumas, The Count of Monte Cristo

[Quoted text hidden]

COMMONWEALTH
ENGINEERS & CONSULTANTS, INC

February 10, 2021

Mr. Thomas J. McAndrew, Esq.
Thomas J. McAndrew & Associates
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

RE: WATER'S EDGE ROAD AND PAWCATUCK AVENUE
WESTERLY, RHODE ISLAND
PARKING SUITABILITY OPINION
PROJECT NO. 21008.00

Dear Mr. McAndrew;

As requested, Commonwealth Engineers & Consultants Inc. (CE&C) has prepared this Parking Suitability Opinion for the northern and southern terminuses of Water's Edge Road and Pawcatuck Avenue in the Town of Westerly, Rhode Island. CE&C offers the following professional civil engineering opinion based on our:

- Site review of the existing conditions;
- Rhode Island Fire Laws and Rules Annotated Title 23 Health and Safety Rules and Regulations Rehabilitation Code. Chapter 28.1 Fire Safety Code-General Provisions;
- National Fire Protection Association, Inc. (NFPA 1) 2003 edition, Chapter 18 Fire Department Access and Water Supply, Section 18.2.3 Department Access Roads, and
- Review of the American Association of State Highway and Transportation Officials (2018 edition) (AASHTO): A Policy on Geometric Design of Highways and Streets.

It is our understanding that the Westerly Town Council is considering allowing parking on Water's Edge Road (north and south) and Pawcatuck Avenue.

Water's Edge Road

CE&C offers the following observations and professional opinion on this matter. CE&C previously prepared Site Suitability Assessment Memoranda for Water's Edge Road north and south terminus. In those memoranda we described the existing conditions, the acceptable engineering general standards for residential roadway construction and the necessary roadway improvements required to

conform to standard road widths and the Town's Design and Improvement Standards for Roads (Article VI Section A261-30). Both the northern and southern roadway segments of Water's Edge Road are approximately 17' wide and restrict the maneuverability of passenger, trailered vehicles to load and unload recreational equipment, and emergency response vehicles to turn around. Neither roadway segments are sufficiently wide enough to establish nor allow on street parking on either side. Neither segments provide ADA pedestrian sidewalks and lack cul-de-sacs for passenger, trailer or emergency response vehicles to turn around.

To allow parking on these roads without significant widening, and construction of a cul-de-sac will result in an impassable roadway situation in the event of an emergency or fire at any of the abutting properties. Vehicles use will require, and be limited to one-way alternating traffic. An unsafe and potentially dangerous situation could occur if vehicles attempt to back down the roadway while an opposing vehicle or pedestrian is attempting to return home or access the coastal access point. Vehicles backing up have a reduced sight distance and limited view of the roadway surface. Pedestrians, resident, and facility users would be sharing the roadway as vehicles maneuver along the roadway creating a potentially unsafe condition. The characteristic, use and enjoyment of the area and residents will be impacted due to the addition of public parking on these roadways.

The State of Rhode Island Fire Safety Code follows the National Fire Protection Association (Uniform Fire Code) (NFPA 1) and the Life Safety Code (NFPA 101)which states in Chapter 18 Section 18.2.3.4.1.1 "Fire access roads shall have an unobstructed width of not less than 20'", and Section 18.2.3.4.2 states "Fire Department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface."

Pawcatuck Avenue

AASHTO recommended parking areas for full-size cars is 9 feet by 20 feet and for subcompact cars 8 feet by 15 feet is allowed. Parking areas must be accessible to all individuals with disabilities. Pawcatuck Avenue is sufficiently wide enough (28') to permit subcompact vehicle street parking on one side (8' x 15' parking space) while maintaining the minimum required unobstructed 20-foot fires access width,

however full-size car parking would reduce the minimum unobstructed fire access width to 19 feet. As to the establishing of general public parking use, with the anticipation that the general public will utilize the coastal right-of way access may create a hazardous condition. Potential recreational users will have to walk along the roadway's shoulders with their canoes, kayaks, or small boats a significant distance. Water's Edge Road north and south coastal access is approximately 400' from the intersection of Pawcatuck Ave and currently does not provided ADA sidewalks per AASHTO parking guidelines require. The general public use of Water's Edge Road to load and unload recreational equipment would require that they either unload their equipment and back down the roadways to Pawcatuck Avenue or access private property to turn their vehicle's arounds.

In closing:

1. Water's Edge Road north and south are not wide enough to allow public parking on any side of the roadway.
2. There are no cul-de-sacs at either roadway's terminus for the general public and emergency apparatus to turn around without trespassing on private property.
3. The State Fire Code requires a 20-foot unobstructed width on an all-weather tolerant surface.
4. Pawcatuck Avenue is wide enough to allow on-street parking on one side for subcompact cars however not for full-size cars.
5. The general public will be required to walk their recreational equipment 400 feet to the coastal access, or load and unload close to the coastal access point and either back down the roads or turn-around using private property.
6. Water's Edge Road does not provide safe, handicap accessible sidewalks connecting parking with the waterfront access facility.
7. The existing site does not comply with the road improvements standards set by the Town of Westerly.
8. These roads do not comply with the AASHTO standard design guideline criteria for rural local roadways.
9. The existing right-of-way is too narrow to construct cul-de-sacs, and a significant area would need to be acquired from the abutting property owners in order to construct the required emergency response and vehicle turn-around (cul-de-sac).

COMMONWEALTH
ENGINEERS & CONSULTANTS, INC.

It is therefore our professional opinion that Water's Edge Road and Pawcatuck Avenue are not suitable candidates for public parking consideration. To allow parking on any of the above roadways has the potential to endanger residents, pedestrians and recreational users and could result in a precarious situation where-by the general public will be encouraged to ignore Town parking requirements by loading and unloading in a no parking area and vehicle collisions between those backing-up with opposing vehicles.

Sincerely,
Commonwealth Engineers & Consultants, Inc.

Thomas M. Cunningham, P.E.

O:\21000\21008.00 Water's Edge Road\2-8-21 Water's Edge & Pawcatuck Ave Parking Assessment.doc

400 Smith Street • Providence, RI 02908 • Tel. 401-273-8600 • Fax 401-273-8674
www.commonwealth-eng.com

Exhibit G

Managed Cloud Systems

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>

CRMC File NO. 2020-09-108 Water's Edge Road

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com> Mon, Jan 11, 2021 at 2:49 PM
To: Mark Rooney <mrooney@westerlyri.gov>
Cc: Dave Reis <dreis@crmc.ri.gov>, Kyle Zalaski <kzalaski@westerlyri.gov>, Jeff Willis <jwillis@crmc.ri.gov>, Lisa Pellegrini <lpellegrini@westerlyri.gov>, "wconley@wjclaw.com" <wconley@wjclaw.com>

Good Afternoon Mark:

I have tried and will continue to treat you with professionalism and respect. I am unaware that anyone in my group has sought to put pressure on anyone with respect to your employment. I recognize that you have a job to do and that it is not always easy balancing the interests of various constituencies.

However, when the residents of the Watch Hill Community met with you on October 22nd, they believed that they had an "agreement" with you and the Town regarding the Waters Edge Road South site and that included no roadway expansion and no parking in this historical residential community.

Subsequently, the residents became very concerned when the Town Council on November 9th, at the behest of Counselor Aiello, expanded the Agenda and included Waters Edge Road, a Town Right-of-Way, that was ultimately adopted and filed with CRMC on December 10, 2020.

In that document the Town changed the "agreement" that it had with the residents on October 22nd and incorporated Options 2 and 3 in the Town submission to include parking on Waters Edge Road and/or Pawcatuck Avenue.

The residents believe that the representations and "agreement" of October 22nd, which prompted me to withdraw their objection to CRMC on October 27th should be honored. They are not opposed to the kayak/paddle board launch site and the improvements that you discussed with them and I have so represented that to CRMC.

My clients have not sought to relinquish or diminish public access at Waters Edge Road South but embraced it and came to a resolution with you regarding the manner in which the site was to be improved and maintained. That "agreement" did not include widening the road or parking in this historical residential community.

Because of the nature and degree of widening the road and parking, I would respectfully suggest that the residents be given an opportunity in a workshop to present their arguments and experts to opine on the Town's plan. This would give the residents the opportunity to be heard and their issues to be explored. Moreover, I would appreciate it if you would forward me the proposed changes to the local parking Ordinance that are noted in your email.

I remain concerned about the role of CRMC because I am unaware that they have jurisdiction over Town roads and that whether they "prefer" parking at a Town Designated Right-of-Way, is of no consequence. To the best of my knowledge, they have no jurisdiction and therefore their recommendations are only advisory.

I would also note that with CRMC Designated Rights-of-Way, that they typically require some form of parking, but that does not mean that it is absolute or that parking must be created at the site. As a matter of fact, a number of CRMC Designated Rights-of-Way do not have any parking at all.

Because of the problems associated with the Town Council's action of November 9th, we have been forced to file a Complaint with the Office of Attorney General under RIGL 42-46-1 et. seq. today alleging a violation of the Open Meetings Act. You should receive a copy of that from the Office of Attorney General.

I would prefer, as would my clients, to meet at a mutually convenient time to try to resolve this matter in a manner in which the parties can claim a "win-win".

Tom

[Quoted text hidden]

Exhibit H

Managed Cloud Systems

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>

CRMC File NO. 2020-09-108 Water's Edge Road

Dave Reis <dreis@crmc.ri.gov> Tue, Jan 12, 2021 at 8:55 AM
To: Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>, Mark Rooney <mrooney@westerlyri.gov>
Cc: Kyle Zalaski <kzalaski@westerlyri.gov>, Jeff Willis <jwillis@crmc.ri.gov>, Lisa Pellegrini <lpellegrini@westerlyri.gov>, wconley@wjclaw.com, "Anthony DeSisto, Esq." <adlawllc@gmail.com>

Hello Folks,

Please consider the preferred option communicated by the Town to the CRMC involves parking on Pawcatuck Avenue which does not involve widening of the road. With regard to CRMC jurisdiction, CRMC Staff will be reviewing this matter with CRMC Legal Counsel and will be in touch.

Sincerely,

Dave

David S. Reis

Supervising Environmental Scientist

Coastal Resources Management Council

Oliver Stedman Government Center

4808 Tower Hill Road

Wakefield, RI 02879

Phone: 401 783-3370

Web: www.crmc.ri.gov

[Quoted text hidden]

Exhibit I

Managed Cloud Systems

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>

FW: CRMC Assent-Waters Edge Rd ROW

Mark Rooney <mrooney@westerlyri.gov> Thu, Feb 18, 2021 at 3:17 PM
To: Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>, Joan Beth Brown <brownfam@optonline.net>
Cc: "wconley@wjclaw.com" <wconley@wjclaw.com>

FYI

The final standing of Water's Edge from CRMC

no parking

no further improvements

J. MARK ROONEY

Town Manager

Town of Westerly

45 Broad Street

Westerly, RI 02891

Tel: (401) 348-2530

Email: mrooney@westerlyri.gov

From: John Moretta <jmoretta@westerlyri.gov>
Sent: Thursday, February 18, 2021 1:42 PM
To: Mark Rooney <mrooney@westerlyri.gov>
Cc: Kyle Zalaski <kzalaski@westerlyri.gov>; Alyse Oziolor <aoziolor@westerlyri.gov>; Lisa Pellegrini <lpellegrini@westerlyri.gov>
Subject: CRMC Assent-Waters Edge Rd ROW

HI Everyone:

Attached is a copy of the CRMC Assent , as recorded in the Town Clerk's Office,

for Waters Edge Rd-ROW.

John

JOHN R. MORETTA

Executive Assistant

Office of the Town Manager

45 Broad Street

Westerly, RI 02891

Tel: (401) 348-2532

Email: jmoretta@westerlyri.gov

www.WesterlyRI.gov

CRMC Assent Waters Edge Rd ROW 02-18-21.pdf
3989K

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 116
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

Rec # 148704
Bk: 2021 Pg: 4337
Instr #: 2021-950
02/18/2021 01:21:03 PM
6 Pages

ASSENT

ASSENT

CRMC File No.: 2020-09-108 CRMC Assent No.: A2020-09-108

RECEIVED FOR RECORD
WESTERLY RI
TOWN MANAGER'S OFFICE
WESTERLY, RI
FEB 18 2021
RECEIVED

Whereas, **Town of Westerly**
of **45 Broad Street**
Westerly, RI 02891

has applied to the Coastal Resources Management Council for assent to: construct a public kayak rack within the public road right-of-way at the seaward terminus of Water's Edge Road in Westerly. As currently proposed, no public parking will be provided at this time, and represents that they are the owner(s) of the riparian rights attached to the property involved and submitted plans of the work to be done.

Now, said Council, having fully considered said application in accordance with all the regulations as set forth in the Administrative Procedures Act does hereby authorize said applicant, subject to the provisions of Title 46, Chapter 23 of the General Laws of Rhode Island, 1956, as amended, and all laws which are or may be in force applicable thereto: **construct a public kayak rack within the public road right-of-way at the seaward terminus of Water's Edge Road in Westerly. As currently proposed, no public parking will be provided at this time**; located at Waters Edge Road, Westerly, RI, in accordance with said plans submitted to this Council and approved by this Council. All work being permitted must be completed on or before **February 12, 2024** after which date this assent is null and void, (unless written application requesting an extension is received by CRMC sixty (60) days prior to expiration date).

Applicant agrees that as a condition to the granting of this assent, members of the Coastal Resources Management Council or its staff shall have access to applicant's property to make on-site inspections to insure compliance with the assent.

Licensee shall be fully and completely liable to State, and shall waive any claims against State for contribution or otherwise, and shall indemnify, defend, and save harmless State and its agencies, employees, officers, directors, and agents with respect to any and all liability, damages (including damages to land, aquatic life, and other natural resources), expenses, causes of action, suits, claims, costs (including testing, auditing, surveying, and investigating costs), fees (including attorneys' fees and costs), penalties (civil and criminal), and response, cleanup, or remediation costs assessed against or imposed upon Licensee, State, or the Property, as a result of Licensee's control of the Property, or Licensee's use, disposal, transportation, generation and/or sale of Hazardous Substances or that of Licensee's employees, agents, assigns, sublicensees, contractors, subcontractors, permittees, or invitees.

Nothing in this assent shall be construed to impair the legal rights of this granting authority or of any person. By this assent the granting authority by no manner, shape, or form assumes any liability or responsibility implied, or in fact, for the stability or permanence of said project; nor by this assent is there any liability implied or in fact assumed or imposed on the granting authority. Further, the granting authority by its representatives or duly authorized agents shall have the right to inspect said project at all times including, but not limited to, the construction, completion, and all times thereafter.

This Assent is granted with the specific proviso that the construction authorized therein will be maintained in good condition by the owner thereof, his heirs, successors, or assigns for a period of fifty (50) years from the date thereof, after which time this permission shall terminate necessitating either complete removal or a new application.

Permits issued by the CRMC are issued for a finite period of time, confer no property rights, and are valid only with the conditions and stipulations under which they are granted. Permits imply no guarantee of renewal, and may be subject to denial, revocation, or modification.

If this matter appeared before the full Council, a copy of the legal decision from this proceeding may be acquired by contacting the CRMC office in writing.

A copy of this Assent shall be kept on site during construction.

Application for future alteration of the shoreline or other construction or alteration within the CRMC jurisdiction shall be submitted to the CRMC for review prior to commencing such activity.

All applicable policies, prohibitions, and standards of the RICRMP shall be upheld.
All local, state or federal ordinances and regulations must be complied with.

Please be advised that as a further conditions of this Assent, it is hereby stipulated that you and/or your agents shall comply at all times with Federal and State Water Quality Standards and other State standards and regulations regarding water quality, and shall exercise such supervision over and control of these facilities to prevent the dumping or discarding or refuse, sanitary wastes and other pollutants in the tidal waters, either from vessels docked at said facilities or from land adjacent thereto.

No work that involves alteration to wetlands or waters of the United States shall be done under this Assent until the required Federal Permit has been obtained.

Non-compliance with this assent shall result in legal action and/or revocation of this permit.

CAUTION:
The limits of authorized work shall be only for that which was approved by the CRMC. Any activities or alterations in which deviate from this assent or what was detailed on the CRMC approved plans will require a separate application and review. Additionally, if the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then this permit may be found to be null and void. Plans for any future alteration of the shoreline or construction or alteration within the 200' zone of CRMC jurisdiction or in coastal waters must be submitted for review to the CRMC prior to commencing such activity. Permits, licenses or easements issued by the Council are valid only with the conditions and stipulation under which they are granted and imply no guarantee of renewal. The initial application or an application for renewal may be subject to denial or modification. If an application is granted, said permit, license and easement may be subject to revocation and/or modification for failure to comply with the conditions and stipulations under which the same was issued or for other good cause.

ATTENTION: ALL STRUCTURES AND FILLED AREAS IN THE TIDAL, COASTAL, OR NAVIGABLE WATERS OF THE STATE OF RHODE ISLAND ARE SUBJECT TO:

1. The Superior Property Rights of the State of Rhode Island in the Submerged and Submersible Lands of the Coastal, Tidal, and Navigable Waters;
2. The Superior Navigation Servitude of the United States;
3. The Police Powers of the State of Rhode Island and the United States to regulate Structures in the Tidal, Coastal, or Navigable Waters.

THE SUBMERGED AND SUBMERSIBLE LANDS OF THE TIDAL, COASTAL, AND NAVIGABLE WATERS OF THE STATE ARE OWNED BY THE STATE AND HELD IN TRUST FOR THE PUBLIC. CONVEYANCE OF THESE LANDS IS ILLEGAL; TITLES PURPORTING TO TRANSFER SUCH LANDS ARE VOID. ASSENTS THAT INVOLVE THE FILLING OR USE OF THE STATES SUBMERGED LANDS ARE GRANTED WITH THE PROVISO THAT IT IS SUBJECT TO THE IMPOSITION OF A USAGE FEE TO BE ESTABLISHED BY THE COASTAL RESOURCES MANAGEMENT COUNCIL.

The lands adjacent to tidal waters and/or access to these lands may be impacted or rendered unusable in the future due to sea level rise, storm surge, and shoreline erosion. Online resources including STORMTOOLS, Shoreline Change Maps, and Sea Levels Affecting Marshes Model (SLAMM) Maps can be accessed through the CRMC website (www.crmc.ri.gov). The Council recommends the use of these resources to evaluate the flood extent and inundation from sea level rise, storm surge and erosion and damages to land, aquatic life, loss of public access and other natural resources on and near the site of the above assent. The project life may be shortened by these processes and may require additional adaptation measure up to and including relocation of the project. By issuing this assent the granting authority neither explicitly nor implicitly assumes any liability or responsibility for the stability or permanence of said project under future climate and shoreline conditions.

SPECIFIC STIPULATIONS OF APPROVAL

General Stipulations

A. The applicant shall record this assent in its entirety in the land evidence records of the Town of Westerly within thirty (30) days of the date of assent issuance. Certification by the Town Clerk's office that this stipulation has been complied with shall be furnished to Coastal Resources Management Council by the applicant within fifteen (15) days thereafter. Failure to comply with provision will render this assent null and void.

B. For the purpose of this permit, the coastal feature shall be the coastal wetland; and the inland edge of the coastal feature shall be the inland edge of the coastal wetland.

C. The approved location plan(s) shall be those attached to this CRMC Assent. Except as stipulated or modified herein, all details and specifications thereon shall be strictly adhered to. Any and all changes require written approval from this office.

D. This CRMC Assent approves the location of the kayak rack within the Water's Edge Road right-of-way and within an existing area of lawn as shown on the attached plan. No building plans have been submitted to the CRMC for approval. Accordingly, the structure shall be adequately anchored to resist displacement by flooding, waves and wind as determined to be sufficient by the local building official.

E. As agreed in a January 29, 2021 meeting between CRMC Staff, the Town of Westerly and interested parties, work shall be limited to installation of the kayak rack only. There shall be no improvements to the existing informal small craft launching area at the shoreline or the roadway right-of-way leading to the launching area. Specifically, no fill may be placed below MHW and the salt marsh bordering the launching area may not be disturbed. If such work is desired in the future, a CRMC application must be submitted. As discussed during the January meeting, any filling below mean high water (MHW) shall require a public access plan consistent with Section 1.3.6 of the red book (650-RICR-20-00-01). In this regard, it is CRMC staff's position that an appropriate public access plan associated with a small craft launching area and public kayak rack associated with a public road should involve provisions for public parking.

F. As of the date of assent issuance, all naturally existing vegetation bordering the shoreline in this area is to remain in an undisturbed natural condition to serve as a coastal buffer zone. Any and all activities or alterations within the coastal buffer zone not specifically addressed herein including mowing, pruning, trimming, thinning, require written authorization from the CRMC.

G. Vegetation within the salt marsh bordering the shoreline in this area shall remain in an undisturbed condition.

H. No alterations (vegetative or otherwise) are allowed on the coastal feature(s) or in the waterway adjacent to the site.

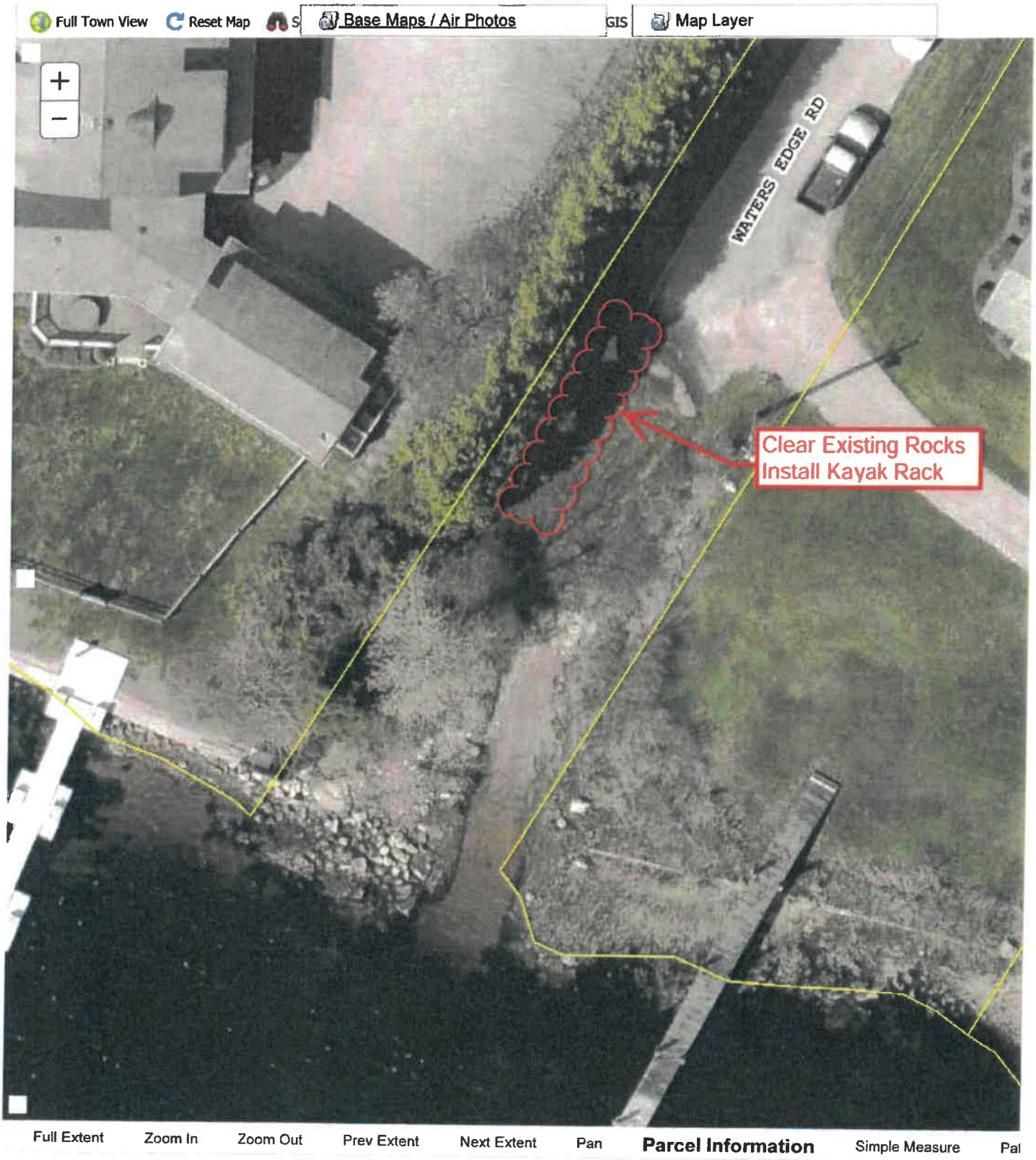
I. Other than for kayak rack footings, no earthwork is authorized by this permit.

In Witness Whereof, said Coastal Resources Management Council has hereto set their hands and seal this **12th day of February in the year two-thousand-and-twenty-one.**

Jeffrey M. Willis, Executive Director
Coastal Resources Management Council

/ajt

Revision Date: 2/10/2021



MapXpress v1.2

Waters Edge Road, Westerly, RI
CRMC File No. 2020-09-108
Revised Plan based on 1/29/2021 meeting

COASTAL RESOURCES MANAGEMENT COUNCIL
APPROVED PLANS
DATE: FEBRUARY 12, 2021
STAFF MEMBER: DAVID REIS
SUBJECT TO STIPULATIONS CONTAINED IN
ASSENT NUMBER: A2020-09-108

State of Rhode Island

COASTAL RESOURCES MANAGEMENT COUNCIL

NOTICE OF

ASSENT

CRMC Assent No.: A2020-09-108 Date: February 12, 2021

This certifies that **Town of Westerly**
has permission to construct a public kayak rack within the public road right-of-way at the seaward terminus of Water's Edge Road in Westerly. As currently proposed, no public parking will be provided at this time

situated at Waters Edge Road
Plat No. _____ Lot No. _____

Said construction operations to be done in accordance with an approved assent on file in the Offices of the Coastal Resources Management Council and subject further to all the provisions of the building ordinances of the :

City/Town of **Westerly**

and to all the applicable State, Local and Federal provisions. This assent shall expire three (3) years from the date of this assent.

Jennifer Abruzzese
Official Designee
Coastal Resources Management Council

THIS CARD MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE PREMISES.
FAILURE TO DISPLAY WILL RESULT IN LEGAL ACTION.

DONNA L. GIORDANO, MMC TOWN CLERK
WESTERLY, RI RET:

Coastal Access Data & Resources

> *"The people shall continue to enjoy and freely exercise all the rights of fishery, and the privileges of the shore, to which they have been heretofore entitled under the charter and usages of this state, including but not limited to fishing from the shore, the gathering of seaweed, leaving the shore to swim in the sea and passage along the shore;"*

Rhode Island State Constitution –Article 1, Section 17

Rhode Island is one of the most densely populated coastal zones in the country, with 90 percent of the state's residents living within a 20-minute drive of the shoreline. Accordingly, public access to the shoreline is an important coastal resource for all Rhode Islanders. In fact, this public trust doctrine is codified in the state constitution, which gives all residents the right to access the shoreline for fishing, recreation, and other privileges.

Access to the coast is provided at over 225 state-designated rights-of-way (ROW) and at hundreds of other points that are either owned by federal, state, or municipal government and managed for the public, or owned by private organizations who welcome the public. These sites range from footpaths to fishing piers, allowing residents and visitors to the state to use the coastline and engage in ocean activities. In Rhode Island, the public also has the right to lateral (alongshore) access for the entirety of the state's

400 miles of shoreline below mean high tide. However, the continued enjoyment of these public space is increasingly threatened by climate change, coastal development, and the actions of property owners to limit access. The issue is further complicated by restrictions on parking, signage, and other local ordinances.

Through its Climate Response Demonstration Site program, the Coastal Institute is supporting several new monitoring and outreach projects to enhance and protect the public's access to the shore and provide policymakers with up to date science and information about coastal processes. Diversity, Equity, and Inclusion is an important motivator for this work, as limitations on coastal access often target minority communities and non-native English speakers. This includes both field and desktop projects to update and enhance the state's ROW database, identify sites where climate change will impinge on public trust lands, and develop tools and outreach products that safeguard access for Rhode Islanders now and into the future.

Resources:

Pocket guide to Rhode Island's rights-of-way to the shoreline [Brochure]
Interactive map of state-designated rights-of-way to the RI shoreline
Rhode Island's shoreline is public land [Factsheet]
Tidal datums can't be seen on the shore [Infographic]

URI Coastal Institute | Narragansett Bay Campus | GSO Box 37, CIB Room 124 | Narragansett, RI 02882
coastalinstitute@etal.uri.edu | 401.874.6513

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State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 116
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

Rec # 148704
Bk: 2021 Pg: 4337
Instr #. 2021-950
02/18/2021 01:21:03 PM
6 Pages
ASSENT

ASSENT

CRMC File No.: 2020-09-108 CRMC Assent No.: A2020-09-108

RECEIVED FOR RECORD
WESTERLY RI

TOWN MANAGER'S OFFICE
WESTERLY RI
FEB 18 2021
RECEIVED

Whereas, **Town of Westerly**
of **45 Broad Street**
Westerly, RI 02891

has applied to the Coastal Resources Management Council for assent to: construct a public kayak rack within the public road right-of-way at the seaward terminus of Water's Edge Road in Westerly. As currently proposed, no public parking will be provided at this time, and represents that they are the owner(s) of the riparian rights attached to the property involved and submitted plans of the work to be done.

Now, said Council, having fully considered said application in accordance with all the regulations as set forth in the Administrative Procedures Act does hereby authorize said applicant, subject to the provisions of Title 46, Chapter 23 of the General Laws of Rhode Island, 1956, as amended, and all laws which are or may be in force applicable thereto: **construct a public kayak rack within the public road right-of-way at the seaward terminus of Water's Edge Road in Westerly. As currently proposed, no public parking will be provided at this time**; located at Waters Edge Road, Westerly, RI, in accordance with said plans submitted to this Council and approved by this Council. All work being permitted must be completed on or before **February 12, 2024** after which date this assent is null and void, (unless written application requesting an extension is received by CRMC sixty (60) days prior to expiration date).

Applicant agrees that as a condition to the granting of this assent, members of the Coastal Resources Management Council or its staff shall have access to applicant's property to make on-site inspections to insure compliance with the assent.

Licensee shall be fully and completely liable to State, and shall waive any claims against State for contribution or otherwise, and shall indemnify, defend, and save harmless State and its agencies, employees, officers, directors, and agents with respect to any and all liability, damages (including damages to land, aquatic life, and other natural resources), expenses, causes of action, suits, claims, costs (including testing, auditing, surveying, and investigating costs), fees (including attorneys' fees and costs), penalties (civil and criminal), and response, cleanup, or remediation costs assessed against or imposed upon Licensee, State, or the Property, as a result of Licensee's control of the Property, or Licensee's use, disposal, transportation, generation and/or sale of Hazardous Substances or that of Licensee's employees, agents, assigns, sublicensees, contractors, subcontractors, permittees, or invitees.

Nothing in this assent shall be construed to impair the legal rights of this granting authority or of any person. By this assent the granting authority by no manner, shape, or form assumes any liability or responsibility implied, or in fact, for the stability or permanence of said project; nor by this assent is there any liability implied or in fact assumed or imposed on the granting authority. Further, the granting authority by its representatives or duly authorized agents shall have the right to inspect said project at all times including, but not limited to, the construction, completion, and all times thereafter.

This Assent is granted with the specific proviso that the construction authorized therein will be maintained in good condition by the owner thereof, his heirs, successors, or assigns for a period of fifty (50) years from the date thereof, after which time this permission shall terminate necessitating either complete removal or a new application.

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COASTAL RESOURCES
MANAGEMENT COUNCIL

Permits issued by the CRMC are issued for a finite period of time, confer no property rights, and are valid only with the conditions and stipulations under which they are granted. Permits imply no guarantee of renewal, and may be subject to denial, revocation, or modification.

If this matter appeared before the full Council, a copy of the legal decision from this proceeding may be acquired by contacting the CRMC office in writing.

A copy of this Assent shall be kept on site during construction.

Application for future alteration of the shoreline or other construction or alteration within the CRMC jurisdiction shall be submitted to the CRMC for review prior to commencing such activity.

All applicable policies, prohibitions, and standards of the RICRMP shall be upheld.
All local, state or federal ordinances and regulations must be complied with.

Please be advised that as a further conditions of this Assent, it is hereby stipulated that you and/or your agents shall comply at all times with Federal and State Water Quality Standards and other State standards and regulations regarding water quality, and shall exercise such supervision over and control of these facilities to prevent the dumping or discarding or refuse, sanitary wastes and other pollutants in the tidal waters, either from vessels docked at said facilities or from land adjacent thereto.

No work that involves alteration to wetlands or waters of the United States shall be done under this Assent until the required Federal Permit has been obtained.

Non-compliance with this assent shall result in legal action and/or revocation of this permit.

CAUTION:

The limits of authorized work shall be only for that which was approved by the CRMC. Any activities or alterations in which deviate from this assent or what was detailed on the CRMC approved plans will require a separate application and review. Additionally, if the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then this permit may be found to be null and void. Plans for any future alteration of the shoreline or construction or alteration within the 200' zone of CRMC jurisdiction or in coastal waters must be submitted for review to the CRMC prior to commencing such activity. Permits, licenses or easements issued by the Council are valid only with the conditions and stipulation under which they are granted and imply no guarantee of renewal. The initial application or an application for renewal may be subject to denial or modification. If an application is granted, said permit, license and easement may be subject to revocation and/or modification for failure to comply with the conditions and stipulations under which the same was issued or for other good cause.

ATTENTION: ALL STRUCTURES AND FILLED AREAS IN THE TIDAL, COASTAL, OR NAVIGABLE WATERS OF THE STATE OF RHODE ISLAND ARE SUBJECT TO:

1. The Superior Property Rights of the State of Rhode Island in the Submerged and Submersible Lands of the Coastal, Tidal, and Navigable Waters;
2. The Superior Navigation Servitude of the United States;
3. The Police Powers of the State of Rhode Island and the United States to regulate Structures in the Tidal, Coastal, or Navigable Waters.

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COASTAL RESOURCES

THE SUBMERGED AND SUBMERSIBLE LANDS OF THE TIDAL, COASTAL, AND NAVIGABLE WATERS OF THE STATE ARE OWNED BY THE STATE AND HELD IN TRUST FOR THE PUBLIC. CONVEYANCE OF THESE LANDS IS ILLEGAL; TITLES PURPORTING TO TRANSFER SUCH LANDS ARE VOID. ASSENTS THAT INVOLVE THE FILLING OR USE OF THE STATES SUBMERGED LANDS ARE GRANTED WITH THE PROVISO THAT IT IS SUBJECT TO THE IMPOSITION OF A USAGE FEE TO BE ESTABLISHED BY THE COASTAL RESOURCES MANAGEMENT COUNCIL.

The lands adjacent to tidal waters and/or access to these lands may be impacted or rendered unusable in the future due to sea level rise, storm surge, and shoreline erosion. Online resources including STORMTOOLS, Shoreline Change Maps, and Sea Levels Affecting Marshes Model (SLAMM) Maps can be accessed through the CRMC website (www.crmc.ri.gov). The Council recommends the use of these resources to evaluate the flood extent and inundation from sea level rise, storm surge and erosion and damages to land, aquatic life, loss of public access and other natural resources on and near the site of the above assent. The project life may be shortened by these processes and may require additional adaptation measure up to and including relocation of the project. By issuing this assent the granting authority neither explicitly nor implicitly assumes any liability or responsibility for the stability or permanence of said project under future climate and shoreline conditions.

SPECIFIC STIPULATIONS OF APPROVAL

General Stipulations

A. The applicant shall record this assent in its entirety in the land evidence records of the Town of Westerly within thirty (30) days of the date of assent issuance. Certification by the Town Clerk's office that this stipulation has been complied with shall be furnished to Coastal Resources Management Council by the applicant within fifteen (15) days thereafter. Failure to comply with provision will render this assent null and void.

B. For the purpose of this permit, the coastal feature shall be the coastal wetland; and the inland edge of the coastal feature shall be the inland edge of the coastal wetland.

C. The approved location plan(s) shall be those attached to this CRMC Assent. Except as stipulated or modified herein, all details and specifications thereon shall be strictly adhered to. Any and all changes require written approval from this office.

D. This CRMC Assent approves the location of the kayak rack within the Water's Edge Road right-of-way and within an existing area of lawn as shown on the attached plan. No building plans have been submitted to the CRMC for approval. Accordingly, the structure shall be adequately anchored to resist displacement by flooding, waves and wind as determined to be sufficient by the local building official.

E. As agreed in a January 29, 2021 meeting between CRMC Staff, the Town of Westerly and interested parties, work shall be limited to installation of the kayak rack only. There shall be no improvements to the existing informal small craft launching area at the shoreline or the roadway right-of-way leading to the launching area. Specifically, no fill may be placed below MHW and the salt marsh bordering the launching area may not be disturbed. If such work is desired in the future, a CRMC application must be submitted. As discussed during the January meeting, any filling below mean high water (MHW) shall require a public access plan consistent with Section 1.3.6 of the red book (650-RICR-20-00-01). In this regard, it is CRMC staff's position that an appropriate public access plan associated with a small craft launching area and public kayak rack associated with a public road should involve provisions for public parking.

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COASTAL RESOURCES

F. As of the date of assent issuance, all naturally existing vegetation bordering the shoreline in this area is to remain in an undisturbed natural condition to serve as a coastal buffer zone. Any and all activities or alterations within the coastal buffer zone not specifically addressed herein including mowing, pruning, trimming, thinning, require written authorization from the CRMC.

G. Vegetation within the salt marsh bordering the shoreline in this area shall remain in an undisturbed condition.

H. No alterations (vegetative or otherwise) are allowed on the coastal feature(s) or in the waterway adjacent to the site.

I. Other than for kayak rack footings, no earthwork is authorized by this permit.

In Witness Whereof, said Coastal Resources Management Council has hereto set their hands and seal this **12th day of February in the year two-thousand-and-twenty-one.**

Jeffrey M. Willis, Executive Director
Coastal Resources Management Council

/ajt

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FEB 18 2021
COASTAL RESOURCES MANAGEMENT COUNCIL

Revision Date: 2/10/2021

Waters Edge Road, Westerly, RI
CRMC File No. 2020-09-108
Revised Plan based on 1/29/2021 meeting

COASTAL RESOURCES MANAGEMENT COUNCIL
APPROVED PLANS
DATE: FEBRUARY 12, 2021
STAFF MEMBER: DAVID REIS
SUBJECT TO STIPULATIONS CONTAINED IN
ASSENT NUMBER: A2020-09-108

RECEIVED
FEB 16 2021
COASTAL RESOURCES MANAGEMENT COUNCIL

State of Rhode Island

COASTAL RESOURCES MANAGEMENT COUNCIL

NOTICE OF

ASSENT

CRMC Assent No.: A2020-09-108 Date: February 12, 2021

This certifies that **Town of Westerly**

has permission to construct a public kayak rack within the public road right-of-way at the seaward terminus of Water's Edge Road in Westerly. As currently proposed, no public parking will be provided at this time

situated at Waters Edge Road

Plat No. Lot No.

Said construction operations to be done in accordance with an approved assent on file in the Offices of the Coastal Resources Management Council and subject further to all the provisions of the building ordinances of the :

City/Town of **Westerly**

and to all the applicable State, Local and Federal provisions. This assent shall expire three (3) years from the date of this assent.

Jennifer Abruzzese

Official Designee
Coastal Resources Management Council

THIS CARD MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE PREMISES.
FAILURE TO DISPLAY WILL RESULT IN LEGAL ACTION.

DONNA L. GIORDANO, MMC TOWN CLERK
WESTERLY, RI RET.

RECEIVED
FEB 18 2021
COASTAL RESOURCES MANAGEMENT COUNCIL

Jenn Abbruzzese

From: Dave Reis <dreis@crmc.ri.gov>
Sent: Friday, February 12, 2021 9:14 AM
To: Jenn Abbruzzese
Cc: 'Kyle Zalaski'; Mark Rooney
Subject: FW: CRMC File No. 2020-09-108 - Modified Plan Submission
Attachments: Waters Edge Rd - Revised CRMC Plan_02.10.2021.pdf

Hello Jen,

Please place this email in the file with the attached plan. The only thing now proposed at Water's Edge Drive is the Kayak ramp shown on the attached plan. I will be processing the permit for this today.

Thanks,
Dave

David S. Reis
Supervising Environmental Scientist
Coastal Resources Management Council
Oliver Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879
Phone: 401 783-3370
Web: www.crmc.ri.gov

From: Kyle Zalaski
Sent: Wednesday, February 10, 2021 8:55 AM
To: Dave Reis <dreis@crmc.ri.gov>
Cc: Mark Rooney <mrooney@westerlyri.gov>
Subject: CRMC File No. 2020-09-108 - Modified Plan Submission

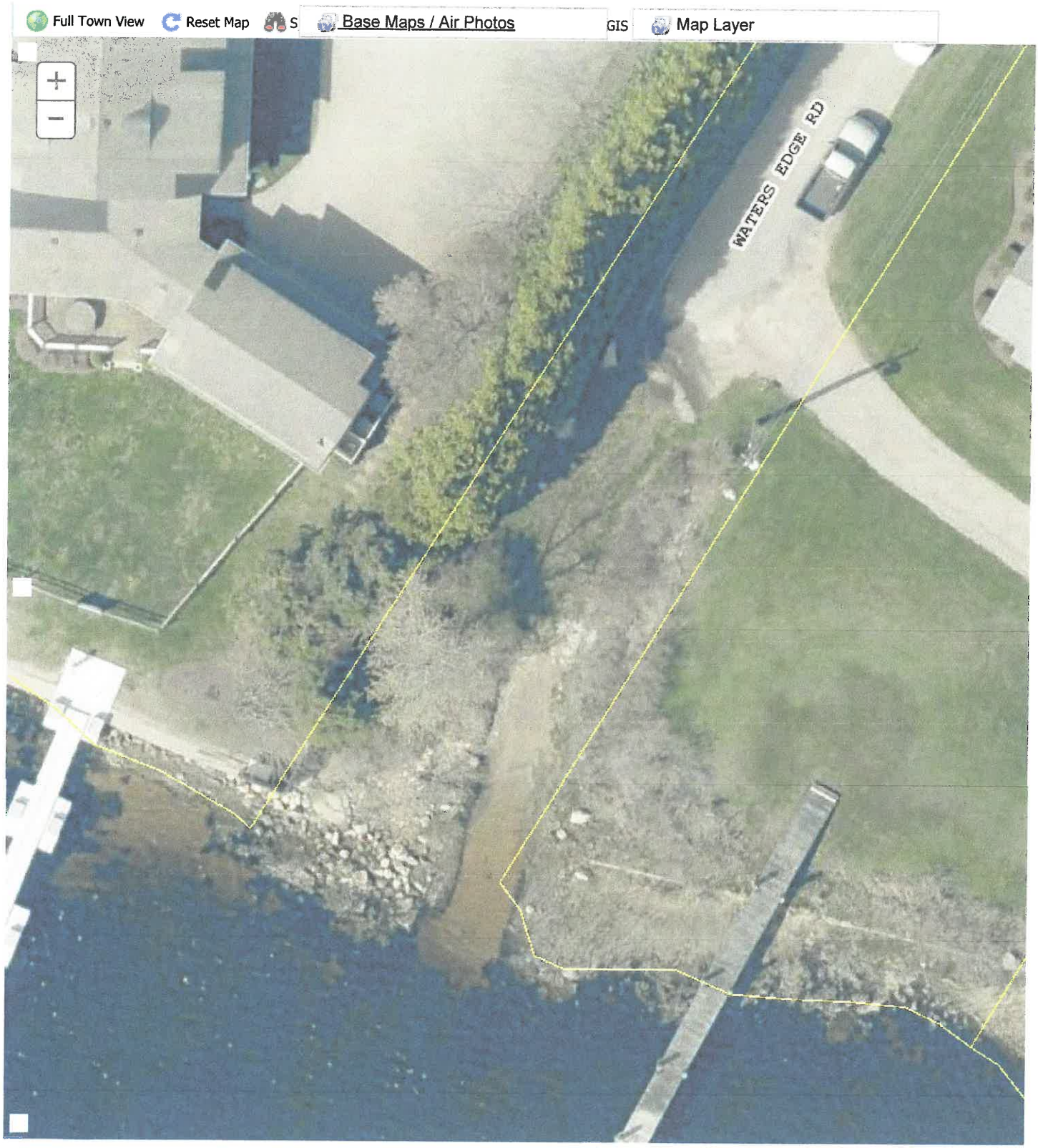
Good morning Dave,

Please see attached the modified plan for the improvements along Waters Edge Road.
This revised plan reflects the conditions agreed upon during the meeting held on 1/29/2021, and will substitute the plans currently on file for CRMC File No. 2020-09-108.

Please let us know if you have any further questions or requests.

Thanks,
Kyle

Kyle Zalaski, P.E.
Town Engineer
Public Works/Utilities



MapXpress v1.2

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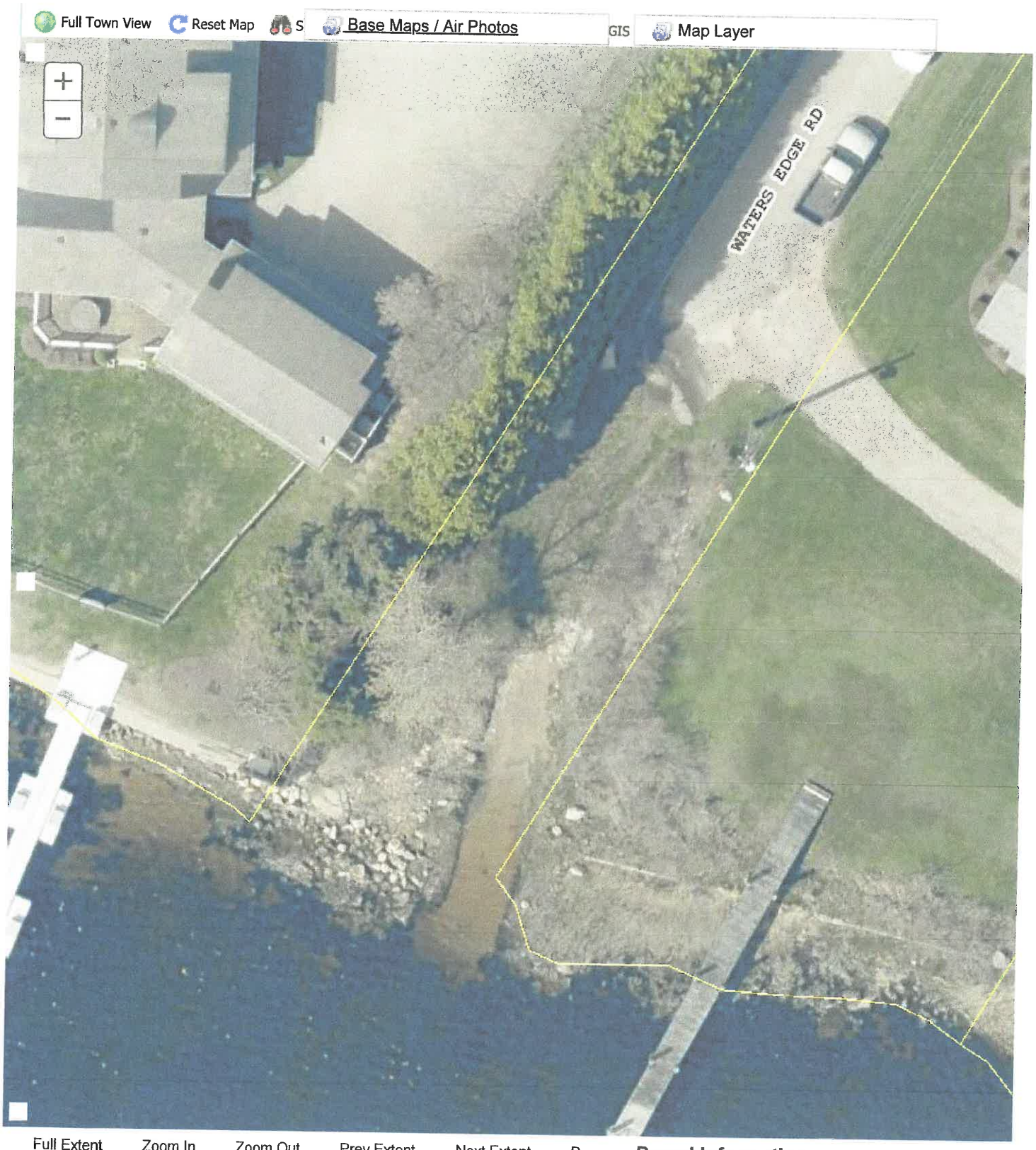
Thanks,
Kyle

Kyle Zalaski, P.E.
Town Engineer
Public Works/Utilities



MapXpress v1.2

Jenn Abbruzzese

From: Dave Reis <dreis@crmc.ri.gov>
Sent: Friday, February 12, 2021 10:43 AM
To: Jenn Abbruzzese; 'Lisa Turner'
Subject: FW:2020-09-108
Attachments: Providence Ramp Staff report.pdf; Providence Ramp Site Plans.pdf

Please include this email in the file. There is no need to include the attachments.

Thanks,
Dave

David S. Reis
Supervising Environmental Scientist
Coastal Resources Management Council
Oliver Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879
Phone: 401 783-3370
Web: www.crmc.ri.gov

From: Dave Reis
Sent: Wednesday, February 03, 2021 9:32 AM
To: Mark Rooney <mrooney@westerlyri.gov>; 'Kyle Zalaski' <kzalaski@westerlyri.gov>
Cc: Jeff Willis <jwillis@crmc.ri.gov>; Laura Miguel <lmiguel@crmc.ri.gov>; Kevin Cute <kcute@crmc.ri.gov>
Subject: Public Access applications

Hello Mark and Kyle,

We need to catch up on a few things:

- **262 Atlantic Avenue:** Please be advised that I processed this application yesterday. You should receive it shortly. If you have any questions on the conditions, please let me know.

- **Waters Edge Road:** Unfortunately, we will need another revised application: The application must request removal of the rocks (as-completed) and installation of a kayak rack, with no public parking and no work to improve the existing informal kayak ramp below the high tide line (as determined by the on-site meeting). Please consider that as we discussed on site, a review of aerial images indicates an "accessway" existed in this location prior to CRMC jurisdiction (1972). However, maintenance has occurred over the years (particularly between 2004 and 2008) where there is no evidence of a CRMC permit in the database. (See photos below.) The pending permit would have "legalized" this prior work and recognized this accessway as a kayak/small vessel ramp. Since, the attendees decided that there would be no work (fill) below MHW (invokes public access plan) or cutting back of salt marsh to maintain the "ramp", there will be no formal CRMC recognition of this accessway thereby limiting future

maintenance. The removal of the rocks and kayak ramp will be the only activities approved after submission of the revised application.

1997 2003/2004 2008

- **Terrace Avenue:** (see photo below) As discussed on site, public parking is no longer proposed and no improvements will be made to improve small vessel/kayak access. Accordingly, the application must be revised or withdrawn. I also had the opportunity to review the application after the meeting. The access improvements would have been considered "new" since there is no significant pre-existing accessway over the shoreline (low bluff and salt marsh). For future reference, please consider that more detailed plans would have been required due to the shoreline alterations needed to construct a small vessel ramp. I am attaching a staff report and plans for a recent kayak ramp installation in Providence. ((Please note that facility was funded by a RIDEM grant so there was money available to the City to do advanced site plans. Please also note parking was not discussed in this particular application since the ramp was part of a larger project which involved abandoning a public road (Gulf Ave.) to create a public park with parking.)) Anyway, the improvements proposed would have required special exceptions for the alterations of a bluff and salt marsh bordering type 2 waters and the fill below MHW would have required a public access plan (with parking for a ramp). With an appropriate design, the Town would likely have qualified for the special exceptions similar to the Providence case (see attached plans and staff report). Informal access over the shoreline may continue at this site provided shoreline alterations are minimized and limited to foot traffic.

- **Salt Pond Way Ramp improvements:** (See photo above) Although I only suggested dredging at this location would be "complicated", to explain this further, it also would have required a special exception for "improvement" dredging in Type 2 waters. There also would have been design standard issues that would be hard to meet in this location. I don't believe the Town would qualify for a special exception here due to design issues and environmental impacts (creation of a poorly flushed anoxic depression). Please also consider that the docks at both Terrace Avenue and Salt Pond Way may be unauthorized violations. (There was some discussion of this at the office but I am not familiar with past enforcement actions.) But, typically residential docks must be physically connected to a residential lot with a dwelling. They cannot be unattached in tidal waters. Again, this area is designated Type 2 (Low-intensity use waters) where only residential docks and other low-intensity uses are

allowed. However, both Terrace Avenue and Salt Pond Way may be recognized as public access locations in the Harbor Management Plan.

I hope this information and explanations help. The CRMC and I look forward to continued work with the Town to designate and improve public access to the shoreline.

Sincerely,
Dave

David S. Reis
Supervising Environmental Scientist
Coastal Resources Management Council
Oliver Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879
Phone: 401 783-3370
Web: www.crmc.ri.gov

RIVER ROAD
KAYAK LAUNCH

City of Providence, Department of Planning and Development
Providence, RI

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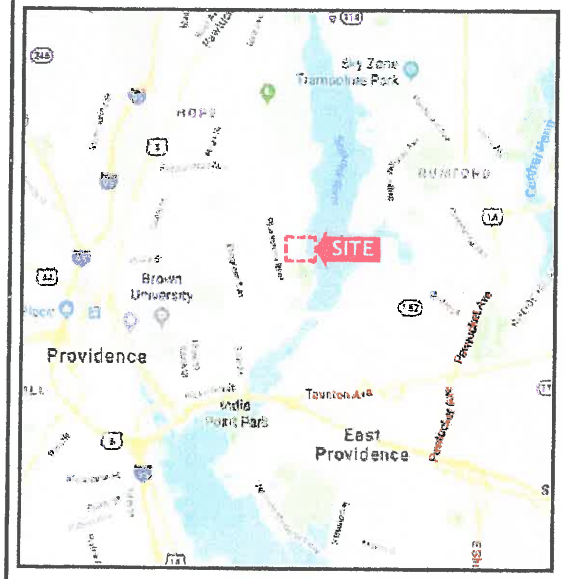
FEB 06 2020
COASTAL RESOURCES MANAGEMENT COUNCIL



SITE VICINITY MAP

INDEX OF DRAWINGS

CATEGORY	SHEET	DRAWING	TITLE
GENERAL	1	G-01	TITLE, INDEX OF DRAWINGS, LOCATION AND VICINITY MAPS
	2	G-02	LEGEND, ABBREVIATIONS, AND GENERAL NOTES - 1
	3	G-03	LEGEND, ABBREVIATIONS, AND GENERAL NOTES - 2
CIVIL	4	C-01	EXISTING CONDITIONS AND DEMOLITION PLAN
	5	C-02	PROPOSED RAMP PLAN
	6	C-03	PROPOSED RAMP PROFILE AND SECTION
DETAILS	7	D-01	MISCELLANEOUS DETAILS
	8	D-02	EROSION AND SEDIMENT CONTROLS
	8A	D-02A	GRANITE BLOCK SLOPE GEOMETRY PLAN
	8B	D-02B	COASTAL WETLANDS MITIGATION PLAN

HONORABLE
JORGE O. ELORZA
MAYOR

SITE LOCATION MAP

GREGORY J. COREN
No. 12255
REGISTERED PROFESSIONAL ENGINEER
CIVIL

2/7/2020
SHEETS 1/8 TO 8/8

REVISED PERMIT SUBMISSION
NOT FOR CONSTRUCTION
THIS DRAWING IS HALF SIZE

RT Group, Inc.
Engineered from the Ground Up℠
70 Romano Vineyard Way, Suite 134
North Kingstown, Rhode Island 02852
T 401 438 3100 F 401 294 9806
DAM SAFETY · WATERFRONT · CONSTRUCTION ENGINEERING · GEOTECHNICAL
GEO-ENVIRONMENTAL · STRUCTURAL · CIVIL

DSGN	DBH
DR	DBH
CHK	GJC
APVD	GJC

No.	DATE	REVISIONS	BY	APVD
1	12-13-19	ADDENDUM NO. 1	GJC	GJC
2	2-7-20	RICRMC/USACE PERMIT REVISIONS	APG	GJC

BAR IS ONE INCH ON ORIGINAL DRAWING.
0 1"
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

RIVER ROAD KAYAK LAUNCH
PROVIDENCE, RHODE ISLAND
City of Providence
Providence, Rhode Island

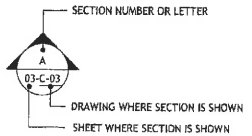
TITLE, INDEX OF DRAWINGS, LOCATION AND VICINITY MAPS

SHEET	1 OF 8
DWG No.	G-01
DATE	NOV. 2019
PROJ No.	19112.00

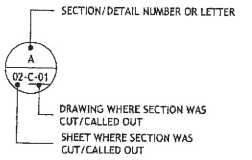
CIVIL LEGEND

EXISTING / PROPOSED

- BASELINE (0+50)
- FEMA FLOOD ZONE
- MEAN HIGH WATER
- MEAN LOW WATER
- MEAN HIGHER HIGH WATER (1)
- MEAN LOWER LOW WATER (1)
- HIGH TIDE LINE (1)
- TURBIDITY BARRIER
- LIMITS OF DISTURBANCE
- STRAWBALES/SILT FENCE
- CONTOUR (6)
- TEMPORARY SECURITY FENCE
- OVERHEAD WIRE
- VEGETATION
- CURB
- RIPRAP
- GRANITE BLOCK REVETMENT
- SPOT GRADE ELEVATION (6.5)
- SURVEY CONTROL POINT (RTG-CP-1)
- SOIL TEST PIT PERFORMED BY CITY OF PROVIDENCE D.P.W. AND OBSERVED BY RTG ON JULY 31, 2019 (RTG-TP-01)
- DEMOLITION AND REMOVAL LIMITS
- ASPHALT WALKWAY
- MARINE MATTRESS
- ASPHALT PATCH
- TRASH RECEPTACLE
- BENCH
- SALT MARSH VEGETATION (1)
- SIGN POST
- MHW EL. 2.12 — MEAN HIGH WATER LEVEL
- MLW EL. -2.29 — MEAN LOW WATER LEVEL
- MHHW EL. 2.37 — MEAN HIGHER HIGH WATER LEVEL (1)
- MLLW EL. -2.47 — MEAN LOWER LOW WATER LEVEL (1)
- HTL EL. 4.25 — HIGH TIDE LINE (2019) (1)



SECTION / DETAIL



DETAIL AND SECTION DESIGNATION

ABBREVIATIONS

ALT.	ALTERNATE
APPROX.	APPROXIMATE(LY)
C.I.	CAST IRON
CIP	CAST IN PLACE
C.J.	CONSTRUCTION JOINT
CFS	CUBIC FEET PER SECOND
CONC.	CONCRETE
EA.	EACH
EL.	ELEVATION
D.P.W.	DEPARTMENT OF PUBLIC WORKS
FT	FEET
GALV.	GALVANIZED
HDPE	HIGH DENSITY POLYETHYLENE
MAX.	MAXIMUM
MHHW	MEAN HIGHER HIGH WATER
MHW	MEAN HIGH WATER
MIN.	MINIMUM
MLLW	MEAN LOWER LOW WATER
MLW	MEAN LOW WATER
NO.	NUMBER
NAVD 88	NORTH AMERICAN VERTICAL DATUM OF 1988
O.C.	ON CENTER
R&D	REMOVE AND DISPOSE
R&R	REMOVE AND RESET
R&S	REMOVE AND STOCKPILE
REQ'D	REQUIRED
SF	SQUARE FEET
S.S.	STAINLESS STEEL
SY	SQUARE YARD
THK	THICK
TRM	TURF REINFORCEMENT MAT
TYP.	TYPICAL

GENERAL NOTES:

1. THE SITE IS LOCATED IN PROVIDENCE, RHODE ISLAND.
2. THE CONTRACTOR IS REFERRED TO MR. BRIAN BYRNES/PROVIDENCE PARKS AND RECREATION DEPT. FOR CONTRACTUAL, SCHEDULE, INSURANCE, BONDING, UTILITY, AND PAYMENT REQUIREMENTS (TELEPHONE: 401-785-9450). FOR TECHNICAL QUESTIONS ON THESE DRAWINGS, THE CONTRACTOR IS REFERRED TO MR. GREG COREN/RTG (TELEPHONE: 401-438-3100).
3. STANDARD SPECIFICATIONS, WHEN REFERENCED IN THESE DRAWINGS, SHALL MEAN THE RHODE ISLAND DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION (CURRENT ED.). PARTS OF THE STANDARD SPECIFICATIONS THAT ARE SPECIFICALLY REFERENCED SHALL BECOME PART OF THESE DRAWINGS AS THOUGH STATED HEREIN IN FULL. IN CASE OF A DISCREPANCY BETWEEN THE STANDARD SPECIFICATIONS AND THE REQUIREMENTS STATED WITHIN THE DRAWINGS, THE REQUIREMENTS STATED WITHIN THE DRAWINGS SHALL PREVAIL.
4. THIS PROJECT IS OWNED AND FUNDED BY THE CITY OF PROVIDENCE. THEREFORE, SOME OF THE REFERENCES AND TERMINOLOGY OF THE STANDARD SPECIFICATIONS MAY SEEM OUT OF PLACE. THE ENGINEER FOR THIS PROJECT IS RT GROUP, INC. (RTG). THE RHODE ISLAND DEPARTMENT OF TRANSPORTATION IS NOT A PARTY TO THIS PROJECT.
5. THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR THE CONDITIONS OF THE JOB SITE, INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTY DURING THE PERFORMANCE OF THE WORK. SAFETY PROVISIONS SHALL COMPLY WITH LOCAL, STATE, AND FEDERAL LAWS AND REGULATIONS. THESE REQUIREMENTS SHALL APPLY CONTINUOUSLY AND SHALL NOT BE LIMITED TO NORMAL WORKING HOURS.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND STABILITY OF EXISTING STRUCTURES (E.G., THE EXISTING REVETMENT) AS REQUIRED DURING THE PERFORMANCE OF THE WORK.
7. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT DIGSAFE (1-888-DIG-SAFE) A MINIMUM OF THREE (3) BUSINESS DAYS BEFORE COMMENCING WITH ANY EXCAVATION/GRADING, IN ORDER THAT ALL AFFECTED UTILITY COMPANIES ARE NOTIFIED PRIOR TO STARTING WORK.
8. PROPERTY LINES, RIGHT-OF-WAY LINES, LEASE LINES, AND EASEMENT LINES, WHEN SHOWN ON THESE DRAWINGS, ARE CONSIDERED APPROXIMATE AND WERE OBTAINED FROM THE CITY OF PROVIDENCE.
9. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS IN THE FIELD BEFORE ORDERING ANY MATERIALS, COMMENCING ANY FABRICATION, OR PERFORMING ANY WORK. THE CONTRACTOR SHALL NOTIFY THE OWNER, IN WRITING, OF ANY CONDITIONS OR DIMENSIONS WHICH VARY FROM THOSE SHOWN IN THE DRAWINGS AND INCORPORATE SUCH VARIATIONS IN THE CONSTRUCTION AS APPROVED BY THE ENGINEER.
10. WATER ELEVATIONS AT THE SITE ARE TIDAL AND ARE EXPECTED TO VARY. PORTIONS OF THE WORK WILL BE LOCATED WITHIN THE TIDAL ZONE (I.E., BELOW MHW).
11. THE PROPOSED WORK IS LOCATED WITHIN A FEMA VE FLOOD ZONE (I.E., COASTAL FLOOD ZONE WITH VELOCITY HAZARD). THE AREA WILL BE INUNDATED DURING THE 100 YEAR FLOOD. THE 100 YEAR FLOOD ELEVATION IS ESTIMATED AT ABOUT EL. 14 FEET NAVD 88 AS SHOWN ON THE PROVIDENCE COUNTY, RHODE ISLAND FLOOD INSURANCE RATE MAP NUMBER 44007C0309K, PANEL 309 OF 451, DATED OCTOBER 2, 2015.

LAYOUT:

1. THE HORIZONTAL CONTROL DATUM FOR THIS PROJECT IS THE RHODE ISLAND STATE PLANE COORDINATE SYSTEM (NAD83).
2. THE VERTICAL CONTROL DATUM FOR THIS PROJECT IS THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PERFORMING ALL LAYOUT WORK FROM THE CONTROL MONUMENTATION PROVIDED.

AVAILABLE SUBSURFACE INFORMATION:

1. GEOTECHNICAL INFORMATION UTILIZED TO PREPARE THESE DRAWINGS WAS OBTAINED FROM A TEST PIT COMPLETED UNDER THE SUPERVISION OF RTG FOR THE COLLECTION OF GENERAL SITE INFORMATION RELATIVE TO SUBSURFACE CONDITIONS. THIS INFORMATION IS INCLUDED IN THE CONTRACT DOCUMENTS.
2. IT IS INTENDED THAT THE GEOTECHNICAL INFORMATION BE USED ONLY AS AN INDICATION OF POSSIBLE SUBSURFACE CONDITIONS, AND THAT UPON THE CONTRACTOR'S REVIEW, FURTHER SUBSURFACE EXPLORATIONS MAY BE WARRANTED. SUCH EXPLORATIONS SHALL BE PERFORMED AT THE CONTRACTOR'S EXPENSE.
3. THE CONTRACTOR SHALL USE THE GEOTECHNICAL INFORMATION PROVIDED IN THE CONTRACT DOCUMENTS AT ITS OWN RISK AND SHALL COMPLETELY HOLD HARMLESS THE CITY AND RTG FROM ALL CONSEQUENCES AND/OR FAULT ARISING FROM ITS USE.

DESIGN CRITERIA:

1. THE LAUNCH RAMP HAS BEEN DESIGNED TO FACILITATE THE USE OF KAYAKS, CANOES, AND OTHER SMALL WATER CRAFT THAT CAN BE LAUNCHED AND RETRIEVED BY HAND. THE LAUNCH RAMP IS NOT INTENDED FOR VEHICLE USE.
2. THE SITE CONDITIONS ARE SUCH THAT USE OF THE RAMP MAY BE RESTRICTED TO CERTAIN TIMES DURING THE TIDE CYCLE (I.E., MID- AND HIGH-TIDE).

SUBMITTALS:

1. THE FOLLOWING SUBMITTALS SHALL BE PREPARED BY THE CONTRACTOR AND SUBMITTED TO THE ENGINEER FOR REVIEW AND APPROVAL.
   a. A QUALITY CONTROL PLAN THAT CONTAINS A STATEMENT AND DESCRIPTION OF THE CONTRACTOR'S OVERALL QUALITY CONTROL (QC) PROGRAM. EACH SUB-CONTRACTOR SHALL SUBMIT A SEPARATE QC PROGRAM AS APPLICABLE TO THEIR SCOPE OF WORK WITH THE CONTRACTOR.
   b. CERTIFICATION, TEST RESULTS, SOURCE, AND SAMPLES FOR ALL IMPORTED EARTH MATERIALS.
   c. CATALOG AND MANUFACTURER'S DATA SHEETS FOR COMPACTION EQUIPMENT.
   d. MANUFACTURER'S CERTIFICATE OF COMPLIANCE ATTESTING THAT GEOTEXTILE/GEOGRID MEETS THE REQUIREMENTS SPECIFIED ON THESE DRAWINGS. PROVIDE MILL CERTIFICATES STATING THE LENGTH AND WIDTH OF FABRIC/GEOGRID CONTAINED ON EACH ROLL.
   e. A WATER CONTROL PLAN.
   f. PROOFS OF SITE SIGNAGE.
   g. SHOP DRAWINGS FOR THE PROPOSED MARINE MATTRESS.
   h. CATALOG CUT SHEETS FOR THE SHOREMAX MAT.
   i. CATALOG CUT SHEETS FOR THE BENCH AND TRASH RECEPTACLES.
   j. CATALOG CUT SHEET FOR THE GRANITE CURB.
   k. CATALOG CUT SHEETS FOR THE PROPOSED CONCRETE PRODUCTS.
   l. CERTIFICATIONS AND/OR CLEAR AND LEGIBLE "GRADE MARKS" FOR ALL TIMBER/STRUCTURAL LUMBER USED ON THIS PROJECT.
   m. CERTIFICATIONS THAT ALL SPECIFIED PRESSURE TREATED TIMBER/STRUCTURAL LUMBER HAS RECEIVED THE SPECIFIED PRESERVATIVE TREATMENT.
2. APPROVAL OF THE ABOVE SUBMITTALS SHALL BE OBTAINED PRIOR TO ORDERING THEIR RESPECTIVE MATERIALS OR PERFORMING THEIR RESPECTIVE WORK
3. THE CONTRACTOR SHALL ALLOW FOURTEEN (14) CALENDAR DAYS FOR THE INITIAL REVIEW AND PROCESSING OF EACH SUBMITTAL. ALLOW A LONGER TIME PERIOD WHERE PROCESSING MUST BE COORDINATED WITH SUBSEQUENT SUBMITTALS.
4. ALLOW FOURTEEN (14) CALENDAR DAYS FOR RE-PROCESSING EACH SUBMITTAL.
5. NO EXTENSION OF TIME SHALL BE AUTHORIZED BECAUSE OF THE CONTRACTOR'S FAILURE TO TRANSMIT SUBMITTALS TO THE ENGINEER SUFFICIENTLY IN ADVANCE OF THE WORK.

QUALITY CONTROL:

1. QUALITY CONTROL TESTING SHALL BE PERFORMED BY THE CONTRACTOR IN ACCORDANCE WITH TABLE 1.

TABLE 1
SCHEDULE OF QUALITY CONTROL TESTING

MATERIAL	SITUATION	TEST	MINIMUM FREQUENCY
FILTER STONE, MARINE MATTRESS FILL, AND CRUSHED STONE	SOURCE INVESTIGATION	20 LB SAMPLE AND GRAIN SIZE THROUGH 0.002MM	1 PER SOURCE
	DURING PLACEMENT	GRAIN SIZE THROUGH 0.002MM	1 PER 40 TONS
SELECT BACKFILL AND GRAVEL BORROW	SOURCE INVESTIGATION	20 LB SAMPLE, GRAIN SIZE THROUGH 0.002MM, AND MOISTURE DENSITY RELATIONSHIP	1 PER SOURCE
	DURING PLACEMENT	GRAIN SIZE THROUGH 0.002MM, MOISTURE DENSITY RELATIONSHIP	1 PER 40 TONS
	AS-PLACED	DRY DENSITY AND AS-PLACE MOISTURE	1 PER COMPACTED LIFT PER 2,500 SF

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North Kingstown, Rhode Island 02852
T 401 438 3100 F 401 294 9806
DAM SAFETY · WATERFRONT · CONSTRUCTION ENGINEERING · GEOTECHNICAL · GEO-ENVIRONMENTAL · STRUCTURAL · CIVIL

DSGN	DBH				
DR	DBH				
CHK	GJC	1	2-7-20	RICRMC / USACE PERMIT REVISIONS	APG / GJC
APVD	GJC	No.	DATE	REVISIONS	BY / APVD

BAR IS ONE INCH ON ORIGINAL DRAWING. 0 — 1". IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

RIVER ROAD KAYAK LAUNCH
PROVIDENCE, RHODE ISLAND

City of Providence
Providence, Rhode Island

LEGEND, ABBREVIATIONS, AND GENERAL NOTES - 1

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DATE	NOV. 2019
PROJ No.	19112.00

MATERIALS:

1. SELECT BACKFILL MATERIAL SHALL BE EXCAVATED ONSITE GRANULAR MATERIAL WITH LESS THAN 15 PERCENT BY WEIGHT PASSING THE NO. 200 SIEVE, FREE FROM STONES, ROOTS, AND ORGANIC MATERIAL AND OF SUITABLE GRADATION FOR SATISFACTORY COMPACTION. IF EXCAVATED MATERIAL AT A PARTICULAR LOCATION IS NOT SATISFACTORY, AS DETERMINED BY THE OWNER/ENGINEER, USE IMPORTED GRAVEL BORROW.

2. GRAVEL BORROW SHALL BE IMPORTED MATERIAL CONFORMING TO ITEM M.01.02.1 OF THE STANDARD SPECIFICATIONS.

3. FILTER STONE SHALL BE IMPORTED MATERIAL CONFORMING TO ITEM M.01.07 OF THE STANDARD SPECIFICATIONS. FILTER STONE SHALL BE ANGULAR, HARD, AND DURABLE.

4. CRUSHED STONE SHALL BE IMPORTED MATERIAL CONFORMING TO ITEM M.01.04 OF THE STANDARD SPECIFICATIONS. CRUSHED STONE SHALL BE ANGULAR, HARD, AND DURABLE.

5. GEOGRID FOR THE TRITON MARINE MATTRESS SHALE BE UX TRITON-200 AS MANUFACTURED BY TENSAR CORP.

6. GEOTEXTILE FABRIC FOR ATTACHING TO THE MARINE MATTRESS SHALL BE NONWOVEN AND NEEDLE PUNCHED PERVIOUS SHEETS OF POLYESTER, POLYETYLENE, NYLON, OR POLYPROPYLENE FILAMENTS FORMED INTO A UNIFORM PATTERN. GEOTEXTILE FABRIC SHALL BE STYLE 1160N AS MANUFACTURED BY MIRAFI OR APPROVED EQUAL.

7. STONE FILL FOR THE MARINE MATTRESS SHALL BE IMPORTED MATERIAL CONFORMING TO THE FOLLOWING GRADATION:

AASHTO No. 1 GRADATION	
DIAMETER (INCHES)	%, BY WEIGHT, PASSING
4	100%
3-½	90-100%
2-½	25-60%
1-½	0-15%
¾	0-5%

8. CONCRETE FOR THE PROPOSED SIGN POSTS, AND BENCH/TRASH RECEPTACLE SLABS SHALL CONFORM TO THE REQUIREMENTS OF SECTION 601.03.1, CLASS XX, f'c = 4000 PSI, OF THE STANDARD SPECIFICATIONS.

9. BITUMINOUS CONCRETE PAVEMENT FOR ASPHALT PATCHING SHALL BE RIDOT CLASS 9.5.

10. TIMBER FOR NEW TIMBER SIGN POSTS SHALL BE PRESSURE TREATED SOUTHERN YELLOW PINE GRADE NO. 2. TIMBER SHALL BE SURFACED ON FOUR SIDES TO STANDARD DIMENSIONS AS SHOWN ON THE DRAWINGS.

11. NEW TIMBER SHALL BE CCA PRESSURE TREATED TO 0.60 (MIN). PRESSURE TREATED TIMBER THAT HAS BEEN FIELD CUT, DRESSED, OR DRILLED SHALL BE COATED WITH TWO (2) COATS OF COPPER NAPTHENATE PRESERVATIVE, INCLUDING THE ENDS OF ANY CUT/SPLICED SEGMENT.

12. WELDED WIRE FABRIC SHALL BE ASTM A185, GRADE 65.

13. THE SHOREMAX MAT SHALL BE AS MANUFACTURED BY NILEX, AND SHALL BE SECURED TO THE MARINE MATTRESS USING STAINLESS STEEL 316L HARDWARE OR APPROVED EQUAL.

14. THE DECORATIVE BENCH SHALL BE LEMARS SERIES CLASSIC RIBBED STEEL PARK BENCH, MODEL LB-72, COLOR BIKE BLACK, 6-FT LONG, AS MANUFACTURED AND/OR SUPPLIED BY BELSON OUTDOORS PRODUCTS OR APPROVED EQUAL. MOUNTING HARDWARE SHALL BE STAINLESS STEEL 316L.

15. THE TRASH RECEPTACLE SHALL BE RIBBED STEEL TRASH RECEPTACLE, MODEL NO. BRKT32, COLOR BIKE BLACK AS MANUFACTURED AND/OR SUPPLIED BY BELSON OUTDOORS PRODUCTS OR APPROVED EQUAL. MOUNTING HARDWARE SHALL BE STAINLESS STEEL 316L.

16. LOAM SHALL CONFORM TO ITEM M.15.01 OF THE STANDARD SPECIFICATIONS.

17. SEED MIX SHALL BE PARK MIX CONFORMING TO ITEM M.18.10.2 OF THE STANDARD SPECIFICATIONS.

DEMOLITION AND REMOVAL:

1. THE CONTRACTOR SHALL PROVIDE ALL MATERIALS AND EQUIPMENT IN SUITABLE AND ADEQUATE QUANTITY TO ACCOMPLISH THE WORK SHOWN AND SPECIFIED.

2. REMOVE EXISTING CONCRETE, STEEL, ASPHALT, EARTH MATERIALS, AND OTHER MATERIALS AS REQUIRED TO COMPLETE THE WORK UNDER THIS CONTRACT.

3. DISPOSE OF ALL DEMOLITION RELATED MATERIAL OFFSITE, IN ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL LAWS AND REGULATIONS.

CLEARING, GRUBBING, AND STRIPPING:

1. THE CONTRACTOR SHALL PROVIDE ALL MATERIALS AND EQUIPMENT IN SUITABLE AND ADEQUATE QUANTITY AS REQUIRED TO ACCOMPLISH THE WORK SHOWN AND SPECIFIED.

2. CLEARING SHALL CONSIST OF CUTTING, REMOVING, AND DISPOSING OF TREES, SNAGS, STUMPS, SHRUBS, BRUSH, LIMBS, AND OTHER VEGETATIVE GROWTH, AND SHALL BE PERFORMED IN SUCH A MANNER AS TO REMOVE ALL EVIDENCE OF THEIR PRESENCE FROM THE SURFACE AND SHALL BE INCLUSIVE OF STICKS AND BRANCHES GREATER THAN 1 INCH IN DIAMETER OR THICKNESS. CLEARING SHALL ALSO INCLUDE THE PRESERVATION OF TRESS, SHRUBS, AND VEGETATIVE GROWTH, WHICH ARE DESIGNATED TO REMAIN.

3. PROTECT TREES, SHRUBBERY, AND OTHER VEGETATION NOT DESIGNATED FOR REMOVAL FROM DAMAGE RESULTING FROM THE WORK.

4. STRIPPING SHALL INCLUDE THE REMOVAL OF ALL ORGANIC SOD, PLANTABLE SOIL, LOAM, ORGANIC MUCK, GRASS, AND GRASS ROOTS, REMAINING AFTER CLEARING AND GRUBBING.

5. MATERIAL SHALL BE PROMPTLY REMOVED FROM THE SITE, UNLESS OTHERWISE SHOWN ON THE DRAWINGS, AND DISPOSED OF IN ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL LAWS AND REGULATIONS.

EARTHWORK:

1. THE FINAL SLOPE GEOMETRY AND PROTECTION OF EXISTING UTILITIES AND STRUCTURES IS THE CONTRACTOR'S RESPONSIBILITY. MAKE ALL EXCAVATIONS IN A SAFE MANNER AND IN ACCORDANCE WITH LOCAL, STATE, AND FEDERAL LAWS AND REGULATIONS. PROVIDE APPROPRIATE MEASURES TO RETAIN EXCAVATION SLOPES AND PREVENT EARTH SLIDES TO ENSURE THAT PERSONS WORKING IN OR NEAR THE EXCAVATION ARE PROTECTED.

2. SELECT BACKFILL/GRAVEL BORROW

2.1. PLACE SELECT BACKFILL IN PREVIOUSLY EXCAVATED AREAS. DO NOT EXCEED LOOSE LIFTS OF 10 INCHES. COMPACT EACH LIFT TO NOT LESS THAN 95 PERCENT RELATIVE COMPACTION AND MAINTAIN THE MOISTURE CONTENT OF MATERIAL BEING COMPACTED WITHIN -2 TO +2% OF THE OPTIMUM MOISTURE CONTENT.

2.2. PLACE GRAVEL BORROW IN PREVIOUSLY EXCAVATED AREAS. DO NOT EXCEED LOOSE LIFTS OF 10 INCHES. COMPACT EACH LIFT TO NOT LESS THAN 95 PERCENT RELATIVE COMPACTION.

3. FILTER STONE

3.1. PLACE FILTER STONE AS SHOWN ON THE DRAWINGS. HAND WORK THE FILTER STONE THROUGH THE TOP OF THE MARINE MATTRESS, AND INTO THE STONE FILL TAKING CARE NOT TO DAMAGE THE GEOGRID.

4. CRUSHED STONE

4.1. PLACE CRUSHED STONE AS SHOWN ON THE DRAWINGS. HAND WORK THE CRUSHED STONE IN THE OPEN VOIDS LEFT BETWEEN THE RESET GRANITE REVETMENT BLOCKS.

STOCKPILE MANAGEMENT:

1. EXCAVATED MATERIAL GENERATED DURING THE EXECUTION OF THIS WORK SHALL BE STOCKPILED WITHIN THE CONTRACTOR'S STAGING AREA.

2. THE CONTRACTOR SHALL STOCKPILE MATERIAL THAT IS EXCAVATED ABOVE THE TIDE LEVEL SEPARATELY FROM MATERIAL THAT IS EXCAVATED BELOW THE TIDE LEVEL.

3. THE CONTRACTOR SHALL MAINTAIN THE STOCKPILES AND THE AREAS AROUND THEM SO THEY ARE GRADED TO DRAIN. THE CONTRACTOR SHALL ALSO TAKE ALL NECESSARY PRECAUTIONS TO MINIMIZE EROSION FROM THE STOCKPILES INCLUDING, BUT NOT LIMITED TO THE INSTALLATION OF HAY BALES OR SILT FENCES.

4. EXCESS MATERIAL THAT DOES NOT MEET THE SPECIFIED GRADATION REQUIREMENTS AND/OR EXCAVATED MATERIAL IN EXCESS OF THAT REQUIRED FOR COMPLETING THE PROJECT SHALL BE DISPOSED OF OFFSITE BY THE CONTRACTOR, IN ACCORDANCE WITH ALL LOCAL, STATE, AND FEDERAL LAWS AT THE CONTRACTORS SOLE EXPENSE.

EROSION AND SEDIMENT CONTROL:

1. STRAW BALE AND/OR SILT FENCE SHALL BE PROVIDED AS REQUIRED DURING THE WORK TO PREVENT SEDIMENT FROM ENTERING THE SEEKONK RIVER OR ITS TRIBUTARIES.

2. DEWATERING BAGS SHALL BE AS MANUFACTURED BY DANDY DEWATERING BAG (CONTACT 800-591-2284) AND SIZED IN ACCORDANCE WITH THE CONTRACTOR'S WATER CONTROL PLAN.

3. FLOATING TURBIDITY BARRIERS SHALL BE SUFFICIENT SIZE AND STRENGTH FOR THE INTENDED WORK AND SHALL BE SECURED TO PREVENT LOSS OF CONTAINMENT. TURBIDITY BARRIERS SHALL BE SILTDAM MONOFILAMENT TYPE II BARRIERS AS MANUFACTURED BY SPILLDAM ENVIRONMENTAL, INC., OR APPROVED EQUAL

4. THE CONTRACTOR SHALL MAINTAIN SILT FENCE, STRAW BALES, SILTS SOCKS, DEWATERING BAGS, AND CONSTRUCTION ENTRANCES IN GOOD CONDITION AND REMOVE IN THEIR ENTIRETY UPON COMPLETION OF THE WORK.

5. THE CONTRACTOR SHALL REMOVE ACCUMULATED SEDIMENT TRAPPED WITHIN THE SILT FENCE, STRAW BALES, SILT SOCKS, DEWATERING BAGS, AND CONSTRUCTION ENTRANCES PERIODICALLY AND AS DIRECTED BY THE OWNER/ENGINEER.

DEWATERING, CONTROL, AND DIVERSION OF WATER:

1. THE CONTRACTOR SHALL NOTE THAT A PORTION OF THE PROJECT IS LOCATED WITHIN THE TIDAL ZONE. HOWEVER, PLACING EARTH MATERIALS, INSTALLING STRUCTURES (I.E., THE MARINE MATTRESS), AND ALL OTHER WORK SHALL BE PERFORMED IN THE DRY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING ITS MEANS AND METHODS FOR MEETING THIS REQUIREMENT (E.G., UTILIZE A COFFERDAM/DEWATERING, SCHEDULING WORK AROUND LOW-TIDE, ETC.).

SITE RESTORATION:

1. LOAM MAY BE AVAILABLE FROM STOCKPILES ON SITE FROM THE CONTRACTOR'S STRIPPING. IF MORE LOAM IN NEEDED THAN HAS BEEN STOCKPILED, SUPPLY IMPORTED LOAM AT THE CONTRACTOR'S SOLE EXPENSE.

2. RAKE THE LOAM AREA TO A UNIFORM GRADE SO THAT ALL AREAS DRAIN, AS INDICATED ON THE PLANS.

3. LIGHTLY COMPACT WITH A CULTIPACKER BEFORE PLANTING SEED.

4. CONDUCT SEEDING UNDER FAVORABLE WEATHER CONDITIONS DURING SEASONS WHICH ARE NORMAL FOR SUCH WORK AS SPECIFIED IN THE STANDARD SPECIFICATIONS.

5. MULCH ALL AREAS BY SPREADING A UNIFORM LIGHT COVER OF STRAW MULCH OVER THE SEEDED AREAS AT A RATE OF 2½ TONS PER ACRE NOT LATER THAN 2 DAYS AFTER SEEDING HAS BEEN PERFORMED AND TACKIFY IF REQUIRED AT A RATE OF 5 GALLONS PER 1,000 SF.

6. MULCH AT 5-FOOT INTERVALS IMMEDIATELY AFTER SEEDING.

7. ALL GRASSED AREAS DISTURBED BY THE CONTRACTOR'S OPERATIONS, AND THAT ARE OUTSIDE OF LIMITS SPECIFICALLY SHOWN ON THE DRAWINGS, SHALL BE REPAIRED BY PLACING AND TRIMMING LOAM TO ORIGINAL GRADE AND SEEDING AS SPECIFIED HEREIN. DAMAGED AREAS SHALL BE STRIPPED OF EXISTING GRASS AND VEGETATION AND POWER-RAKED PRIOR TO PLACING LOAM.

8. BEGIN MAINTENANCE IMMEDIATELY AFTER EACH PORTION OF GRASS IS PLANTED AND CONTINUE FOR 8 WEEKS AFTER ALL GRASS PLANTING IS COMPLETED.

9. WATER TO KEEP SURFACE SOIL MOIST. REPAIR WASHED OUT AREAS BY FILLING WITH LOAM, LIMING, FERTILIZING, AND RESEEDING. REPLACE MULCH ON BANKS WHEN WASHED OR BLOWN AWAY. MOW FREQUENTLY ENOUGH TO KEEP GRASS FROM EXCEEDING 6 INCHES. WEED BY HAND ONLY AFTER FIRST PLANTING SEASON.

10. IF, AT THE END OF THE 8-WEEK LAWN MAINTENANCE PERIOD, A SATISFACTORY STAND OF GRASS HAS NOT BEEN PRODUCED, THE CONTRACTOR SHALL RENOVATE AND RESEED THE GRASS OR UNSATISFACTORY PORTIONS THEREOF IMMEDIATELY, OR, IF AFTER OCTOBER 15, DURING THE NEXT PLANTING SEASON. IF A SATISFACTORY STAND OF GRASS DEVELOPS BY JULY 1 OF THE FOLLOWING YEAR, IT WILL BE ACCEPTED. IF IT IS NOT ACCEPTED, A COMPLETE REPLANTING WILL BE REQUIRED DURING THE PLANTING SEASON.

11. A SATISFACTORY STAND IS DEFINED AS GRASS OR SECTION GRASS OF 1,000 SQUARE FEET OR LARGER THAT HAS:

11.1. NO BARE SPOTS LARGER THAN 3 SQUARE FEET AND NOT MORE THAN 10 PERCENT OF TOTAL AREA WITH BARE SPOTS LARGER THAN 1 SQUARE FOOT.

11.2. NOT MORE THAN 15 PERCENT OF TOTAL AREA WITH BARE SPOTS LARGER THAN 6 INCHES SQUARE.

ENVIRONMENTAL PROTECTION:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR TAKING PREVENTATIVE MEASURES TO AVOID ANY ENVIRONMENTAL IMPACT. THESE MEASURES SHALL INCLUDE BUT ARE NOT LIMITED TO:

1. NO FUEL SHALL BE STORED ON SITE. ALL FUEL SHALL BE BROUGHT TO THE SITE AS REQUIRED.

2. ALL HOSES AND FUEL TRANSFER OPERATIONS SHALL BE CONDUCTED IN AN EFFICIENT AND SAFE MANNER IN ACCORDANCE WITH THE CONTRACTOR'S OPERATIONS MANUAL, AND AT A MINIMUM OF 100 FEET AWAY FROM THE SEEKONK RIVER.

3. OIL ABSORBENT DIAPERS SHALL BE PLACED UNDER ALL MACHINERY DURING FUELING OPERATIONS.

4. ALL HYDRAULIC EQUIPMENT SHALL HAVE VEGETABLE OIL BASED, NON-TOXIC, NON-POLLUTING, HYDRAULIC FLUID.

5. EQUIPMENT SHALL BE PROPERLY MAINTAINED AND RECORDED IN WEEKLY LOGS AS TO REQUIREMENTS FOR AND ACTUAL MAINTENANCE COMPLETED.

6. A SPILL KIT OR ABSORBENT MATERIALS AND A MINIMUM OF 500 FEET OF USCG APPROVED OIL CONTAINMENT BOOM SHALL BE ON-SITE AT ALL TIMES DURING CONSTRUCTION OPERATIONS.

7. THE CONTRACTOR SHALL IMPLEMENT AND ADHERE TO ANY PROVISIONS REQUIRED BY ANY PERMITS ISSUED FOR THE WORK.

GENERAL EXECUTION:

1. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ENSURE THAT CONSTRUCTION ACTIVITIES PROCEED IN A SMOOTH LOGICAL SEQUENCE AND IN A MANNER THAT WILL NOT CAUSE ANY DAMAGE TO OR CREATE EXCESSIVE STRESSES, LOADS, OR VIBRATIONS ON EXITING OR PROPOSED STRUCTURES.

2. THE CONTRACTOR SHALL PROVIDE ADEQUATE FENCING, BARRICADES, AND SIGNS TO ENSURE SAFETY.

3. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST OSHA REGULATIONS.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING A LEVEL AND STABLE SURFACE ON WHICH EQUIPMENT WILL OPERATE.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DEVELOPING ITS OWN PICK/LIFT PROCEDURES INCLUDING, BUT NOT LIMITED TO SAFE PICKING RADII, LIFTING DEVICES, AND SLINGS.

6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE WEIGHT OF EACH LIFT AND FOR ENSURING THE STABILITY OF EACH LIFT DURING ALL PHASES OF WORK.

7. THE CONTRACTOR SHALL TAKE THE NECESSARY PRECAUTIONS TO LOCATE AND PROTECT EXITING UTILITIES IN THE AREA AS REQUIRED. OVERHEAD POWER LINES ADJACENT TO WORK AREAS ARE TO BE SHUT DOWN DURING OPERATION WHEN THE CONTRACTOR BELIEVES THEY MAY INTERFERE, OR ARE TOO CLOSE TO THE WORK. WHEN POWER LINES IN THE WORK AREA CAN NOT BE DEENERGIZED, THE CONTRACTOR SHALL MAINTAIN A SAFE DISTANCE AS DETERMINED BY OSHA. ALL UTILITIES SHALL BE LOCATED AND MARKED IN ACCORDANCE WITH OSHA STANDARDS.

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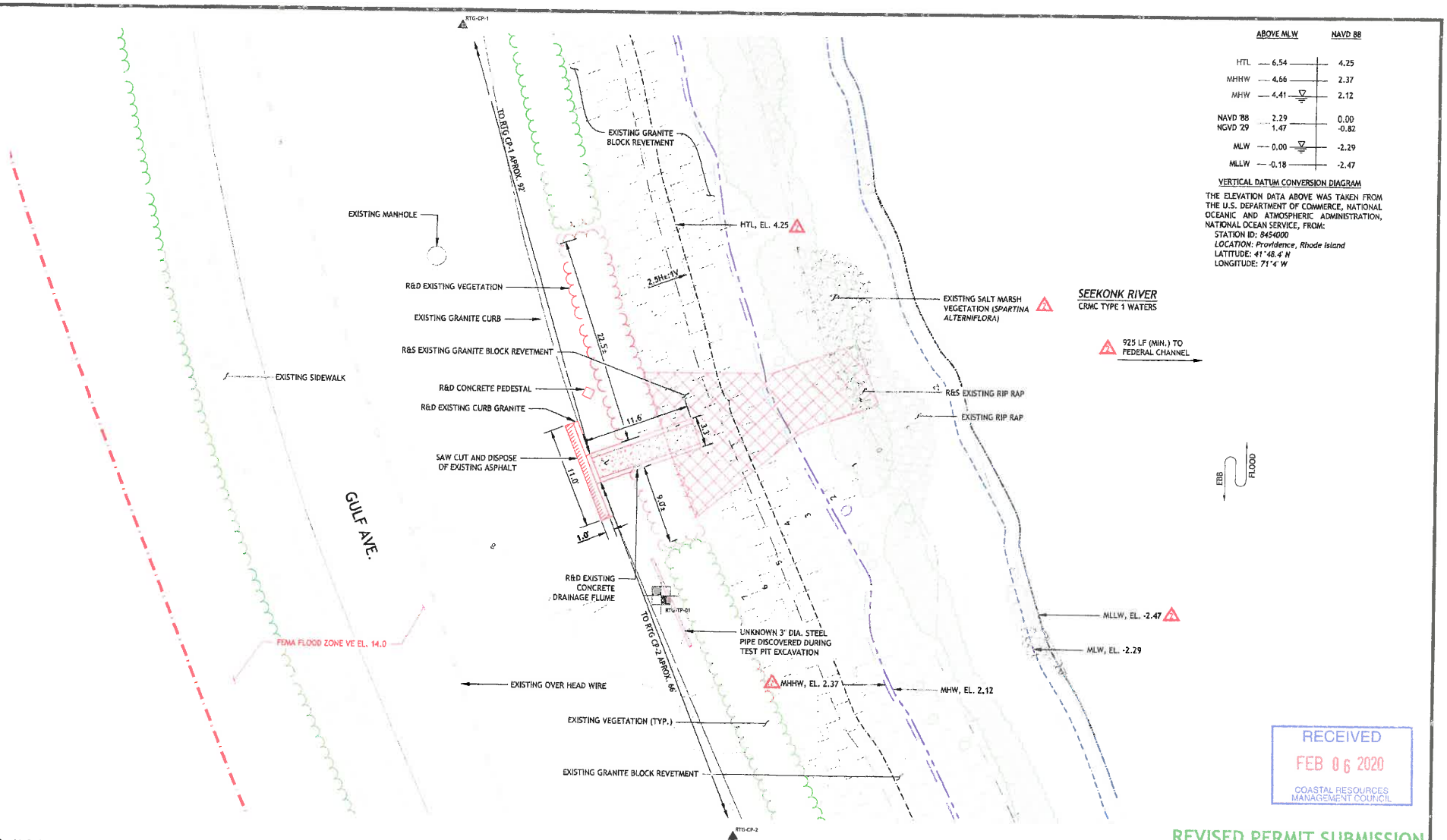
RIVER ROAD KAYAK LAUNCH
PROVIDENCE, RHODE ISLAND

City of Providence
Providence, Rhode Island

LEGEND, ABBREVIATIONS, AND GENERAL NOTES - 2

SHEET	3 OF 8
DWG No.	G-03
DATE	NOV. 2019
PROJ No.	19112.00



EXISTING SITE PLAN

SCALE: 1" = 5'-0"

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DR	DBH				
CHK	GJC	2	2-7-20	RICRMC/USACE PERMIT REVISIONS	APG GJC
APVD	GJC	No.	DATE	REVISIONS	BY APVD

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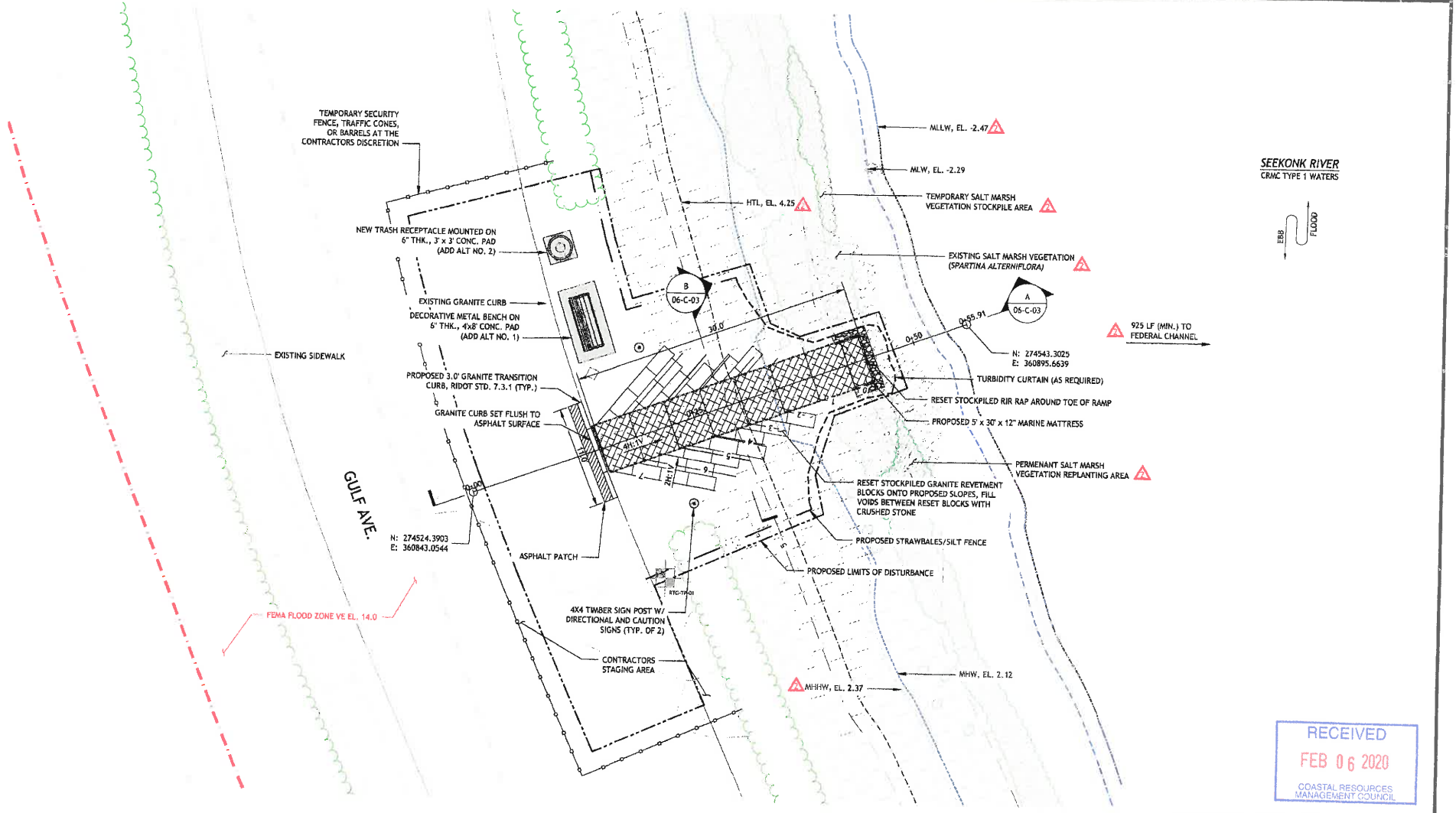
RIVER ROAD KAYAK LAUNCH
PROVIDENCE, RHODE ISLAND
City of Providence
Providence, Rhode Island

EXISTING CONDITIONS AND DEMOLITION PLAN

SHEET	4 OF 8
DWG No.	C-01
DATE	NOV. 2019
PROJ No.	19112.00



PROPOSED RAMP PLAN
SCALE: 1" = 5'-0"

Graphic Scale 1"=5'
5' 2.5' 0 5' 10'

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DR	DBH
CHK	GJC
APVD	GJC

No.	DATE	REVISIONS	BY	APVD
1	12-13-19	ADDENDUM NO. 1	GJC	GJC
2	2-7-20	RICRMC/USACE PERMIT REVISIONS	APG	GJC

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RIVER ROAD KAYAK LAUNCH
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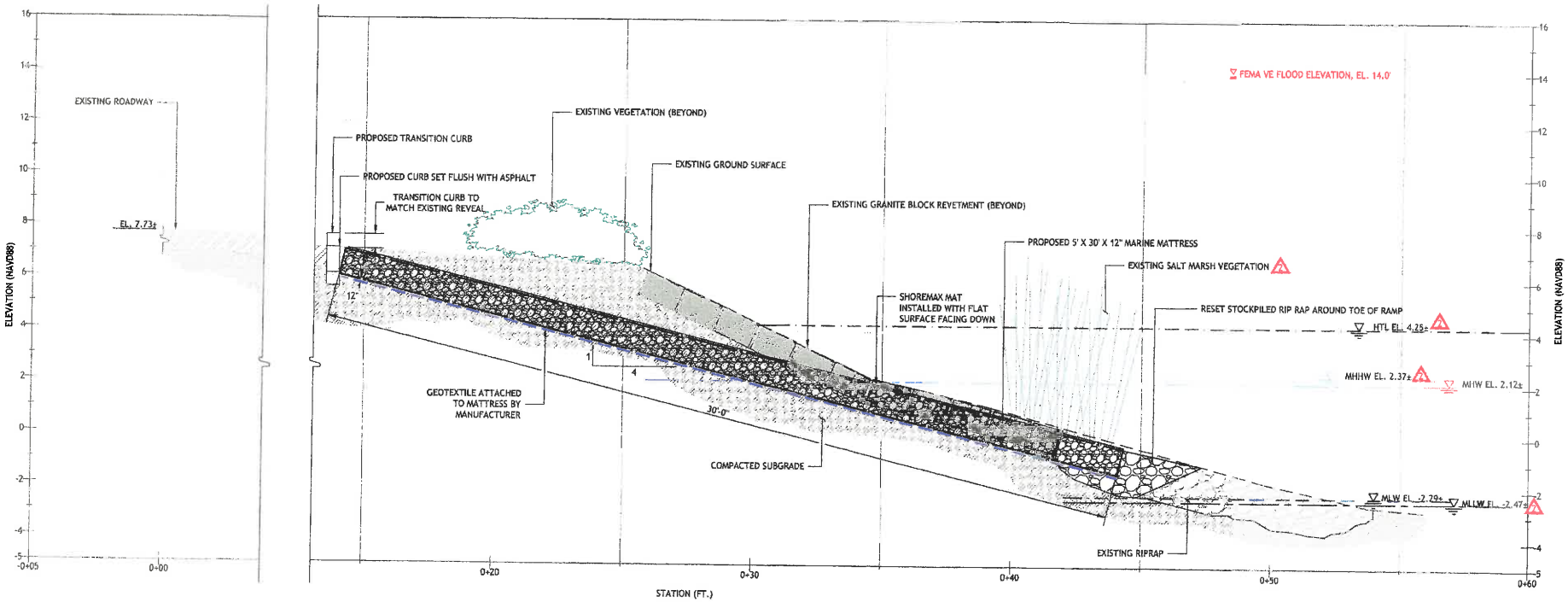
PROPOSED RAMP PLAN

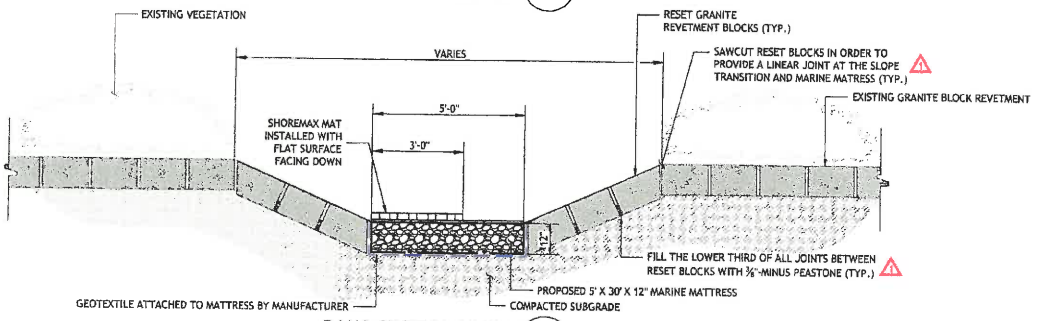
SHEET	5 OF 8
DWG No.	C-02
DATE	NOV. 2019
PROJ No.	19112.00



RAMP PROFILE VIEW

SCALE: 1"=2'-0"

A / 05-C-02



RAMP SECTION VIEW

SCALE: 1"=2'-0"

B / 05-C-02

NOTES:

1. UPON COMPLETION OF THE RAMP, THE CONTRACTOR SHALL INSTALL A FILTER STONE SURFACE TREATMENT ON THE RAMP. THE FILTER STONE SHALL BE HAND WORKED THROUGH THE APERTURES OF THE GEOGRID SUCH THAT A ROUGH WALKING SURFACE IS CREATED TO MINIMIZE THE POTENTIAL FOR SLIPPING ON THE GEOGRID.

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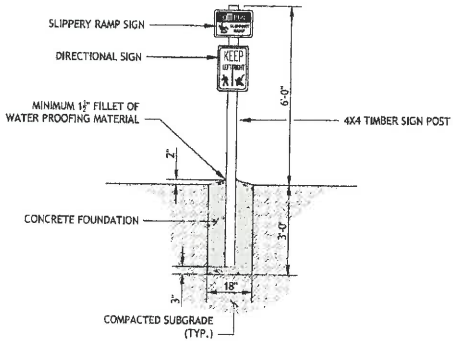
RIVER ROAD KAYAK LAUNCH
PROVIDENCE, RHODE ISLAND

City of Providence
Providence, Rhode Island

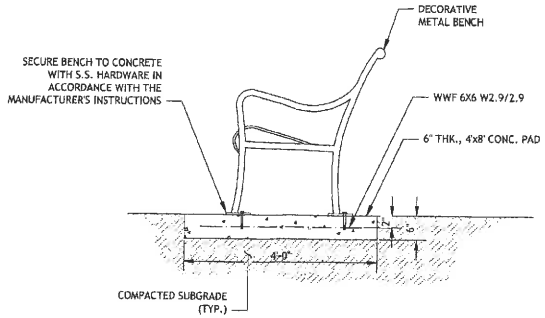
PROPOSED RAMP PROFILE AND SECTION

SHEET	6 OF 8
DWG No.	C-03
DATE	NOV. 2019
PROJ No.	19112.00



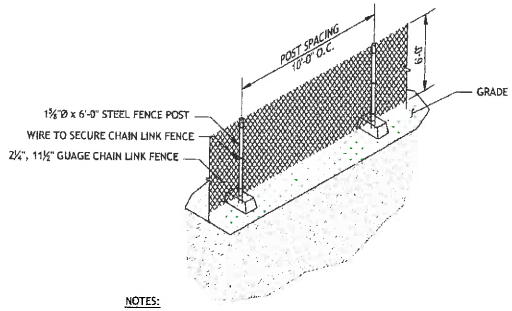
SIGN POST DETAIL

SCALE: NTS



DECORATIVE METAL BENCH DETAIL (ADD ALT NO. 1)

SCALE: NTS

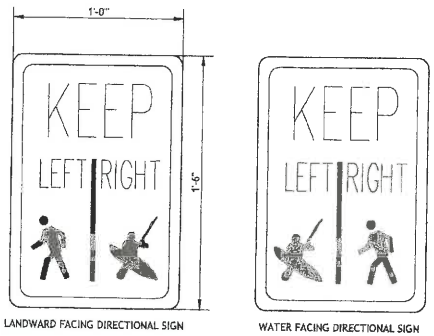


NOTES:

1. SUPPORT THE FENCE POSTS UTILIZING FENCE POST BASES AS REQUIRED.
2. DOUBLE GATES SHALL BE PROVIDED AS SHOWN ON THE DRAWINGS. PROVIDE FENCE POSTS AS REQUIRED TO SUPPORT THE PROPOSED GATES.

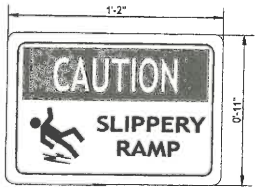
TEMPORARY SECURITY FENCE DETAIL

SCALE: NTS



LANDWARD FACING DIRECTIONAL SIGN

WATER FACING DIRECTIONAL SIGN

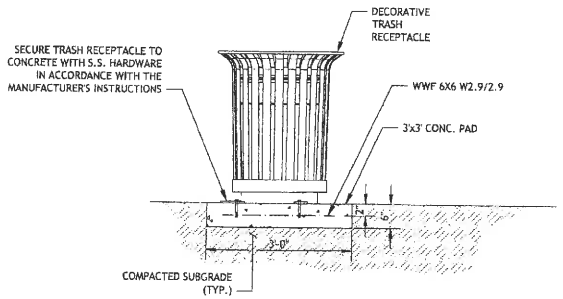


NOTES:

1. ALL SIGNS SHALL BE ANCHORED TO TIMBER POSTS WITH STAINLESS STEEL HARDWARE.
2. ALL SIGNS SHALL BE MADE OF MATERIALS APPROPRIATE FOR OUTDOOR USE (I.E., RESISTANT TO U.V., MOLD, ETC.).

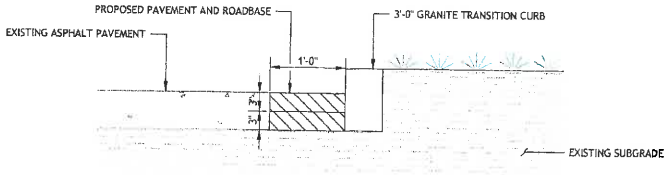
SIGN DETAILS

SCALE: NTS



DECORATIVE METAL TRASH RECEPTACLE DETAIL (ADD ALT NO. 2)

SCALE: NTS

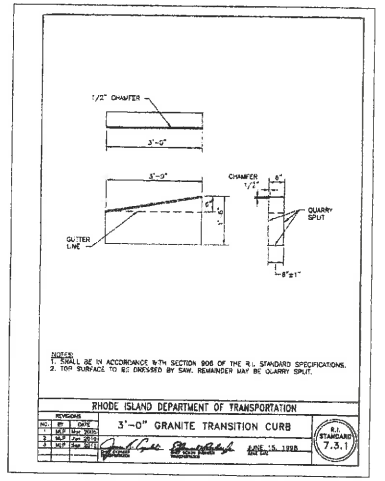


NOTE:

1. CONTRACTOR SHALL APPLY AN ASPHALT EMULSION TACK COAT TO ALL SURFACES BEFORE PLACING AND COMPACTING PROPOSED ASPHALT PAVEMENT.

ASPHALT PAVEMENT RESTORATION DETAIL

SCALE: NTS



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CHK	GJC
APVD	GJC

No.	DATE	REVISIONS	BY	APVD

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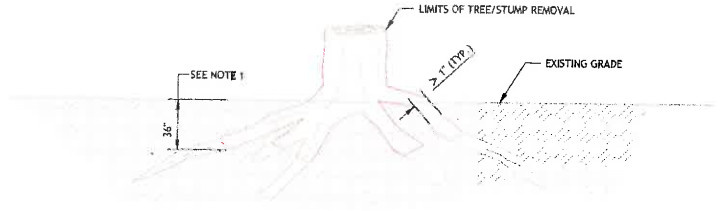
RIVER ROAD KAYAK LAUNCH
PROVIDENCE, RHODE ISLAND

City of Providence
Providence, Rhode Island

MISCELLANEOUS DETAILS

SHEET	7 OF 8
DWG No.	D-01
DATE	NOV. 2019
PROJ No.	19112.00

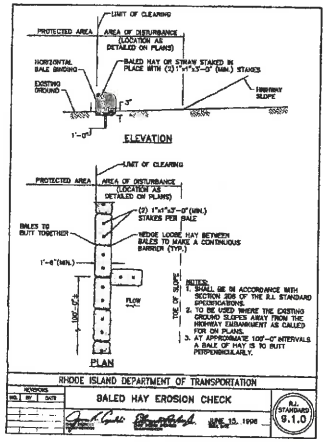


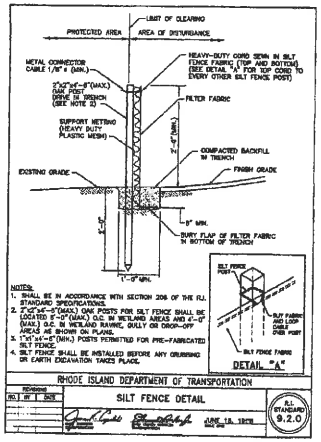
NOTES:

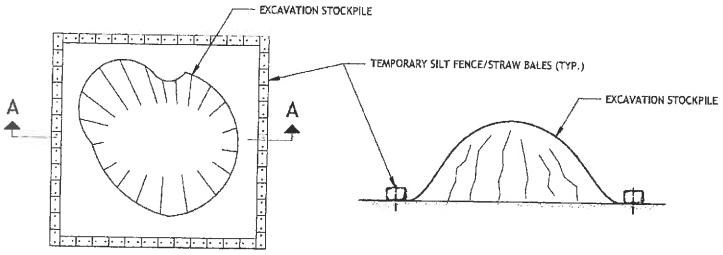
1. GRUBBING SHALL CONSIST OF THE R&D OF WOOD OR ROOT MATTER BELOW THE GROUND SURFACE REMAINING AFTER CLEARING AND SHALL INCLUDED STUMPS, TRUNKS, ROOTS, OR ROOT SYSTEMS GREATER THAN 1 INCH IN DIAMETER.
2. THE CONTRACTOR SHALL DEWATER THE RESULTING VOIDS FORMED IN THE SOIL AS A RESULT OF THE R&D OF WOOD OR ROOT MATTER AND PLACE COMPACTED GRAVEL BORROW TO GRADE.

GRUBBING DETAIL

SCALE: NTS





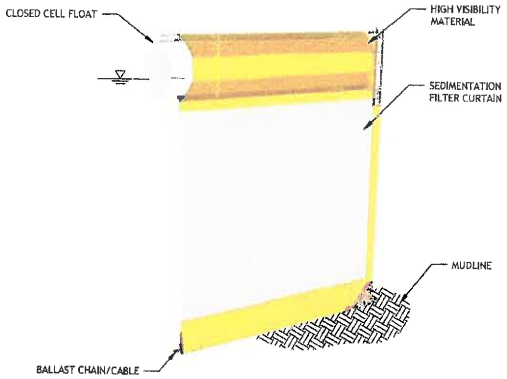


NOTES:

1. THE STOCKPILE DETAIL SHOWN IS CONSIDERED TYPICAL AND MAY VARY.
2. SILT SOCKS MAY BE USED IN LIEU OF STRAW BALES AND/OR SILT FENCES AT THE CONTRACTORS DISCRETION.

STOCKPILE DETAIL

SCALE: NTS



TURBIDITY CURTAIN DETAIL

SCALE: NTS

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APVD	GJC	No.	DATE	REVISIONS		BY	APVD

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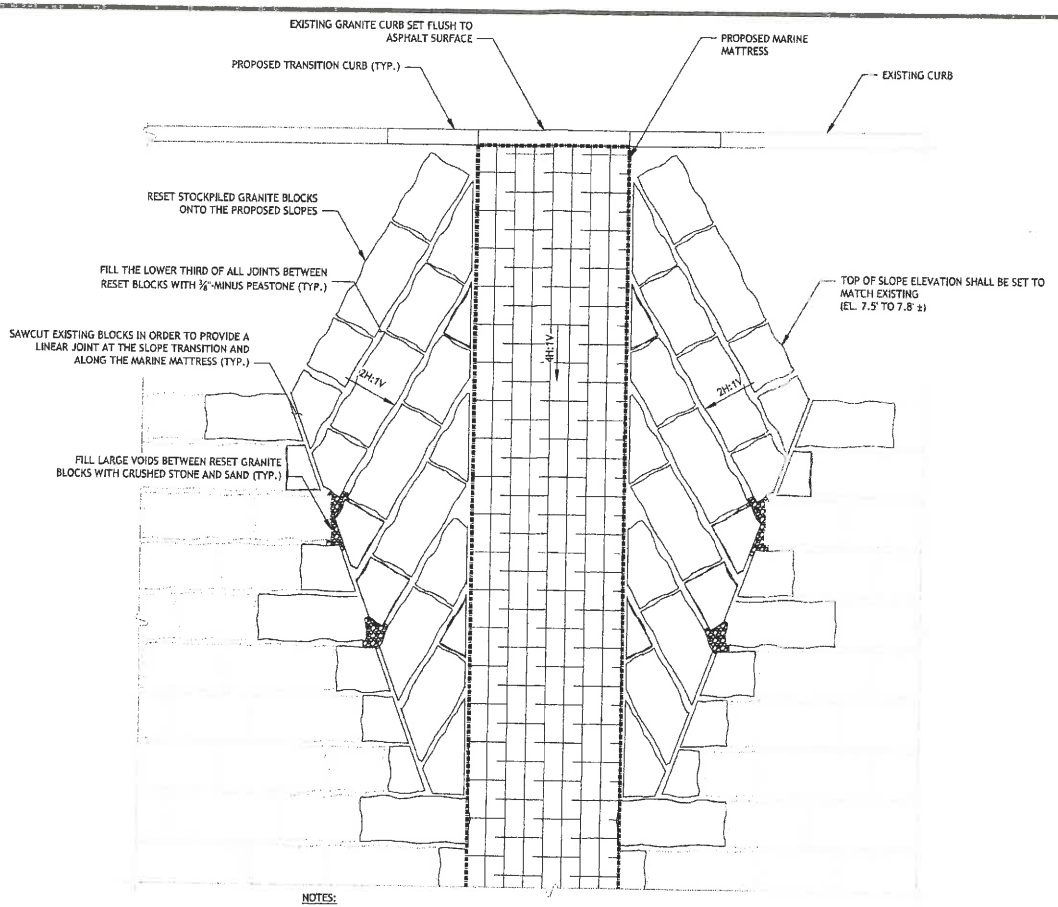
RIVER ROAD KAYAK LAUNCH
PROVIDENCE, RHODE ISLAND

City of Providence
Providence, Rhode Island

EROSION AND SEDIMENT CONTROLS

SHEET	8 OF 8
DWG No.	D-02
DATE	NOV. 2019
PROJ No.	19112.00



NOTES:

1. THE CONTRACTOR SHALL SAWCUT AND RESET THE GRANITE BLOCKS SUCH THAT THE JOINTS BETWEEN THE BLOCKS ARE SIMILAR IN WIDTH AND STAGGER PATTERN TO THE EXISTING REVETMENT.
2. THE CONTRACT SHALL SAWCUT AND TEST-FIT A MINIMUM OF 2 GRANITE BLOCKS FOR APPROVAL BY THE ENGINEER BEFORE PROCEEDING WITH THE REMAINING SAWCUTTING AND RESETTING.
3. THE CONTRACTOR SHALL IMPORT NEW GRANITE BLOCKS AS REQUIRED TO COMPLETE THE SLOPES AS SHOWN. THE IMPORTED BLOCKS SHALL BE OF SIMILAR SIZE, SHAPE, THICKNESS, AND COLOR TO THE EXISTING.
4. THE VOIDS REMAINING AFTER RESETTING THE GRANITE BLOCKS THAT ARE TO BE FILLED WITH CRUSHED STONE AND SAND SHALL BE DETERMINED ONSITE BY THE ENGINEER IN CONSULTATION WITH THE CONTRACTOR.
5. CONTRACTOR SHALL COORDINATE THIS WORK WITH THE COASTAL WETLANDS MITIGATION PLAN.

PROPOSED GRANITE BLOCK SLOPE GEOMETRY PLAN

SCALE: 1" = 2'-0"

Graphic Scale 1"=2'
2' 1' 0 2' 4'

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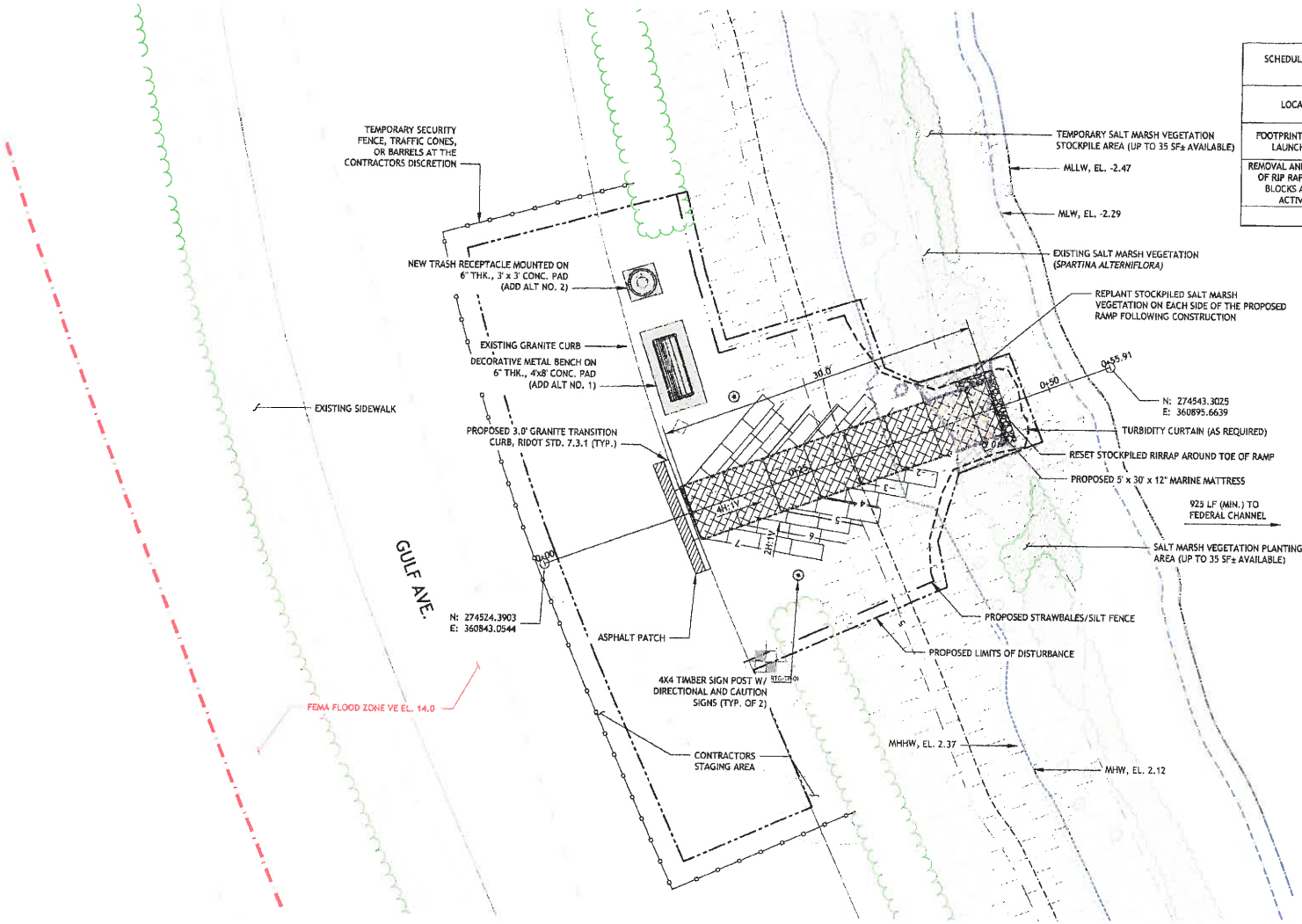
PROVIDENCE, RHODE ISLAND

City of Providence
Providence, Rhode Island

GRANITE BLOCK SLOPE GEOMETRY PLAN

SHEET	8A OF 8
DWG No.	D-02A
DATE	NOV. 2019
PROJ No.	19112.00



SCHEDULE OF ESTIMATED IMPACTS TO EXISTING WETLANDS DUE TO CONSTRUCTION ACTIVITIES				
LOCATION	LEGEND	ESTIMATED PERMANENT IMPACTS (SF)	ESTIMATED TEMPORARY IMPACTS (SF)	APPROX. AVERAGE DIMENSIONS
FOOTPRINT OF KAYAK LAUNCH RAMP		24±	24±	4.5' X 5.3'
REMOVAL AND RESETTING OF RIP RAP/GRANITE BLOCKS AND SITE ACTIVITIES		--	24±	5.5' X 4.4'
	TOTAL:	24±	48±	

COASTAL WETLAND MITIGATION PLAN:

1. PRIOR TO CONSTRUCTION, AND IN COORDINATION WITH THE CITY AND SAVE THE BAY, THE EXISTING COASTAL WETLANDS (I.E., SALT MARSH VEGETATION) SHALL BE REMOVED BY HAND FROM WITHIN THE LIMITS OF DISTURBANCE, AND TEMPORARILY PLANTED IN THE AREAS SHOWN.
2. COIR LOGS SHALL BE INSTALLED WITH 2" WOOD STAKES AROUND THE TEMPORARILY STOCKPILED SALT MARSH VEGETATION TO PROTECT IT FROM RIVER FLOWS AND WAVE ACTION.
3. ONCE THE REMOVAL AND STOCKPILING HAS OCCURRED, PROCEED WITH THE KAYAK LAUNCH INSTALLATION AS SHOWN.
4. FOLLOWING THE INSTALLATION OF THE KAYAK LAUNCH, AND ONCE THE GRANITE BLOCK REVETMENT AND RIP RAP HAVE BEEN RESET, THE STOCKPILED SALT MARSH VEGETATION SHALL BE REPLANTED ON EACH SIDE OF THE KAYAK LAUNCH RAMP IN THE VOIDS BETWEEN THE RESET GRANITE BLOCKS AND RIP RAP. PLANTINGS SHALL BE INSTALLED AT THE SAME ELEVATION AT WHICH THEY WERE ORIGINALLY REMOVED.
5. ONCE THE REPLANTING IS COMPLETE, VEGETATION THAT WAS TEMPORARILY STOCKPILED BUT WILL NOT FIT IN THE REPLANTING AREA AROUND THE KAYAK LAUNCH SHALL BE ALLOWED TO PERMANENTLY ESTABLISH ITSELF AT THE STOCKPILE LOCATION. THIS VEGETATION SHALL NOT BE MOVED AGAIN IN ORDER TO MINIMIZE THE STRESS ON THE SPECIMENS.
6. ALL VEGETATION AT THE REPLANTING AND STOCKPILE AREAS SHALL BE SUPPLEMENTED WITH IMPORTED PLUGS OF SPARTINA ALTERNIFLORA AS REQUIRED TO ESTABLISH A STATISFACTORY HABITAT (SEE NOTE 8) . THE PLUGS SHALL COME FROM A CERTIFIED GROWER OF COASTAL WETLANDS VEGETATION CHARACTERISTIC OF THE RHODE ISLAND SHORELINE.
7. PLANTING OPERATIONS SHALL BE CONDUCTED IMMEDIATELY FOLLOWING CONSTRUCTION AND UNDER FAVORABLE WEATHER CONDITIONS DURING SEASONS WHICH ARE NORMAL FOR SUCH WORK. PLANTING SHALL OCCUR NO LATER THAN JULY 31 OF THE GIVEN PROJECT YEAR.
8. THE REPLANTING SHALL BE REQUIRED TO ESTABLISH A "SATISFACTORY HABITAT", WHICH IS DEFINED AS THE REPLANTED SALT MARSH VEGETATION HAVING A MINIMUM TARGET SURVIVAL RATE OF 85-PERCENT AND BE IN A VIGOROUS GROWING CONDITION 1 YEAR AFTER PLANTING. MONITORING OF THE REPLANTED VEGETATION SHALL OCCUR IN THE FOLLOWING TWO GROWING SEASONS (I.E., FALL AND SPRING).

NOTES:

1. THE LIMITS OF THE SALT MARSH VEGETATION SHOWN WERE ESTABLISHED BASED ON A TOPOGRAPHIC SITE SURVEY COMPLETED BY RTG ON JANUARY 18, 2020.

Graphic Scale 1"=5'
5' 2.5' 0 5' 10'

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PROVIDENCE, RHODE ISLAND
City of Providence
Providence, Rhode Island

COASTAL WETLANDS MITIGATION PLAN

SHEET	8B OF 8
DWG No.	D-02B
DATE	NOV. 2019
PROJ No.	19112.00

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COASTAL RESOURCES MANAGEMENT COUNCIL
STAFF BIOLOGIST'S REPORT

TO: Grover J. Fugate
DEPT: CRMC Executive Director
FROM: David S. Reis
DEPT: CRMC Biology/Permitting Section

DATE: April 22, 2019 2020

RE: **CRMC File No.** 2019-12-063
Applicant's Name: City of Providence, Dept. of Planning and Development
Project: Install a new kayak/small craft launching ramp along Gulf Road (near River Road) in Providence, RI. Also install a decorative metal bench and trash receptacle on concrete pads and install a sign on a 4" x 4" timber post. Replant salt marsh vegetation disturbed by ramp construction. Pursuant to the Red Book (650-RICR-20-00-1), the project requires a Special Exception (ref. §1.1.8) to install a launching ramp in Type 1 waters (ref. §1.1.5(A)) and to alter a salt marsh bordering Type 1 waters (ref. §§1.2.2(C)(1)(c) and 1.3.1(L)(3)(a)) .

Location: Gulf Road near the intersection of River Road
Water Type/Name: Type 1, Conservation Area, Seekonk River
Coastal Feature: riprap/cut granite block shoreline revetment with fringe salt marsh

A. **Staff Summary:** CRMC staff concludes the project meets the Special Exception Criteria, the "Category B" criteria and the "additional "Category B" criteria relevant to the alteration of coastal wetland bordering Type 1 waters. Accordingly, it is recommended that the Special Exception and the project be approved subject to staff stipulations.

B. **Plans Reviewed:**

"River Road Kayak Launch, City of Providence, Department of Planning and Development, Providence, RI", in 10 sheets (1-8a&b), by RT Group, Inc., having a cover sheet last revised 2-7-20.

C. **Staff Analysis:** As herein detailed in the project description (above), the City proposes to construct a kayak/small craft launching ramp along the western shoreline of the Seekonk River which is designated Type 1 waters in this area. The shoreline consists of a granite block revetment with a fringe salt marsh along the face of the revetment. Pursuant to the Red Book (650-RICR-20-00-1), the project requires a Special Exception (ref. §1.1.8) to install a launching ramp in Type 1 waters (ref. §1.1.5(A)) and to alter a salt marsh bordering Type 1 waters (ref. §§1.2.2(C)(1)(c) and 1.3.1(L)(3)(a)). The City has submitted responses to the Special Exception Criteria and Category "B" criteria.

While this project is subject to a special exception and will disturb a fringe salt marsh, overall, the project is considered to meet the special exception criteria and it appears to constitute a relatively minor environmental impact which is further not expected to degrade Type 1 waters. CRMC Staff have reviewed the City's responses to the Special Exception Criteria and has come to the following conclusions:

Signed: David S Reis **Supervising Environmental Scientist**

- **Criteria One (ref. §1.1.8(A)(1)(a)):** CRMC staff agrees the project will provide public access to the shoreline. Currently no publically available small craft access facilities exist in the project area.

- **Criteria Two (ref. §1.1.8(A)(1)(b)):** CRMC staff agrees the project has been designed to minimize environmental impact. The project will disturb an existing area of manmade shoreline consisting of a cut granite block revetment. A narrow fringe of salt marsh will also be disturbed but will be re-planted in nearby areas.

- **Criteria Three (ref. §1.1.8(A)(1)(c)):** CRMC staff agrees there is no reasonable alternative means or location for serving the compelling public purpose cited. Vehicle traffic has been eliminated from the adjacent road (Gulf Avenue) and the area in the vicinity of the former road is being re-purposed for park like-uses. The project is at least partially funded by a grant provided by the RI Department of Environmental Management. The kayak/small craft ramp will provide a significant shoreline access amenity that will benefit the public.

Red Book §1.3.1(A) / "Category B" requirements: The City has provided the necessary responses to the Category B requirements. Based on upon CRMC Staff's review, we believe the Category B requirements have been met. There is no staff objection.

Red Book §1.3.1(L) / Coastal Wetland Mitigation: The City has addressed the "Additional Category B" requirements which apply to wetland alterations. CRMC Staff have reviewed the City's responses and believe these requirements have been met. Namely, the project: 1) Accommodates the Council's Policy for Type 1 shorelines by protecting the natural character of the shoreline through re-purposing Gulf Road to provide a "park like area" and provide public access to the shore. 2) The alternative selected appears to be the most reasonable. 3) The proposed alteration is the minimum necessary (to provide kayak/small craft/shoreline access) to a Type 1 shoreline.

The project further appears to meet the Council's policies for coastal wetland mitigation by replanting the disturbed salt marsh vegetation (48 square feet) within gaps of the restored cut granite block "sidewalls" of the proposed ramp and within an area immediately adjacent to the launching ramp. The City is partnering with Save The Bay to accomplish this replanting. Based on the small area of disturbance (48 square feet) which exists along a section of manmade shoreline and considering the disturbed salt marsh vegetation will be replanted on site, CRMC Staff concludes the disturbance (in its entirety) is "temporary" and the 2:1 wetland mitigation replacement ratio does not need to be met. Rather, replanting the disturbed salt marsh vegetation is considered to be sufficient.

D. Public Notice: The project was put to public notice on February 21st with the notice expiring on March 21, 2020. There were no objections during the notice period (or as of the writing of this report).

Signed: _____ **Supervising Environmental Scientist**

E. Recommendation: Based on this review, CRMC staff concludes the project meets the Special Exception Criteria, the applicable "Category B" criteria and the "additional "Category B" criteria relevant to the alteration of coastal wetland bordering Type 1 waters. Accordingly, it is recommended that the Special Exception and the project be approved subject to staff stipulations.

F. Recommended Stipulations:

1. **Replanting of Salt Marsh:** The project shall be undertaken at a time of year when the disturbed salt marsh vegetation can be replanted within the same growing season and when the salt marsh vegetation will not be stockpiled in nearby tidal waters for more than 45 days. As specified in the application, where practicable, the salt marsh shall be replanted prior to July 31 of the calendar year. If the July 31 timeframe cannot be met, the City shall work with the CRMC and Save The Bay to make other arrangements for replanting of salt marsh.

2. **RIDEM Water Quality Certificate:** Prior to any work within tidal waters (below MHW), the City must obtain a RIDEM Water Quality Certificate and provide the CRMC with a copy attention CRMC File No. 2019-12-063. The applicant must comply with any RIDEM requirements contained in the Water Quality Certificate.

3. **US Army Corps of Engineers (USACE) Authorization:** It shall be the applicant's responsibility to obtain a US Army Corps of Engineer's Authorization for this project. A CRMC public notice has been provided to the USACE. Based on CRMC Staff's review of the project against the USACE General Permit for the State of Rhode Island, it appears a Pre-Construction Notification (PCN) is required. However, it is the applicant's responsibility to confirm this with the USACE.

Signed: _____ **Supervising Environmental Scientist**

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 116
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

ASSENT

CRMC File No.: 2020-09-108 CRMC Assent No.: A2020-09-108

Whereas,
of

Town of Westerly
45 Broad Street
Westerly, RI 02891

has applied to the Coastal Resources Management Council for assent to: construct a public kayak rack within the public road right-of-way at the seaward terminus of Water's Edge Road in Westerly. As currently proposed, no public parking will be provided at this time, and represents that they are the owner(s) of the riparian rights attached to the property involved and submitted plans of the work to be done.

Now, said Council, having fully considered said application in accordance with all the regulations as set forth in the Administrative Procedures Act does hereby authorize said applicant, subject to the provisions of Title 46, Chapter 23 of the General Laws of Rhode Island, 1956, as amended, and all laws which are or may be in force applicable thereto: **construct a public kayak rack within the public road right-of-way at the seaward terminus of Water's Edge Road in Westerly. As currently proposed, no public parking will be provided at this time**; located at Waters Edge Road, Westerly, RI, in accordance with said plans submitted to this Council and approved by this Council. All work being permitted must be completed on or before **February 12, 2024** after which date this assent is null and void, (unless written application requesting an extension is received by CRMC sixty (60) days prior to expiration date).

Applicant agrees that as a condition to the granting of this assent, members of the Coastal Resources Management Council or its staff shall have access to applicant's property to make on-site inspections to insure compliance with the assent.

Licensee shall be fully and completely liable to State, and shall waive any claims against State for contribution or otherwise, and shall indemnify, defend, and save harmless State and its agencies, employees, officers, directors, and agents with respect to any and all liability, damages (including damages to land, aquatic life, and other natural resources), expenses, causes of action, suits, claims, costs (including testing, auditing, surveying, and investigating costs), fees (including attorneys' fees and costs), penalties (civil and criminal), and response, cleanup, or remediation costs assessed against or imposed upon Licensee, State, or the Property, as a result of Licensee's control of the Property, or Licensee's use, disposal, transportation, generation and/or sale of Hazardous Substances or that of Licensee's employees, agents, assigns, sublicensees, contractors, subcontractors, permittees, or invitees.

Nothing in this assent shall be construed to impair the legal rights of this granting authority or of any person. By this assent the granting authority by no manner, shape, or form assumes any liability or responsibility implied, or in fact, for the stability or permanence of said project; nor by this assent is there any liability implied or in fact assumed or imposed on the granting authority. Further, the granting authority by its representatives or duly authorized agents shall have the right to inspect said project at all times including, but not limited to, the construction, completion, and all times thereafter.

This Assent is granted with the specific proviso that the construction authorized therein will be maintained in good condition by the owner thereof, his heirs, successors, or assigns for a period of fifty (50) years from the date thereof, after which time this permission shall terminate necessitating either complete removal or a new application.

Permits issued by the CRMC are issued for a finite period of time, confer no property rights, and are valid only with the conditions and stipulations under which they are granted. Permits imply no guarantee of renewal, and may be subject to denial, revocation, or modification.

If this matter appeared before the full Council, a copy of the legal decision from this proceeding may be acquired by contacting the CRMC office in writing.

A copy of this Assent shall be kept on site during construction.

Application for future alteration of the shoreline or other construction or alteration within the CRMC jurisdiction shall be submitted to the CRMC for review prior to commencing such activity.

All applicable policies, prohibitions, and standards of the RICRMP shall be upheld.
All local, state or federal ordinances and regulations must be complied with.

Please be advised that as a further conditions of this Assent, it is hereby stipulated that you and/or your agents shall comply at all times with Federal and State Water Quality Standards and other State standards and regulations regarding water quality, and shall exercise such supervision over and control of these facilities to prevent the dumping or discarding or refuse, sanitary wastes and other pollutants in the tidal waters, either from vessels docked at said facilities or from land adjacent thereto.

No work that involves alteration to wetlands or waters of the United States shall be done under this Assent until the required Federal Permit has been obtained.

Non-compliance with this assent shall result in legal action and/or revocation of this permit.

CAUTION:
The limits of authorized work shall be only for that which was approved by the CRMC. Any activities or alterations in which deviate from this assent or what was detailed on the CRMC approved plans will require a separate application and review. Additionally, if the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then this permit may be found to be null and void. Plans for any future alteration of the shoreline or construction or alteration within the 200' zone of CRMC jurisdiction or in coastal waters must be submitted for review to the CRMC prior to commencing such activity. Permits, licenses or easements issued by the Council are valid only with the conditions and stipulation under which they are granted and imply no guarantee of renewal. The initial application or an application for renewal may be subject to denial or modification. If an application is granted, said permit, license and easement may be subject to revocation and/or modification for failure to comply with the conditions and stipulations under which the same was issued or for other good cause.

ATTENTION: ALL STRUCTURES AND FILLED AREAS IN THE TIDAL, COASTAL, OR NAVIGABLE WATERS OF THE STATE OF RHODE ISLAND ARE SUBJECT TO:

1. The Superior Property Rights of the State of Rhode Island in the Submerged and Submersible Lands of the Coastal, Tidal, and Navigable Waters;
2. The Superior Navigation Servitude of the United States;
3. The Police Powers of the State of Rhode Island and the United States to regulate Structures in the Tidal, Coastal, or Navigable Waters.

THE SUBMERGED AND SUBMERSIBLE LANDS OF THE TIDAL, COASTAL, AND NAVIGABLE WATERS OF THE STATE ARE OWNED BY THE STATE AND HELD IN TRUST FOR THE PUBLIC. CONVEYANCE OF THESE LANDS IS ILLEGAL; TITLES PURPORTING TO TRANSFER SUCH LANDS ARE VOID. ASSENTS THAT INVOLVE THE FILLING OR USE OF THE STATES SUBMERGED LANDS ARE GRANTED WITH THE PROVISO THAT IT IS SUBJECT TO THE IMPOSITION OF A USAGE FEE TO BE ESTABLISHED BY THE COASTAL RESOURCES MANAGEMENT COUNCIL.

The lands adjacent to tidal waters and/or access to these lands may be impacted or rendered unusable in the future due to sea level rise, storm surge, and shoreline erosion. Online resources including STORMTOOLS, Shoreline Change Maps, and Sea Levels Affecting Marshes Model (SLAMM) Maps can be accessed through the CRMC website (www.crmc.ri.gov). The Council recommends the use of these resources to evaluate the flood extent and inundation from sea level rise, storm surge and erosion and damages to land, aquatic life, loss of public access and other natural resources on and near the site of the above assent. The project life may be shortened by these processes and may require additional adaptation measure up to and including relocation of the project. By issuing this assent the granting authority neither explicitly nor implicitly assumes any liability or responsibility for the stability or permanence of said project under future climate and shoreline conditions.

SPECIFIC STIPULATIONS OF APPROVAL

General Stipulations

A. The applicant shall record this assent in its entirety in the land evidence records of the Town of Westerly within thirty (30) days of the date of assent issuance. Certification by the Town Clerk's office that this stipulation has been complied with shall be furnished to Coastal Resources Management Council by the applicant within fifteen (15) days thereafter. Failure to comply with provision will render this assent null and void.

B. For the purpose of this permit, the coastal feature shall be the coastal wetland; and the inland edge of the coastal feature shall be the inland edge of the coastal wetland.

C. The approved location plan(s) shall be those attached to this CRMC Assent. Except as stipulated or modified herein, all details and specifications thereon shall be strictly adhered to. Any and all changes require written approval from this office.

D. This CRMC Assent approves the location of the kayak rack within the Water's Edge Road right-of-way and within an existing area of lawn as shown on the attached plan. No building plans have been submitted to the CRMC for approval. Accordingly, the structure shall be adequately anchored to resist displacement by flooding, waves and wind as determined to be sufficient by the local building official.

E. As agreed in a January 29, 2021 meeting between CRMC Staff, the Town of Westerly and interested parties, work shall be limited to installation of the kayak rack only. There shall be no improvements to the existing informal small craft launching area at the shoreline or the roadway right-of-way leading to the launching area. Specifically, no fill may be placed below MHW and the salt marsh bordering the launching area may not be disturbed. If such work is desired in the future, a CRMC application must be submitted. As discussed during the January meeting, any filling below mean high water (MHW) shall require a public access plan consistent with Section 1.3.6 of the red book (650-RICR-20-00-01). In this regard, it is CRMC staff's position that an appropriate public access plan associated with a small craft launching area and public kayak rack associated with a public road should involve provisions for public parking.

F. As of the date of assent issuance, all naturally existing vegetation bordering the shoreline in this area is to remain in an undisturbed natural condition to serve as a coastal buffer zone. Any and all activities or alterations within the coastal buffer zone not specifically addressed herein including mowing, pruning, trimming, thinning, require written authorization from the CRMC.

G. Vegetation within the salt marsh bordering the shoreline in this area shall remain in an undisturbed condition.

H. No alterations (vegetative or otherwise) are allowed on the coastal feature(s) or in the waterway adjacent to the site.

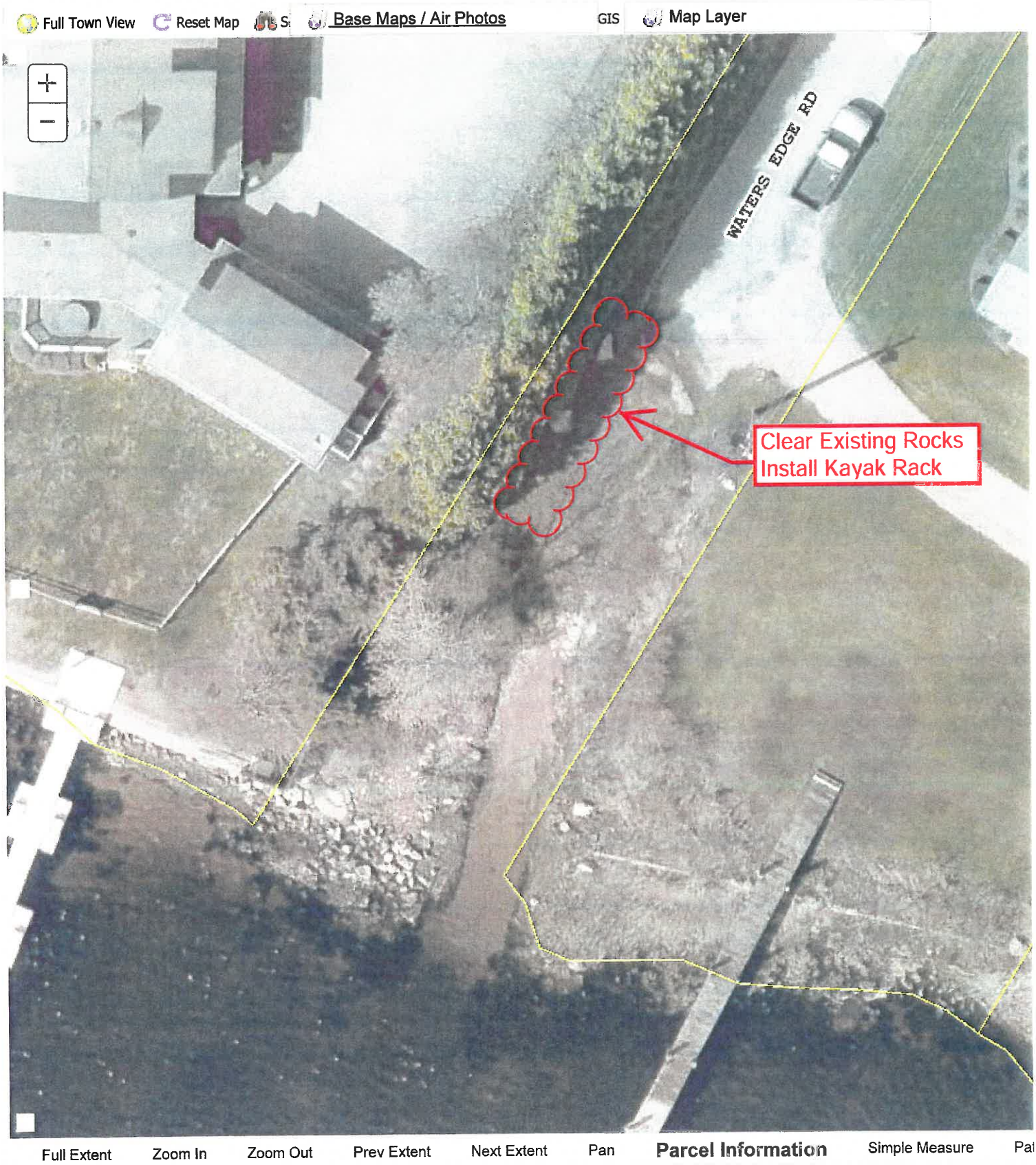
I. Other than for kayak rack footings, no earthwork is authorized by this permit.

In Witness Whereof, said Coastal Resources Management Council has hereto set their hands and seal this **12th day of February in the year two-thousand-and-twenty-one.**

Jeffrey M. Willis, Executive Director
Coastal Resources Management Council

/ajt

Revision Date: 2/10/2021



MapXpress v1.2

Waters Edge Road, Westerly, RI
CRMC File No. 2020-09-108
Revised Plan based on 1/29/2021 meeting

COASTAL RESOURCES MANAGEMENT COUNCIL
APPROVED PLANS
DATE: FEBRUARY 12, 2021
STAFF MEMBER: DAVID REIS
SUBJECT TO STIPULATIONS CONTAINED IN
ASSENT NUMBER: A2020-09-108

KYLE T. ZALASKI, P.E.
TOWN ENGINEER

Town of Westerly
Rhode Island
ENGINEERING DEPARTMENT

68 White Rock Road
Westerly, RI 02891
TEL: (401) 348-2562
FAX: (401) 596-9512

January 20, 2021

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Gov't Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

Re: Town of Westerly – Applications for State Assent
Waters Edge Road – File No. 2020-09-108

Dear Sir/Madam:

Enclosed please find four copies of the revised Town of Westerly Applications for State Assent for Waters Edge Road.

If you have any questions, please feel free to contact me.

Sincerely,

Kyle Zalaski, P.E.
Town Engineer

RECEIVED
JAN 25 2021
COASTAL RESOURCES MANAGEMENT COUNCIL

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

APPLICATION FOR STATE ASSENT

To perform work regulated by the provisions of Chapter 279 of the Public Laws of 1971 Amended.

Project Location Waters Edge, Westerly (No. Street City/Town)	File No. (CRMC USE ONLY) 2020-09-108
Owner's Name Town of Westerly	Plat: Lot(s):
Mailing Address 45 Broad Street City/Town Westerly State RI Zip Code 02891	401-348-2562 Contact No.: Email Address: kzalaski@westerlyri.gov
Contractor RI Reg. # Address	Email address: Tel. No.
Designer Owner Address See Above	Tel. No. See above
Name of Waterway Little Narragansett Bay	Estimated Project Cost (EPC): Application Fee:

Describe accurately the work proposed. (Use additional sheets of paper if necessary and attach this form.)
See attached sheet

Have you or any previous owner filed an application for and/or received an assent for any activity on this property?
(If so please provide the file and/or assent numbers): _____

Is this site within a designated historic district? ■ **YES** □ **NO**

Is this application being submitted in response to a coastal violation? □ **YES** ■ **NO**

If YES, you must indicate NOV or C&D Number: _____

Name/mailing addresses of adjacent property owners whose property adjoins the project site. Accurate mailing addresses will insure proper notification. JMR Applicant must initial to certify accuracy of adjacent property owners and accuracy of mailing addresses.

STORMTOOLS (Http://www.beachsamp.org/resources/stormtools/) is a planning tool to help applicants evaluate the impacts of sea level rise and storm surge on their projects. The Council encourages applicants to use STORMTOOLS to help them understand the risk that may be present at their site and make appropriate adjustments to the project design.

NOTE: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible, adhered to the policies and standards of the program. Where variances or special exceptions are requested by the applicant, the applicant will be prepared to meet and present testimony on the criteria and burdens of proof for each of these relief provisions. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. If the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then the permit granted under this application may be found to be null and void. Applicant requires that as a condition to the granting of this assent, members of the CRMC or its staff shall have access to the applicant's property to make on-site inspections to insure compliance with the assent. This application is made under oath and subject to the penalties of perjury. 08/04

J Mark Owner

Owner's Signature (sign and print)

PLEASE REVIEW REVERSE SIDE OF APPLICATION FORM

/ajt/lat 11/2019

RECEIVED
JAN 25 2021
COASTAL RESOURCES MANAGEMENT COUNCIL

Town of Westerly, R. I.

Town Assessor's Office 45 Broad St Westerly RI 02891
Tel (401) 348-2541 Fax (401) 348-2616

COASTAL RESOURCE MANAGEMENT COUNCIL
STEDMAN GOVERNMENT CENTER
TOWER HILL ROAD
WAKEFIELD, RI 02879

TO WHOM IT MAY CONCERN:

RECORDS AT THE ASSESSOR'S OFFICE, TOWN OF WESTERLY, RI, INDICATE THAT THE FOLLOWING OWN PROPERTY IN SAID TOWN:

NAME:	TOWN OF WESTERLY
ADDRESS:	45 BROAD STREET WESTERLY, RI 02891
PROPERTY LOCATION:	WATERS EDGE ROAD WESTERLY, RI 02891
PLAT/LOT:	/
LAND EVIDENCE RECORDS:	BOOK 2 PAGE 86
DATE OF ISSUE:	September 16, 2020

SINCERELY,

DAVID B. THOMPSON
TOWN ASSESSOR

TO: **Coastal Resources Management Council**
4808 Tower Hill Road Suite 3
Wakefield, RI 02879
Phone: (401) 783-3370

FROM: Building Official DATE: January 13, 2021

SUBJ: Application of: Town of Westerly

Location: Waters Edge Road

Address: Adjacent to Plat No. 179 Lot No. 15

To Construct: Resurfacing of existing earthen kayak ramp with stone and washed gravel; repair of existing asphalt road, installation of asphalt driveway apron, and installation of pavement markings for parking on Pawcatuck Avenue.

I hereby certify that I have reviewed _____ foundation plan(s).
_____ plan(s) for entire structure
__X__ site plans
Titled: _____

Date of Plan (last revision): _____

__✓__ and find that the issuance of a local building permit is not required as in accordance with Section _____ of the Rhode Island State Building Code.

____ and find that the issuance of a local building permit is required. I hereby certify that this permit shall be issued once the applicant demonstrates that the proposed construction/activity fully conforms to the applicable requirements of the RISBC.

____ and find that a Septic System Suitability Determination (SSD) must be obtained from the RI Dept. of Environmental Management.

____ and find that a Septic System Suitability Determination (SSD) need not be obtained from the RI Dept. of Environmental Management.

____ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final. The Zoning Board approval shall expire on _____.

Dave Murphy 1-14-21
Building Official's Signature Date

__✓__ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final.

15 Jan 21
Zoning Officer's Signature Date

rev. 5/11/2001

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Town of Westerly, Rhode Island
Engineering Division

Application for State Assent
Waters Edge Road Improvements

Project Narrative

Existing Conditions

The public right-of-way (ROW) identified as Waters Edge Road is located in the Watch Hill section of Westerly. The ROW is improved with an asphalt-paved road, approximately 18 feet side and 800 feet in length, that is bisected by Pawcatuck Avenue. The paved road dead ends to both the north and south of Pawcatuck Avenue, terminating just beyond the driveways for 3 and 4 Waters Edge Road, and 14 and 16 Waters Edge Road, respectively. The ROW extends further north and south to the waters of the Little Narragansett Bay. An earthen boat ramp exists at the southern terminus of Waters Edge Road that gradually slopes towards the water, which is approximately 90 feet in length and 10 feet in width. Starting at the terminus of the road, the first 50 feet of the earthen ramp is surfaced with gravel, sand, and grass. The remaining 40 feet of the ramp is surfaced with fine sand and silt. Some boulders and concrete debris were noted within and alongside of the ramp.

Proposed Conditions

The Town of Westerly proposes to improve this ROW to provide the public with better access to the Little Narragansett Bay. These improvements consist of the following: installing a kayak rack; restoring the surface of the earthen boat ramp to provide ease of access to the water, mitigate erosion of the earthen ramp, and mitigate sediment accumulation along Waters Edge Road, and conducting repairs to the existing asphalt paved road to improve vehicular access while also delineating private property. The description of the three options proposed by the Town are provided below.

Option 1

As part of Option 1, the following activities will be conducted:

- Resurfacing/restoration of the existing earthen boat ramp;
- Repair of the existing deteriorated asphalt at the southern terminus of Waters Edge Road;
- Installation of a new asphalt driveway apron at the driveway for 14 & 16 Waters Edge Road; and,
- Installation of (a) new kayak rack(s) in the grassy area to the southwest of the southern terminus of Waters Edge Road, adjacent to the earthen boat ramp.

The boat ramp restoration will consist of removing the mixture of gravel, sand, and grass from the first 50 feet of the ramp, and replacing it will an approximately 8-inches of 2- to 3-inch diameter stone. Any fine silts or organic deposits will be "mucked out" and replaced with washed bank-run gravel, as necessary, for the remaining 40 feet of the ramp. Any concrete debris located within and along side of the earthen ramp will be removed and disposed off-site. Any existing boulders that obstruct use of the ramp will be relocated to a nearby location. The use of the 2- to 3-inch stone will stabilize the surface beyond the asphalt road for vehicular passage, and will also act as a sedimentation buffer between the road and the lower part of the earthen ramp. Removal and replacement of the fine silts and localized organic deposits within the limits of the lower ramp will provide a safer and more stabilized kayak launch for public use. The new asphalt driveway apron is intended to delineate the public ROW from the private driveway, while also providing an erosion control measure for the existing stone driveway.

Option 2

All activities described in Option 1 would be included in Option 2. Additionally, Waters Edge Road would be widened by approximately 9 feet, for a length of approximately 190 feet, in order to provide 6 parking spaces while still allowing for two-way traffic. Widening of the road would require removal of 3-foot and 6-foot wide grass strips located parallel to the north and south sides of road, respectively. White pavement markings would be placed to delineate the six 20-foot long, 9-foot wide parking spaces, with hatched no-parking areas located near the driveway for 11 Waters Edge Road and the southern terminus of Waters Edge Road.

Option 3

All activities described in Option 1 would be included in Option 3. Differing from Option 2, Option 3 proposes to add parking spaces on the abutting street (Pawcatuck Avenue), which is currently wide enough to provide parking and still allow two-way traffic. Pavement markings added along the southern side of Pawcatuck Avenue, between the driveways for 10 Waters Edge Road and 14 Pawcatuck Avenue, would provide for seven 20-foot long, 9-foot wide parking spaces, with hatched no-parking areas located adjacent to the driveways. Currently there is no existing Town ordinance that permits parking on Pawcatuck Avenue. The Town will work to create a Town ordinance to allow parking at the proposed locations along Pawcatuck Avenue after obtaining the CRMC Assent.

Preferred Option

The Town has identified Option 3 as the preferred option. The activities described in Option 3 can be completed by the Town of Westerly's Department of Public Works, and does not require substantial road reconstruction activities to provide public parking for use of the improved boat ramp.

Adjacent Property Owners

- Thomas F & Melinda Dempsey, 348 Pondfield Road, Bronxville, NY 10708
- Watch Hill LLC, 14 Waters Edge Road, Westerly, RI 02891
- Jane Ross Orthwein, 50 Lock Road, Deerfield, FL 33442-1580
- Jonathan Bicknell, 1015 Winding Way, Baltimore, MD 21210
- Elizabeth Wendelin Wilkes, Waccabuc, NY 10597
- D Trust, 66 Mt Vernon Street Unit 2, Boston, MA 02018

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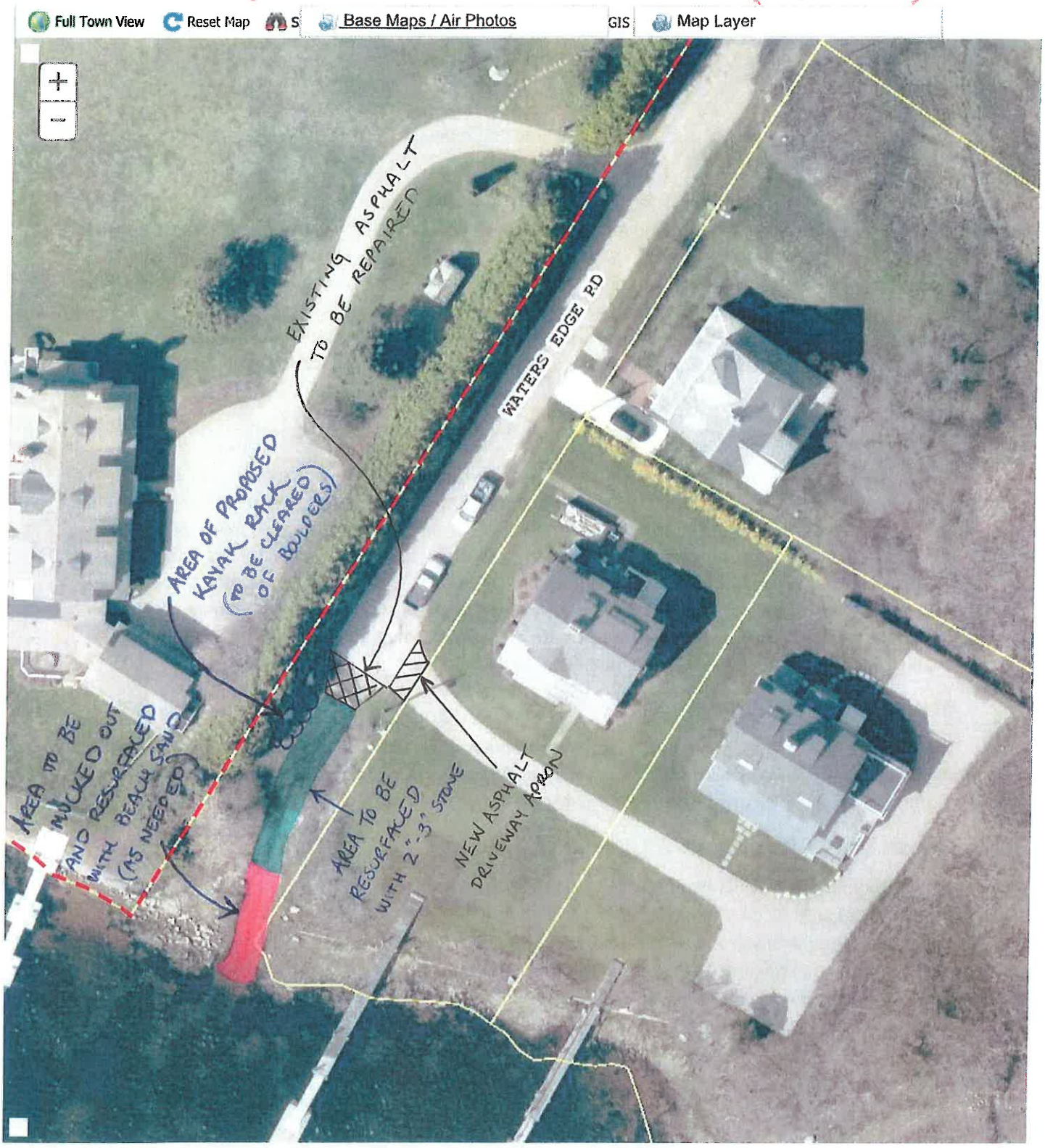
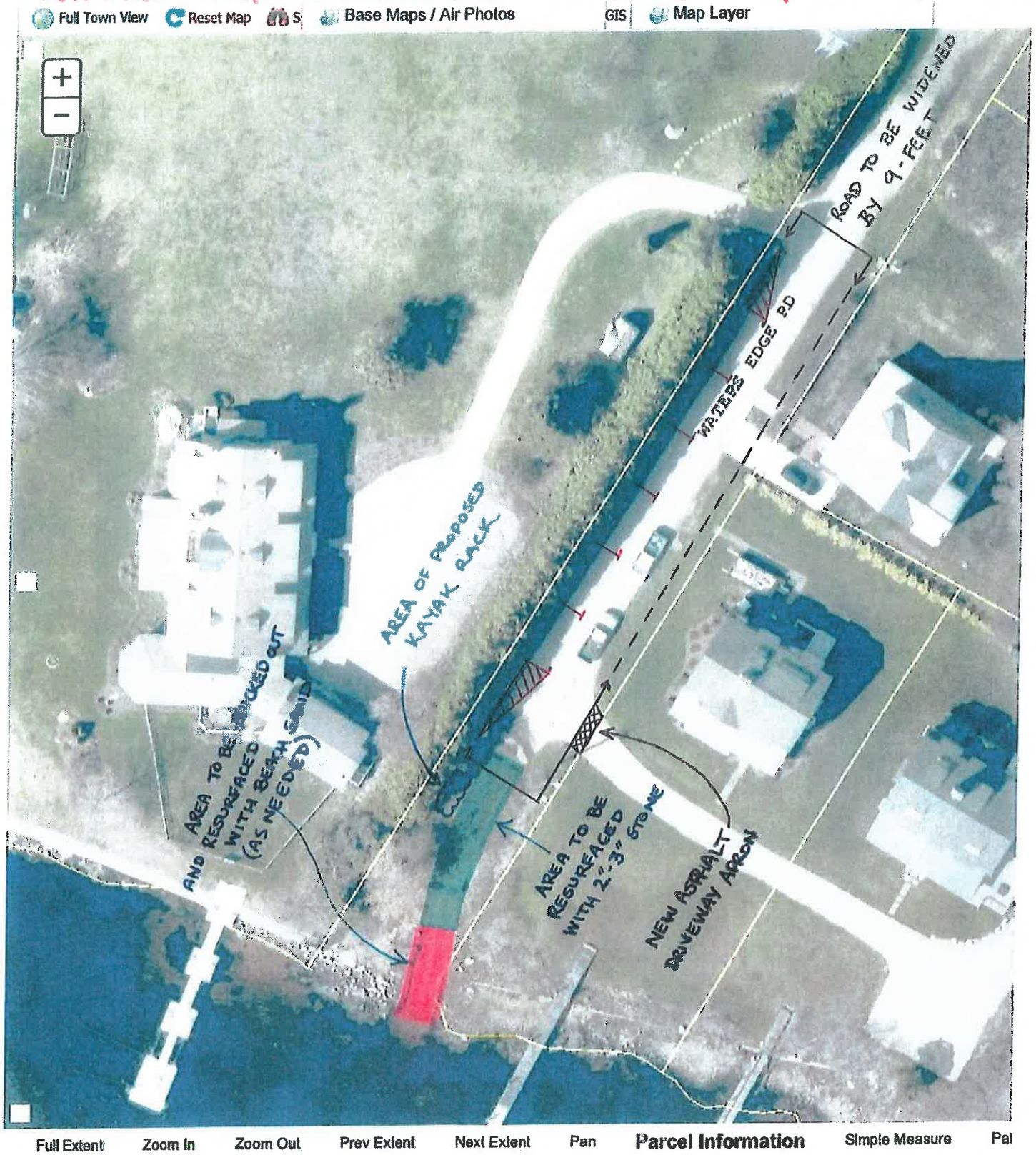
MANAGEMENT COUNCIL

WATERS EDGE IMPROVEMENTS: OPTION 1 (PAGE 1 OF 1)



WATERS EDGE IMPROVEMENTS: OPTION 2 (PAGE 1 OF 1)



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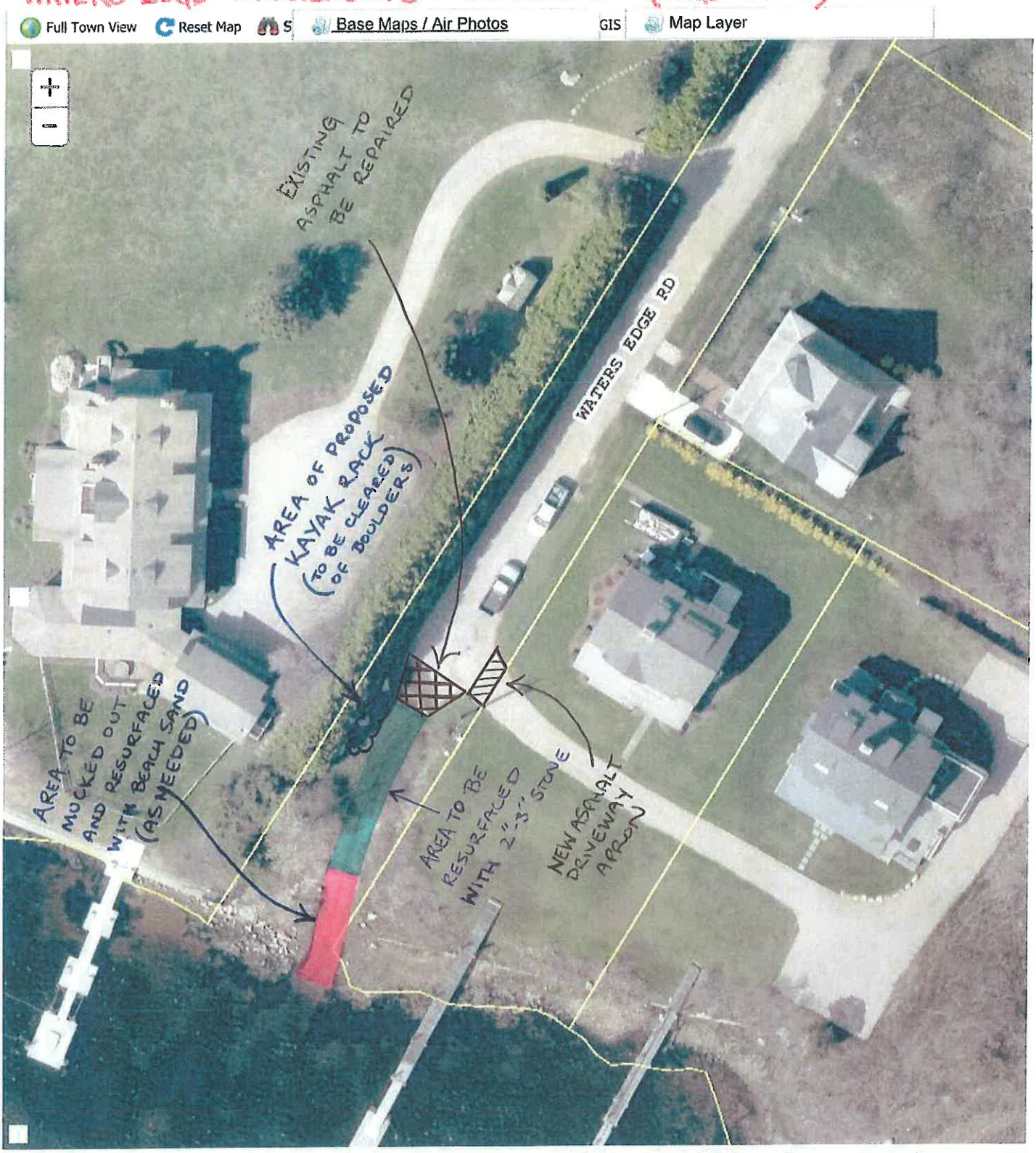
WATERS EDGE IMPROVEMENTS: OPTION 3 (PAGE 1 OF 2)



WATERS EDGE IMPROVEMENTS: OPTION 3 (PAGE 2 OF 2)

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Town of Westerly, Rhode Island
Engineering Division

Waters Edge Road

Existing Conditions Photolog

December 7, 2020

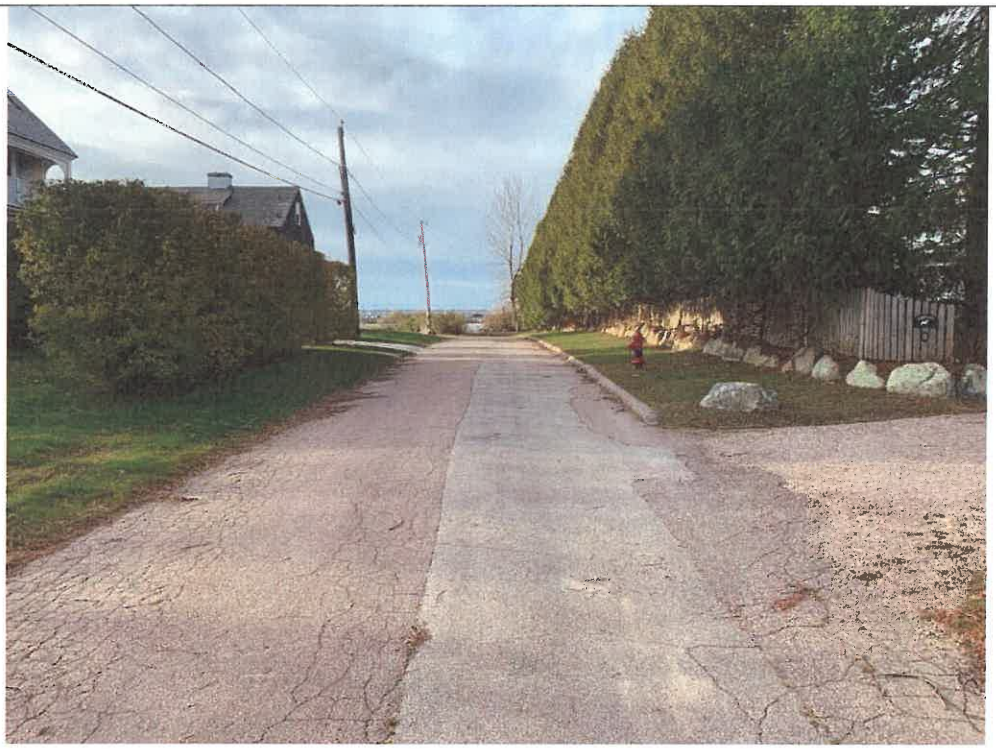

Photo 01: View looking south along Waters Edge Rd. The driveway shown immediately to the right is associated with the property identified as 11 Waters Edge Rd.

Photo 02: View looking south along Waters Edge Rd. The gravel driveway shown to the left is associated with the properties identified as 14 and 16 Waters Edge Rd

Photo 03: View looking south to the earth boat ramp located do the south of the asphalt paved section of Waters Edge Road. The area with standing water contains deteriorated asphalt.

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COASTAL RESOURCES MANAGEMENT COUNCIL

Photo 04: View looking south along the earthen boat ramp located to the south of Waters Edge Road. The area immediately to the south of the road contains gravel and grass surface cover.

Photo 05: View looking View south along the earthen boat ramp to the south of Waters Edge Road. The southern 40 feet of the ramp contains sand and silt surface cover, with vegetative debris, concrete debris, and boulders.

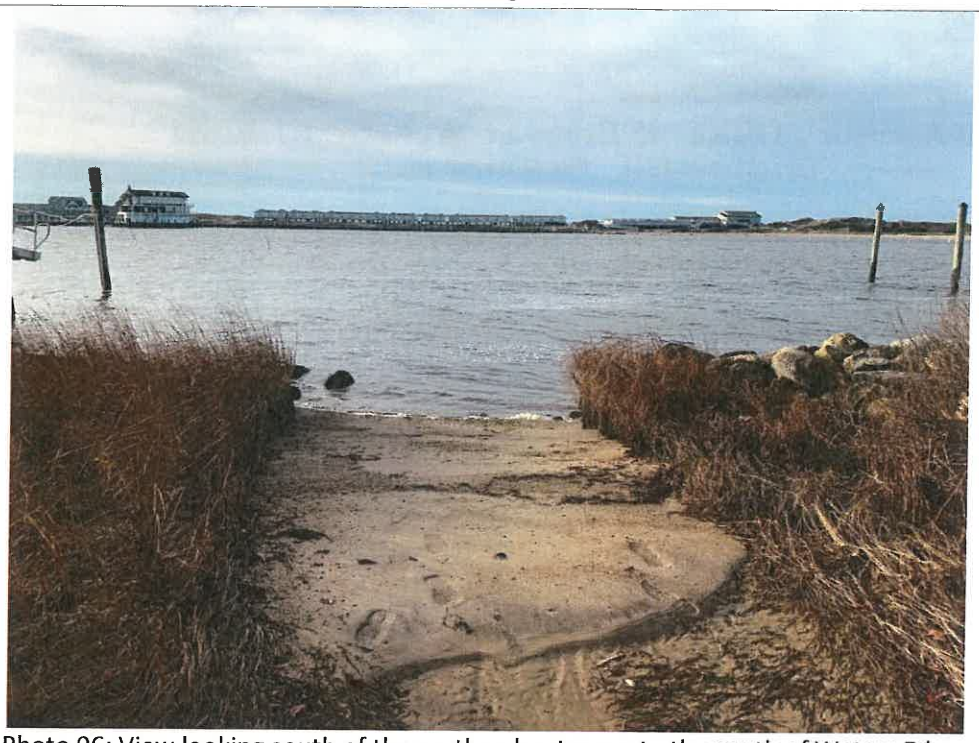

Photo 06: View looking south of the earthen boat ramp to the south of Waters Edge road as it approaches the waters of the Little Narragansett Bay.

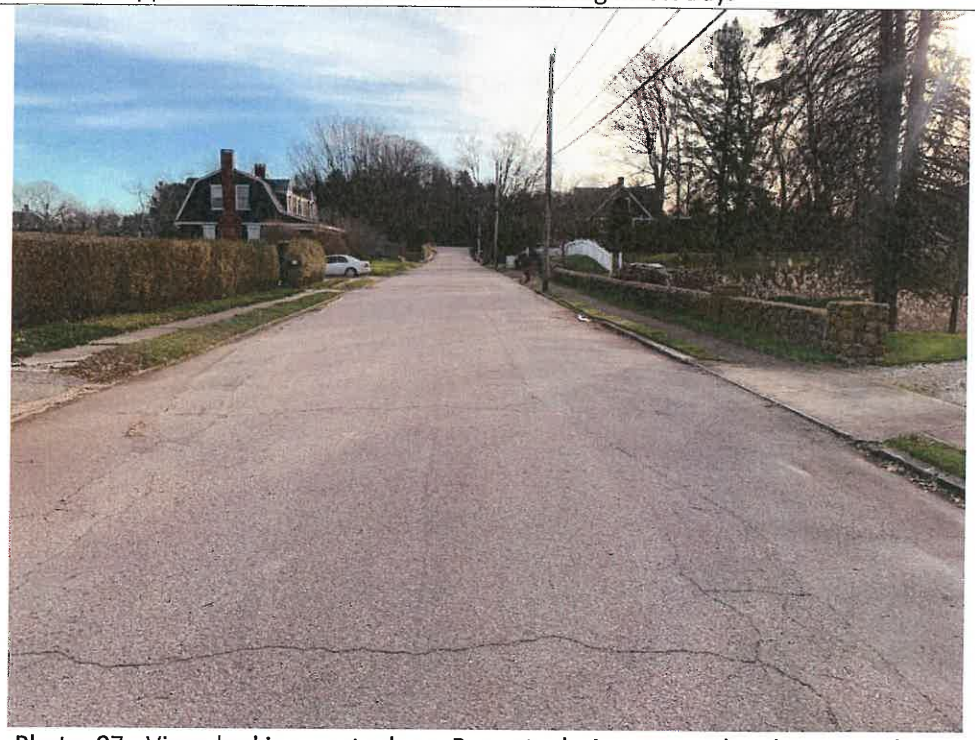

Photo 07: View looking east along Pawcatuck Avenue. The driveway shown immediately to the left is associated with the property identified as 10 Waters Edge Rd. The road is approximately 27 feet wide.

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COASTAL RESOURCES
MANAGEMENT COUNCIL

Jenn Abbruzzese

From: Dave Reis <dreis@crmc.ri.gov>
Sent: Monday, January 11, 2021 2:11 PM
To: 'Mark Rooney'
Cc: 'Kyle Zalaski'; 'Jeff Willis'; 'Jenn Abbruzzese'
Subject: RE: CRMC File NO. 2020-09-108 Water's Edge Road

Thank you Mark. We (and particularly me as a resident) really appreciate your efforts. We will do everything we can to reach an amicable solution to these matters. Please stay in touch and let us know if there is anything we can do to make this easier.

Dave

David S. Reis
Supervising Environmental Scientist
Coastal Resources Management Council
Oliver Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879
Phone: 401 783-3370
Web: www.crmc.ri.gov

From: Mark Rooney
Sent: Monday, January 11, 2021 2:02 PM
To: Dave Reis <dreis@crmc.ri.gov>
Cc: Kyle Zalaski <kzalaski@westerlyri.gov>; 'Jeff Willis' <jwillis@crmc.ri.gov>; 'Jenn Abbruzzese' <jabbruzzese@crmc.ri.gov>
Subject: RE: CRMC File NO. 2020-09-108 Water's Edge Road

Dave,
Appreciate your clarification; but as long as I remain Town Manager the matter of ROW's of the Town and CRMC designation will not be ignored as in the past. I plan to memorialize and specify them in the Harbor management Plan—which is referenced in the Town's Comprehensive Plan. At the local level a policy goal has been made to document and finalize to include working with your office on the Spring Ave and sand trail issues.

J. MARK ROONEY
Town Manager
Town of Westerly
45 Broad Street
Westerly, RI 02891
Tel: (401) 348-2530
Email: mrooney@westerlyri.gov

From: Dave Reis <dreis@crmc.ri.gov>
Sent: Monday, January 11, 2021 1:55 PM
To: Mark Rooney <mrooney@westerlyri.gov>; 'Thomas McAndrew' <tmcandrew@tjmcandrewlaw.com>

Cc: Kyle Zalaski <kzalaski@westerlyri.gov>; 'Jeff Willis' <jwillis@crmc.ri.gov>; 'Jenn Abbruzzese' <jabbruzzese@crmc.ri.gov>
Subject: RE: CRMC File NO. 2020-09-108 Water's Edge Road

Hello Mark,

Yes, a meeting this week is certainly preferable. And yes, the intent has always been to process the application administratively through a mutually agreeable solution. However, Mr. McAndrews comments are considered to be an objection to the application which **requires** the application be forwarded to the full Coastal Council for a hearing. Our goal and the point of this meeting is to get it back to the administrative review level through discussion and negotiation. Otherwise, the CRMC has no choice but to refer the application to a hearing consistent with CRMC management procedures. The application may be processed administratively if the objection is rescinded. Please also consider that it seems important to move these issues along rather than have them delayed. CRMC's experience is many of these projects seem to die through attrition when progress fails to be made.

Please be aware that I discussed this matter with Dennis Algiere this morning in order to obtain his input and perspective.

Sincerely,
Dave

David S. Reis
Supervising Environmental Scientist
Coastal Resources Management Council
Oliver Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879
Phone: 401 783-3370
Web: www.crmc.ri.gov

From: Mark Rooney
Sent: Monday, January 11, 2021 1:24 PM
To: Dave Reis <dreis@crmc.ri.gov>; 'Thomas McAndrew' <tmcandrew@tjmcandrewlaw.com>
Cc: Kyle Zalaski <kzalaski@westerlyri.gov>; 'Jeff Willis' <jwillis@crmc.ri.gov>; Jenn Abbruzzese <jabbruzzese@crmc.ri.gov>
Subject: RE: CRMC File NO. 2020-09-108 Water's Edge Road

Dave,
I propose we meet this week so we can clarify as many issues as possible—I never understood the meeting to be with all homeowners and 'experts' whatever that means.
Whatever happened to resolution at the administrative level and with least amount of conflict?

J. MARK ROONEY
Town Manager
Town of Westerly
45 Broad Street
Westerly, RI 02891
Tel: (401) 348-2530

Email: mrooney@westerlyri.gov

From: Dave Reis <dreis@crmc.ri.gov>
Sent: Monday, January 11, 2021 10:42 AM
To: 'Thomas McAndrew' <tmcandrew@tjmcandrewlaw.com>
Cc: Kyle Zalaski <kzalaski@westerlyri.gov>; Mark Rooney <mrooney@westerlyri.gov>; 'Jeff Willis' <jwillis@crmc.ri.gov>; Jenn Abbruzzese <jabbruzzese@crmc.ri.gov>
Subject: RE: CRMC File NO. 2020-09-108 Water's Edge Road

Hello Tom,

Thank you for your response. Please be aware that in order to assure this application continues to move along and due to a tight Coastal Council Meeting schedule, a Coastal Council Meeting has been set for February 23, 2021. In order to meet this Council Meeting date, CRMC Staff review and reports must be complete by February 16, 2021. Please also be aware that I will be on vacation next week Jan. 19th – 22nd). Accordingly, it would help if we were able to meet sometime this week. Please also be aware that this meeting is not intended to be a hearing. It is simply meant to be an opportunity to briefly exchange ideas and determine if a mutually agreeable plan can be developed for the area. In fact, a meeting of this type is usually more successful if it is held to a few people representing the range of perspectives associated with the issue.

Sincerely,
Dave Reis

(Jenn – Please place this email in the file for the record.)

David S. Reis
Supervising Environmental Scientist
Coastal Resources Management Council
Oliver Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879
Phone: 401 783-3370
Web: www.crmc.ri.gov

From: Thomas McAndrew
Sent: Monday, January 11, 2021 10:25 AM
To: Dave Reis <dreis@crmc.ri.gov>
Cc: Kyle Zalaski <kzalaski@westerlyri.gov>; Mark Rooney <mrooney@westerlyri.gov>; Jeff Willis <jwillis@crmc.ri.gov>; Lisa Turner <lturner@crmc.ri.gov>
Subject: Re: CRMC File NO. 2020-09-108 Water's Edge Road

Good Morning:

Unfortunately, because of the late notice (Friday, January 8th), I and our experts, as well as many of the residents and homeowners, are not available to attend the proposed meeting at the Waters Edge Road site on Tuesday, January 12th or Wednesday, January 13th.

However, we would be interested in meeting at the site at a time when our experts and some, but not all, of the residents/homeowners are available.

We look forward to meeting with appropriate CRMC and Town Officials at a mutually convenient time and will propose dates and times to you after we survey the group and determine their availability.

Thank you for your kind attention to this matter and should you have any questions, concerns or comments please do not hesitate to contact me.

Stay safe and healthy.

Tom

On Mon, Jan 11, 2021 at 9:36 AM Dave Reis <dreis@crmc.ri.gov> wrote:

Hi Kyle,

Thank you – I have yet to hear back from Thomas McAndrew and will give him some time to respond this morning.

Dave

David S. Reis

Supervising Environmental Scientist

Coastal Resources Management Council

Oliver Stedman Government Center

4808 Tower Hill Road

Wakefield, RI 02879

Phone: 401 783-3370

Web: www.crmc.ri.gov

From: Kyle Zalaski
Sent: Monday, January 11, 2021 8:40 AM
To: Dave Reis <dreis@crmc.ri.gov>; Mark Rooney <mrooney@westerlyri.gov>
Cc: 'Thomas McAndrew' <tmcandrew@tjmcandrewlaw.com>; Jeff Willis <jwillis@crmc.ri.gov>; 'Lisa Turner'

<lturner@crmc.ri.gov>
Subject: RE: CRMC File NO. 2020-09-108 Water's Edge Road

Morning Dave,

As with Mark, I can accommodate either day. Let us know the meeting date and time once you've coordinated things on your end.

Thanks,

Kyle

From: Dave Reis <dreis@crmc.ri.gov>
Sent: Friday, January 8, 2021 1:18 PM
To: Mark Rooney <mrooney@westerlyri.gov>; Kyle Zalaski <kzalaski@westerlyri.gov>
Cc: 'Thomas McAndrew' <tmcandrew@tjmcandrewlaw.com>; Jeff Willis <jwillis@crmc.ri.gov>; 'Lisa Turner' <lturner@crmc.ri.gov>
Subject: CRMC File NO. 2020-09-108 Water's Edge Road

Dear Mark and Kyle,

As discussed with Mark Rooney this afternoon and Thomas McAndrew this morning, a meeting is being set up to discuss concerns with the proposed work associated with the Water's Edge Road launching ramp. The Executive Director, Jeff Willis, has asked that I handle this meeting. Currently next Tuesday and Wednesday is available in the morning or early afternoon (starting before 2:00). The meeting will be on-site. Please respond with your availability. Please be aware that this matter has been preliminarily scheduled for a meeting of the Coastal Resources Management Council on February 23, 2021 in case any objections cannot be amicably resolved through this meeting and further discussion. Thank you.

Sincerely,

Dave Reis

David S. Reis

KYLE T. ZALASKI, P.E.
TOWN ENGINEER

Town of Westerly
Rhode Island
ENGINEERING DEPARTMENT

68 White Rock Road
Westerly, RI 02891
TEL: (401) 348-2562
FAX: (401) 596-9512

January 8, 2020

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Gov't Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

Re: Town of Westerly – Applications for State Assent
Waters Edge Road – File No. 2020-09-108

Dear Sir/Madam:

Enclosed please find four copies of the revised Town of Westerly Applications for State Assent for Waters Edge Road.

If you have any questions, please feel free to contact me.

Sincerely,

Kyle Zalaski, P.E.
Town Engineer

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MANAGEMENT COUNCIL

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

APPLICATION FOR STATE ASSENT

To perform work regulated by the provisions of Chapter 279 of the Public Laws of 1971 Amended.

Project Location Waters Edge, Westerly (No. Street City/Town)	File No. (CRMC USE ONLY)
Owner's Name Town of Westerly	Plat: Lot(s):
Mailing Address 45 Broad Street	401-348-2562 Contact No.: Email Address: kzalaski@westerlyri.gov
City/Town Westerly State RI Zip Code 02891	
Contractor RI Reg. # Address	Email address: Tel. No.
Designer Owner Address See Above	Tel. No. See above
Name of Waterway Little Narragansett Bay	Estimated Project Cost (EPC): Application Fee:

Describe accurately the work proposed. (Use additional sheets of paper if necessary and attach this form.)
See attached sheet

Have you or any previous owner filed an application for and/or received an assent for any activity on this property?
(If so please provide the file and/or assent numbers): _____

Is this site within a designated historic district? ■ YES □ NO

Is this application being submitted in response to a coastal violation? □ YES ■ NO

If YES, you must indicate NOV or C&D Number: _____

Name/mailing addresses of adjacent property owners whose property adjoins the project site. Accurate mailing addresses will insure proper notification. JMR Applicant **must** initial to certify accuracy of adjacent property owners and accuracy of mailing addresses.

_____

_____

STORMTOOLS (Http://www.beachsamp.org/resources/stormtools/) is a planning tool to help applicants evaluate the impacts of sea level rise and storm surge on their projects. The Council encourages applicants to use STORMTOOLS to help them understand the risk that may be present at their site and make appropriate adjustments to the project design.

NOTE: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible, adhered to the policies and standards of the program. Where variances or special exceptions are requested by the applicant, the applicant will be prepared to meet and present testimony on the criteria and burdens of proof for each of these relief provisions. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. If the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then the permit granted under this application may be found to be null and void. Applicant requires that as a condition to the granting of this assent, members of the CRMC or its staff shall have access to the applicant's property to make on-site inspections to insure compliance with the assent. This application is made under oath and subject to the penalties of perjury. 08/04

J Mark Boose

Owner's Signature (sign and print)

PLEASE REVIEW REVERSE SIDE OF APPLICATION FORM

/ajt/lat 11/2019

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COASTAL RESOURCES MANAGEMENT COUNCIL

Town of Westerly, R. I.

Town Assessor's Office 45 Broad St Westerly RI 02891
Tel (401) 348-2541 Fax (401) 348-2616

COASTAL RESOURCE MANAGEMENT COUNCIL
STEDMAN GOVERNMENT CENTER
TOWER HILL ROAD
WAKEFIELD, RI 02879

TO WHOM IT MAY CONCERN:

RECORDS AT THE ASSESSOR'S OFFICE, TOWN OF WESTERLY, RI, INDICATE THAT THE FOLLOWING OWN PROPERTY IN SAID TOWN:

NAME:	TOWN OF WESTERLY
ADDRESS:	45 BROAD STREET WESTERLY, RI 02891
PROPERTY LOCATION:	WATERS EDGE ROAD WESTERLY, RI 02891
PLAT/LOT:	/
LAND EVIDENCE RECORDS:	BOOK 2 PAGE 86
DATE OF ISSUE:	September 16, 2020

SINCERELY,

DAVID B. THOMPSON
TOWN ASSESSOR

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JAN 11 2021
COASTAL RESOURCES MANAGEMENT COUNCIL

TO: **Coastal Resources Management Council**
4808 Tower Hill Road Suite 3
Wakefield, RI 02879
Phone: (401) 783-3370

FROM: Building Official DATE: September 16,2020

SUBJ: Application of: Town of Westerly

Location: Waters Edge Road

Address: Adjacent to Plat No. 179 Lot No. 15

To Construct: Resurfacing of existing earthen kayak ramp with stone and sand; repair of existing asphalt road and installation of asphalt driveway apron

I hereby certify that I have reviewed _____ foundation plan(s).
_____ plan(s) for entire structure
_____ site plans
Titled: _____

Date of Plan (last revision): _____

___ and find that the issuance of a local building permit is not required as in accordance with Section _____ of the Rhode Island State Building Code.

___ and find that the issuance of a local building permit is required. I hereby certify that this permit shall be issued once the applicant demonstrates that the proposed construction/activity fully conforms to the applicable requirements of the RISBC.

___ and find that a Septic System Suitability Determination (SSD) must be obtained from the RI Dept. of Environmental Management.

___ and find that a Septic System Suitability Determination (SSD) need not be obtained from the RI Dept. of Environmental Management.

___ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final. The Zoning Board approval shall expire on _____.

Building Official's Signature Date

___ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final.

Zoning Officer's Signature Date

rev. 5/11/2001

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Town of Westerly, Rhode Island
Engineering Division

Application for State Assent
Waters Edge Road Improvements

Project Narrative

Existing Conditions

The public right-of-way (ROW) identified as Waters Edge Road is located in the Watch Hill section of Westerly. The ROW is improved with an asphalt-paved road, approximately 18 feet side and 800 feet in length, that is bisected by Pawcatuck Avenue. The paved road dead ends to both the north and south of Pawcatuck Avenue, terminating just beyond the driveways for 3 and 4 Waters Edge Road, and 14 and 16 Waters Edge Road, respectively. The ROW extends further north and south to the waters of the Little Narragansett Bay. An earthen boat ramp exists at the southern terminus of Waters Edge Road that gradually slopes towards the water, which is approximately 90 feet in length and 10 feet in width. Starting at the terminus of the road, the first 50 feet of the earthen ramp is surfaced with gravel, sand, and grass. The remaining 40 feet of the ramp is surfaced with fine sand and silt. Some boulders and concrete debris were noted within and alongside of the ramp.

Proposed Conditions

The Town of Westerly proposes to improve this ROW to provide the public with better access to the Little Narragansett Bay. These improvements consist of the following: installing a kayak rack; restoring the surface of the earthen boat ramp to provide ease of access to the water, mitigate erosion of the earthen ramp, and mitigate sediment accumulation along Waters Edge Road, and conducting repairs to the existing asphalt paved road to improve vehicular access while also delineating private property. The description of the three options proposed by the Town are provided below.

Option 1

As part of Option 1, the following activities will be conducted:

- Resurfacing/restoration of the existing earthen boat ramp;
- Repair of the existing deteriorated asphalt at the southern terminus of Waters Edge Road;
- Installation of a new asphalt driveway apron at the driveway for 14 & 16 Waters Edge Road; and,
- Installation of (a) new kayak rack(s) in the grassy area to the southwest of the southern terminus of Waters Edge Road, adjacent to the earthen boat ramp.

The boat ramp restoration will consist of removing the mixture of gravel, sand, and grass from the first 50 feet of the ramp, and replacing it will an approximately 8-inches of 2- to 3-inch diameter stone. Any fine silts or organic deposits will be "mucked out" and replaced with washed bank-run gravel, as necessary, for the remaining 40 feet of the ramp. Any concrete debris located within and along side of the earthen ramp will be removed and disposed off-site. Any existing boulders that obstruct use of the ramp will be relocated to a nearby location. The use of the 2- to 3-inch stone will stabilize the surface beyond the asphalt road for vehicular passage, and will also act as a sedimentation buffer between the road and the lower part of the earthen ramp. Removal and replacement of the fine silts and localized organic deposits within the limits of the lower ramp will provide a safer and more stabilized kayak launch for public use. The new asphalt driveway apron is intended to delineate the public ROW from the private driveway, while also providing an erosion control measure for the existing stone driveway.

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Option 2

All activities described in Option 1 would be included in Option 2. Additionally, Waters Edge Road would be widened by approximately 9 feet, for a length of approximately 190 feet, in order to provide 6 parking spaces while still allowing for two-way traffic. Widening of the road would require removal of 3-foot and 6-foot wide grass strips located parallel to the north and south sides of road, respectively. White pavement markings would be placed to delineate the six 20-foot long, 9-foot wide parking spaces, with hatched no-parking areas located near the driveway for 11 Waters Edge Road and the southern terminus of Waters Edge Road.

Option 3

All activities described in Option 1 would be included in Option 3. Differing from Option 2, Option 3 proposes to add parking spaces on the abutting street (Pawcatuck Avenue), which is currently wide enough to provide parking and still allow two-way traffic. Pavement markings added along the southern side of Pawcatuck Avenue, between the driveways for 10 Waters Edge Road and 14 Pawcatuck Avenue, would provide for seven 20-foot long, 9-foot wide parking spaces, with hatched no-parking areas located adjacent to the driveways.

Preferred Option

The Town has identified Option 3 as the preferred option. The activities described in Option 3 can be completed by the Town of Westerly's Department of Public Works, and does not require substantial road reconstruction activities to provide public parking for use of the improved boat ramp.

Adjacent Property Owners

- Thomas F & Melinda Dempsey, 348 Pondfield Road, Bronxville, NY 10708
- Watch Hill LLC, 14 Waters Edge Road, Westerly, RI 02891
- Jane Ross Orthwein, 50 Lock Road, Deerfield, FL 33442-1580
- Jonathan Bicknell, 1015 Winding Way, Baltimore, MD 21210
- Elizabeth Wendelin Wilkes, Waccabuc, NY 10597
- D Trust, 66 Mt Vernon Street Unit 2, Boston, MA 02018

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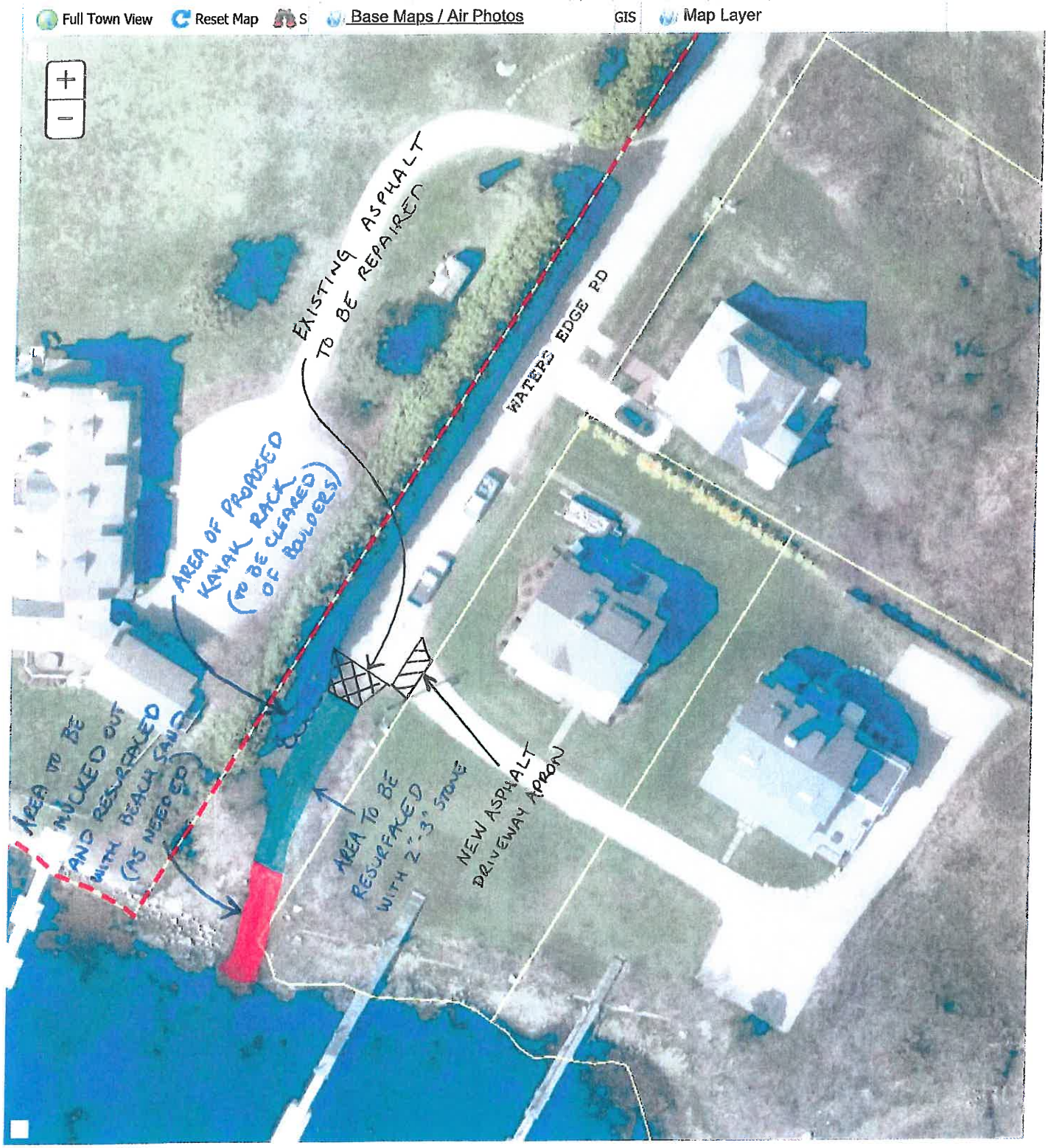
WATERS EDGE IMPROVEMENTS: OPTION 1 (PAGE 1 OF 1)



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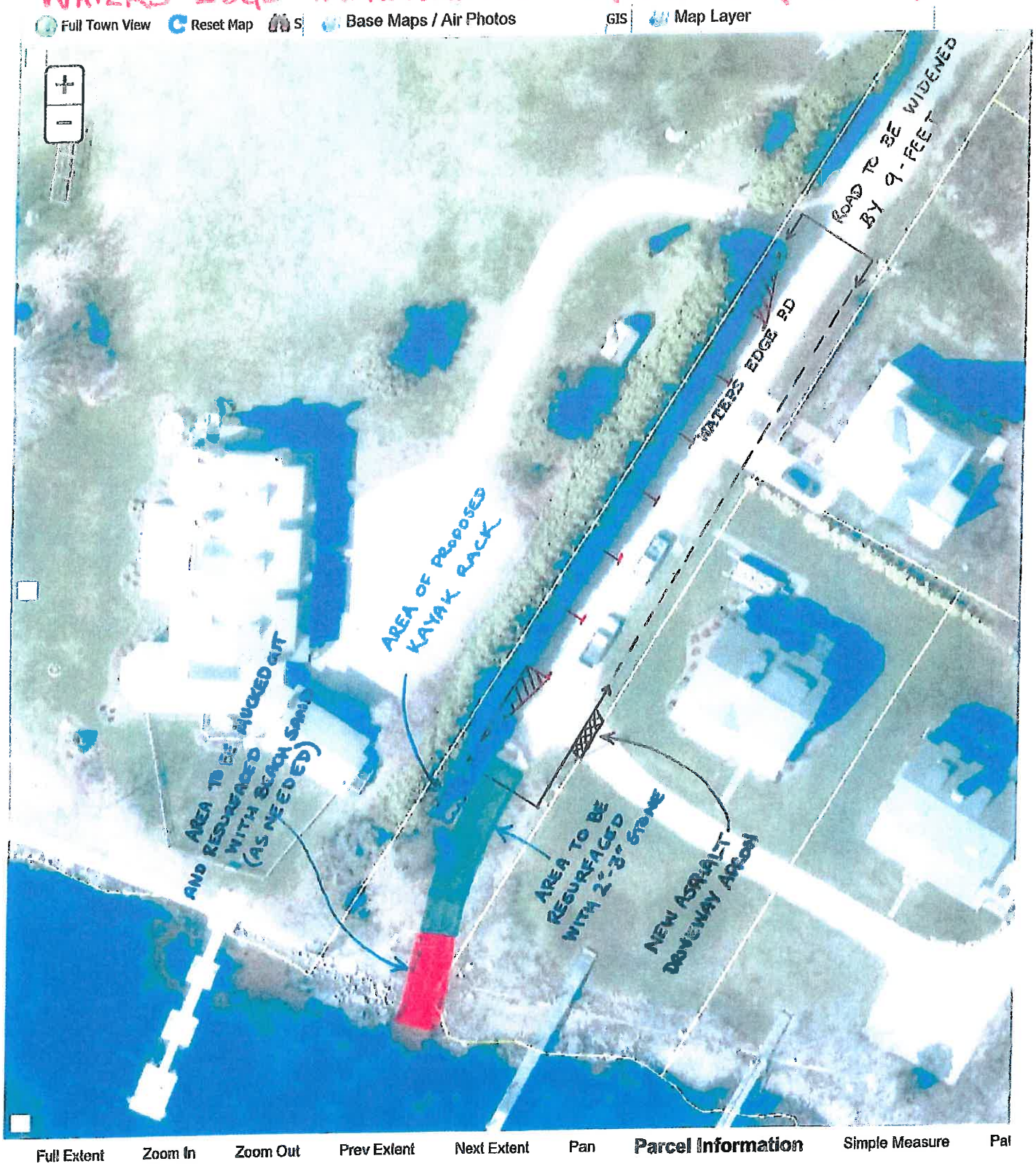
WATERS EDGE IMPROVEMENTS : OPTION 2. (PAGE 1 OF 1)



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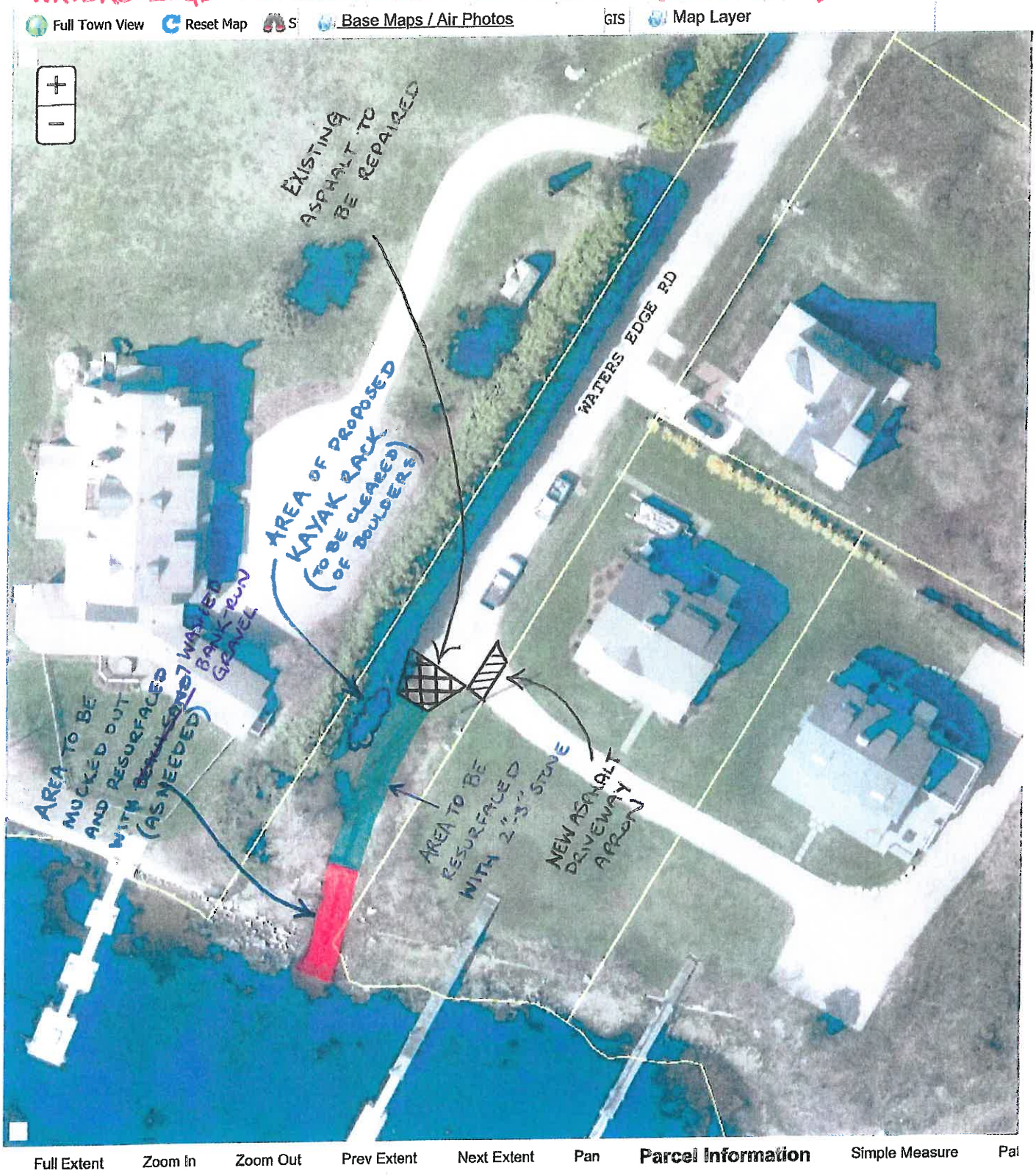
WATERS EDGE IMPROVEMENTS: OPTION 3 (PAGE 1 OF 2)



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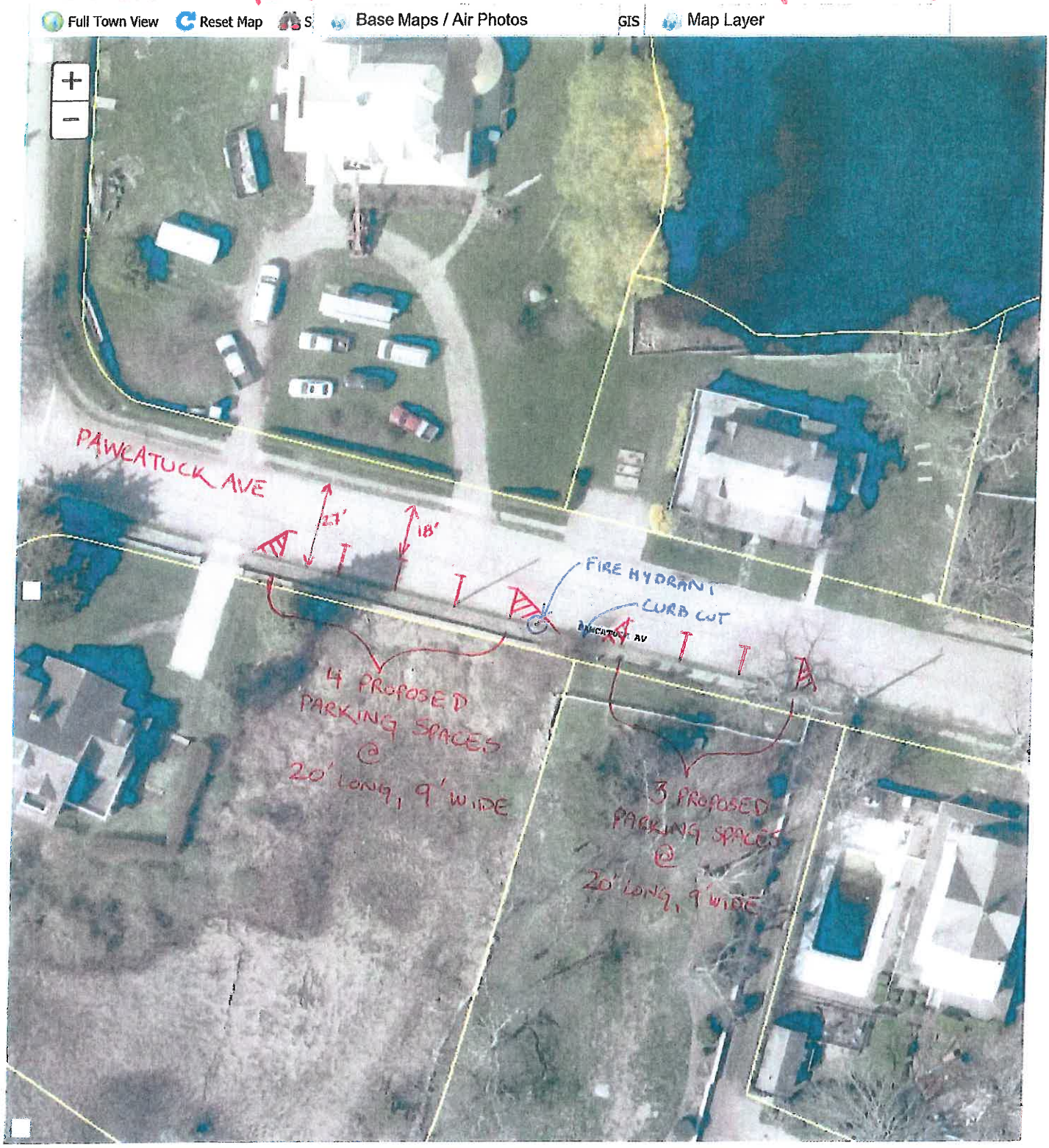
WATERS EDGE IMPROVEMENTS: OPTION 3 (PAGE 2 OF 2)



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Town of Westerly, Rhode Island
Engineering Division

Waters Edge Road

Existing Conditions Photolog

December 7, 2020

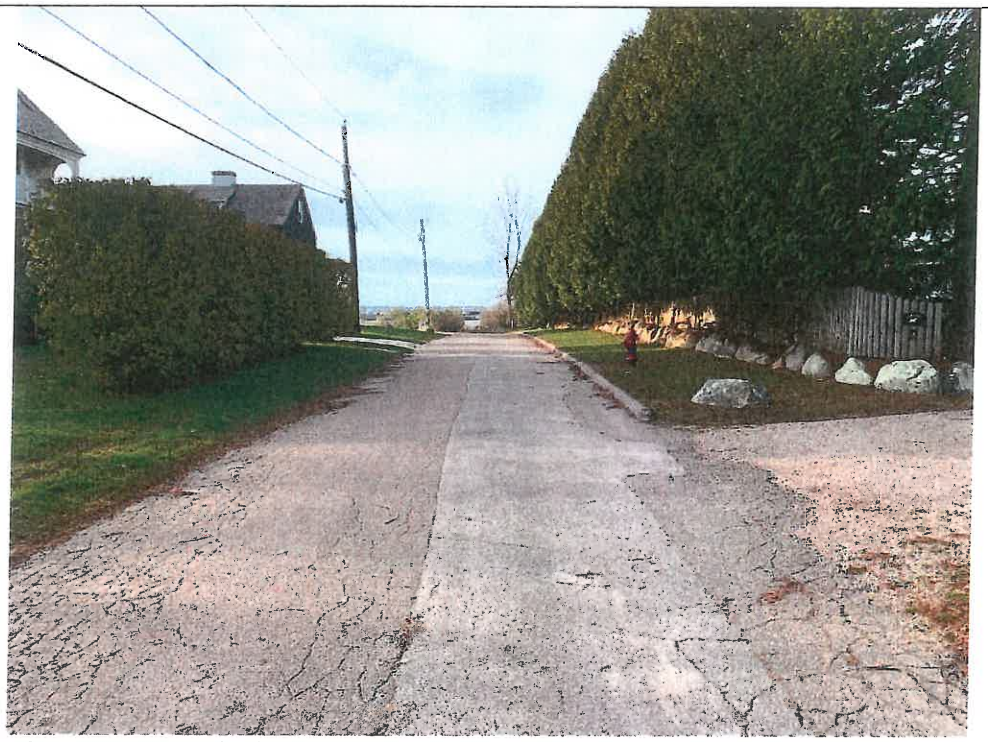

Photo 01: View looking south along Waters Edge Rd. The driveway shown immediately to the right is associated with the property identified as 11 Waters Edge Rd.

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MANAGEMENT COUNCIL

Photo 02: View looking south along Waters Edge Rd. The gravel driveway shown to the left is associated with the properties identified as 14 and 16 Waters Edge Rd

Photo 03: View looking south to the earth boat ramp located do the south of the asphalt paved section of Waters Edge Road. The area with standing water contains deteriorated asphalt.

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MANAGEMENT COUNCIL

Photo 04: View looking south along the earthen boat ramp located to the south of Waters Edge Road. The area immediately to the south of the road contains gravel and grass surface cover.

Photo 05: View looking View south along the earthen boat ramp to the south of Waters Edge Road. The southern 40 feet of the ramp contains sand and silt surface cover, with vegetative debris, concrete debris, and boulders.

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Photo 06: View looking south of the earthen boat ramp to the south of Waters Edge road as it approaches the waters of the Little Narragansett Bay.

Photo 07: View looking east along Pawcatuck Avenue. The driveway shown immediately to the left is associated with the property identified as 10 Waters Edge Rd. The road is approximately 27 feet wide.

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MANAGEMENT COUNCIL

CRMC Application Review Sheet

File Number: 2020-~~12-031~~ -9-108

Owner Name: Town of Westerly

Site Address: Waters Edge, Westerly
Plat: ; Lot:

SCANNED

Administrative Review

Reviewer: BMS
Completed on 12/11/2020

- ☐ Application Complete
- ☐ Application Deficient
- ☐ FONSI
- ☐ Enforcement compliance _____

Missing

- _____ Application
- _____ Fee
- _____ ISDS
- _____ Proof of Ownership
- _____ Building Permit
- _____ Site Plans

As Applicable:

- ____ CHA Worksheet
- ____ Stormwater Calcs
- ____ Structural Lot Calcs

☐ **EXTENSION** (Enforcement review)

Notes: _____

Team Review for Acceptance

Application Deficient

- ☐ Deficiency Letter Required
- ☐ Notified Via Phone Call – waiting for _____

☑ ~~Application~~ NEW SUBMISSION Accepted

Date: 1/5/21

Assigned To		Date Completed	Denial Recommendation	Management Sign-off
Project Manager	DR			
Engineer				
Biologist	DR			
Geologist				
Aqua				
Dredge				
Other				

Category: A

Project Type: 32

Water Type: _____

Water Area: WATCH HILL HARBOR

PGP Category: SV PCN IP ☐ Public Access 355 ☐ Public Access Easement

Short Project Description: BOAT RAMP & ROADWAY MAINTENANCE WITH ROADWAY WIDENING FOR PARKING PLACES

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

APPLICATION FOR STATE ASSENT

To perform work regulated by the provisions of Chapter 279 of the Public Laws of 1971 Amended.

Project Location Waters Edge, Westerly (No. Street City/Town)	File No. (CRMC USE ONLY) 2020-09-108
Owner's Name Town of Westerly	Plat: Lot(s):
Mailing Address 45 Broad Street City/Town Westerly State RI Zip Code 02891	401-348-2562 Contact No.: Email Address: kzalaski@westerlyri.gov
Contractor RI Reg. # Address	Email address: Tel. No.
Designer Owner Address See Above	Tel. No. See above
Name of Waterway Little Narragansett Bay	Estimated Project Cost (EPC): Application Fee:

Describe accurately the work proposed. (Use additional sheets of paper if necessary and attach this form.)
See attached sheet

Have you or any previous owner filed an application for and/or received an assent for any activity on this property?
(If so please provide the file and/or assent numbers): _____

Is this site within a designated historic district? ■ **YES** □ **NO**

Is this application being submitted in response to a coastal violation? □ **YES** ■ **NO**

If YES, you must indicate NOV or C&D Number: _____

Name/mailing addresses of adjacent property owners whose property adjoins the project site. Accurate mailing addresses will insure proper notification. JMR Applicant must initial to certify accuracy of adjacent property owners and accuracy of mailing addresses.

_____

_____

STORMTOOLS (Http://www.beachsamp.org/resources/stormtools/) is a planning tool to help applicants evaluate the impacts of sea level rise and storm surge on their projects. The Council encourages applicants to use STORMTOOLS to help them understand the risk that may be present at their site and make appropriate adjustments to the project design.

NOTE: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible, adhered to the policies and standards of the program. Where variances or special exceptions are requested by the applicant, the applicant will be prepared to meet and present testimony on the criteria and burdens of proof for each of these relief provisions. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. If the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then the permit granted under this application may be found to be null and void. Applicant requires that as a condition to the granting of this assent, members of the CRMC or its staff shall have access to the applicant's property to make on-site inspections to insure compliance with the assent. This application is made under oath and subject to the penalties of perjury. 08/04

J Mark Rose
_____
Owner's Signature (sign and print)

PLEASE REVIEW REVERSE SIDE OF APPLICATION FORM

/ajt/lat

RECEIVED
DEC 10 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

Town of Westerly, R. I.

Town Assessor's Office 45 Broad St Westerly RI 02891
Tel (401) 348-2541 Fax (401) 348-2616

COASTAL RESOURCE MANAGEMENT COUNCIL
STEDMAN GOVERNMENT CENTER
TOWER HILL ROAD
WAKEFIELD, RI 02879

TO WHOM IT MAY CONCERN:

RECORDS AT THE ASSESSOR'S OFFICE, TOWN OF WESTERLY, RI, INDICATE THAT THE FOLLOWING OWN PROPERTY IN SAID TOWN:

NAME:	TOWN OF WESTERLY
ADDRESS:	45 BROAD STREET WESTERLY, RI 02891
PROPERTY LOCATION:	WATERS EDGE ROAD WESTERLY, RI 02891
PLAT/LOT:	/
LAND EVIDENCE RECORDS:	BOOK 2 PAGE 86
DATE OF ISSUE:	September 16, 2020

SINCERELY,

DAVID B. THOMPSON
TOWN ASSESSOR

RECEIVED
DEC 10 2020
COASTAL RESOURCES
MANAGEMENT COUNCIL

TO: **Coastal Resources Management Council**
4808 Tower Hill Road Suite 3
Wakefield, RI 02879
Phone: (401) 783-3370

FROM: Building Official DATE: September 16,2020

SUBJ: Application of: Town of Westerly

Location: Waters Edge Road

Address: Adjacent to Plat No. 179 Lot No. 15

To Construct: Resurfacing of existing earthen kayak ramp with stone and sand; repair of existing asphalt road and installation of asphalt driveway apron

I hereby certify that I have reviewed _____ foundation plan(s).
_____ plan(s) for entire structure
_____ site plans
Titled: _____

Date of Plan (last revision): _____

___ and find that the issuance of a local building permit is not required as in accordance with Section _____ of the Rhode Island State Building Code.

___ and find that the issuance of a local building permit is required. I hereby certify that this permit shall be issued once the applicant demonstrates that the proposed construction/activity fully conforms to the applicable requirements of the RISBC.

___ and find that a Septic System Suitability Determination (SSD) must be obtained from the RI Dept. of Environmental Management.

___ and find that a Septic System Suitability Determination (SSD) need not be obtained from the RI Dept. of Environmental Management.

___ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final. The Zoning Board approval shall expire on _____.

Building Official's Signature Date

___ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final.

Zoning Officer's Signature Date

rev. 5/11/2001

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COASTAL RESOURCES MANAGEMENT COUNCIL

Town of Westerly, Rhode Island
Engineering Division

Application for State Assent
Waters Edge Road Improvements

Project Narrative

Existing Conditions

The public right-of-way (ROW) identified as Waters Edge Road is located in the Watch Hill section of Westerly. The ROW is improved with an asphalt-paved road, approximately 18 feet side and 800 feet in length, that is bisected by Pawcatuck Avenue. The paved road dead ends to both the north and south of Pawcatuck Avenue, terminating just beyond the driveways for 3 and 4 Waters Edge Road, and 14 and 16 Waters Edge Road, respectively. The ROW extends further north and south to the waters of the Little Narragansett Bay. An earthen boat ramp exists at the southern terminus of Waters Edge Road that gradually slopes towards the water, which is approximately 90 feet in length and 10 feet in width. Starting at the terminus of the road, the first 50 feet of the earthen ramp is surfaced with gravel, sand, and grass. The remaining 40 feet of the ramp is surfaced with fine sand and silt. Some boulders and concrete debris were noted within and alongside of the ramp.

Proposed Conditions

The Town of Westerly proposes to improve this ROW to provide the public with better access to the Little Narragansett Bay. These improvements consist of the following: installing a kayak rack; restoring the surface of the earthen boat ramp to provide ease of access to the water, mitigate erosion of the earthen ramp, and mitigate sediment accumulation along Waters Edge Road, and conducting repairs to the existing asphalt paved road to improve vehicular access while also delineating private property. The description of the three options proposed by the Town are provided below.

Option 1

As part of Option 1, the following activities will be conducted:

- Resurfacing/restoration of the existing earthen boat ramp;
- Repair of the existing deteriorated asphalt at the southern terminus of Waters Edge Road;
- Installation of a new asphalt driveway apron at the driveway for 14 & 16 Waters Edge Road; and,
- Installation of (a) new kayak rack(s) in the grassy area to the southwest of the southern terminus of Waters Edge Road, adjacent to the earthen boat ramp.

The boat ramp restoration will consist of removing the mixture of gravel, sand, and grass from the first 50 feet of the ramp, and replacing it will an approximately 8-inches of 2- to 3-inch diameter stone. Any fine silts or organic deposits will be "mucked out" and replaced with beach sand, as necessary, for the remaining 40 feet of the ramp. Any concrete debris located within and along side of the earthen ramp will be removed and disposed off-site. Any existing boulders that obstruct use of the ramp will be relocated to a nearby location. The use of the 2- to 3-inch stone will stabilize the surface beyond the asphalt road for vehicular passage, and will also act as a sedimentation buffer between the road and the lower part of the earthen ramp. Removal and replacement of the fine silts and localized organic deposits within the limits of the lower ramp will provide a safer and more stabilized kayak launch for public use. The new asphalt driveway apron is intended to delineate the public ROW from the private driveway, while also providing an erosion control measure for the existing stone driveway.

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Option 2

All activities described in Option 1 would be included in Option 2. Additionally, Waters Edge Road would be widened by approximately 9 feet, for a length of approximately 190 feet, in order to provide 6 parking spaces while still allowing for two-way traffic. Widening of the road would require removal of 3-foot and 6-foot wide grass strips located parallel to the north and south sides of road, respectively. White pavement markings would be placed to delineate the six 20-foot long, 9-foot wide parking spaces, with hatched no-parking areas located near the driveway for 11 Waters Edge Road and the southern terminus of Waters Edge Road.

Option 3

All activities described in Option 1 would be included in Option 3. Differing from Option 2, Option 3 proposes to add parking spaces on the abutting street (Pawcatuck Avenue), which is currently wide enough to provide parking and still allow two-way traffic. Pavement markings added along the southern side of Pawcatuck Avenue, between the driveways for 10 Waters Edge Road and 14 Pawcatuck Avenue, would provide for seven 20-foot long, 9-foot wide parking spaces, with hatched no-parking areas located adjacent to the driveways.

Preferred Option

The Town has identified Option 2 as the preferred option. The activities described in Option 2 can be completed by the Town of Westerly's Department of Public Works, and does not require substantial road reconstruction activities to provide public parking for use of the improved boat ramp.

Adjacent Property Owners

- Thomas F & Melinda Dempsey, 348 Pondfield Road, Bronxville, NY 10708
- Watch Hill LLC, 14 Waters Edge Road, Westerly, RI 02891
- Jane Ross Orthwein, 50 Lock Road, Deerfield, FL 33442-1580
- Jonathan Bicknell, 1015 Winding Way, Baltimore, MD 21210
- Elizabeth Wendelin Wilkes, Waccabuc, NY 10597
- D Trust, 66 Mt Vernon Street Unit 2, Boston, MA 02018

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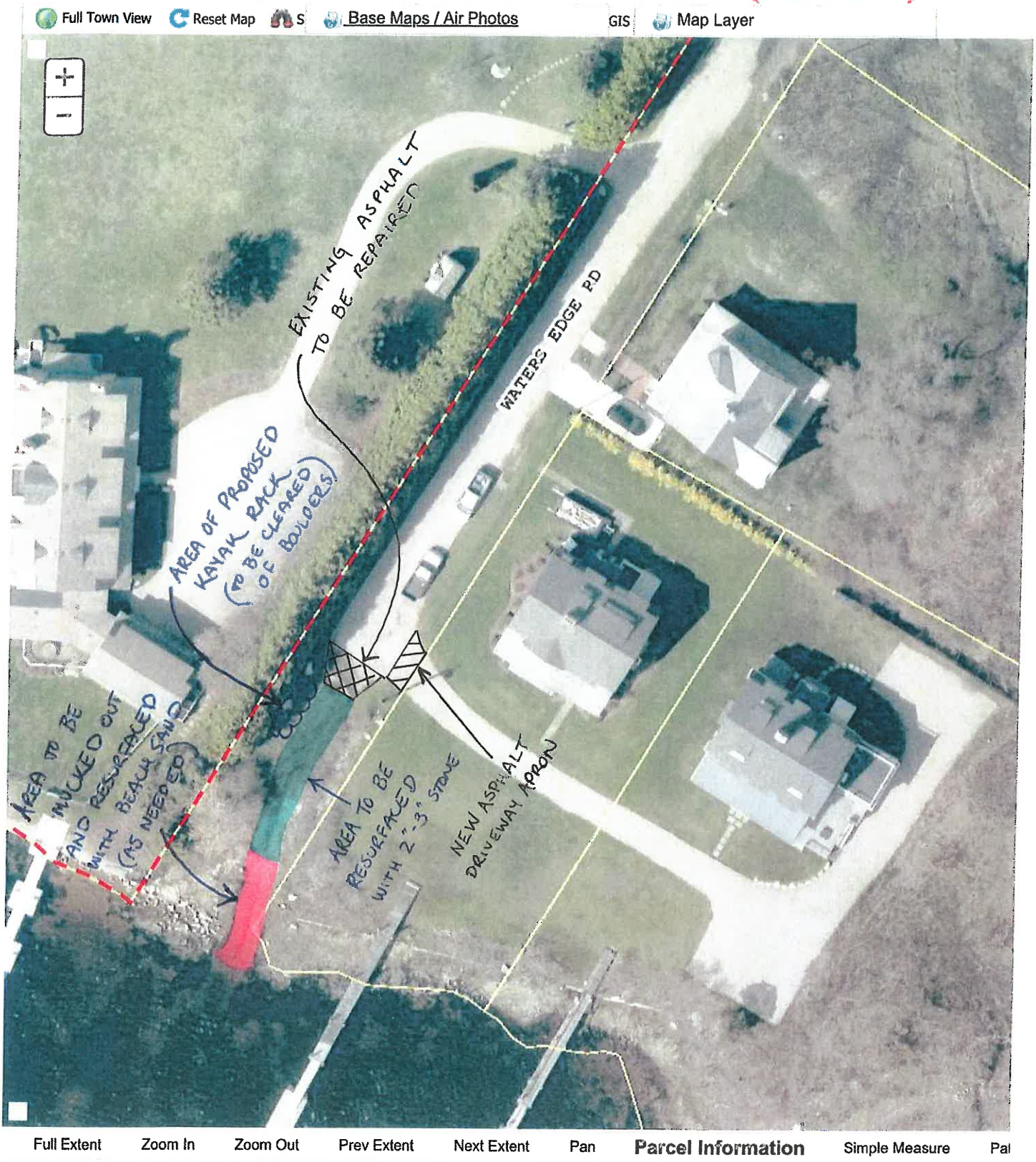
COASTAL RESOURCES
MANAGEMENT COUNCIL

WATERS EDGE IMPROVEMENTS: OPTION 1 (PAGE 1 OF 1)



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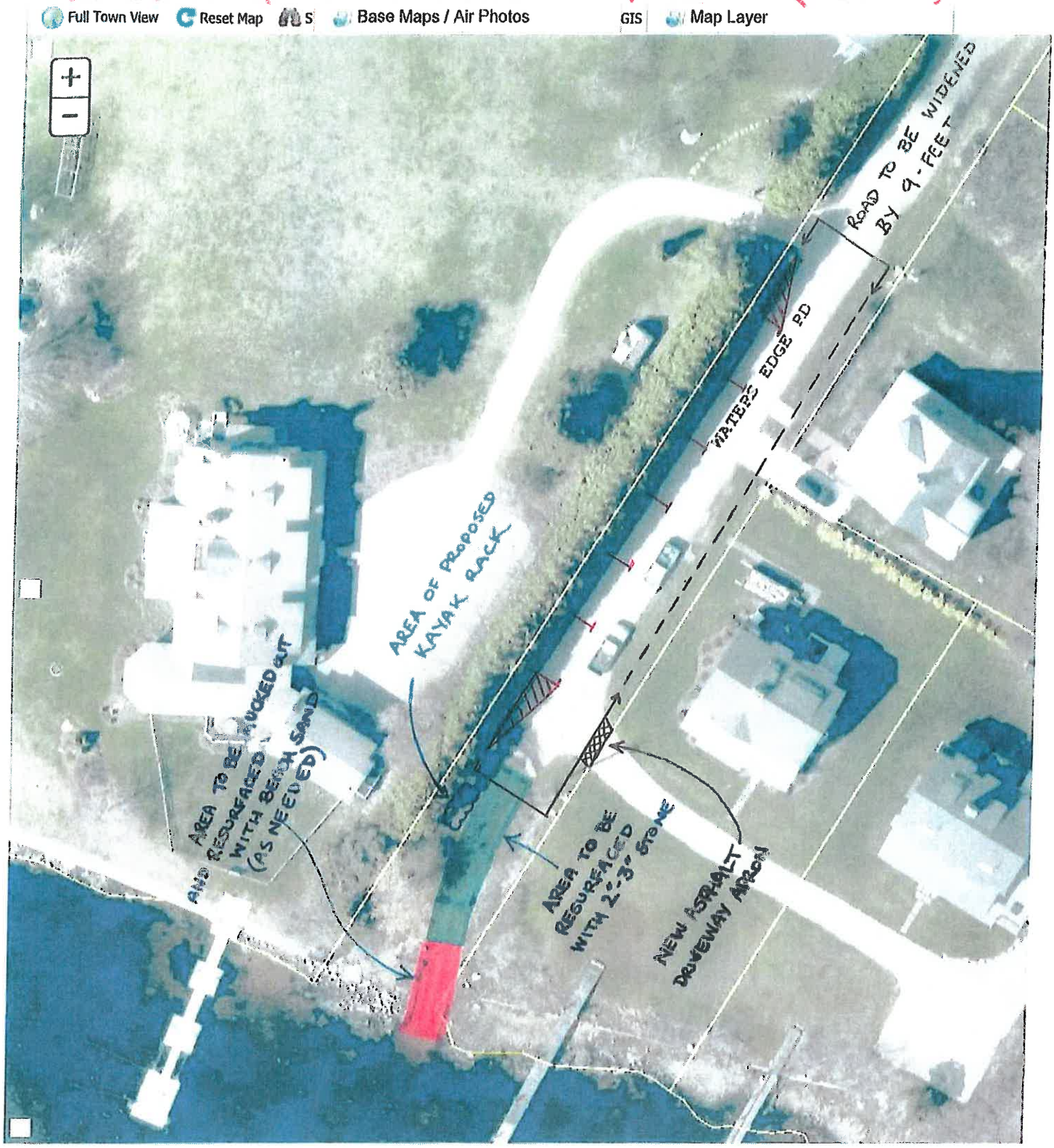
WATERS EDGE IMPROVEMENTS: OPTION 2 (PAGE 1 OF 1)



MapXpress v1.2

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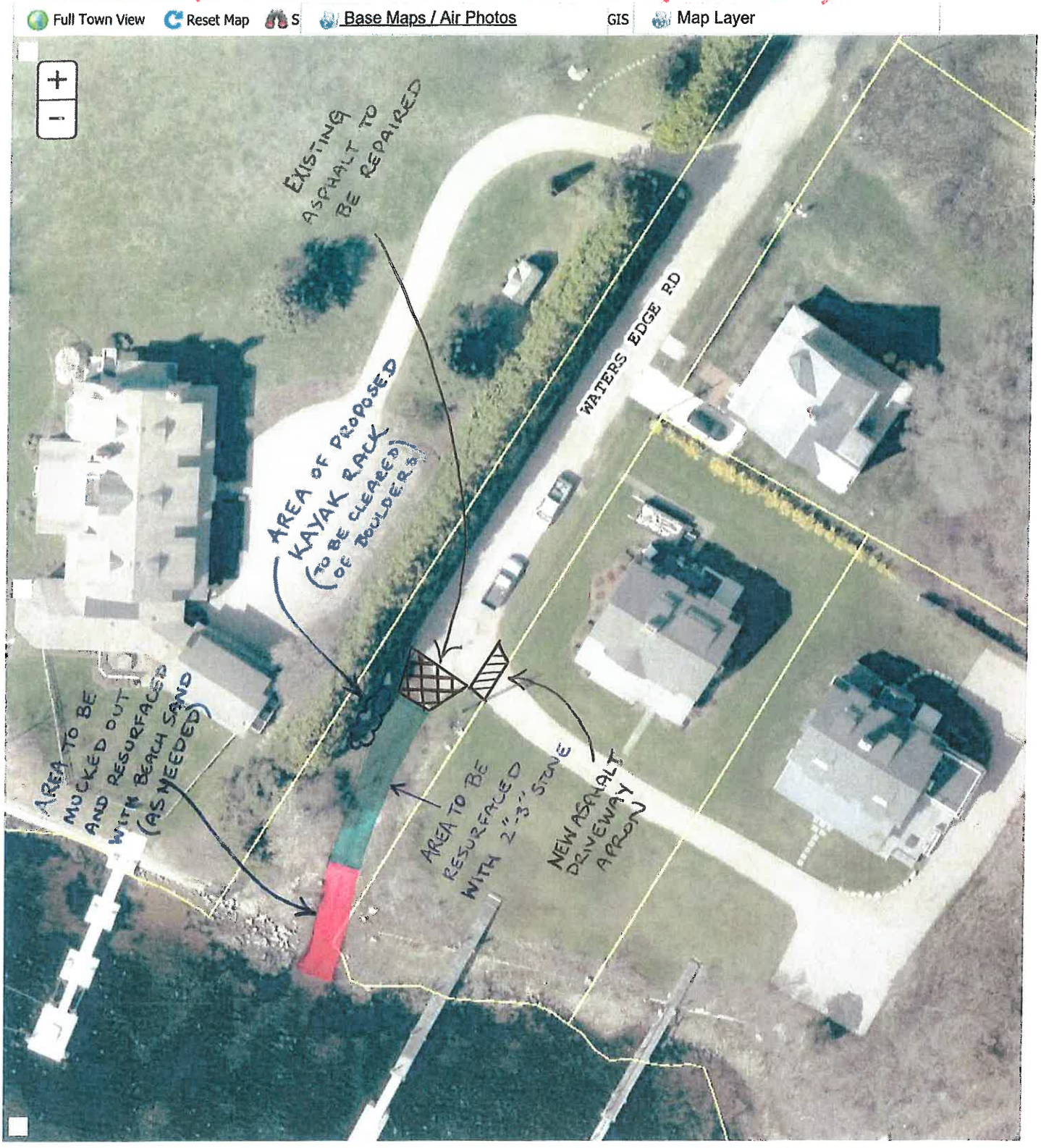
COASTAL RESOURCES MANAGEMENT COUNCIL

WATERS EDGE IMPROVEMENTS: OPTION 3 (PAGE 1 OF 2)



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COASTAL RESOURCES MANAGEMENT COUNCIL

WATERS EDGE IMPROVEMENTS: OPTION 3 (PAGE 2 OF 2)

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COASTAL RESOURCES MANAGEMENT COUNCIL

Town of Westerly, Rhode Island
Engineering Division

Waters Edge Road

Existing Conditions Photolog

December 7, 2020

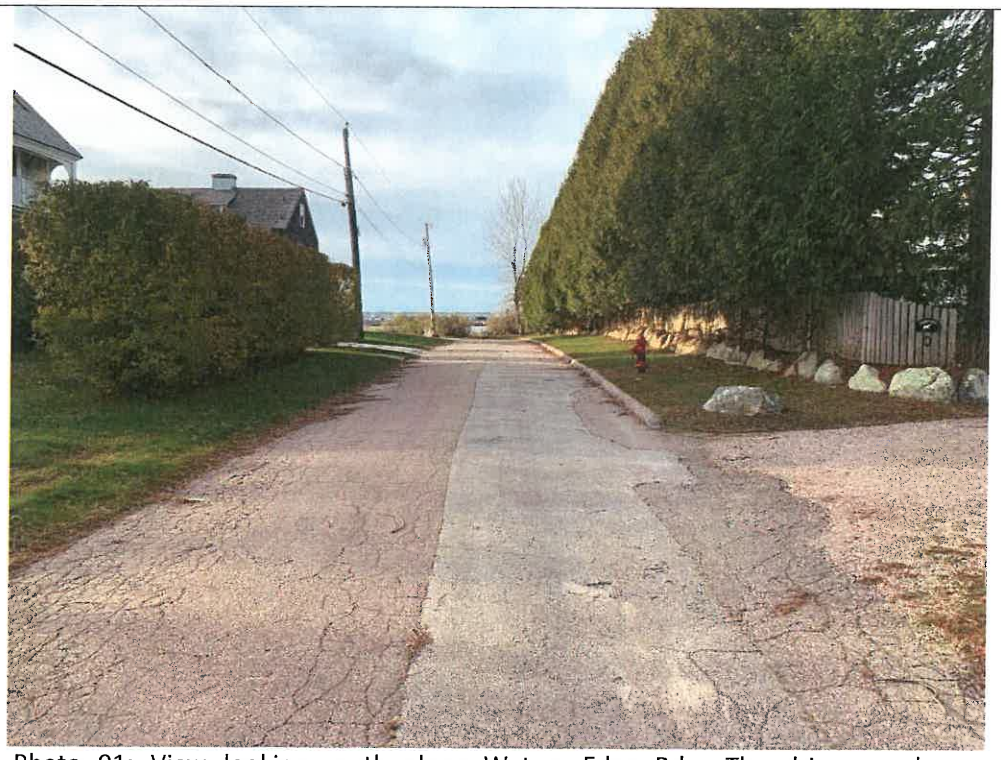

Photo 01: View looking south along Waters Edge Rd. The driveway shown immediately to the right is associated with the property identified as 11 Waters Edge Rd.

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MANAGEMENT COUNCIL

Photo 02: View looking south along Waters Edge Rd. The gravel driveway shown to the left is associated with the properties identified as 14 and 16 Waters Edge Rd

Photo 03: View looking south to the earth boat ramp located do the south of the asphalt paved section of Waters Edge Road. The area with standing water contains deteriorated asphalt.

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Photo 04: View looking south along the earthen boat ramp located to the south of Waters Edge Road. The area immediately to the south of the road contains gravel and grass surface cover.

Photo 05: View looking View south along the earthen boat ramp to the south of Waters Edge Road. The southern 40 feet of the ramp contains sand and silt surface cover, with vegetative debris, concrete debris, and boulders.

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COASTAL RESOURCES
MANAGEMENT COUNCIL

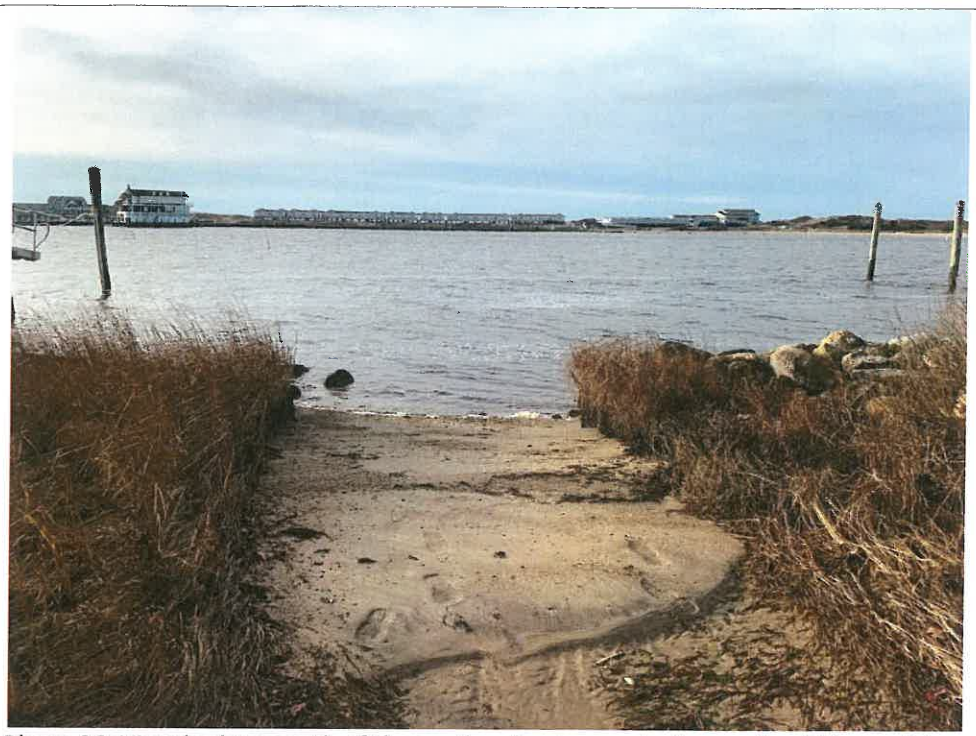

Photo 06: View looking south of the earthen boat ramp to the south of Waters Edge road as it approaches the waters of the Little Narragansett Bay.

Photo 07: View looking east along Pawcatuck Avenue. The driveway shown immediately to the left is associated with the property identified as 10 Waters Edge Rd. The road is approximately 27 feet wide.

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DEC 10 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

November 16, 2020

Mr. Jeffrey M. Willis, Executive Director
RI Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: WATERS EDGE ROAD SOUTH – RIGHT-OF-WAY

Dear Jeff:

I previously wrote to you on September 8, 2020, September 29, 2020 and October 27, 2020 regarding the Town of Westerly's Right-of-Way at Waters Edge Road South because residents and abutting landowners were concerned about the manner in which the Town intended to improve that site.

As a result of a collaborative effort between the parties and Town Manager, I withdrew/clarified the residents' concerns in correspondence sent to you on October 27, 2020. At that time, we believed that an appropriate compromise had been reached with the Town Manager and that there were a number of conditions agreed to by the parties.

Today I received an email from the Town Manager in which he now indicates that I have "overstated" the parties understanding about this site and that neither the Town nor he have intention of being bound by conditions that I might add, he previously agreed to with the residents and the Watch Hill Fire District Moderator.

Significantly, on Monday, November 9, 2020 for some unknown reason the Town Manager proposed that the Town Council send a matter to CRMC regarding Waters Edge Road South. My clients have no idea what this referral was all about and wish to inform you that if CRMC asserts some form of jurisdiction over this matter as a result of the Town Council's November 9, 2020 action, the abutting property owners and residents wish to be heard.

It is entirely possible that this issue will be "academic" and particularly if the conditions that the Manager and the parties agree to are honored. However, if for some reason those conditions are modified in any material way, the residents wish to be heard with respect to their concerns and/or objections.

I look forward to hearing from you regarding this matter and next steps that CRMC envisions as a result of the Town Council's referral of November 9, 2020.

Sincerely,

Thomas J. McAndrew, Esq.

TJM/cpm

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NOV 18 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

2020-09-108

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

October 27, 2020

Mr. Jeff Willis, Director
Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: WATERS EDGE ROAD SOUTH – RIGHT-OF-WAY

Dear Sir:

I previously wrote to you on September 29, 2020 requesting that the residents of Waters Edge Road receive "notice" if the Town of Westerly sought to change in any material way the existing Right-of-Way at that site. I am afraid that my letter requesting "notice" has been misunderstood or misinterpreted because on behalf of those residents that I represent they do not have an objection to improve this site and have been working with the Westerly Town Manager to establish appropriate conditions that will make this site safe and accessible to the public.

To date there have been excellent collaborative meetings held between the parties that portend for a mutually agreed upon Agreement to improve access and to establish, among other things, kayak racks at this site.

I trust that this note clarifies the position of the abutting land owners, and we look to continuing to work with the Town Manager to finalize a mutual understanding with the Town that incorporates appropriate conditions.

Please feel free to contact me should you have any questions, concerns or comments regarding the abutting neighbors support for this initiative.

Sincerely,

Thomas J. McAndrew, Esq.

Cc: Mark Rooney
Joan Beth Brown

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OCT 29 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

2020-09-108

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

September 29, 2020

Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: WATERS EDGE ROAD SOUTH

Dear Sir or Madame:

I attended a meeting with the Westerly Town Council on Monday, September 14, 2020 and was informed by the Town Council that there would be no activity performed at Waters Edge Road South unless and until the Town petitioned CRMC for an Assent and Order. On behalf of my clients, neighbors and abutting landowners we would appreciate notice and the opportunity to appear before CRMC to contest the Town's petition for numerous reasons.

To date, I have not received anything from the Town or CRMC regarding this initiative, but wanted to reaffirm my previous correspondence dated September 8, 2020 and enclosed indicating that I, on behalf of abutting landowners, would like notice and the opportunity to appear before CRMC along with other residents of the neighborhood, who too have concerns with respect to the Town's initiative.

Please provide notice to me if the Town of Westerly and/or through its employees, agents and others seek to change clear or modified in any way the Town's Right-of-Way at Waters Edge Road South in Watch Hill.

Thank you very much for your kind attention to this.

Sincerely,

Thomas J. McAndrew, Esq.

Enclosure

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OCT 01 2020
COASTAL RESOURCES
MANAGEMENT COUNCIL

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

September 8, 2020

Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: JANE ROSS ORTHWEIN REVOCABLE TRUST
11 Waters Edge Road, Westerly, RI 02891

Dear Sir:

This office represents Jane Ross Orthwein as Trustee of the JANE ROSS ORTHWEIN REVOCABLE TRUST DATED 1/29/2004 (the "Trust"). The Trust owns property located at 11 Waters Edge Road, Westerly, RI 02891. Waters Edge Road is a public road in the Town of Westerly, and is bounded on the north and south terminus by Little Narragansett Bay.

The Town Manager of the Town of Westerly has indicated that the Town intends to improve the southerly terminus of Waters Edge Road so as to make it useable as a public access. It is difficult to understand how any plan for improvement at this site would not require a permit from your office. We have secured a number of reports from a group of professionals who have studied this site and opined that it is an unsuitable location for improvement as a public boat launch site. Among those reasons are the impossibility of satisfying CRMC's regulations and associated issues including access, trespassing, parking, health and welfare, and safety.

The fact that the Town prohibits parking along the entire length of the road, and the road is bound by private property and homes, makes this site inappropriate for development. It would inevitably require people to trespass on Private Property.

If the Town of Westerly files an application for a permit to clear or modify this area, I would respectfully request notice of same so that we can participate in the review process and if necessary, file a formal Objection to the Town's application.

Sincerely,

Thomas J. McAndrew, Esq.

Cc: James Orthwein

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OCT 01 2020
COASTAL RESOURCES
MANAGEMENT COUNCIL

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HISTORICAL PRESERVATION & HERITAGE COMMISSION
Old State House • 150 Benefit Street • Providence, R.I. 02903-1209
TEL (401) 222-2678 FAX (401) 222-2968
TTY / Relay 711 Website www.preservation.ri.gov

Jennifer R. Cervenka, Chair
Coastal Resources Management Council
Stedman Government Center, 4808 Tower Hill Road
Wakefield, RI 02879

CRMC File Number: 2020-09-108

Applicant: Town of Westerly

Town: Westerly

Response Date: 10/6/20

Dear Ms. Cervenka,

The Rhode Island Historical Preservation & Heritage Commission has reviewed the above- referenced project. It is our conclusion that this project will have no effect on any significant cultural resources (those listed on or eligible for listing on the National Register of Historic Places).

These comments are provided in accordance with 650-RICR-20-00-1.2.3 Areas of Historic and Archaeological Significance of the Coastal Resources Management Council. If you have any questions, please contact James Toner, Project Review Coordinator, or Charlotte Taylor, Senior Archaeologist, at this office.

Very truly yours,

Charlotte Taylor (for)

J. Paul Loether
Executive Director, RIHPHC
State Historic Preservation Officer

RECEIVED
OCT 06 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

CRMC Application Review Sheet

File Number: 2020-09-108
Owner Name: Town of Westerly
Site Address: Waters Edge Road, Westerly
Plat: ; Lot:

Administrative Review

Reviewer: BMS
Completed on _____
☐ **Application Complete**
☐ **Application Deficient**
☐ **FONSI**
☐ **Enforcement compliance** _____

Missing
_____ **Application**
_____ **Fee**
_____ **ISDS**
_____ **Proof of Ownership**
_____ **Building Permit**
_____ **Site Plans**

As Applicable:
____ **CHA Worksheet**
____ **Stormwater Calcs**
____ **Structural Lot Calcs**

☐ **EXTENSION** (Enforcement review)

Notes: _____

Team Review for Acceptance

Application Deficient
☐ **Deficiency Letter Required**
☐ **Notified Via Phone Call – waiting for** _____

☐ **Application Accepted**

Date: _____

Assigned To		Date Completed	Denial Recommendation	Management Sign-off
Project Manager				
Engineer				
Biologist				
Geologist				
Aqua				
Dredge				
Other				

Category: _____
Project Type: _____
Water Type: _____
Water Area: _____
PGP Category: **SV** **PCN** **IP** ☐ **Public Access 355** ☐ **Public Access Easement**
Short Project Description:

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

MAINTENANCE CERTIFICATION APPLICATION

Project Location Waters Edge Road Westerly (No. Street City/Town)	File No. (CRMC USE ONLY): 2020-09-108
Owner's Name Town of Westerly	Plat: Lot(s):
Mailing Address 45 Broad Street City/Town Westerly State RI Zip Code 02891	Contact No.: 401-348-2572
Contractor RI Reg. #: Town of Westerly Department of Public Works Address:	
Name of Waterway: Little Narragansett Bay	Estimated Project Cost: $ Fee (chart based on EPC): $

Description of facility to be maintained (type of facility and present conditions)
Kayak/Canoe launch is obstructed as a result of rock and debris

Describe accurately the maintenance work proposed. (Use additional sheets of paper if necessary and attach this form.)
Removal of rock in right of way and removal of rock and debris at launch area

Describe equipment to be used, construction methods, access routes, etc.
Backhoe

Have you or any previous owner filed an application for and/or received an assent for any activity on this property?
(If so please provide the file and/or assent numbers): _____

Is this site within a designated historic district? ☒ **YES** ☐ **NO**

Is this application being submitted in response to a coastal violation? ☐ **YES** ☒ **NO**

If YES, you must indicate NOV or C&D Number: _____

NOTE: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible adhered to the policies and standards of the program. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. The filing of false information can result in the Coastal Resources Management Council revoking state assent.

J. Mark Rooney

Owner's Signature

J. MARK ROONEY
Town Manager

/ajt 03/2020

SEE REVERSE SIDE →

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SEP 21 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

ELLIE DERRIG
ASSISTANT PROJECT MANAGER

Town of Westerly
Rhode Island
Engineering

68 White Rock Road
Westerly, RI 02891
TEL: (401) 348-2572
FAX: (401) 596-9512

September 16, 2020

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Gov't Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

Re: Town of Westerly Maintenance Application

Dear Sir/Madam:

Enclosed please find the 4 (four) copies of the Town of Westerly Maintenance Application for Waters Edge Road.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Ellie Derrig
Assistant Project Manager

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SEP 21 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

Town of Westerly, R. I.

Town Assessor's Office 45 Broad St Westerly RI 02891
Tel (401) 348-2541 Fax (401) 348-2616

COASTAL RESOURCE MANAGEMENT COUNCIL
STEDMAN GOVERNMENT CENTER
TOWER HILL ROAD
WAKEFIELD, RI 02879

TO WHOM IT MAY CONCERN:

RECORDS AT THE ASSESSOR'S OFFICE, TOWN OF WESTERLY, RI, INDICATE THAT THE FOLLOWING OWN PROPERTY IN SAID TOWN:

NAME:	TOWN OF WESTERLY
ADDRESS:	45 BROAD STREET WESTERLY, RI 02891
PROPERTY LOCATION:	WATERS EDGE ROAD WESTERLY, RI 02891
PLAT/LOT:	/
LAND EVIDENCE RECORDS:	BOOK 2 PAGE 86
DATE OF ISSUE:	September 16, 2020

SINCERELY,

DAVID B. THOMPSON
TOWN ASSESSOR

RECEIVED
SEP 21 2020
COASTAL RESOURCES

TO: **Coastal Resources Management Council**
4808 Tower Hill Road Suite 3
Wakefield, RI 02879
Phone: (401) 783-3370

FROM: Building Official DATE: September 16,2020

SUBJ: Application of: Town of Westerly

Location: Waters Edge Road

Address: Adjacent to Plat No. 179 Lot No. 15

To Construct: Removal of rock in right of way and removal of rock and debris in water at canoe/kayak ramp

I hereby certify that I have reviewed _____ foundation plan(s).
_____ plan(s) for entire structure
_____ site plans
Titled: _____

Date of Plan (last revision): _____

___ and find that the issuance of a local building permit is not required as in accordance with Section _____ of the Rhode Island State Building Code.

___ and find that the issuance of a local building permit is required. I hereby certify that this permit shall be issued once the applicant demonstrates that the proposed construction/activity fully conforms to the applicable requirements of the RISBC.

___ and find that a Septic System Suitability Determination (SSD) must be obtained from the RI Dept. of Environmental Management.

___ and find that a Septic System Suitability Determination (SSD) need not be obtained from the RI Dept. of Environmental Management.

___ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final. The Zoning Board approval shall expire on _____.

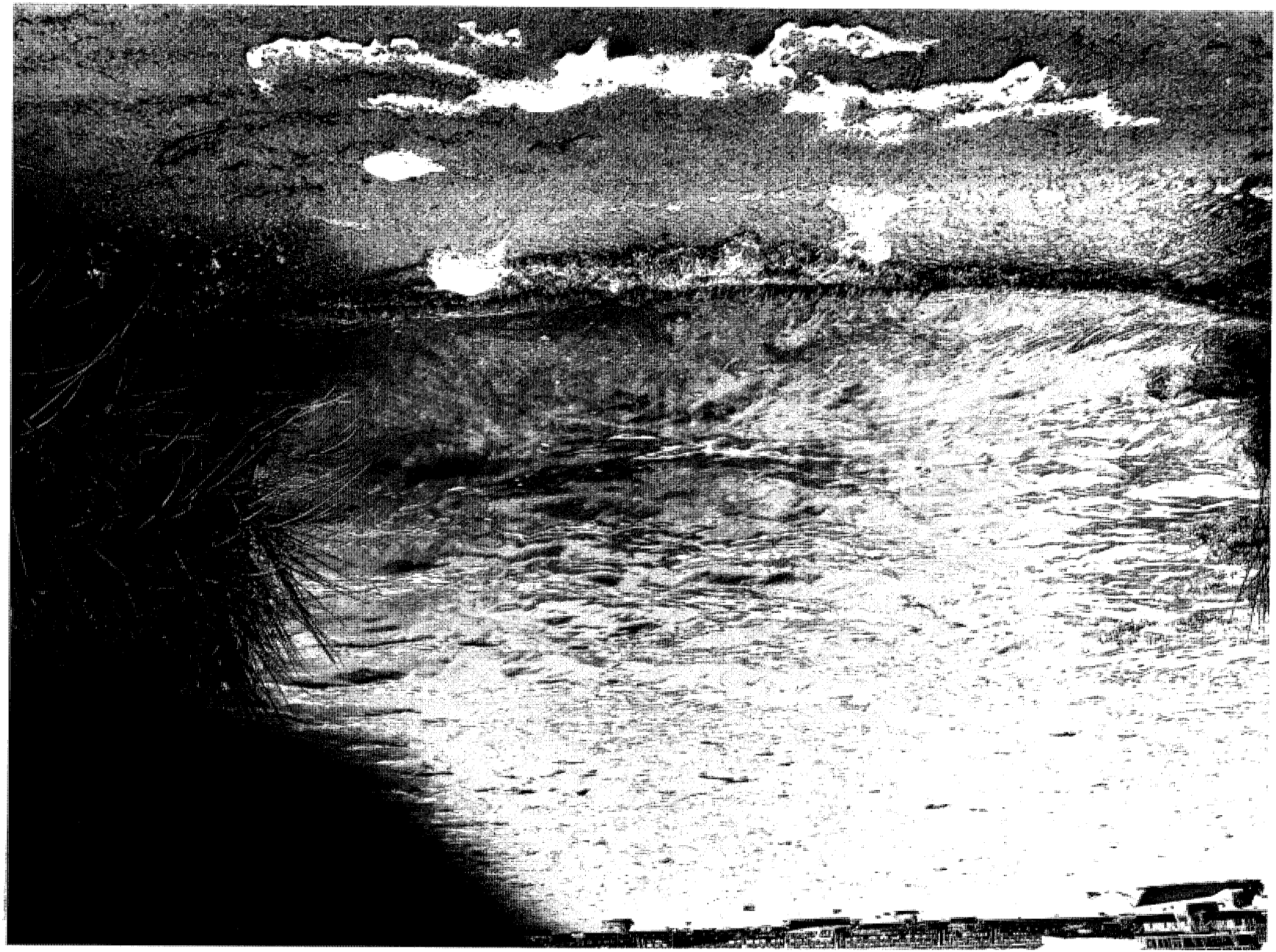
Building Official's Signature Date

___ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final.

Zoning Officer's Signature Date

rev. 5/11/2001

RECEIVED
SEP 21 2020
COASTAL RESOURCES MANAGEMENT COUNCIL



N

Town of Westerly
CRMC Maintenance Application
Waters Edge Road

THE TOWN OF WESTERLY, R.I. 1669 OFFICIAL SEAL

2020

RI Coastal Resources Management Council

...to preserve, protect, develop, and restore coastal resources for all Rhode Islanders

RI CRMC ☰

CRMC awarded $206,000 NOAA grant to examine RI's shoreline public access needs

October 1, 2022, WAKEFIELD – The Rhode Island Coastal Resources Management Council (RI CRMC) has designated 235 rights-of-way to the shore under its program since 1978, working with municipalities, non-profits, and individual citizens to provide protection for these shoreline public access points against time, neglect, and other forces. In recent years, however, it has become clear that the distribution of those ROWs is uneven, and more attention to improving shoreline access for all Rhode Islanders is warranted.

Beginning this month, the CRMC, along with Rhode Island Sea Grant, the Narragansett Bay National Estuarine Research Reserve (NBNERR), and social and environmental science consulting non-profit Impact by Design, are embarking on a project funded by a $206,300 grant from the National Oceanic and Atmospheric Administration (NOAA). The project will work to improve equitable shoreline access in Rhode Island and help foster partnerships and collaboration to further ROW identification and designation. The CRMC was one of only seven coastal states awarded funds in a highly competitive grant process.

Numbers of CRMC-designated rights-of-way vary widely by municipality; for example, Bristol has 30 and Narragansett has 13, while Providence and Cranston each have three. People living in communities with fewer ROWs, particularly areas with substantial populations of minority and low-income residents, may face

exclusionary barriers and disparities when it comes to accessing the shore and clean coastal waters.

The CRMC and its partners will conduct a needs assessment – led by Impact by Design – to gather information and listen to a wide array of citizens, coastal residents and visitors about real needs and wants for shoreline public access in their communities and what barriers exist that keep them from accessing and using the shore. This work will be followed by a stakeholder process, with the long-term goal of developing a five-year management plan – using the CRMC's Special Area Management Plan development model – to address these issues and implement solutions.

"With 400 miles of beautiful coastline throughout the Ocean State, every Rhode Islander has a vested interest in ensuring there is adequate public access to public space. This federal grant will help examine how people reach the beach and ensure good stewardship of public resources. It will allow CRMC to gather community input and partner with local entities to identify new opportunities to improve shoreline access. This data could also help inform decisions about recreational infrastructure, transit routes, and conservation investments to maximize environmental, human health, and economic benefits for the state," said U.S. Senator Jack Reed, who supported the CRMC's competitive grant application.

"With rising seas and increasing storms to contend with, shoreline access points are changing," said U.S. Senator Sheldon Whitehouse. "This federal funding will support CRMC's effort to maximize Rhode Islanders' ability to enjoy the water – an important part of our economy and way of life in the Ocean State."

A crucial component of this year-long effort will be education and outreach on CRMC's rights-of-way designation process and other public access related topics for stakeholders and CRMC's Rights-of-Way Subcommittee, which rules on potential CRMC-designated ROWs. The needs assessment, stakeholder process, and education and outreach are expected to take between 12 and 18 months (with an extension), with the writing of the five-year Public Shoreline Access Management Plan (PSAMP) to follow. This project will offer multiple opportunities for public comment and feedback.

"The needs assessment and stakeholder process will provide guidance for CRMC staff and Council to ensure a more equitable and socially conscious rights-of-way designation and protection," said CRMC Executive Director Jeff Willis.

"This project will create an inclusive and impartial stakeholder group and process that will lead CRMC to the creation of its Public Shoreline AMP, a first for Rhode Island," said CRMC Council Chair Raymond Coia.

As trustee of Rhode Island's coastal resources and in accordance with state and federal statutory mandates, the CRMC has a responsibility to ensure that public access to the shore is protected, maintained, and where possible, enhanced for the benefit of all. Beginning in 1978, the CRMC was tasked by the state legislature to carry out the continued discovery and designation of all public rights-of-way to the shore. The CRMC produces pamphlets and signs in several languages (English, Spanish, Portuguese, Vietnamese, Hmong, Laotian, and Cambodian) which establish a code of conduct while using ROWs. The pamphlets outline the public's constitutional privileges to the shore, but also strongly emphasize the importance of respecting private property rights in the vicinity of ROWs.

NOAA awards the competitive funding under the Coastal Zone Management Act (CZMA)'s Enhancement Program Projects of Special Merit, authorized under Section 309 of the CZMA. The objective of Section 309 assistance is to encourage federally approved coastal management programs to improve their programs in areas of national importance: coastal hazards, ocean and Great Lakes resources, and public access. NOAA's Office of Coastal Management (OCM) encourages applicants and awardees to pay special attention to principles of equity and inclusion, including paying particular attention to underserved communities and populations facing disproportionate impacts relating to the three above categories, and seeking engagement with, input from, and partnerships with these underrepresented groups in this work.

The National Coastal Zone Management Program is a voluntary federal-state partnership that protects, restores, and responsibly develops coastal communities and resources by balancing economic development, coastal uses, and natural resource protection. Senators

Reed and Whitehouse helped secure $8.5 million for the Section 309 program and supported CRMC's application.

For more information on the CRMC's rights-of-way designation process, as well as other shoreline public access information, visit: http://www.crmc.ri.gov/publicaccess.html.

Stedman Government Center
Suite 116, 4808 Tower Hill Road,
Wakefield, RI 02879-1900
Voice 401-783-3370 • Fax
401-783-2069 • E-Mail
cstaff1@crmc.ri.gov

An Official Rhode Island State Website

CRMC Application Review Sheet

File Number: 2022-11-072 ROW Designation Request
Owner Name: Town Of Westerly
Site Address: Water's Edge Road, Westerly

Administrative Review

Reviewer:
Completed on _____

- ☐ Application Complete
- ☐ Application Deficient
- ☐ FONSI
- ☐ Enforcement compliance _____

_____ Application
_____ Fee
_____ Proof of Ownership
_____ Building Permit
_____ Site Plans

As Applicable:
____ CHA Worksheet
____ Stormwater Calcs
____ Structural Lot Calcs
____ OWTS
____ RI Fortified Home Pg

☐ **EXTENSION** (Enforcement review)

Notes: _____

Team Review for Acceptance

Application Deficient

- ☐ Deficiency Letter Required
- ☐ Notified Via Phone Call – waiting for _____

(X) Application Accepted	Assigned To		Date Completed	Denial Recommendation	Management Sign-off
Date: 11-23-2022	Project Manager				
	Engineer				
	Biologist				
	Geologist				
	Aqua				
	Dredge				
	Other	LMF			

Category: A
Project Type: 76
Water Type: _____
Water Area: _____
PGP Category: SV PCN IP ☐ Public Access 355 ☐ Public Access Easement

Project Description: ROW Designation Request for Water's Edge Road

Lisa Turner

From: Jeff Willis <jwillis@crmc.ri.gov>
Sent: Wednesday, November 23, 2022 12:24 PM
To: Leah Feldman; kcute@crmc.ri.gov; 'Lisa Turner'
Cc: 'Anthony DeSisto'; 'Mark Hartmann, Esq.'; 'Laura Miguel'
Subject: FW: Town of Westerly- Spring Avenue Extension and Waters Edge Road
Attachments: Letter to RI Coastal Resource Management Council 11.23.22.pdf

All – please see the attached and ensure it is properly filed/handled.

Tony, Mark – for the Subcommittee's January meeting, it's probably a good time to have an update on the Sand Trail matter, as well as other sites under investigation.

Thanks,
Jeff

From: William J. Conley, Jr. [mailto:wconley@conleylawri.com]
Sent: Wednesday, November 23, 2022 11:52 AM
To: jwillis@crmc.ri.gov
Cc: Shawn Lacey <slacey@westerlyri.gov>; Anthony DeSisto <adlawllc@gmail.com>
Subject: Re: Town of Westerly- Spring Avenue Extension and Waters Edge Road

Good morning Mr. Willis,

Please find attached a letter in regards to the above-captioned matter.

Sincerely,

William J. Conley, Jr.

Law Office of William J. Conley, Jr.
123 Dyer Street, Unit 2B
Providence, RI 02903
(401) 415-9835
(401) 415-9834 facsimile
www.williamconleylaw.com

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Town of Westerly
Rhode Island

OFFICE OF THE TOWN SOLICITOR
William J. Conley, Jr., Esq.

Town Hall
45 Broad Street
Westerly, RI 02891
TEL: (401) 348-2317
FAX: (401) 348-0340

November 23, 2022

Via Electronic and Regular Mail (jwillis@crmc.ri.gov)

Mr. Jeffrey Willis
Executive Director
RI Coastal Resource Management Council
Stedman Government Center
Suite 116, 4808 Tower Hill Road
Wakefield, RI 02879

Re: Town of Westerly- Spring Avenue Extension and Waters Edge Road

Dear Executive Director Willis,

The purpose of this letter is to correct correspondence sent to you by this office on November 20, 2020 on behalf of the Town of Westerly. That correspondence incorrectly identified the Weekapaug Sand Trail instead of the Waters Edge Road for designation as a possible right-of-way to the shore. Although I had thought the record had already been corrected it has been brought to my attention that is not the case. Therefore, please accept this as the Town of Westerly's request to review Waters Edge Road as well as the Spring Avenue Extension for possible designation as public right-of- ways to the shore.

Sincerely,

William J. Conley, Jr., Esq.
Town Solicitor
Town of Westerly

Cc: Shawn Lacey, Town Manager
Anthony DeSisto, Esq. (tony@adlawlle.net)

108 Know all men by these presents, that I Abbie S. Warner of the t
of Middlebury New Haven County, Conn. for the consideration
of a valuable sum of Money received to my full satisfaction
of Daniel R. Kenyon of the town of Waterbury, New Haven Coun
Conn. do by these presents, remise, release and forever quit cl
unto the said Kenyon all right, title, interest, claim & demand
which I the said releasor have or ought to have in or to a
certain tract in the estate of Samuel Kenyon (deceased) the
same being one fifth of the same, situated in Niantic R. I.
Bounded North on land of Alice E. Potter, East by Pawcatuck
River, South by land of Elisha Palmer & West by highway, Me
ing hereby to release all claims that I now have on the
aforesaid property. To have & to hold the premises, with all t
appurtenances, unto the said releasee & the said heirs & assig
forever, so that neither I the said releasor nor my heirs, nor
any person under me or them, shall hereafter have any cla
right or title in or to the premises, or any part thereof. Into
them from & they are by these presents forever barred &
excluded. In witness whereof I have hereunto set my hand
& seal this 11th day of Nov. A.D. 1889.
Signed, sealed & delivered
in presence of
Wm Kennedy.
Jennie A. London

Abbie S. Warner L. S.

{ Rec'd seal on original
William Hoxsey
Town Clerk

New Haven County ss. Town of Stonington Nov. 11th A.D. 1889

L. S.

Personally appeared Abbie S. Warner signer and
sealer of the foregoing instrument & acknowl-
edged the same to be her free act & deed, before me

Wm Kennedy.
Notary Public.

Received for Record August 15th A.D. 1891 at 10½ o'clock A.M. & Recorded

Attest: William Hoxsey.
Town Clerk.

Know all men by these presents that Lyman Morton & Walter S.
John Jones, "Trustees" of the "Watch Hill Land Syndicate", in con-
sideration of One (1.00) dollar & other valuable considerations
to them paid by the Town of Westerly, Rhode Island, the receipt
whereof is hereby acknowledged, do hereby remise, release &
forever quit claim to the said The Town of Westerly, its succes-
sors & assigns forever, all those certain tracts or parcels of land
situate, lying & being in the village of Watch Hill, Township of
Westerly, county of Washington & State of Rhode Island, known
& designated as Avenues & named "Niantic", "Kinigrat", "Eventh
"Soank", "Nooaum", "Aquidneck", "Sunset", "Wauwinnet" & "Pawcatu
Avenues", "Meadow Lane" & "The Westerly Road" (so much as lie

within the boundaries of grantors land) For more particular description of the same, reference is hereby made to a Plat of Cottage Sites of the "Everett Farm", made by Jacob S. Burnet, Lyncas Norton & Walter St. John Jones, filed November 27, 1886 in the Town Clerk's office of said Town of Westerly, Rhode Island. The object & purpose of this conveyance is to transfer all right, title & interest said grantors as Trustees aforesaid have of, in, & to the said Avenues to the Town of Westerly, Rhode Island for the use & benefit of the public for road purposes only, & all the estate, title & interest of the said Lyncas Norton, & Walter St. John Jones, Trustees aforesaid either in Law or in equity, of, in, & to the said premises: Together with all the privileges & appurtenances to the same belonging, & all the rents, issues & profits thereof; To have & to hold the same to the only proper use of the said The Town of Westerly, Rhode Island, its successors & assigns forever. In witness whereof, the said Lyncas Norton & Walter St. Jno. Jones, Trustees of the Watch Hill Land Syndicate, have hereunto set their hands & seals this 27th day of October in the year of our Lord one thousand eight hundred & ninety.

Signed & acknowledged
in presence of us
Emily C. Norton.
Ben. B. Dale.

Lyncas Norton Trustee of the Watch Hill Land Syndicate. L. S.
Walter St Jno. Jones. Trustee of the Watch Hill Land Syndicate. L. S.

State of Ohio
County of Hamilton, ss. Be it remembered that on the 27th day of October in the year of our Lord one thousand eight hundred & ninety (1890) before me, the subscriber, a Notary Public for said county, personally came Lyncas Norton Trustee & Walter St J. Jones, Trustee of the Watch Hill Land Syndicate, the grantors in the foregoing deed, & acknowledged the signing thereof to be their voluntary act & deed, for the uses & purposes therein mentioned. In testimony whereof, I have hereunto subscribed my name & affixed my notarial seal on the day & year aforesaid.

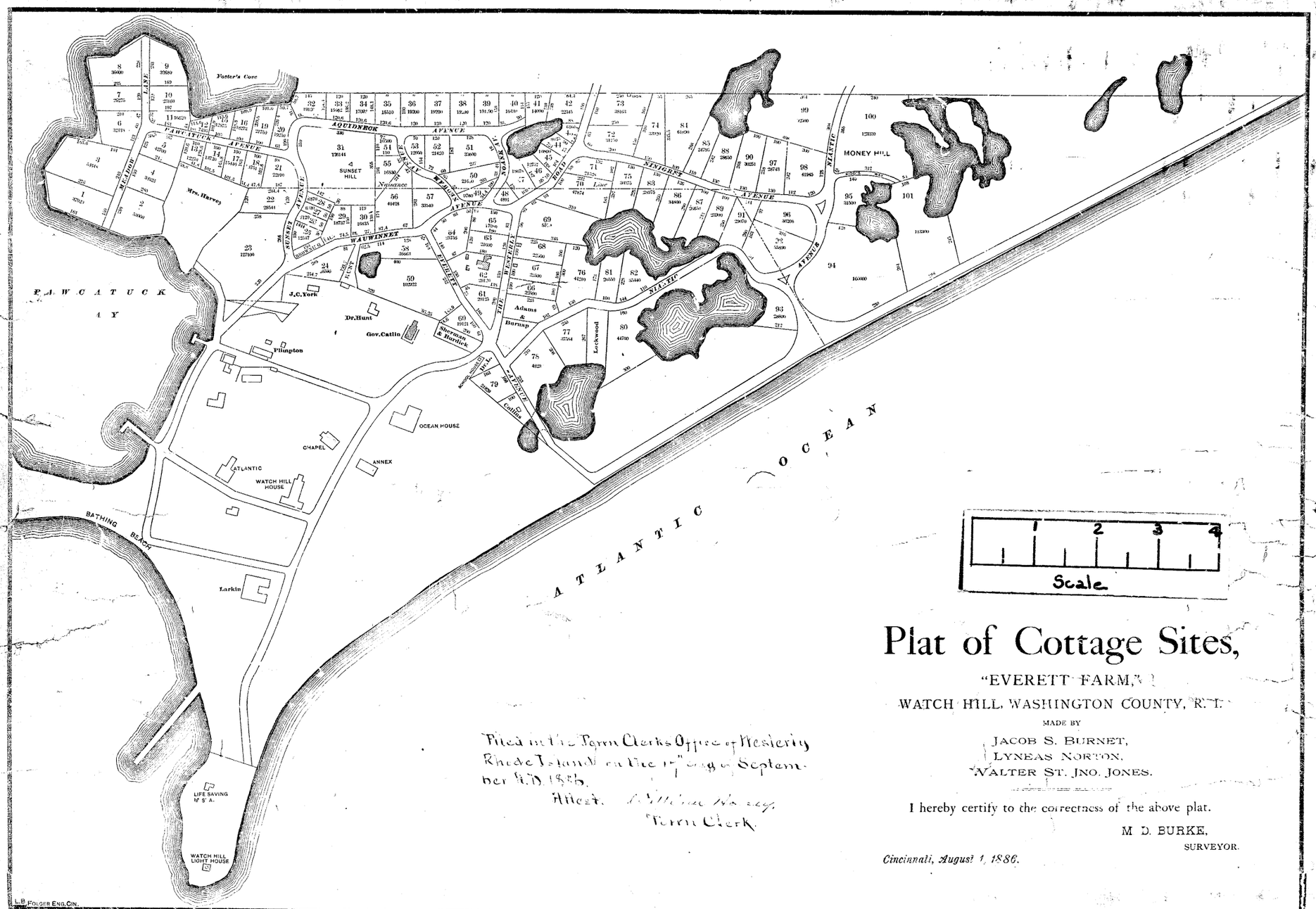
L. S.

Ben. B. Dale
Notary Public, Hamilton County, Ohio.

Received for Record September 29th A.D. 1891 at 9 o'clock P.M. & Recorded.
Attest: Williams Notary
Town Clerk.

Know all men by these presents that I, Nathan Babcock of the town of Stonington, Connecticut, executor of the last will and testament of Amanda B. Green, late of the town of Westerly, county of Washington & State of Rhode Island, deceased, in consideration of the sum of one dollar to me paid by Charles A. Stillman of said Westerly, the receipt whereof I do hereby acknowledge

A TRUE COPY
ATTEST:
DATED: OCT 2 4 2022
Mary L. LeBlanc, MMC
Westerly Town/Probate Clerk



Filed in the Town Clerks Office of Westerly Rhode Island on the 15th day of September A.D. 1886.

Attest. [illegible]
Town Clerk.

1 2 3 4
Scale

Plat of Cottage Sites,

"EVERETT FARM,"

WATCH HILL, WASHINGTON COUNTY, R. I.

MADE BY

JACOB S. BURNET,
LYNEAS NORTON,
WALTER ST. JNO. JONES.

I hereby certify to the correctness of the above plat.

M. D. BURKE,
SURVEYOR.

Cincinnati, August 1, 1886.

HIGHWAY INDEX

WESTERLY

A

This book and index

was compiled and arranged by Everett A.Kingsbey, Esq. in

accordance with vote of the Town Council

May 5th. 1913.

Jan 11, 2024, 3:03 PM

B

Land Evidence

INDEX.

to votes of the Town Council and Town Meetings of Westeryl, R.I.

in regard to

lay out, grading and acceptance of the highways

of the Town.

Books covered by this book and Index.

Council Records Books Nos. 8-9-10-11-12 13 & part of 14.

Town (Special) and Council Meetings No.1

Financial Town Meeting Books Nos.

Jan 11, 2024, 3:04 PM

Book 9 page Sept 29th. 1891.

Mantic, Ninigret, Everett, Noank, Neowan, Aquidneck, Sunset, Wauwinnet, Pawcatuck Aves., Medow Lane and Westerly Road accepted as public highways

Everett Ave.

Book 13 p. 47 Sept. 2nd. 1907 Petition that Everett Ave. be repaired received and placed on file.

Book 9. p. April 6th. 1891 Committee appointed to widen highway at Watch Hill as per plan of G.T.Lanphere 1870.

Book 9 April 20th. 1891 Report filed and recommendations adopted. Committee appointed to widen in accordance with plan and report o f Committee.

Town of Westerly

Harbor Management Plan

2016 Revised 10/28/19

As Adopted by the Westerly Town Council, October 28, 2019

In general, known access-points will be outlined here—29 designated sites of various types and descriptions in 2009. Where issues and questions remain, those sites will be listed as 'Prospective Future Sites and Site Ideas' at the end of the section.

2. FINDINGS

*Note: All directions (north/south/east/west) referred to in this section are 'by the compass'.

RIGHTS OF WAY TO THE SHORE (referenced from Westerly ROW book and 2004 RI CRMC Public Access manual)

Site #1--Avondale Road- (State designated ROW #A14). Located next to the Lotteryville Marina, this ROW is approximately 25-feet wide, covering 3776 square feet, and is bordered on its north side by a stone wall marking the boundary with the Frank Hall Boat Yard. There is a stone wharf and a launching ramp, both in need of repair. The site is posted. It appears to have been set up as a launching ramp, but the terrain at entry needs attention and upgrading. The exact size and dimensions of this parcel should be identified for possible upgrading. No parking nearby.

Site #2 & 2A- Water's Edge Road (Town-designated—previously Meadow lane.) Located at the end of Pawcatuck Avenue, running north/south, this ROW runs the entire length of Waters Edge Road, ending on the north side at Foster Cove and on the south side at Watch Hill Cove. The site is not posted. Access, is blocked by fencing and established undergrowth. On the south side, at Watch Hill Cove, the launching ramp is ill-maintained and the right-of-way has been narrowed by vegetative growth on one side and large rocks on the other. No turnaround is available. No parking is available.

Site #3- Fort Road (Access along Fort Road shoreline). Located off Bay Street, running along Watch Hill Cove adjacent to shops and cabanas, the pedestrian easement leads to Napatree Point, running along the seawall as a shoreline path and leading through a posted-gate to Napatree Beach. This ROW is heavily used in the summertime, moderately used in the off-season.

Site #4- Bluff Avenue, Watch Hill- (*Both Town and State-designated as CRMC ROW #A-2*) Located at the top of Larkin Road as it becomes Bluff Avenue. This ROW is pictured and described as a 40-foot wide road that leads to the beach. Now a pathway bordered by evergreens and beach rose bushes, about 10-feet wide at the Bluff Avenue entry, narrowing to approximately 6 feet as it winds down toward the beach. A town sign is posted at the entry-point. **This ROW should be kept clear and upgraded; it is heavily used in summer, moderately used off season.*

Site #5- Everett Avenue, Watch Hill- (Town-designated) Located just north of the Ocean House, this ROW is a path 30 feet wide and 260 feet long. There are private homes on both sides of the right-of-way. There is a sign posted at the right-of-way itself, designating this as a beach entry point, but no sign at the entry to Everett Avenue. This

Town Clerk's Office

Memo

To: The Honorable Town Council

From: Mary L. LeBlanc, MMC, Town Clerk

Date: February 12, 2024

Re: Proposed Ordinance on Parking

Attached please find correspondence submitted to date regarding the Proposed Ordinance on Parking.

Please enter into the record of the February 12, 2024 Town Council Meeting the following list of names:

Doug Brockway, Chairman of Economic Development Commission

Meg & Jonathan Kelly

Georgia Felber Jones

Westerly, RI Economic Development Commission

Business Views re: Bay Street Parking

TOWN OF WESTERLY, RI
OFFICE OF TOWN CLERK

FEB 09 2024

RECEIVED
Mary L. LeBlanc, MMC
Town Clerk

February 9, 2024

Mr. William Aiello, Chairperson
Westerly Town Council
45 Broad Street
Westerly, RI 02891

Re: An Ordinance In Amendment of Article VII, 'Stopping, Standing and Parking, Of Chapter 238 Of The Westerly Code Of Ordinances Entitled Vehicles And Traffic'" (§238-66. Parking prohibited or restricted in designated areas – Amend two-hour parking restriction on Bay Street to three-hour parking restriction between the hours of 8:00 a.m. and 6:00 p.m., from May 15 to October 1).

Dear Mr. Aiello:

As you know, the Town Council began discussions on the above referenced proposed amendment at its January 22 meeting.

At the request of Joan Beth Brown, moderator of the Watch Hill Fire District, concerned members of the Watch Hill business community addressed the EDC at its regular February 6 meeting about the potential economic impacts of a change to Bay Street parking regulations.

Ms. Brown was accompanied by Messers. George and James Nicholas of the St. Clair's Annex, and Mr. Jack Felber of the Olympia Tea Room. Lisa Konicki of the OCCC was present and added some comments. The following points were made:

- The vast majority of the businesses on or adjacent to Bay Street are restaurants and retail shops that depend on customer volume for sales. The frequency at which parking spots turnover increases such volume.
- A lengthening of the parking allowance could mean less turnover. Presently, as few as 5 cars could occupy a single spot over a 10 hour period. Under the proposed amendment, as few as 4 cars could occupy a single space over the 10 hours, a 20% reduction.
- Exacerbating the problem for local businesses, the increase to 3 hours could shift the mix of those occupying parking spots away from business customers and towards out of town beach goers (longer term spots designated for Westerly residents nearby are reportedly rarely full).
- Changing the period for restricted parking from May 1 to October 15 to the proposed May 15 to October 1, results in 7.5 months of unlimited parking versus 6.5 months at present. It means a loss of 28 days of commerce-oriented parking, a nearly 20% loss of days.
- The business owners felt that changing the hours and the enforcement period would reduce their sales on the order of 30%.
- Town Clerk records show that a similar increase in the allowable parking time on Bay Street was passed by the Town Council on 4/26/04, only to be repealed on 4/6/07. The negative impact on local businesses was cited.
- In addition to business impacts, there will be fiscal consequences in the form of reduced meal and sales taxes. Parking ticket receipts will likely decline. The Town will also incur signage costs. Enforcement costs could increase.
- The Watch Hill context is materially different than the 3 hour permitted parking Downtown. The selling season for businesses on Bay Street is approximately 22 weeks (May 1 - October 15) vs.

Westerly, RI Economic Development Commission

Business Views re: Bay Street Parking

52 weeks for those Downtown. In addition, businesses in Watch Hill pay higher per square foot rental costs. Parking capacity is far more expansive and available Downtown.

The EDC finds these points compelling and believes that the economic impacts on local businesses on Bay Street could be materially negative if the proposed amendment is passed. Taken as an economic matter, and as a matter of access to shopping and restaurants in Watch Hill the change to a 3 hour limit and a shorter enforcement period are not recommended.

Respectfully yours,

Doug Brockway
Chairman

Attention: Westerly Town Council

My family moved to Westerly when I was three years old. I have enjoyed Watch Hill and its shops and restaurants both as a non-Fire District member and now as a Fire District member. Several of the merchants are close family friends and many of these establishments are multi-generational. I strongly oppose the Council's proposal to extend the parking limit on Bay Street and Larkin road from two to three hours, as well as the other related parking proposals. All would be detrimental to the Watch Hill merchants who already have a relatively short season.

Please consider the livelihoods of the Watch Hill merchants as you discuss this proposal.

Respectfully,

Meg & Jonathan Kelly
6 Wapan Road, Westerly

TOWN OF WESTERLY, RI
OFFICE OF TOWN CLERK

FEB 12 2024

RECEIVED
Mary L. LeBlanc, MMC
Town Clerk

TOWN OF WESTERLY, RI
OFFICE OF TOWN CLERK

FEB 12 2024

RECEIVED
Mary L. LeBlanc, MMC
Town Clerk

Mary,
Please add the following to the record on this matter. Thank you.

Georgia F Jones

Councilor Aiello,

Good Morning. My name is Georgia Felber Jones. My parents own the Olympia Tea Room and my husband and I opened our business, WH2O, next door at 92 Bay Street in 2015. I grew up on Bay Street, living there year-round for 22 years. Currently between our retail store and jobs at the Olympia we spend all day every day in Watch Hill in the summers and most days in the shoulder seasons.

Over the last 15 years or so Watch Hill has seen much improvement with the removal of the telephone poles and the burying of the wires, making sidewalks wider and easier to navigate especially for those in wheelchairs and those with strollers. The rebuild of the Ocean House, an influx of new high-quality shops and the improvement of many buildings on Bay Street that were in disrepair. This is all possible because there are parking ordinances in place that work for all the businesses on the street from high-end shops to t-shirt shops, fine dining restaurants to casual restaurants, a world-famous Merry-Go-Round and the beautiful scenic areas. Watch Hill provides Westerly with thousands of dollars in tax revenue. By changing the parking ordinance this council would be reducing our business by approximately 30%; thus, reducing the tax revenue for the Town of Westerly. These tax dollars are for entities in Westerly such as the Westerly Ambulance Corp., Westerly Hospital, the Westerly Public Library, the Westerly Police Department and more. In 2019, the town of Westerly generated nearly 1 million dollars in this 1% tax and I know that Watch Hill played a fair role in this albeit that the village is seasonal, generating the majority of sales in a four month period.

The businesses in Watch Hill already struggle from some of the highest rent per square foot in Westerly, seasonality, rising tides and even weather. Many retail rentals on Bay Street don't come with parking and these spots need to be rented as well, adding somewhere between $5000-$10,000.00 to our already expensive rent. In addition, the first floor of these buildings are uninsulated and all the pipes are drained in October rendering our bathrooms inoperable and the public restroom closes making our season virtually impossible to extend. Changing the parking ordinance in Watch Hill could be crippling to all our businesses.

Furthermore, it was mentioned in the last meeting that Watch Hill and downtown Westerly should share the same parking policies. We couldn't disagree more. Downtown Westerly businesses appealed to the Town Council to change the parking restrictions in Westerly in order to best serve those businesses and the Town Council obliged them, it seems appropriate to do the same for the businesses of Watch Hill that are appealing to you now. Downtown Westerly has many more restaurants than Watch Hill, there are residences, law offices, hair salons, banks, post offices, play spaces, and space rentals for parties; it seems appropriate for those businesses to benefit from extended parking hours. They also enjoy four parking lots scattered throughout the area and street parking and there is not the demand for free parking for the beaches. Moreover, if you visit Pawcatuck, Stonington Borough, North Stonington and the Stonington side of the Mystic drawbridge you will notice that each of these individual locales has different parking regulations according to what suits that particular area.

It was also mentioned that Wilcox Park has the same demand in the summers as the beaches in Westerly. Please come visit Watch Hill in the summer and compare the number of people on Napatree point and/or East Beach with the number in Wilcox Park, the difference will be in the thousands. We watch large groups of out-of-state teenagers and families with coolers, beach equipment and there large Dunkin' Donuts cups arrive in the village, park on the street and head to the beach without spending a dime in the village. Changing the parking ordinance in Watch Hill would only make this much worse.

The vast majority of business owners on Bay Street are Westerly residents. We have children in Westerly public schools, we are part of philanthropic organizations in Westerly, we are Chamber members. We employ Westerly residents. Please, we implore you to not change the parking ordinances that are working for our businesses. Shoreline access is incredibly important, we agree that everyone should have access to our beautiful coastline but not at the expense of Westerly residents and business owners. Shoreline access is important but not more important than the fiscal responsibility the council has to the town of Westerly and its residents.

Please vote NO!
Thank you for your time and consideration
Georgia Felber Jones
WH2O - 92 Bay Street

Town of Westerly
Rhode Island

DEPARTMENT OF
DEVELOPMENT SERVICES

Lisa Pellegrini, Director

Town Hall
45 Broad Street
Westerly, RI 02891
TEL: (401) 348-2553
FAX: (401) 348-2513

1/20/2021

Dear Honorable Members of the Town Council,

Subject: **Proposed Revisions to the Town of Westerly Harbor Management Plan**

Background:
The Westerly Harbor Management Plan (WHMP) was last revised by the Town Council on October 28, 2019. Since that time considerable amount of work has been done to identify new potential Rights-Of-Way (ROW's), as well as to survey, mark and maintain existing ROW's.

Highlights:
The revisions include the following:

- Descriptions of specific ROW's have been updated to provide greater clarification and identification by the public.
- A new map of the existing ROW's and mooring areas has been created for inclusion to the WHMP.
- Four (4) potential ROW's to Winnapaug Pond have been identified and are submitted to Council for consideration and possible adoption. If approved, the locations may be added to the existing ROW map.
- The Town will continue to work with the State of RI, CRMC and community partners to identify and clarify new public access points.
- The Town will continue to survey, mark and maintain existing ROW's to ensure safe public access.

The Department of Development Services recommends the adoption of the proposed resolution to revise the WHMP.

Respectfully Submitted,

Lisa Pellegrini
Director of Development Services

Attached:
Proposed Resolution
Proposed Revisions to WHMP
ROW Map of Existing ROW's & Mooring Areas
Map highlighting proposed ROW's at Winnapaug Pond

RESOLUTION ADOPTING REVISIONS REGARDING ROW'S TO THE TOWN OF WESTERLY HARBOR MANAGEMENT PLAN

WHEREAS, the Town of Westerly approved and adopted the Town of Westerly Harbor Management Plan (WHMP) on October 22, 2018; and

WHEREAS, the Town of Westerly had previously adopted revisions to the WHMP on October 28, 2019 to include the following progress made in the Harbor Management Program during the 2019 Boating Season such as:

- Adoption of a new Town Code Ordinance, Chapter 86 entitled "Boats, Waterways and Harbor Management",
- The hiring of an Assistant Harbor Master by Resolution 18/19-117,
- The implementation of a mooring registration program by Resolution 18/19-118,
- The implementation of a mooring waiting list process,
- The implementation of an enforcement process, and
- Inclusion of the Harbor Management Program in the annual Town Budget, and

WHEREAS, the Town of Westerly has continued to work to mark and maintain current ROW's, as well as identify new and potential areas to designate as public access points; and

WHEREAS, the revisions to the WHMP identify four (4) new public access points to Winnapaug Pond - Terrace Avenue; Atlantic Avenue and Breach Drive; Misquamicut, Atlantic Avenue and Winnapaug Road; Misquamicut and Atlantic Avenue at Old Town Beach, Misquamicut, to be designated as Town and/or State ROW's pursuant to the attached map; and

WHEREAS, the revisions to the WHMP include updates to existing ROW's, as well as, a map identifying the location of the existing ROW's; and

WHEREAS, the Town will further continue to work with both the State of RI and its partners to identify and clarify new public access points, including a possible ROW at Weekapaug/Spring Avenue); and

WHEREAS, adoption of the revisions to the WHMP by the Town of Westerly Town Council demonstrates their commitment to and achieving the policies outlined in the WHMP, now therefore

BE IT RESOLVED: That, because the Harbor Management Plan is a plan subject to ongoing revision as new information becomes available, the Town Council hereby approves the above current revisions to the Town of Westerly Harbor Management Plan.

ADOPTED:

Town of Westerly

Harbor Management Plan

2016 Revised 10/28/19

Proposed Revisions January 2021

As Adopted by the Westerly Town Council, October 28, 2019

In general, known access-points will be outlined here—29 designated sites of various types and descriptions in 2009. Where issues and questions remain, those sites will be listed as 'Prospective Future Sites and Site Ideas' at the end of the section.

2. FINDINGS

*Note: All directions (north/south/east/west) referred to in this section are 'by the compass'.

RIGHTS OF WAY TO THE SHORE (referenced from Westerly ROW book and 2004 RI CRMC Public Access manual)

Site #1--Avondale Road- (State designated ROW #A14). Located next to the Lotteryville Marina, this ROW is approximately 25-feet wide, covering 3776 square feet, and is bordered on its north side by a stone wall marking the boundary with the Frank Hall Boat Yard. There is a stone wharf and a launching ramp, both in need of repair. The site is posted. It appears to have been set up as a launching ramp, but the terrain at entry needs attention and upgrading. The exact size and dimensions of this parcel should be identified for possible upgrading. No parking nearby.

Site #2 & 2A- Water's Edge Road (Town-designated—previously Meadow lane). Located at the end of Pawcatuck Avenue, running north/south, this ROW runs the entire length of Waters Edge Road, ending on the north side at Foster Cove and on the south side at Watch Hill Cove. A blue ROW sign has been posted at the intersection of Pawcatuck Avenue and Waters Edge Road.- ~~The site is not posted.~~ Access~~,~~ to the north side is blocked by fencing and established undergrowth. Access here would be unsafe due to steep slopes and management would be cost prohibitive. As such, no signs have been posted on the north side. On the south side, at Watch Hill Cove, a granite pillar has been posted at the south side access.~~the launching ramp is ill-maintained and the right-of-way has been narrowed by vegetative growth on one side and large rocks on the other.~~ Currently, ~~N~~no turnaround or parking is available. ~~No parking is available.~~This ROW is the subject of a pending CRMC permit that includes improvements to access and installation of kayak racks. Public parking may be added if requested by CRMC.

Site #3- Fort Road (Access along Fort Road shoreline). Located off Bay Street, running along Watch Hill Cove adjacent to shops and cabanas, the pedestrian easement leads to Napatree Point, running along the seawall as a shoreline path and leading through a posted-gate to Napatree Beach. This ROW is heavily used in the summertime, moderately used in the off-season. The Hurricane of '38 changed the topography of Napatree Point, and the ROW is now under water by the Watch Hill Yacht Club. CRMC is working with Watch Hill Conservancy and the Watch Hill Fire District to create a new pedestrian easement.

Site #4- Bluff Avenue, Watch Hill- (*Both Town and State-designated as CRMC ROW #A-2*). Located at the top of Larkin Road as it becomes Bluff Avenue. This ROW is pictured and described as a 40-foot wide road that leads to the beach. Now a pathway bordered by

evergreens and beach rose bushes, about 10-feet wide at the Bluff Avenue entry, narrowing to approximately 6 feet as it winds down toward the beach. A town sign and CRMC ROW marker ~~is~~are posted at the entry-point. A boardwalk has been added to the end of this ROW. **This ROW should be kept clear and upgraded; it is heavily used in summer, moderately used off season.*

Site #5- Everett Avenue, Watch Hill- (Town-designated) Located just north of the Ocean House, this ROW is a path 30 feet wide and 260 feet long. There are private homes on both sides of the right-of-way. There is a sign posted at the right-of-way itself, designating this as a beach entry point, ~~but no~~and a sign has been added at the entry to Everett Avenue. This access-point is heavily used in the summer season and has been utilized as a vehicular beach-entry point by fishermen during the off-season.

Site #6- Niantic Avenue, Watch Hill (Determined to be Private ROW)
This right-of-way was once posted with a Town sign~~;~~, however, a title search has revealed that the pathway is privately owned, and the sign has been removed. A No Public Parking sign is also posted at this location, yet the egress/ingress has not been blocked or prohibited from access during the past 100+ years.

Site #7- Manatuck Avenue, Watch Hill—(*State-designated ROW—CRMC #A-3*). Located at the beach-end of Manatuck Avenue, this is a wide sandy path leading to the beachfront. It is posted with a RI CRMC right-of-way sign. It is heavily used during the summer months as a beach-access and used as a vehicular entry-point during the off season. A 3-point turn-around (cul de sac) is proposed for public safety at this location. CRMC permitting is currently underway for this project.

Site #8- Atlantic Avenue, Misquamicut- (Town-designated) This right-of-way is located at the very end of Atlantic Avenue, going west. It is, technically, the hurricane-eroded extension of Atlantic Avenue that once led to several summer cottages. There is a town sign posted, and a chained-and-posted entry-point. It has been historically utilized as a pedestrian and vehicular right-of-way, used heavily by the public both during the summer and in the off-season.

Site #9- Atlantic Ave, Misquamicut- (*Town-designated*). Located on the western end of Atlantic Avenue near pole #154, this is a ten-foot wide path to the shore, marked by a town ROW sign. It is bordered by a wooden fence and a thick growth of beach roses. There are private homes on both sides. This ROW is used moderately in the summer months as a beach-entrance.

Site #10- Atlantic Avenue, Misquamicut—(*State-designated ROW, RI CRMC #A-13*) Located near pole #91 near Atlantic Beach Park on the north side of the State Beach, between two buildings (Windjammer Lounge and a 3-story residential condominium). This right-of-way appears to coincide with a private parking-lot entrance. It is marked with a state shoreline access sign and appears to be utilized at least moderately in the summer season. It has also been used as a vehicular entry-point in the off-season.

Site #11 Atlantic Avenue, Misquamicut—(*State-designated ROW, RI CRMC #A-11*) Located near pole #72 on the east end of Atlantic Avenue, this right-of-way is marked and posted with a sign. It is well-marked and heavily-used in the summer season.

Site #12 Atlantic Avenue, Misquamicut—(Town-designated, State-designated, RI CRMC #A-6)- Located on the east end of Atlantic Avenue near pole #54, this right-of-way is a long sandy path to the beachfront. It is marked with a CRMC access sign and bordered with a snow-fence. This right-of-way has been used historically. It is used moderately in the summer season.

Site #13 Atlantic Avenue, Misquamicut—(Town-designated, State-designated, RI CRMC #A-7) Located on the east end of Atlantic Avenue (near pole #46), this right-of-way is clearly posted with signs and appears to be used regularly in the summer season. It is a long sandy path bordered by a wood-framed, chain link fence.

With the help of CRMC personnel (Kevin Cute & Janet Freedman) several additional state-designated ROW's, previously not mentioned, were reviewed. These are included below. These ROW's may or may not be accessible, but they have been designated by the state as legitimate ROW's. In some cases, accessibility may be possible, however, and every effort should be made to clear them and open them to pedestrians.

Site #A-12, state-designated ---This ROW is located between telephone poles #19-20, and street numbers 601-611, at the Weekapaug end of Atlantic Avenue. The site is not passable. Starting from Atlantic Avenue, the ROW crosses Phragmites marsh, thick brush, a sand dune and a boulder revetment. The boulder revetment encroaches on the 'beach' to the east as depicted on a Westerly Plat map of 1909. The revetment impedes lateral access along the shore at high tide.

Site #A-8, state-designated---Moving from site A-12 along Atlantic Avenue toward Watch Hill, this ROW is located between telephone poles #29-30, and street numbers 563-567. The ROW is not passable at present. Starting from Atlantic Avenue, it crosses thick brush and a boulder revetment. The boulder revetment along this section of shoreline is approximately at the 'foot of bank', possibly encroaching on the 'beach' in places.

Site #A10, state-designated---This ROW is located between telephone poles #39-40, and street numbers 523-529, at the Weekapaug end of Atlantic Avenue. There is a walkway (private?) leading to the beach that is connected to a ground-level deck, adjacent to 529 Atlantic Avenue.
If the exact dimensions and location of this ROW can be determined, reopening it to public use should not be difficult.

Site #A-9, state-designated—This ROW passes through the Westerly Town Beach between telephone poles #80-81. Pedestrian access through this town-owned shorefront property is permitted.

Site #16A—West Beach Road, Charlestown—This ROW was not included in the initial list as it is located in Charlestown. It does, however, provide public water and boat access to Quonochontaug Pond, a portion of which is located in the Town of Westerly and a portion in Charlestown. This RI state access area has a boat-launch ramp and ample parking. It is located at the end of West Beach Road, adjacent to the Quonochontaug breach way in Charlestown.

WEEKAPAUG AREA—

Site #14 Atlantic Avenue, Misquamicut/ Weekapaug Bridge—(*State-designated (DEM) fishing area*) Located on both sides of the Weekapaug Bridge, these state-designated parking areas for fishing, allow fishermen and pedestrians access to the Breachway and the shoreline. From the west side parking area, a vehicle-path leads along the Breachway to the shore. This is used in the off-season as a vehicular access for fishermen; it is used in the summer season as a pedestrian right-of-way to the Breachway and the shore. The east side of the breachway contains a DEM parking lot and a footpath. CRMC and DEM are working together to establish a clear and well-defined path for public access entirely on state property and will be installing signage to guide the public from the DEM parking lot to the shore.

Site #15 Spray Rock Road overlook, Weekapaug (sea-walled scenic overlook and shoreline access.) Located at a scenic bend in Spray Rock Road, this parking area (time-limited in summer) has been used as a scenic overlook and shoreline access for fishermen and surfers for many years. Parking in the off-season is not time-limited.

Site #16 Spray Rock Road, Weekapaug (*State-designated pedestrian and vehicular ROW*) Located at the north end of Spray Rock Road, abutting the Weekapaug Yacht Club, this gravel-to-sand road leads to the Quonochontaug breach-way (4X4 vehicles only on sand road to breach-way). By an agreement reached in Superior Court in 1997 (CA# 94-321/ dated 2-26-97) this roadway (with limited public parking near the entrance) is available to all residents as a pedestrian access-path and to property owners and other authorized vehicles (such as fishermen with permits) who wish to reach the shoreline or the Quonochontaug breach-way in Charlestown. Harbor Management members, town officials and concerned groups (such as fishermen) must continue to maintain and improve both pedestrian and vehicular right-of-way access to this Westerly/Charlestown shoreline area.

WINNAPAUG POND RIGHTS-OF-WAY

Site W1 – Terrace Avenue, Weekapaug – Located at the south end of Terrace Avenue, along the north side of Winnapaug Pond, this access point has never been marked and has been difficult to access due to it being surrounded by private property. This access will be reviewed by CRMC for approval.

Site W2 –Atlantic Avenue and Breach Drive, Misquamicut – Located on the north side of Atlantic Avenue, west of the breachway and east of Breach Drive, on State of Rhode

Island property, this access point includes a state-designated 50-foot right of way to the breachway.

Site W3 – Atlantic Avenue at Old Town Beach, Misquamicut – Located on the north side of Atlantic Avenue near the Old Town Beach parking lot, on the south side of Winnapaug Pond, this potential access point will be reviewed by CRMC for approval.

Site W4 – Atlantic Avenue and Winnapaug Road, Misquamicut – Located east of Winnapaug Road and north of Atlantic Avenue, on the south side of Winnapaug Pond, CRMC and DEM are working on creating an access point the Pond across from Misquamicut State Beach.

[INSERT MAP OF RIGHTS OF WAY HERE]

PUBLIC BEACH ACCESS

Site #17- Misquamicut State Beach, Atlantic Avenue. (RI Department of Environmental Management (DEM))—Located on the west end/south side of Atlantic Avenue, this is Rhode Island's largest state-owned beach with 3600 feet of frontage on the Atlantic Ocean. The parking lot and facilities (bathrooms, changing rooms, snack bars) are open for the summer season (Memorial Day to Labor Day) for an entrance fee; in the off season there is no charge for parking. Pedestrian access always welcome. The beach is part of 102 acres of state-owned land that also borders Winnapaug Pond.

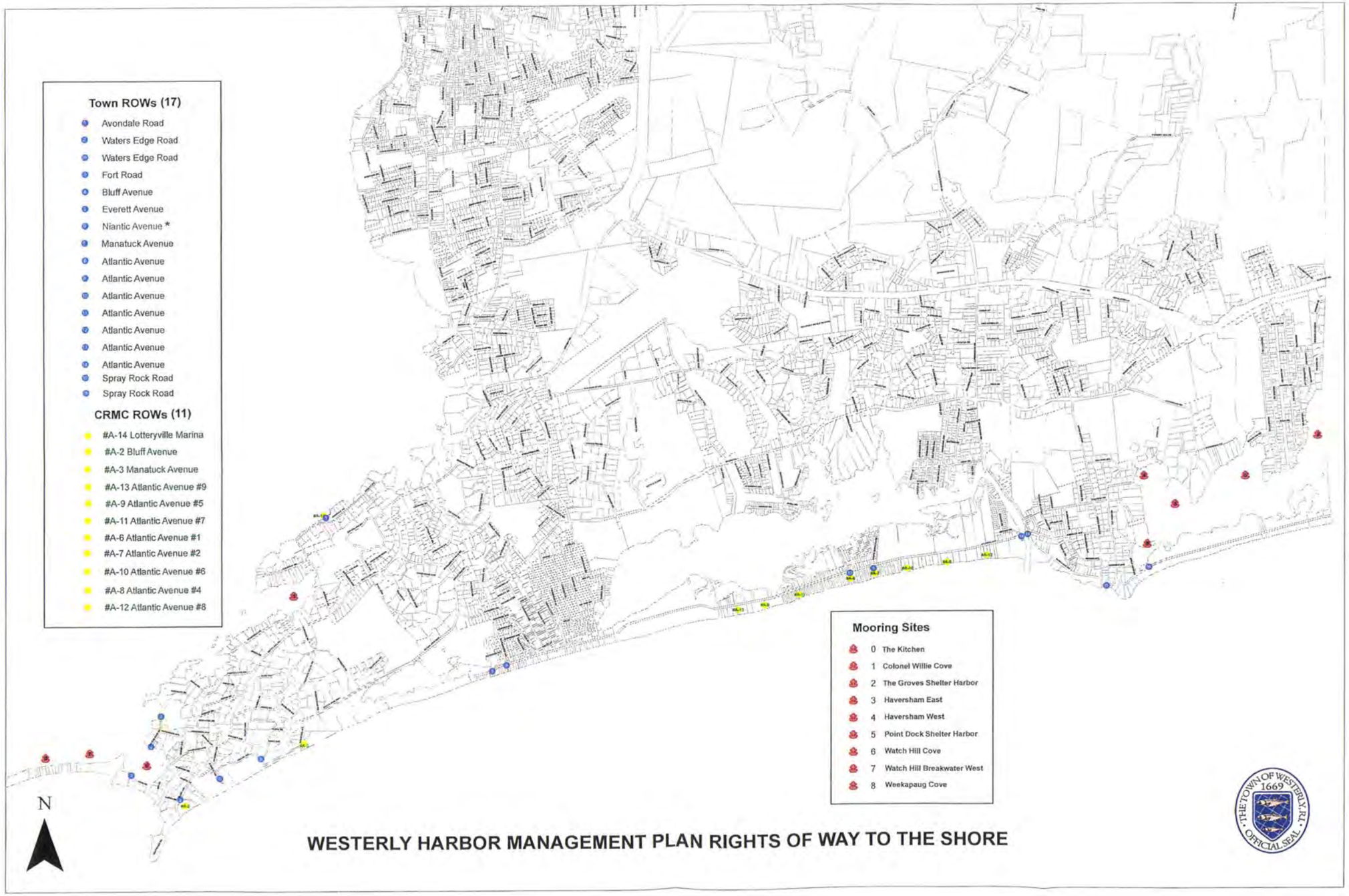
Site #18- New Westerly Town Beach (Wuskenau), Atlantic Avenue, Misquamicut—Located just to the east of the State Beach, with parking on both north and south sides of Atlantic Avenue, this new town beach has almost 300 feet of beach frontage and is open to the general public for a fee. Facilities (bathrooms, showers, changing rooms, concessions) available. Lifeguards on duty during summer season.

Site #19 Westerly Town Beach, Atlantic Avenue, Misquamicut—Located on the south side of Atlantic Avenue, also east of the State beach, abutting an RV park, this 10-acre beachfront property has 550 feet of ocean frontage. Attendance is restricted to permitted Westerly taxpayers. Two parking lots available, on north and south sides of Atlantic Avenue, 400 total parking spaces. The beach pavilion has facilities (showers, bathrooms, concessions). Lifeguards on duty during the summer season.

BOATING, FISHING AND SCENIC ACCESS

Site #20- Main Street Boat Launch, Westerly—*(State-owned)* Located on the Pawcatuck River, near Westerly's Town center on Main Street between Union and School Streets, this concrete boat launch is in excellent condition and has ample parking for vehicles and trailers. No fee.

Site #21- Viking Marina, Margin Street, Westerly—(privately owned) Located off Margin Street on the tidal portion of the Pawcatuck River, this is a privately owned



WESTERLY HARBOR MANAGEMENT PLAN RIGHTS OF WAY TO THE SHORE

rhodeislandseagrant@gmail.com

Sea Grant
RHODE ISLAND

Municipal Parking and Public Shoreline Access

Apr 12, 2022

By Erica Meier

Availability of parking near public rights-of-way to the shoreline is key to allowing meaningful access, but it's also a source of conflict between coastal community residents and non-residents. Each municipality in Rhode Island handles parking regulations in its own way, and some cities and towns are more restrictive than others when it comes to allowing parking public parking on streets near the coast.

Rhode Islanders have a constitutional right to access the shore. In recent years, the state's Coastal Resources Management Council (CRMC) has made progress in discovering and maintaining public rights-of-way. However, Rhode Islanders living further than walking distance from the coast have significantly more difficulty enjoying these natural resources.

Recently, conflicts around public parking in Rhode Island towns have risen as advocates for more public parking fight to ensure equal access to the coastline while town officials argue for the necessity of parking regulations in coastal areas. An article in the Boston Globe highlighted a debate surrounding parking regulations in Barrington. There, a study conducted by the town identified 20 roads wide enough to accommodate public parking, but officials are still restricting parking on seven of them due to other considerations such as "quality of life."

The Rhode Island General Assembly has granted municipalities a substantial amount of power over local roads and parking regulations, where most of these rights-of-way are located. Nearly all communities implement parking regulations to improve traffic flow, ensure safety, and keep town resources accessible to residents. Some of these restrictions on parking, however, have made parking near the coastline illegal or impractical, especially for nonresidents.

Warwick conducting a traffic study to determine which "No Parking" signs should stay.

As a project for the CRMC, Rhode Island Sea Grant Law Fellow Matthew Lewicki, under the guidance of the Rhode Island Sea Grant Legal Program's Catherine Schluter, former research attorney, and Julia Wyman, director, investigated local parking regulations in six Rhode Island towns — Narragansett, Tiverton, Barrington, Westerly, and Warwick — and wrote a fact sheet identifying influences on parking regulations in each town, the justification for regulations, and the potential impact that regulations may have on access to public rights-of-way.

He found that each town has different processes for regulating parking, differing priorities that seem to drive 'no parking' zones along the coast, and residents often in disagreement with different areas of regulations.

For example, unlike many municipalities, Tiverton's municipal code clearly establishes the intent behind residential parking regulations, provides some guidance on street width required for parking, and outlines the process residents must follow to request resident-only parking on a street. Parking regulations in Westerly are generally business-oriented to ensure that parking is available near businesses through time-limited, on-street parking. In Warwick, improperly placed "no-parking" signs, some decades-old, have recently drawn criticism and the town is conducting a traffic study to determine which signs should stay.

He further found that in general, parking regulations are heavily influenced by local residents' desire to reduce the perceived burden of nonresidents parking at or near the coastline, specifically at rights-of-way, including increased traffic, litter, and noise, among others. By contrast, many people in support of easing parking regulations believe that the coastline is practically inaccessible to those that are not within walking distance and that much of the reasoning for stricter parking regulations is merely a guise for denying people access to the coast. Such debates are currently playing out in towns like Barrington and Warwick, which are reevaluating their parking regulations.

FACT SHEET

This fact sheet is a product of the Marine Affairs Institute at Roger Williams University School of Law and the Rhode Island Sea Grant Legal Program. Matthew Lewicki, Rhode Island Sea Grant Law Fellow, authored this fact sheet under the guidance of Catherine Schluter, former Research Attorney, and Julia Wyman, Director. All errors and omissions are the responsibility of the Marine Affairs Institute. This study is provided only for informational and educational purposes and is not legal advice.

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Town Clerk's Office

Memo

To: The Honorable Town Council

From: Mary L. LeBlanc, MMC, Deputy Town Clerk

CC: J. Mark Rooney, Town Manager
William J. Conley, Jr., Esq., Town Solicitor

Date: January 25, 2021

Re: Harbor Management Plan

Attached please find correspondence submitted to date by the public regarding the Harbor Management Plan **to be entered into the record** at the January 25, 2021 Workshop meeting.

Robert G. Doumar, Jr.

Noelle C. Doumar

Rob Doumar

Nathalie Doumar

Margot Doumar

Isabelle Doumar

Joanna M. Burkhardt

John Swiatek

John Swainson

Linda M. Swainson

Ian Swainson

Prosper Vignone

James Orthwein

Elizabeth Swainson

Daniel J. King

Joanna Williams

Brian McCormick

Charlotte Kline

Melissa Marvel

Thomas McAndrew, Esq. (With Exhibits A-I)

Mary Dillow

Rob McCormack

Charles L. Kline

Emily L. Brenner

Jill Wight

Scott and Ardi Schneider

Marc Layton

William J. Miller, Jr.

Jim Snowden

Walter Tomenson

Andrew C. Homan

Dean M. Brenner

Mary Gagarin

Page and Anrthony N. Brady

Nicholas C. Moore

George Skakel

Nick Wood

Eva Page

Cecilia Greene

Peter Lamm

Marion Markham Abood

Barbara Knowlton

Keri L. Brenner

Chris & Lauren Corrinet

Nancy Du

Elizabeth Shield, Esq.

Bruce MacLear

Grant Simmons

Amy and Stephen Sills

Mairead (Marny) Homan

Jennifer v. Marvel

Michael Sullivan

Kathy and Laurence Whittemore

Denise Daukas

Joseph F. Patton, Jr. and Joan Patton

Peter and Florence DeRose

Peter and Susan Gummenson

Peter Brockmann

William Hayes, Stephanie Hayes and Stephen Hayes

Lisa Griffin McGill and Elise F. Griffin

William H. Nickerson

Donna Giordano, Town Clerk
dgiordano@westerlyri.gov

Mr and Mrs Robert G. Doumar Jr
1 Pawcatuck Avenue
Westerly, Rhode Island 02891

BY EMAIL: dgiordano@westerlyri.gov

Donna Giordano, Town Clerk
Westerly Town Council

Dear Ms Giordano and Town Councillors,

We are the homeowners at 1 Pawcatuck Avenue in Westerly and are writing to express our concern about Water's Edge parking proposals (Options 2 and 3) which are being discussed at the Town Council on January 25, 2021.

It is our understanding that the Town Council's purpose is to implement policy that benefits the many diverse people in the community, even if negatively impacting a few. While we support the restoration of the Right of Way ("ROW"), we would contend that adding adjacent parking would perversely benefit the few while negatively impacting the many, effectively doing the opposite of the Town Council's purported goal.

We applaud the council for applying to CRMC to restore the ramp (Option 1) and expect that it will be a welcome additional amenity for the public to freely access and enjoy our shared coastline. The repaired ROW will allow for Kayakers to more easily and safely visit Napatree Point and explore the many scenic coves. We all hope that the kayakers will continue to respect the unblemished beauty of our coastline and sincerely encourage the Town Council to closely monitor this ROW and to implement an enforcement mechanism should it be misused.

However, we strongly oppose the parking plans proposed in Options 2 and 3 for the Water's Edge ROW. There is ample parking less than a 10-minute walk away, in town, and at the Larkin Lot. It should be noted that the parking spaces allocated to the town of Westerly in the Larkin lot are currently underutilised, hence it can be argued that there is insufficient demand by town residents for additional parking. Further, as has been shown to be true at other ROWs, adjacent parking encourages the misuse of the amenity and increases the likelihood of littering both at the ROW and on our beaches.

Nevertheless, our main concern is for the safety and enjoyment of the many diverse citizens who enjoy these quiet streets, not the convenience of the few kayakers who would benefit from the unnecessary adjacent parking. While access to the coastline is an important public

amenity, equally important to the public, is the quiet, safe and scenic enjoyment of the streets.

Because of its proximity to town, its slight incline, and as a dead end, its limited traffic, please take into consideration that this particular area is a uniquely popular walking and cycling destination for the wider Westerly community and its many visitors. After all, the public does not ONLY visit the town of Watch Hill to access the water, and a mindful Town Council wouldn't value a few kayakers over the multitudes who enjoy the streets.

After shopping or having a bite to eat in town, Westerly residents and visitors enjoy walking on quiet streets in family groups, pushing baby carriages, walking dogs, skateboarding and cycling. There is a relatively mild incline to these streets which make them more accessible to the elderly and disabled than any of the other streets close to town. Until now, these roads have been open and welcoming to the public for their enjoyment. Because of the intermittent sidewalk coverage, visitors freely use the streets, with limited concern for car traffic. Other than inconsiderate dog walkers, litter is kept to a minimum. Few, if any, of the homes have installed street security cameras or barriers to their drives which would restrict the views and negatively impact the public enjoyment.

Parking Plans 2 and 3 would encourage significantly increased traffic as cars would cruise these streets day and night in hopes of winning one of the few spaces. This increased traffic would have a severe impact on the safety and the enjoyment of these quiet streets, thus eliminating a benefit currently enjoyed by a much larger group of citizens than the few who would benefit from the parking. Further, the lack of a proper turn around and the unsightly and unsafe introduction of street parking would inevitably cause homeowners to make changes that would negatively impact the wider community.

In conclusion, I urge you <u>not</u> to introduce parking in proximity to the Waters Edge ROW because it would negatively impact a public amenity freely enjoyed by the many for the unnecessary convenience of the few, which is the exact opposite of the Town Council's remit.

Kind Regards,

Robert G Doumar Jr
Noelle C Doumar
Rob Doumar
Nathalie Doumar
Margot Doumar
Isabelle Doumar

TO: Westerly Town Council

FROM: Joanna M. Burkhardt
2 Pawcatuck Avenue
Watch Hill, RI

RE: Proposed parking on Water's Edge Road and/or Pawcatuck Avenue

DATE: January 22, 2021

I write today to voice my formal opposition to the change in parking ordinance that would allow parking on Water's Edge Road and/or Pawcatuck Avenue.

As I understand it, the purpose of providing this parking is to allow the use of the boat launch at the southern end of Water's Edge Road.

I strongly object to this proposal. I am a long-time boat owner and have a good deal of experience with launching and retrieving boats.

Water's Edge is a very narrow roadway. Even if it was widened, as indicated in the second of the three proposals, the roadway is still too narrow to allow safe two-way passage and parking. In addition, there is insufficient room to turn a vehicle with a trailer around, meaning that a vehicle with a boat on a trailer intending to use the boat launch would have to back down the entire length of Water's Edge. My observations of boat owners at various launches in the area indicate to me that this is simply asking for trouble. Trailers are notoriously difficult to maneuver. With a boat on said trailer, the difficulties increase. My personal observations indicate that the majority of boat owners do not have any level of expertise in backing a trailer. Allowing them to do so on a street with two way traffic and parked cars is unsafe.

The third proposed plan, allowing parking on Pawcatuck Avenue does not mitigate the problems stated above. In addition, the proposed parking places face up Pawcatuck Avenue. There is not room to safely execute a U-turn on Pawcatuck Avenue. Vehicles with trailers would logically drive to the intersection of Pawcatuck and Sunset and execute their U-turn there. As the curve in Sunset Avenue in both directions limits the visual range, executing a U-turn in this location is extremely dangerous. Doing so with a trailer in tow is frighteningly dangerous.

In the documentation I have seen I note there is no restriction as to the size of the boat and/or trailer. The water at the boat launch is shallow. The bay is tidal, so the level of the water changes, but even at high tide, only small and shallow draft boats could successfully launch here. I launched my own 10' sailboat at this location when I was a teenager and I can attest to the difficulties even in the best conditions at high tide. When the first boat with too deep a draft gets stuck, or damages the ramp, what then? Will Westerly be liable for damage done to boats, motors, trailers, vehicles trying to launch at Water's Edge?

There is no "waiting" area in the water, or on the street for that matter. Launching and retrieving boats takes time. Multiple boaters wanting to launch will have to wait on Pawcatuck Avenue or on the northern part of Water's Edge. This will cause congestion and unsafe conditions for boaters and residents alike. In the water, if multiple boaters want to pull their boats out of the water at the same

time, congestion will also ensue. The boater must leave the boat, reclaim their vehicle, back the trailer down the street to the boat ramp, and pull the boat before anyone else can use the ramp. If people are both waiting to launch and waiting to pull their boats out of the water, the traffic nightmare that could ensue is totally predictable.

I have seen no indication that the parking would be restricted to vehicles with trailers or vehicles using the boat ramp. There is nothing to insure that if parking was installed on Water's Edge or Pawcatuck Avenue that those parking places would be used for their intended purpose. If beach-goers or shoppers wanted to use those spaces, what would prevent them from doing so? And if they do so, the availability of parking to those wanting to use the boat ramp would be diminished. The availability of only six or seven parking spaces will mean that boaters will be driving down Pawcatuck Avenue (with their trailers in tow) looking for parking. If the available spaces were full, they would be required to turn around at the foot of Pawcatuck Avenue. (Please see above.)

I have not seen any indication that the Town would supply any kind of enforcement should the parking be restricted to vehicles with trailers, and etc. There is no guarantee that the parking places would be used for their intended purpose nor any means of preventing people from parking in "non-designated" places on the street. As we know from daily experience during the summer, it only takes one car parking in an illegal spot to encourage others to do the same. Even at the Westerly boat launch on Main Street, boaters flaunt the parking regulations, often without consequence. Will the Town be any more willing to supply enforcement for parking in Watch Hill?

While I am all in favor of providing public access to the water, I do not feel that any of the proposals for Water's Edge and/or Pawcatuck Avenue address the associated problems that will inevitably occur should parking of any kind be allowed in this area.

Very sincerely

Joanna M. Burkhardt

Mary Leblanc

From: John Swiatek <jswiatek77@sbcglobal.net>
Sent: Friday, January 22, 2021 9:55 AM
To: Mary Leblanc
Cc: John Swiatek
Subject: public access to Winnapaug pond

I welcome the investigation of adding Rights of Way to Winnapaug pond.

Please identify the plans for parking vehicles.

May I suggest that parking be established along the northern edges of the road. There is a substantial shoulder.

The availability to the spaces could be included in the current Larkin Rd, etc access sticker that is provided on a yearly basis. The annual fee can offset maintenance costs.

An added bonus would be access to the state beach and businesses along Atlantic Ave.

thanks
John Swiatek
34 Lawton Ave.

John Swainson
6 Waters Edge Road
Westerly RI 02891
January 21, 2020

To Members of Town Council, Westerly RI

Re: Changes in Parking Ordinances in Watch Hill

Dear Members of Council

I am writing to you as a seasonal resident of Watch Hill to strongly object to proposed changed that would lead to parking on Waters Edge Rd. or Pawcatuck Ave. Both of these are narrow streets in historically residential neighborhoods, and the addition of parking poses a safety risk both in terms of emergency equipment access but also to the residents of the community. There are literally dozens of small children (6 in our household alone) who live in the community over the summer, and they are back and forth between houses up and down the street. Allowing cars to maneuver and park on these streets is an accident waiting to happen.

To be clear, I have no issue with the designation of the town right of way at the south end of Waters Edge road or the rehabilitation of the area immediately adjacent to the right of way for use by kayaks or canoes and the like. I was with other members of the neighborhood on October 22, 2020 when we met with Mark Rooney the town manager, and all of us thought that we had his agreement to a minimalist proposal for the right of way. As a result of this supposed agreement, we agreed that Tom McAndrew should withdraw his letter of objection to the CRMC. It was thus with great surprise that we learned that rather than what we thought was agreed, in December the town instead submitted a proposal to CRMC that included options for parking on both Waters Edge and Pawcatuck.

It is for these reasons that I respectfully request that the Town of Westerly NOT include additional parking on residential streets in Watch Hill.

Sincerely

John Swainson

Cc: Joan Beth Brown
Tom McAndrew Esq.

Mary Leblanc

From: Linda Swainson <linda.swainson@mac.com>
Sent: Monday, January 25, 2021 1:32 PM
To: Sharon E. Ahern; Caswell Cooke, Jr.; Christopher A. Duhamel; Suzanne K. Giorno; Karen Cioffi; Brian H. McCuin; Philip M. Overton, Jr.; Donna Giordano; Lisa Pellegrini; Mark Rooney; wconley@wjclaw.com; rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov
Subject: Letter to Westerly Town Council imploring them to PLEASE KEEP OUR STREETS SAFE & STOP ON-STREET Parking on Pawcatuck Ave and Waters Edge Road, Westerly, RI
Attachments: Linda Swainson's Signed Letter to Town of Westerly Council.pdf

To all our local decision makers in the Town of Westerly, RI,

I attach a letter I wrote to the Town of Westerly Council, which I sent to them via another channel, to be heard at their January 25, 2021 Workshop and Town Meeting, outlining my concerns about any change allowing parking on Waters Edge Road or Pawcatuck Avenue in Westerly, RI.

Parking in the Historic District of Watch Hill, on any street, but in particular today relating to the discussion of parking on Pawcatuck Avenue and Waters Edge Road at the meeting of January 25, 2021, is a dangerous change to the streets of a beautiful, historic district where restricted parking makes walking everywhere a safe and enjoyable exercise for the public, and in particular keeps our streets clear and safe for children, for walkers, for cyclists and for emergency vehicles who must protect us.

I wish to point out that I am NOT objecting to a ROW at the bottom of Waters Edge Road for canoes or kayaks, but to parking on any of the residential streets surrounding it.

Please help us maintain the character and safety of a beautiful community that the community at large values and which
has many young children living within it.

Regards,

Linda Swainson
6 Waters Edge Road
Westerly, RI

Mary Leblanc

From: Linda Swainson <linda.swainson@mac.com>
Sent: Friday, January 22, 2021 1:08 PM
To: Donna Giordano
Cc: Joan Beth Brown; Tom McAndrew
Subject: Letter re: Parking on Waters Edge Rd and Pawcatuck Ave

Hi Donna,

I neglected to sign this letter when I sent it to you originally, so I am resending it with my signature included. Please ensure that members of the Westerly Town Council receive this signed letter prior to the Monday, January 25, 2021 meeting.

Thank you,

Linda Swainson
6 Waters Edge Road
Westerly, RI 02891
January 22, 2021

To Members of Town Council, Westerly, RI

Re: Changes in Parking Ordinances in Watch Hill, RI

Dear Members of Council,

I am a seasonal resident of Watch Hill, and I am writing to object, in the strongest of terms, to the proposed changes that seek to allow parking on Waters Edge Road and Pawcatuck Avenue. These are both narrow, dead end streets in a historically quiet, residential neighborhood. The homes here are occupied by families who have formed a strong neighborhood atmosphere which allows the many small children who occupy our homes in the summer to go back and forth to one another's homes, ride their bikes together, play street hockey, walk down to the kayak launch, walk their pets and walk with their families back and forth to the village. There are 6 small children in our household alone and many more in all the other homes, so that on any one summer day there could be more than a dozen small children out and about. To do anything that increases the traffic on these roads, including now maneuvering to park, watching for spots instead of for children, or turning in a now even more congested space if no parking is available, and where sightlines are now blocked, is fraught with danger and increases greatly the risk of a tragic accident.

I want to point out that even without parking currently on these streets, cars routinely drive down our streets, ignoring the speed limit and end up dead ended at one end or the other, where they have to turn around to get out, and to do that they use the driveways of the residents, which is both another safety issue, as our children all ride their bikes in our driveways and play there, but is also trespassing on private property and not welcome. Should there be a fire or other emergency on the street, it would be impossible for emergency vehicles to maneuver with cars parked on already narrow roads.

Pawcatuck and Waters Edge also enjoy great broader community pedestrian use as many people from the village walk there every day, as it is quiet and safe so to do. I do not object to the ROW at the bottom of our street, designated, as Mark Rooney committed it to a group of residents who met with him at the ROW on October 22, 2020, as a canoe and kayak boat launch supported by a small rack to hold the same with an improved area to turn and unload such a craft. It is a short walk from one of the parking lots in the village, which already have designated Westerly resident spots, and where someone launching their small craft can park their car after launch allowing the public access intended while still keeping our neighborhood safe for those of us who live here.

It is for these reasons that I respectfully request that the Town of Westerly NOT include additional parking on residential streets in Watch Hill.

Sincerely,

Linda M Swainson

Cc: Joan Beth Brown
Tom McAndrew Esq.

Linda Swainson

Linda Swainson
6 Waters Edge Road
Westerly, RI 02891
January 22, 2021

To Members of Town Council, Westerly, RI

Re: Changes in Parking Ordinances in Watch Hill, RI

Dear Members of Council,

I am a seasonal resident of Watch Hill, and I am writing to object, in the strongest of terms, to the proposed changes that seek to allow parking on Waters Edge Road and Pawcatuck Avenue. These are both narrow, dead end streets in a historically quiet, residential neighborhood. The homes here are occupied by families who have formed a strong neighborhood atmosphere which allows the many small children who occupy our homes in the summer to go back and forth to one another's homes, ride their bikes together, play street hockey, walk down to the kayak launch, walk their pets and walk with their families back and forth to the village. There are 6 small children in our household alone and many more in all the other homes, so that on any one summer day there could be more than a dozen small children out and about. To do anything that increases the traffic on these roads, including now maneuvering to park, watching for spots instead of for children, or turning in a now even more congested space if no parking is available, and where sightlines are now blocked, is fraught with danger and increases greatly the risk of a tragic accident.

I want to point out that even without parking currently on these streets, cars routinely drive down our streets, ignoring the speed limit and end up dead ended at one end or the other, where they have to turn around to get out, and to do that they use the driveways of the residents, which is both another safety issue, as our children all ride their bikes in our driveways and play there, but is also trespassing on private property and not welcome. Should there be a fire or other emergency on the street, it would be impossible for emergency vehicles to maneuver with cars parked on already narrow roads.

Pawcatuck and Waters Edge also enjoy great broader community pedestrian use as many people from the village walk there every day, as it is quiet and safe so to do. I do not object to the ROW at the bottom of our street, designated, as Mark Rooney committed it to a group of residents who met with him at the ROW on October 22, 2020, as a canoe and kayak boat launch supported by a small rack to hold the same with an improved area to turn and unload such a craft. It is a short walk from one of the parking lots in the village, which already have designated Westerly resident spots, and where someone launching their small craft can park their car after launch allowing the public access intended while still keeping our neighborhood safe for those of us who live here.

It is for these reasons that I respectfully request that the Town of Westerly NOT include additional parking on residential streets in Watch Hill.

Sincerely,

Linda M Swainson

Cc: Joan Beth Brown
Tom McAndrew Esq.

Ian Swainson
6 Waters Edge Rd
Westerly, RI 02891
January 22, 2021

To Members of Town Council, Westerly RI

Re: Changes in Parking Ordinances in Watch Hill

Dear Members of the Council, Westerly RI,

I hope you are well and staying safe in these unprecedented times. My wife, three young children (8, 6 and 5 years old), and I are seasonal residents of Watch Hill and I am writing to strongly object to proposed changes that would result in parking on Waters Edge Rd and Pawcatuck Ave. My primary concern is for the safety of my children as well as that of the numerous other children in the neighborhood. During the summer months, our kids are constantly running back and forth between houses in the neighborhood, riding bikes, playing street hockey/baseball/football and exploring the water at the boat launch. In our three seasons coming to Watch Hill, there have already been multiple instances where non-resident vehicles have driven down Pawcatuck Ave and onto Waters Edge Rd at a dangerous speed while our kids were playing (I am not sure where they were going, let alone in such a hurry). Allowing cars to park on Pawcatuck or Waters Edge will reduce driver's ability to see kids playing and will greatly increase the risk of a tragic accident.

I am also concerned about the impact on the Watch Hill community. Watch Hill is an active, outdoor community, and many residents walk down Pawcatuck and Waters Edge in order to get a view of Watch Hill Harbor and Foster Cove. Parking on the street will impact their safety and create impediments to traffic.

It is for these reasons that I respectfully request that the Town of Westerly <u>not</u> include additional parking on residential streets in Watch Hill.

Sincerely,

Ian Swainson

CC: Joan Beth Brown

Tom McAndrew, Esq.

Prosper Vignone
6 Waters Edge Road
Westerly RI 02891
January 22, 2021

To Members of Town Council, Westerly RI

Re: Changes in Parking Ordinances in Watch Hill

Dear Members of Council

I am a seasonal resident of Watch Hill and I am writing to strongly object to a proposal to allow parking on Waters Edge Road and Pawcatuck Avenue. These are narrow, residential streets and the addition of parking will create an unnecessary safety risk. There are six children under the age of ten in our house and many more in the other homes on these roads. Two of our six learned to ride bikes on these streets last summer and we have a couple more to teach soon. This is just one of the activities the neighborhood children enjoy on a daily basis in front of their houses. Allowing parking will dramatically increase the risk to the neighborhood residents as drivers are more likely to be distracted looking for spots and trying to turn around on dead end roads. This dynamic, combined with a narrowing of the roadway due to parking, will also inhibit the movement of emergency vehicles.

I do not object to the ROW at the bottom of Waters Edge, designated, as Mark Rooney committed it to a group of residents who met with him at the ROW on October 22, 2020, as a canoe and kayak boat launch. The existing Westerly resident spots in the village are very close to the launch. Improving the ROW area without adding parking would upgrade public access while keeping the neighborhood safe for the residents.

It is for these reasons that I respectfully request that the Town of Westerly NOT include additional parking on residential streets in Watch Hill.

Sincerely,

Prosper Vignone

Cc: Joan Beth Brown
Tom McAndrew Esq.

James Orthwein
11 Waters Edge Road

WESTERLY TOWN COUNCIL

January 22, 2021

Town of Westerly Rhode Island
45 Broad Street
Westerly, RI 02891

Dear Town Council Members:

I have lived at the South end of Waters Edge Road for 68 years. Having grown up there as a child, I spent many days playing in the streets and the ramp area around the Town's Right-of Way.

Having raised my children there, I have become acutely aware of the dangers associated with the dead-end traffic issues on the South end of Waters Edge Road. Cars are constantly driving to the end of the street, turning into #11 & #14 Waters Edge Road to turn around. They trespass and enter well into private property to execute their turn, which has presented safety issues for my children, and now grandchildren, who are playing on private property and sometimes in the street.

I fear adding designated parking spots, even with the proposed widening of the road, will not provide a safe and sufficient turn around space and will only exacerbate the problem as there will be limited parking available. Traffic will only increase while seeking to acquire one of these limited spots. I am aware that some CRMC representatives embrace the view that parking on Waters Edge Road would not be appropriate.

I recognize not all vehicles will deliver their kayaks and canoes by trailer, but many will, thus even further compounding the problem. This issue itself is totally unacceptable from a safety point of view.

While I support the towns efforts to improve public access to the water, I am strongly opposed to public parking on Waters Edge Road and Pawcatuck Avenue because it represents a major departure from the historical essence and character of the residential community that all have enjoyed for over the last 100 years.

I hope you will seriously consider these safety concerns and other concerns and decide to retain this historic community without the need to establish parking in this historic Watch Hill neighborhood. It is important to remember that access to the Watch Hill Harbor has not been, and is not impeded in any way by continuing the No Parking ban that has existed for decades.

Thank you for your consideration.

Respectfully Submitted,

James Orthwein

(Sent via email & US Mail to Town Clerk)

Elizabeth Swainson

6 Waters Edge Road

Westerly, RI 02891

January 22, 2021

To: Members of Town Council, Westerly, RI

RE: Changes in Parking Ordinances in Watch Hill, RI

Dear Members of Council,

I am writing in concern over the potential changes to the parking ordinances on Waters Edge Road. My family and I are summer residents. We have three young kids that enjoy spending countless hours each summer riding bikes, fishing, kayaking and playing street hockey with a dozen other young children in the Waters Edge neighborhood. Increasing traffic on these historically quiet, residential streets is an accident waiting to happen. As it is, we have countless cars driving up and down the street sightseeing which creates a hazardous environment for the heavy flow of residents walking the neighborhood daily. Adding to the traffic will not only reduce the walkability of the neighborhood but will create a dangerous environment for all those that enjoy walking the neighborhoods of Watch Hill including the young children.

It is for these reasons that I plead that the Town of Westerly not include additional street parking on the residential streets in Watch Hill.

Thank you,

Elizabeth Swainson

Mary Leblanc

From: Dan King <danking49@live.com>
Sent: Monday, January 25, 2021 8:55 AM
To: Donna Giordano
Cc: Christopher A. Duhamel; Caswell Cooke, Jr.; Sharon E. Ahern; Philip M. Overton, Jr.; Suzanne K. Giorno; Karen Cioffi; Brian H. McCuin; Mark Rooney; Mary Leblanc; Steve Medeiros; risaa-legislative@groups.io
Subject: Harbor Management Plan Public Hearing Comment

Please include my comment for tonight's Westerly Harbor Management Plan hearing.

As directed by the Town Council by a vote of 7-0 on 11/9/2020, the Town of Westerly submitted a Right of Way (ROW) Designation Request to the CRMC for the Spring Avenue Extension ROW (previously listed as Spray Rock Road Row #17) that was included in previous Comprehensive and Harbor Management Plans. I noticed that this ROW is not listed the Comprehensive plan as it was re-written for tonight's hearing, even though it is not required to be update for another 4 years.

Please correct this omission and put the Spring Avenue Extension ROW back into the Comprehensive Plan, at least as a placeholder until CRMC makes it's ruling as a potential CRMC sanction ROW. Even better, leave the Harbor Management Plan as it is and update it at a later date after CRMC has done their assessment.

As you should be aware, removing the so called Spring Ave ROW (formerly Spray Rock Road #17) will essentially eliminate public access to almost 2 miles of the most pristine beach in Rhode Island. The only other public access point to this beach is a two mile hike down the Sand Trail to the State owned property adjacent to the Quonochontaug Breachway in Charlestown. Only specially equipped four wheel drive vehicles with an annual DEM Beach Vehicle Pass are allowed to use the Sand Trail; and even that is limited to only certain times of the year.

While the Spring Ave ROW has been fenced off (illegally in my opinion) for the 34 years I have been fishing and walking what is called "Fire District" beach, I have enjoyed free and unincumbered access to it via the adjacent Weekapaug Fire District beach access 100s of times over those years. I was challenged a handful of times by security guards there, but was always allowed to pass with the understanding that it was an alternate to the "official" ROW (Spray Rock #17) adjacent (less than 100') to it, and that I would be continuing on my way below the high water line after entering the beach. Eliminating Spray Rock #17 will eliminate any incentive for the Weekapaug Fire District to continue this long standing policy of allowing public access on their path to the beach for lateral travel only the beach; effectively eliminating public access to it forever.

Respectfully
Daniel J. King
20 North Capalbo Drive
Bradford, RI 02808
401-932-6290

Mary Leblanc

From: Donna Giordano
Sent: Monday, January 25, 2021 11:00 AM
To: Mary Leblanc
Subject: FW: NO On-Street Parking PLEASE!

From: Joanna Williams <jojowill@optonline.net>
Sent: Monday, January 25, 2021 10:55 AM
To: Sharon E. Ahern <sahern@westerlyri.gov>; Caswell Cooke, Jr. <CCooke@westerlyri.gov>; Christopher A. Duhamel <CDuhamel@westerlyri.gov>; Suzanne K. Giorno <sgiorno@westerlyri.gov>; Karen Cioffi <kcioffi@westerlyri.gov>; Brian H. McCuin <BMcCuin@westerlyri.gov>; Philip M. Overton, Jr. <poverton@westerlyri.gov>; Donna Giordano <dgiordano@westerlyri.gov>; Lisa Pellegrini <lpellegrini@westerlyri.gov>; Mark Rooney <mrooney@westerlyri.gov>; wconley@wjclaw.com; rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov
Subject: NO On-Street Parking PLEASE!

Dear Westerly Town Council,

I am writing today to implore you to maintain Town Ordinance 238-67, which as you are all keenly aware, was established to protect public safety in the beautiful and historic town that we all cherish. As we spend more and more time here each year, especially in this COVID environment, we are reminded of why this ordinance was established and the importance of it to all.

The roads are already too narrow and too busy - with cars, pedestrians and cyclists already cautiously navigating around one another - to safely accommodate on-street parking. Such parking would further narrow roadways and create blind spots and other safety hazards. On-street parking will make navigation of emergency vehicles more challenging. On-street parking will create new and busy traffic patterns through narrow and dead-end residential streets and would seriously diminish the character of our beautiful and historic community.

We are all aware of some of the tragedies (*notably for us, the death of Amy Flynn in front of her 11-year old daughter on Thanksgiving Day 2011*) and near-tragedies that have occurred on our streets in the recent past. We are reminded of these nearly daily as we walk our dogs, walk or jog the streets and drive on roads where the speed limits fo 25-30 mph are regularly ignored and seldom enforced.

We also constantly have people parking on our property, oblivious to damage to plants, property and causing restriction a narrow road (*for residents and emergency vehicles*), to visit the beach as they avoid available parking options in town. Again, this is rarely enforced as we know our police have higher priorities for their valuable time.

Thank you all for your devoted service to the Town and all of our residents. We appreciate your efforts to maintain the character of the town and safety for all.

Kindest regards,

Joanna Williams
7 Massachaug Road
Westerly

Mary Leblanc

From: Donna Giordano
Sent: Monday, January 25, 2021 11:00 AM
To: Mary Leblanc
Subject: FW: On street parking on Pawcatuck Avenue and Water's Edge / ROW

From: Brian McCormick <brian_mccormick@hotmail.com>
Sent: Monday, January 25, 2021 10:48 AM
To: Sharon E. Ahern <sahern@westerlyri.gov>; Caswell Cooke, Jr. <CCooke@westerlyri.gov>; cduhamel@westerly.gov; Suzanne K. Giorno <sgiorno@westerlyri.gov>; Karen Cioffi <kcioffi@westerlyri.gov>; Brian H. McCuin <BMcCuin@westerlyri.gov>; Philip M. Overton, Jr. <poverton@westerlyri.gov>; Donna Giordano <dgiordano@westerlyri.gov>; Lisa Pellegrini <lpellegrini@westerlyri.gov>; Mark Rooney <mrooney@westerlyri.gov>; wconley@wjclaw.com
Cc: rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov
Subject: On street parking on Pawcatuck Avenue and Water's Edge / ROW

Good morning member of the Westerly Town Council,

My name is Brian McCormick and I live at 9 Noonatch Road in Westerly.

Born in 1975 and having grown up at 3 Pawcatuck Avenue in Westerly, where my mother still resides, I was one of the few year-round residents back in the day so I have a bit of unique perspective regarding the shoreline community. I am writing to you to express my concern regarding the CRMC application which includes proposed parking on Water's Edge and Pawcatuck Avenue.

While I was happy to see the Town of Westerly is looking to restore the physical entry to the right of way with improvements to the ramp and clearing of debris from a safety perspective I strongly object to adding parking spots on Water's Edge or Pawcatuck Avenue for the same reason, safety.

Adding parking spots to either of these dead-end streets is a safety concern for the residents near the proposed spots as well as the walkers and bike riders that come to the area from out of town. Over the last year as more and more people spend time outside due to the pandemic, I have witnessed an increased number of visitors enjoying a walk down Pawcatuck Avenue which is wonderful to see. Given the dead-end nature of the streets the lack of a turnaround for these additional parking spots would be highly problematic as cars would have to back into people's driveways. Another concern I would have would be the policing of these parking spots. The introduction of the spots would increase the burden on the Westerly Police Department I presume. Lastly, emergency vehicles access to these homes would be impaired with the narrowing of the road.

Beyond these safety issues which are real I worry about the longer-term impacts of introducing parking to these residential neighborhoods. As you know Watch Hill is recognized by the United States Department of Interior's National Park Service, and listed on the National Register of Historic Places, as a Federal Historic District. This is not by accident but rather a testament to many decisions that you and your predecessors have been entrusted with over the last 100 plus years, congratulations on a job well done. Watch Hill has found a

great balance with its commercial district with the quaint village as well as welcoming many visitors each year to its majestic beaches. Adding a handful of parking spots to either of these streets for the right of way that functions perfectly now is a safety concern but also greatly risks degrading the character and charm that attracts so many visitors to the area.

Thank you for your time and your service.

Sincerely,
Brian McCormick

Mary Leblanc

From: Donna Giordano
Sent: Monday, January 25, 2021 11:00 AM
To: Mary Leblanc
Subject: FW: NO ON-STREET PARKING!

From: Charlotte Kline <charlottekline@gmail.com>
Sent: Monday, January 25, 2021 10:47 AM
To: Sharon E. Ahern <sahern@westerlyri.gov>; Caswell Cooke, Jr. <CCooke@westerlyri.gov>; Christopher A. Duhamel <CDuhamel@westerlyri.gov>; Suzanne K. Giorno <sgiorno@westerlyri.gov>; Karen Cioffi <kcioffi@westerlyri.gov>; Brian H. McCuin <BMcCuin@westerlyri.gov>; Philip M. Overton, Jr. <poverton@westerlyri.gov>; Donna Giordano <dgiordano@westerlyri.gov>; Lisa Pellegrini <lpellegrini@westerlyri.gov>; Mark Rooney <mrooney@westerlyri.gov>; wconley@wjclaw.com; rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov
Cc: dlamm@thewatchhillconservancy.org
Subject: NO ON-STREET PARKING!

To Whom It May Concern/Town Council Westerly,
It is my understanding that The Town of Westerly has applied for a CRMC Assent to construct improvements at the southern end of Waters Edge Road.
Regarding this proposal, I am writing to strongly object to the introduction of on-street parking because it violates the current Westerly Town Ordinance 238-67 which PROHIBITS on-street parking in the residential areas of Westerly.

As a homeowner at 8 Plimpton Hill Road in Watch Hill. We are very aware of the congestion that occurs during the year. Our street, as well as all roads in and around town are busy with pedestrians, families with small children, children able to walk into town on their own, dog walkers and people on bicycles. Cars are also a part of the mix. However, having parking restricted to Bay Street is very helpful. The ability to walk and cycle safely is what makes the area so attractive. I am very opposed to street parking on any of the smaller roads in Watch Hill. It would hamper our ability to walk and ride bikes safely if cars were parked on the street.

Town Ordinance 238-67 was established to protect public safety and safety is our top concern. The roads are too narrow and too busy - with cars, pedestrians and cyclists already cautiously navigating around one another - to safely accommodate on-street parking. Such parking would further narrow roadways and create blind spots and other safety hazards. On-street parking will make navigation of emergency vehicles more challenging. On-street parking will create new and busy traffic patterns through narrow and dead-end residential streets. On-street parking is easily abused and will be a tremendous burden for our police to enforce. And importantly, on-street parking would seriously diminish the character of our beautiful and historic community. Watch Hill is recognized by the United States Department of Interior's National Park Service, and listed on the National Register of Historic Places, as a Federal Historic District.
Thank you.
Charlotte Kline

Mary Leblanc

From: Donna Giordano
Sent: Monday, January 25, 2021 11:02 AM
To: Sharon E. Ahern; Suzanne K. Giorno; Caswell Cooke, Jr.; Christopher A. Duhamel; Philip M. Overton, Jr.; Karen Cioffi; Brian H. McCuin; build@sorensenmccuin.com
Cc: Mark Rooney; Lisa Pellegrini; William J. Conley, Jr.; Mary Leblanc
Subject: FW: No On Street Parking in Watch Hill

Please see email below.

From: Melissa <melissamarvel@gmail.com>
Sent: Monday, January 25, 2021 10:39 AM
To: Donna Giordano <dgiordano@westerlyri.gov>
Subject: No On Street Parking in Watch Hill

Good morning,

It has come to my attention, as a westerly resident (132 Watch Hill Road), that there will be a town meeting held tonight to discuss adding more parking in Watch Hill along the southern end of Waters Edge Road and Pawcatuck Avenue. These are residential areas and parking should not be allowed on these streets or any residential streets in the Watch Hill area.

I am very much opposed to this decision. I walk from my house into Watch Hill on a daily basis during the summer months and the daily traffic is already intense. Adding additional on street parking will not only intensify the amount of traffic, but it is a major safety hazard. In addition, it is violation of the **Westerly Town Ordinance 238-67**!

Please do not allow additional parking in Watch Hill. Watch Hill was never meant to entertain the amount of visitors it gets each year and the area cannot take on even more.

Thank you,

Melissa Marvel
132 Watch Hill Road

Mary Leblanc

From: Donna Giordano
Sent: Monday, January 25, 2021 10:58 AM
To: Sharon E. Ahern; Suzanne K. Giorno; Caswell Cooke, Jr.; Christopher A. Duhamel; Philip M. Overton, Jr.; Karen Cioffi; Brian H. McCuin; build@sorensenmccuin.com
Cc: Mark Rooney; Lisa Pellegrini; William J. Conley, Jr.; Mary Leblanc
Subject: FW: TOWN COUNCIL MEETING 1/25
Attachments: EX. A.pdf; EX. B.pdf; EX. C.pdf; EX. D.pdf; EX. E.pdf; EX. F.pdf; EX. G.pdf; EX. H.pdf; EX. I.pdf

Please see email below.

From: Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>
Sent: Monday, January 25, 2021 10:21 AM
To: Donna Giordano <dgiordano@westerlyri.gov>
Subject: TOWN COUNCIL MEETING 1/25

Good Morning Donna:

Please see attached documents that address the Town's original Maintenance Application to CRMC in September 2020 along with the Town's subsequent Application to CRMC in December 2020. I am also attaching other relevant documents regarding this matter including the Complaint filed with the Office of Attorney General alleging a violation of the Open Meetings Act on November 9, 2020.

I believe these documents will be helpful to the Council in understanding the travel of the events and the concern that the residents and homeowners have regarding the Town Manager's initiative to establish on-street parking in a residential zoned community where it has been banned for decades.

Ex. A - September 16, 2020 – Town of Westerly's Maintenance Certification Application

Ex. B - October 27, 2020 – TJM Withdrawal Letter to CRMC

Ex. C - November 16, 2020 – TJM Letter to Jeff Willis of CRMC RE: Referral of the Waters Edge Road South Matter

Ex. D - December 10, 2020 – Town of Westerly's CRMC Application 2020-9-108 (see Options 2 and 3)

Ex. E - January 7, 2021 – TJM Objection to the December 10, 2020 Proposal

Ex. F - January 11, 2021 – Email from Town Manager, Mark Rooney

Ex. G - January 11, 2021 – TJM Response to Town Manager, Mark Rooney's Email

Ex. H - January 11, 2021 – Complaint filed with the Office of Attorney General for potential violations of the Open Meetings Act

Ex. I - January 12, 2021 – Email from David Reis of CRMC RE: CRMC Preferred Parking

Please provide these documents to members of the Town Council.

Thank you.
Tom

Attachments

--
Thomas J. McAndrew, Esq.
Thomas J. McAndrew & Associates
One Turks Head Place, Suite 205
Providence, Rhode Island 02903
(401) 455-0350 Tel
(401) 455-0882 Fax

Exhibit A

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

MAINTENANCE CERTIFICATION APPLICATION

Project Location Waters Edge Road Westerly (No. / Street / City/Town)	File No. (CRMC USE ONLY): 2020-09-108
Owner's Name Town of Westerly	Plat: / Lot(s):
Mailing Address 45 Broad Street City/Town Westerly State RI Zip Code 02891	Contact No.: 401-348-2572
Contractor RI Reg. #: Town of Westerly Department of Public Works Address:	
Name of Waterway: Little Narragansett Bay	Estimated Project Cost: $ Fee (chart based on EPC): $
Description of facility to be maintained (type of facility and present conditions) Kayak/Canoe launch is obstructed as a result of rock and debris	
Describe accurately the maintenance work proposed. (Use additional sheets of paper if necessary and attach this form.) Removal of rock in right of way and removal of rock and debris at launch area	
Describe equipment to be used, construction methods, access routes, etc. Backhoe	

Have you or any previous owner filed an application for and/or received an assent for any activity on this property?
(If so please provide the file and/or assent numbers): _____

Is this site within a designated historic district? ☒ YES ☐ NO

Is this application being submitted in response to a coastal violation? ☐ YES ☒ NO

If YES, you must indicate NOV or C&D Number: _____

NOTE: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible adhered to the policies and standards of the program. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. The filing of false information can result in the Coastal Resources Management Council revoking state assent.

J. Mark Rooney

J. MARK ROONEY
Town Manager

Owner's Signature

Apl 03/2020

SEE REVERSE SIDE →

RECEIVED
SEP 21 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

Exhibit B

Managed Cloud Systems

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>

WATERS EDGE ROAD SOUTH , RIGHT-OF-WAY

2 messages

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com> Tue, Oct 27, 2020 at 11:53 AM
To: jwillis@crmc.ri.gov

Good Morning Mr. Willis:

Please see attached hereto my correspondence concerning the above-referenced matter.

Thank you.

Tom
(Dictated but not read)

Attachment

--
Thomas J. McAndrew, Esq.
Thomas J. McAndrew & Associates
One Turks Head Place, Suite 205
Providence, Rhode Island 02903
(401) 455-0350 Tel
(401) 455-0882 Fax

Jeff Willis Letter of 10.27.2020.pdf
50K

Jeff Willis <jwillis@crmc.ri.gov> Tue, Oct 27, 2020 at 1:06 PM
To: Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>

Tom – thank you for this. It contains good news indeed on the collaborative nature of any potential work at the Water's Edge Rd site.

A suggestion: we do not have an application from the town in front of us regarding this location at this time. However we suspect we will have one sooner than later. When we do receive an application would it be possible to have worked with the town to have letters of support from your clients be included with their application? At least two things will come from this: first, the obvious one being support from the abutting property owners which certainly helps in any subsequent review; and second, should any agency notification be required from our review, those abutting property owners would receive all notices relevant to the review of the application, again, should any be necessary.

I realize your attached letter pretty much accomplishes this but as you said therein, collaboration is ongoing as to what the final design/use of the site will be. Hence the letters of support upon application.

Again thanks for making this contact and providing the clarification letter. We look forward to the continued collaboration between all parties at this site.

Thanks,

Jeff

****

Jeffrey M. Willis, Executive Director

RI Coastal Resources Management Council

Stedman Government Center / Room 116

4808 Tower Hill Road

Wakefield, RI 02879-1900

(401) 783-3370

www.crmc.ri.gov

[Quoted text hidden]

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

October 27, 2020

Mr. Jeff Willis, Director
Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: WATERS EDGE ROAD SOUTH – RIGHT-OF-WAY

Dear Sir:

I previously wrote to you on September 29, 2020 requesting that the residents of Waters Edge Road receive "notice" if the Town of Westerly sought to change in any material way the existing Right-of-Way at that site. I am afraid that my letter requesting "notice" has been misunderstood or misinterpreted because on behalf of those residents that I represent they do not have an objection to improve this site and have been working with the Westerly Town Manager to establish appropriate conditions that will make this site safe and accessible to the public.

To date there have been excellent collaborative meetings held between the parties that portend for a mutually agreed upon Agreement to improve access and to establish, among other things, kayak racks at this site.

I trust that this note clarifies the position of the abutting land owners, and we look to continuing to work with the Town Manager to finalize a mutual understanding with the Town that incorporates appropriate conditions.

Please feel free to contact me should you have any questions, concerns or comments regarding the abutting neighbors support for this initiative.

Sincerely,

Thomas J. McAndrew, Esq.

Cc: Mark Rooney
Joan Beth Brown

Exhibit C

Managed Cloud Systems

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>

WATERS EDGE ROAD SOUTH -- RIGHT-OF-WAY

2 messages

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com> Mon, Nov 16, 2020 at 4:18 PM
To: jwillis@crmc.ri.gov
Cc: Chris Galvin <cgalvin@blythebourne.com>, James Orthwein <jorthweinjr@gmail.com>, Joan Beth Brown <brownfam@optonline.net>, Tori Rychlock <torir@objectiv.com>

Good Afternoon Mr. Willis:

Please see attached hereto my correspondence concerning the above-referenced matter.

Thank you.

Tom
(Dictated but not read)

Attachment

--
Thomas J. McAndrew, Esq.
Thomas J. McAndrew & Associates
One Turks Head Place, Suite 205
Providence, Rhode Island 02903
(401) 455-0350 Tel
(401) 455-0882 Fax

Letter to Jeffrey Willis 11.16.2020.pdf
62K

Chris Galvin <cgalvin@blythebourne.com> Mon, Nov 16, 2020 at 4:39 PM
To: Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>
Cc: James Orthwein <jorthweinjr@gmail.com>, Joan Beth Brown <brownfam@optonline.net>, Tori Rychlock <torir@objectiv.com>

Thank you Tom. Hopefully Mr. Willis will call you back

Dictated from Chris Galvin's iPad
'Sound Alike' words may be substituted mistakenly,
'after' SEND is pushed, using Siri.

> On Nov 16, 2020, at 3:19 PM, Thomas McAndrew <tmcandrew@tjmcandrewlaw.com> wrote:
>
> [Quoted text hidden]
> <Letter to Jeffrey Willis 11.16.2020.pdf>

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

November 16, 2020

Mr. Jeffrey M. Willis, Executive Director
RI Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: WATERS EDGE ROAD SOUTH – RIGHT-OF-WAY

Dear Jeff:

I previously wrote to you on September 8, 2020, September 29, 2020 and October 27, 2020 regarding the Town of Westerly's Right-of-Way at Waters Edge Road South because residents and abutting landowners were concerned about the manner in which the Town intended to improve that site.

As a result of a collaborative effort between the parties and Town Manager, I withdrew/clarified the residents' concerns in correspondence sent to you on October 27, 2020. At that time, we believed that an appropriate compromise had been reached with the Town Manager and that there were a number of conditions agreed to by the parties.

Today I received an email from the Town Manager in which he now indicates that I have "overstated" the parties understanding about this site and that neither the Town nor he have intention of being bound by conditions that I might add, he previously agreed to with the residents and the Watch Hill Fire District Moderator.

Significantly, on Monday, November 9, 2020 for some unknown reason the Town Manager proposed that the Town Council send a matter to CRMC regarding Waters Edge Road South. My clients have no idea what this referral was all about and wish to inform you that if CRMC asserts some form of jurisdiction over this matter as a result of the Town Council's November 9, 2020 action, the abutting property owners and residents wish to be heard.

It is entirely possible that this issue will be "academic" and particularly if the conditions that the Manager and the parties agree to are honored. However, if for some reason those conditions are modified in any material way, the residents wish to be heard with respect to their concerns and/or objections.

I look forward to hearing from you regarding this matter and next steps that CRMC envisions as a result of the Town Council's referral of November 9, 2020.

Sincerely,

Thomas J. McAndrew, Esq.

TJM/cpm

Exhibit D

CRMC Application Review Sheet

File Number: 2020-~~[illegible]~~ -9-108

Owner Name: Town of Westerly

Site Address: Waters Edge, Westerly
Plat: ; Lot:

SCANNED

Administrative Review

Reviewer: BMS
Completed on 12/11/2020
☐ Application Complete
☐ Application Deficient
☐ FONSI
☐ Enforcement compliance _____

Missing
_____ Application
_____ Fee
_____ ISDS
_____ Proof of Ownership
_____ Building Permit
_____ Site Plans

As Applicable:
____ CHA Worksheet
____ Stormwater Calcs
____ Structural Lot Calcs

☐ **EXTENSION** (Enforcement review)

Notes: _____

Team Review for Acceptance

Application Deficient
☐ Deficiency Letter Required
☐ Notified Via Phone Call – waiting for _____

☑ ~~Application Accepted~~ NEW SUBMISSION

Date: 1/5/21

Assigned To		Date Completed	Denial Recommendation	Management Sign-off
Project Manager	DR			
Engineer				
Biologist	DR			
Geologist				
Aqua				
Dredge				
Other				

Category: A

Project Type: 32

Water Type: _____

Water Area: WATCH HILL HARBOR

PGP Category: SV PCN IP ☐ Public Access 355 ☐ Public Access Easement

Short Project Description: BOAT RAMP & ROADWAY MAINTENANCE WITH ROADWAY WIDENING FOR PARKING PLACES

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

APPLICATION FOR STATE ASSENT

To perform work regulated by the provisions of Chapter 279 of the Public Laws of 1971 Amended.

Project Location Waters Edge, Westerly (No. Street City/Town)	File No. (CRMC USE ONLY) 2020-09-108
Owner's Name Town of Westerly	Plat: Lot(s):
Mailing Address 45 Broad Street City/Town Westerly State RI Zip Code 02891	401-348-2562 Contact No.: Email Address: lzalaski@westerlyri.gov
Contractor RI Reg. # Address	Email address: Tel. No.
Designer Owner Address See Above	Tel. No. See above
Name of Waterway Little Narragansett Bay	Estimated Project Cost (EPC): Application Fee:

Describe accurately the work proposed. (Use additional sheets of paper if necessary and attach this form.)
See attached sheet

Have you or any previous owner filed an application for and/or received an assent for any activity on this property?
(If so please provide the file and/or assent numbers): _____

Is this site within a designated historic district? ■ YES □ NO

Is this application being submitted in response to a coastal violation? □ YES ■ NO

If YES, you must indicate NOV or C&D Number: _____

Name/mailing addresses of adjacent property owners whose property adjoins the project site. Accurate mailing addresses will insure proper notification. LZ Applicant must initial to certify accuracy of adjacent property owners and accuracy of mailing addresses.

_____

_____

STORMTOOLS (Http://www.beachsamp.org/resources/stormtools/) is a planning tool to help applicants evaluate the impacts of sea level rise and storm surge on their projects. The Council encourages applicants to use STORMTOOLS to help them understand the risk that may be present at their site and make appropriate adjustments to the project design.

NOTE: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible, adhered to the policies and standards of the program. Where variances or special exceptions are requested by the applicant, the applicant will be prepared to assist and present testimony on the criteria and burdens of proof for each of these relief provisions. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. If the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then the permit granted under this application may be found to be null and void. Applicant requires that as a condition to the granting of this assent, members of the CRMC or its staff shall have access to the applicant's property to make on-site inspections to insure compliance with this assent. This application is made under oath and subject to the penalties of perjury. 08/04

_____
Owner's Signature (sign and print)

PLEASE REVIEW REVERSE SIDE OF APPLICATION FORM

RECEIVED
DEC 10 2020
11/2019
COASTAL RESOURCES MANAGEMENT COUNCIL

hjl/lst

Town of Westerly, R. I.

Town Assessor's Office 45 Broad St Westerly RI 02891
Tel (401) 348-2541 Fax (401) 348-2616

COASTAL RESOURCE MANAGEMENT COUNCIL
STEDMAN GOVERNMENT CENTER
TOWER HILL ROAD
WAKEFIELD, RI 02879

TO WHOM IT MAY CONCERN:

RECORDS AT THE ASSESSOR'S OFFICE, TOWN OF WESTERLY, RI, INDICATE THAT THE FOLLOWING OWN PROPERTY IN SAID TOWN:

NAME:	**TOWN OF WESTERLY**
ADDRESS:	**45 BROAD STREET WESTERLY, RI 02891**
PROPERTY LOCATION:	**WATERS EDGE ROAD WESTERLY, RI 02891**
PLAT/LOT:	**/**
LAND EVIDENCE RECORDS:	**BOOK 2 PAGE 86**
DATE OF ISSUE:	**September 16, 2020**

SINCERELY,

DAVID B. THOMPSON
TOWN ASSESSOR

RECEIVED
DEC 10 2020
COASTAL RESOURCES

TO: **Coastal Resources Management Council**
4808 Tower Hill Road Suite 3
Wakefield, RI 02879
Phone: (401) 783-3370

FROM: **Building Official** DATE: September 16,2020

SUBJ: Application of: Town of Westerly

Location: Waters Edge Road

Address: Adjacent to Plat No. 179 Lot No. 15

To Construct: Resurfacing of existing earthen kayak ramp with stone and sand; repair of existing asphalt road and installation of asphalt driveway apron

I hereby certify that I have reviewed _____ foundation plan(s).
_____ plan(s) for entire structure
_____ site plans
Titled: _____

Date of Plan (last revision): _____

___ and find that the issuance of a local building permit is not required as in accordance with Section _____ of the Rhode Island State Building Code.

___ and find that the issuance of a local building permit is required. I hereby certify that this permit shall be issued once the applicant demonstrates that the proposed construction/activity fully conforms to the applicable requirements of the RISBC.

___ and find that a Septic System Suitability Determination (SSD) must be obtained from the RI Dept. of Environmental Management.

___ and find that a Septic System Suitability Determination (SSD) need not be obtained from the RI Dept. of Environmental Management.

___ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final. The Zoning Board approval shall expire on _____.

Building Official's Signature Date

___ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final.

Zoning Officer's Signature Date

rev. 5/11/2001

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DEC 10 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

Town of Westerly, Rhode Island
Engineering Division

Application for State Assent
Waters Edge Road Improvements

Project Narrative

Existing Conditions

The public right-of-way (ROW) identified as Waters Edge Road is located in the Watch Hill section of Westerly. The ROW is improved with an asphalt-paved road, approximately 18 feet side and 800 feet in length, that is bisected by Pawcatuck Avenue. The paved road dead ends to both the north and south of Pawcatuck Avenue, terminating just beyond the driveways for 3 and 4 Waters Edge Road, and 14 and 16 Waters Edge Road, respectively. The ROW extends further north and south to the waters of the Little Narragansett Bay. An earthen boat ramp exists at the southern terminus of Waters Edge Road that gradually slopes towards the water, which is approximately 90 feet in length and 10 feet in width. Starting at the terminus of the road, the first 50 feet of the earthen ramp is surfaced with gravel, sand, and grass. The remaining 40 feet of the ramp is surfaced with fine sand and silt. Some boulders and concrete debris were noted within and alongside of the ramp.

Proposed Conditions

The Town of Westerly proposes to improve this ROW to provide the public with better access to the Little Narragansett Bay. These improvements consist of the following: installing a kayak rack; restoring the surface of the earthen boat ramp to provide ease of access to the water, mitigate erosion of the earthen ramp, and mitigate sediment accumulation along Waters Edge Road, and conducting repairs to the existing asphalt paved road to improve vehicular access while also delineating private property. The description of the three options proposed by the Town are provided below.

Option 1

As part of Option 1, the following activities will be conducted:

- Resurfacing/restoration of the existing earthen boat ramp;
- Repair of the existing deteriorated asphalt at the southern terminus of Waters Edge Road;
- Installation of a new asphalt driveway apron at the driveway for 14 & 16 Waters Edge Road; and,
- Installation of (a) new kayak rack(s) in the grassy area to the southwest of the southern terminus of Waters Edge Road, adjacent to the earthen boat ramp.

The boat ramp restoration will consist of removing the mixture of gravel, sand, and grass from the first 50 feet of the ramp, and replacing it will an approximately 8-inches of 2- to 3-inch diameter stone. Any fine silts or organic deposits will be "mucked out" and replaced with beach sand, as necessary, for the remaining 40 feet of the ramp. Any concrete debris located within and along side of the earthen ramp will be removed and disposed off-site. Any existing boulders that obstruct use of the ramp will be relocated to a nearby location. The use of the 2- to 3-inch stone will stabilize the surface beyond the asphalt road for vehicular passage, and will also act as a sedimentation buffer between the road and the lower part of the earthen ramp. Removal and replacement of the fine silts and localized organic deposits within the limits of the lower ramp will provide a safer and more stabilized kayak launch for public use. The new asphalt driveway apron is intended to delineate the public ROW from the private driveway, while also providing an erosion control measure for the existing stone driveway.

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COASTAL RESOURCES MANAGEMENT COUNCIL

Town of Westerly, Rhode Island
Engineering Division

Application for State Assent
Waters Edge Road Improvements

Option 2

All activities described in Option 1 would be included in Option 2. Additionally, Waters Edge Road would be widened by approximately 9 feet, for a length of approximately 190 feet, in order to provide 6 parking spaces while still allowing for two-way traffic. Widening of the road would require removal of 3-foot and 6-foot wide grass strips located parallel to the north and south sides of road, respectively. White pavement markings would be placed to delineate the six 20-foot long, 9-foot wide parking spaces, with hatched no-parking areas located near the driveway for 11 Waters Edge Road and the southern terminus of Waters Edge Road.

Option 3

All activities described in Option 1 would be included in Option 3. Differing from Option 2, Option 3 proposes to add parking spaces on the abutting street (Pawcatuck Avenue), which is currently wide enough to provide parking and still allow two-way traffic. Pavement markings added along the southern side of Pawcatuck Avenue, between the driveways for 10 Waters Edge Road and 14 Pawcatuck Avenue, would provide for seven 20-foot long, 9-foot wide parking spaces, with hatched no-parking areas located adjacent to the driveways.

Preferred Option

The Town has identified Option 2 as the preferred option. The activities described in Option 2 can be completed by the Town of Westerly's Department of Public Works, and does not require substantial road reconstruction activities to provide public parking for use of the improved boat ramp.

Adjacent Property Owners

- Thomas F & Melinda Dempsey, 348 Pondfield Road, Bronxville, NY 10708
- Watch Hill LLC, 14 Waters Edge Road, Westerly, RI 02891
- Jane Ross Orthwein, 50 Lock Road, Deerfield, FL 33442-1580
- Jonathan Bicknell, 1015 Winding Way, Baltimore, MD 21210
- Elizabeth Wendelin Wilkes, Waccabuc, NY 10597
- D Trust, 66 Mt Vernon Street Unit 2, Boston, MA 02018

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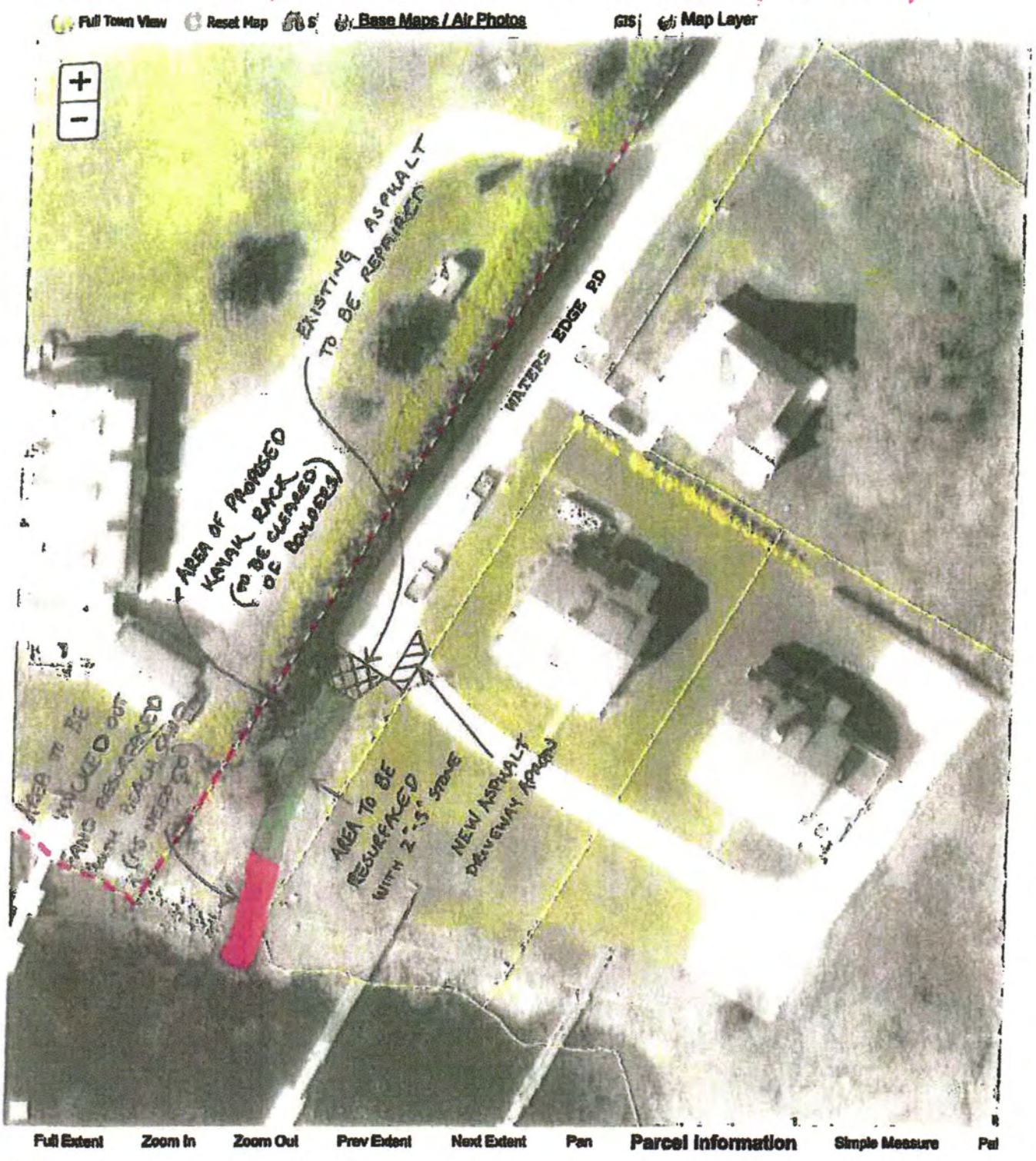
DEC 10 2020
COASTAL RESOURCES

WATERS EDGE IMPROVEMENTS: OPTION 1 (PAGE 1 OF 1)



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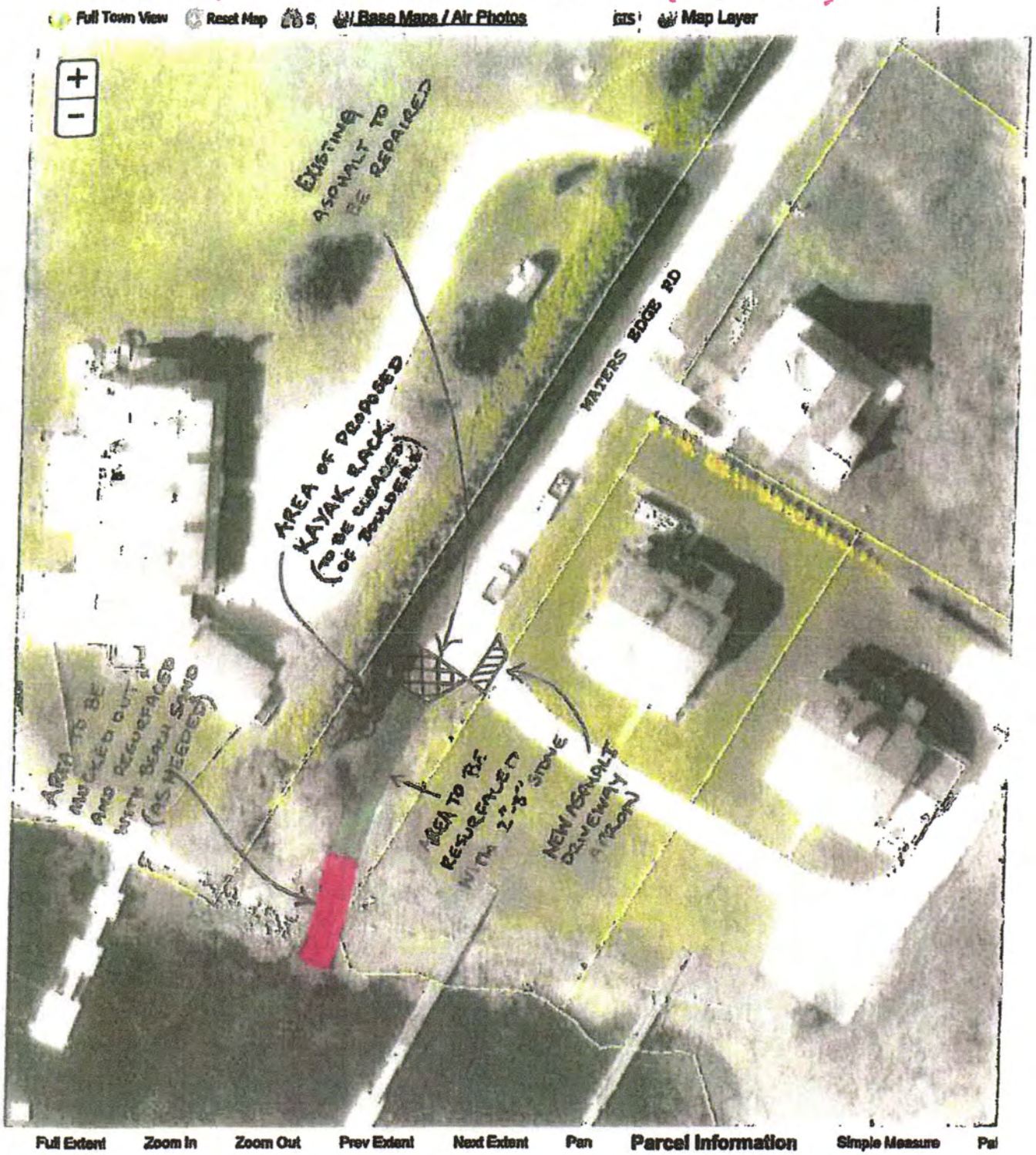
DEC 10 2020
COASTAL RESOURCES

WATERS EDGE IMPROVEMENTS : OPTION 2 (PAGE 1 OF 1)

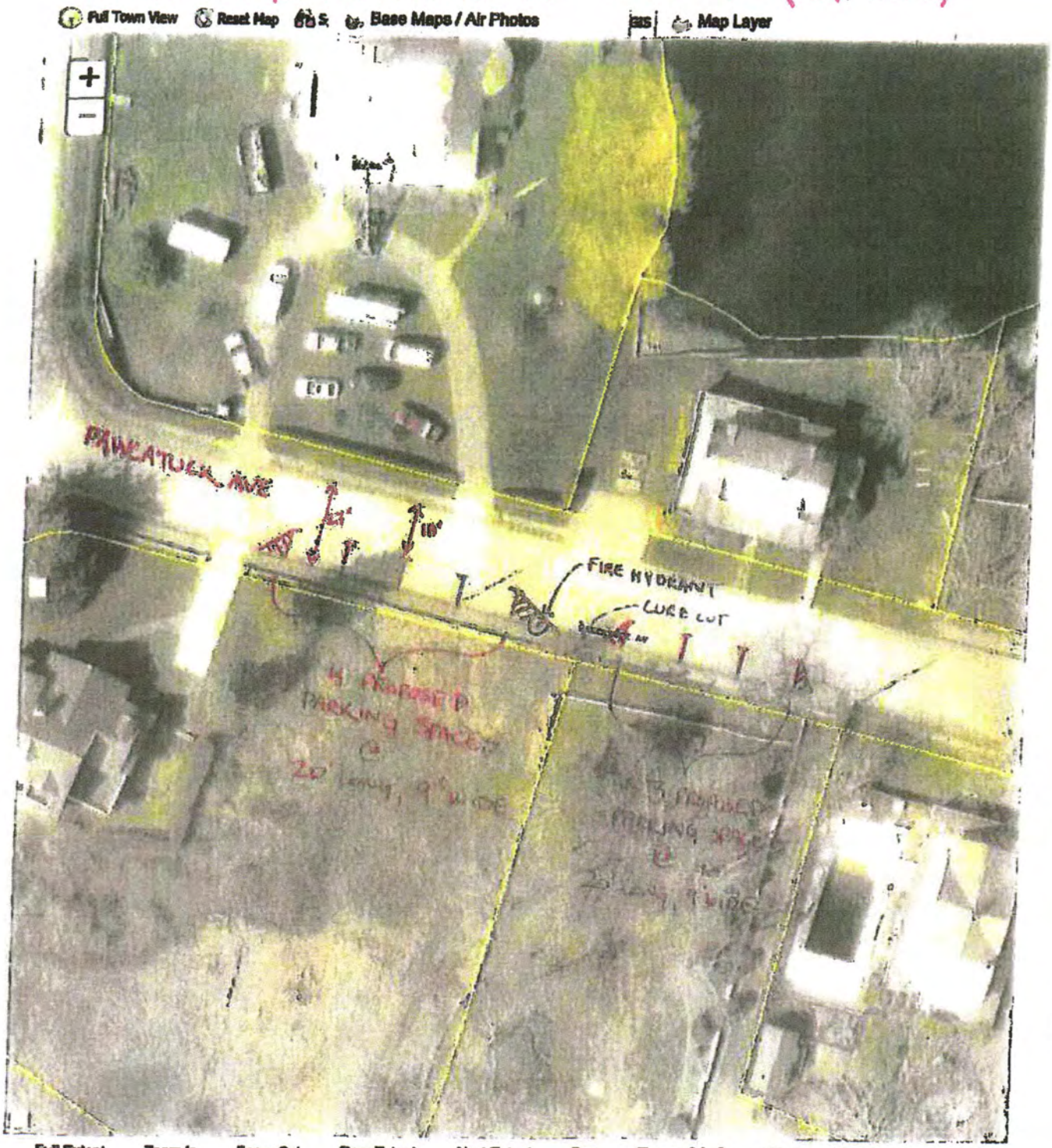
RECEIVED
DEC 10 2020
COASTAL RESOURCES

WATERS EDGE IMPROVEMENTS: OPTION 3 (PAGE 1 OF 2)



RECEIVED
DEC 10 2020
COASTAL RESOURCES

WATERS EDGE IMPROVEMENTS: OPTION 3 (PAGE 2 OF 2)



RECEIVED
DEC 10 2020

Town of Westerly, Rhode Island
Engineering Division

Waters Edge Road

Existing Conditions Photolog

December 7, 2020

Photo 01: View looking south along Waters Edge Rd. The driveway shown **immediately to the right** is associated with **the property identified as 11 Waters Edge Rd.**

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DEC 10 2020
COASTAL RESOURCES
MANAGEMENT COUNCIL

Photo 02: View looking south along Waters Edge Rd. The gravel driveway shown to the left is associated with the properties identified as 14 and 16 Waters Edge Rd

Photo 03: View looking south to the earth boat ramp located do the south of the asphalt paved section of Waters Edge Road. The area with standing water contains deteriorated asphalt.

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DEC 10 2020
COASTAL RESOURCES

Photo 04: View looking south along the earthen boat ramp located to the south of Waters Edge Road. The area immediately to the south of the road contains gravel and grass surface cover.

Photo 05: View looking View south along the earthen boat ramp to the south of Waters Edge Road. The southern 40 feet of the ramp contains sand and silt surface cover, with vegetative debris, concrete debris, and boulders.

RECEIVED
DEC 10 2020
COASTAL RESOURCES

Photo 06: View looking south of the earthen boat ramp to the south of Waters Edge road as it approaches the waters of the Little Narragansett Bay.

Photo 07: View looking east along Pawcatuck Avenue. The driveway shown immediately to the left is associated with the property identified as 10 Waters Edge Rd. The road is approximately 27 feet wide.

RECEIVED
DEC 10 2020
COASTAL RESOURCES

One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

November 16, 2020

Mr. Jeffrey M. Willis, Executive Director
RI Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: WATERS EDGE ROAD SOUTH – RIGHT-OF-WAY

Dear Jeff:

I previously wrote to you on September 8, 2020, September 29, 2020 and October 27, 2020 regarding the Town of Westerly's Right-of-Way at Waters Edge Road South because residents and abutting landowners were concerned about the manner in which the Town intended to improve that site.

As a result of a collaborative effort between the parties and Town Manager, I withdrew/clarified the residents' concerns in correspondence sent to you on October 27, 2020. At that time, we believed that an appropriate compromise had been reached with the Town Manager and that there were a number of conditions agreed to by the parties.

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I look forward to hearing from you regarding this matter and next steps that CRMC envisions as a result of the Town Council's referral of November 9, 2020.

Sincerely,

Thomas J. McAndrew, Esq.

TJM/cpm

RECEIVED
NOV 18 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

October 27, 2020

Mr. Jeff Willis, Director
Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: WATERS EDGE ROAD SOUTH – RIGHT-OF-WAY

Dear Sir:

I previously wrote to you on September 29, 2020 requesting that the residents of Waters Edge Road receive "notice" if the Town of Westerly sought to change in any material way the existing Right-of-Way at that site. I am afraid that my letter requesting "notice" has been misunderstood or misinterpreted because on behalf of those residents that I represent they do not have an objection to improve this site and have been working with the Westerly Town Manager to establish appropriate conditions that will make this site safe and accessible to the public.

To date there have been excellent collaborative meetings held between the parties that portend for a mutually agreed upon Agreement to improve access and to establish, among other things, kayak racks at this site.

I trust that this note clarifies the position of the abutting land owners, and we look to continuing to work with the Town Manager to finalize a mutual understanding with the Town that incorporates appropriate conditions.

Please feel free to contact me should you have any questions, concerns or comments regarding the abutting neighbors support for this initiative.

Sincerely,

Thomas J. McAndrew, Esq.

Cc: Mark Rooney
Joan Beth Brown

RECEIVED
OCT 29 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

2020-09-108

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

September 29, 2020

Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: WATERS EDGE ROAD SOUTH

Dear Sir or Madame:

I attended a meeting with the Westerly Town Council on Monday, September 14, 2020 and was informed by the Town Council that there would be no activity performed at Waters Edge Road South unless and until the Town petitioned CRMC for an Assent and Order. On behalf of my clients, neighbors and abutting landowners we would appreciate notice and the opportunity to appear before CRMC to contest the Town's petition for numerous reasons.

To date, I have not received anything from the Town or CRMC regarding this initiative, but wanted to reaffirm my previous correspondence dated September 8, 2020 and enclosed indicating that I, on behalf of abutting landowners, would like notice and the opportunity to appear before CRMC along with other residents of the neighborhood, who too have concerns with respect to the Town's initiative.

Please provide notice to me if the Town of Westerly and/or through its employees, agents and others seek to change clear or modified in any way the Town's Right-of-Way at Waters Edge Road South in Watch Hill.

Thank you very much for your kind attention to this.

Sincerely,

Thomas J. McAndrew, Esq.

Enclosure

RECEIVED
OCT 01 2020

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

September 8, 2020

Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: JANE ROSS ORTHWEIN REVOCABLE TRUST
11 Waters Edge Road, Westerly, RI 02891

Dear Sir:

This office represents Jane Ross Orthwein as Trustee of the JANE ROSS ORTHWEIN REVOCABLE TRUST DATED 1/29/2004 (the "Trust"). The Trust owns property located at 11 Waters Edge Road, Westerly, RI 02891. Waters Edge Road is a public road in the Town of Westerly, and is bounded on the north and south terminus by Little Narragansett Bay.

The Town Manager of the Town of Westerly has indicated that the Town intends to improve the southerly terminus of Waters Edge Road so as to make it useable as a public access. It is difficult to understand how any plan for improvement at this site would not require a permit from your office. We have secured a number of reports from a group of professionals who have studied this site and opined that it is an unsuitable location for improvement as a public boat launch site. Among those reasons are the impossibility of satisfying CRMC's regulations and associated issues including access, trespassing, parking, health and welfare, and safety.

The fact that the Town prohibits parking along the entire length of the road, and the road is bound by private property and homes, makes this site inappropriate for development. It would inevitably require people to trespass on Private Property.

If the Town of Westerly files an application for a permit to clear or modify this area, I would respectfully request notice of same so that we can participate in the review process and if necessary, file a formal Objection to the Town's application.

Sincerely,

Thomas J. McAndrew, Esq.

Cc: James Orthwein

RECEIVED
OCT 01 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

Jennifer R. Cervenka, Chair
Coastal Resources Management Council
Stedman Government Center, 4808 Tower Hill Road
Wakefield, RI 02879

CRMC File Number: 2020-09-108

Applicant: Town of Westerly

Town: Westerly

Response Date: 10/6/20

Dear Ms. Cervenka,

The Rhode Island Historical Preservation & Heritage Commission has reviewed the above- referenced project. It is our conclusion that this project will have no effect on any significant cultural resources (those listed on or eligible for listing on the National Register of Historic Places).

These comments are provided in accordance with 650-RICR-20-00-1.2.3 Areas of Historic and Archaeological Significance of the Coastal Resources Management Council. If you have any questions, please contact James Toner, Project Review Coordinator, or Charlotte Taylor, Senior Archaeologist, at this office.

Very truly yours,

J. Paul Loether
Executive Director, RIHPHC
State Historic Preservation Officer

RECEIVED
OCT 06 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

CRMC Application Review Sheet

File Number: 2020-09-108
Owner Name: Town of Westerly
Site Address: Waters Edge Road, Westerly
Plat: ; Lot:

Administrative Review

Reviewer: BMS
Completed on _____
☐ **Application Complete**
☐ **Application Deficient**
☐ **FONSI**
☐ **Enforcement compliance** _____

Missing
_____ **Application**
_____ **Fee**
_____ **ISDS**
_____ **Proof of Ownership**
_____ **Building Permit**
_____ **Site Plans**

As Applicable:
____ **CHA Worksheet**
____ **Stormwater Calcs**
____ **Structural Lot Calcs**

☐ **EXTENSION** (Enforcement review)

Notes: _____

Team Review for Acceptance

Application Deficient
☐ **Deficiency Letter Required**
☐ **Notified Via Phone Call – waiting for** _____

☐ **Application Accepted**

Date: _____

Assigned To		Date Completed	Denial Recommendation	Management Sign-off
Project Manager				
Engineer				
Biologist				
Geologist				
Aqua				
Dredge				
Other				

Category: _____
Project Type: _____
Water Type: _____
Water Area: _____
PGP Category: **SV** **PCN** **IP** ☐ **Public Access 355** ☐ **Public Access Easement**
Short Project Description:

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

MAINTENANCE CERTIFICATION APPLICATION

Project Location Waters Edge Road Westerly (No. Street City/Town)	File No. (CRMC USE ONLY): 2020-09-108
Owner's Name Town of Westerly	Plat: Lot(s):
Mailing Address 45 Broad Street City/Town Westerly State RI Zip Code 02891	Contact No.: 401-348-2572
Contractor RI Reg. #: Town of Westerly Department of Public Works Address:	
Name of Waterway: Little Narragansett Bay	Estimated Project Cost: $ Fee (chart based on EPC): $
Description of facility to be maintained (type of facility and present conditions) Kayak/Canoe launch is obstructed as a result of rock and debris	
Describe accurately the maintenance work proposed. (Use additional sheets of paper if necessary and attach this form.) Removal of rock in right of way and removal of rock and debris at launch area	
Describe equipment to be used, construction methods, access routes, etc. Backhoe	

Have you or any previous owner filed an application for and/or received an assent for any activity on this property?
(If so please provide the file and/or assent numbers): _____

Is this site within a designated historic district? ☒ YES ☐ NO

Is this application being submitted in response to a coastal violation? ☐ YES ☒ NO

If YES, you must indicate NOV or C&D Number: _____

NOTE: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible adhered to the policies and standards of the program. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. The filing of false information can result in the Coastal Resources Management Council revoking state assent.

J. Mark Rooney

J. MARK ROONEY
Town Manager

Owner's Signature

/ajt 03/2020

SEE REVERSE SIDE →

RECEIVED
SEP 21 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

ELLIE DERRIG
ASSISTANT PROJECT MANAGER

Town of Westerly
Rhode Island
Engineering

68 White Rock Road
Westerly, RI 02891
TEL: (401) 348-2572
FAX: (401) 596-9512

September 16, 2020

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Gov't Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

Re: Town of Westerly Maintenance Application

Dear Sir/Madam:

Enclosed please find the 4 (four) copies of the Town of Westerly Maintenance Application for Waters Edge Road.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Ellie Derrig

Ellie Derrig
Assistant Project Manager

RECEIVED
SEP 21 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

Town of Westerly, R. I.

Town Assessor's Office 45 Broad St Westerly RI 02891
Tel (401) 348-2541 Fax (401) 348-2616

COASTAL RESOURCE MANAGEMENT COUNCIL
STEDMAN GOVERNMENT CENTER
TOWER HILL ROAD
WAKEFIELD, RI 02879

TO WHOM IT MAY CONCERN:

RECORDS AT THE ASSESSOR'S OFFICE, TOWN OF WESTERLY, RI, INDICATE THAT THE FOLLOWING OWN PROPERTY IN SAID TOWN:

NAME:	TOWN OF WESTERLY
ADDRESS:	45 BROAD STREET WESTERLY, RI 02891
PROPERTY LOCATION:	WATERS EDGE ROAD WESTERLY, RI 02891
PLAT/LOT:	/
LAND EVIDENCE RECORDS:	BOOK 2 PAGE 86
DATE OF ISSUE:	September 16, 2020

SINCERELY,

DAVID B. THOMPSON
TOWN ASSESSOR

RECEIVED
SEP 21 2020

TO: Coastal Resources Management Council
4808 Tower Hill Road Suite 3
Wakefield, RI 02879
Phone: (401) 783-3370

FROM: Building Official DATE: September 16,2020

SUBJ: Application of: Town of Westerly

Location: Waters Edge Road

Address: Adjacent to Plat No. 179 Lot No. 15

To Construct: Removal of rock in right of way and removal of rock and debris in water at canoe/kayak ramp

I hereby certify that I have reviewed _____ foundation plan(s).
_____ plan(s) for entire structure
_____ site plans
Titled: _____

Date of Plan (last revision): _____

___ and find that the issuance of a local building permit is not required as in accordance with Section _____ of the Rhode Island State Building Code.

___ and find that the issuance of a local building permit is required. I hereby certify that this permit shall be issued once the applicant demonstrates that the proposed construction/activity fully conforms to the applicable requirements of the RISBC.

___ and find that a Septic System Suitability Determination (SSD) must be obtained from the RI Dept. of Environmental Management.

___ and find that a Septic System Suitability Determination (SSD) need not be obtained from the RI Dept. of Environmental Management.

___ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final. The Zoning Board approval shall expire on _____.

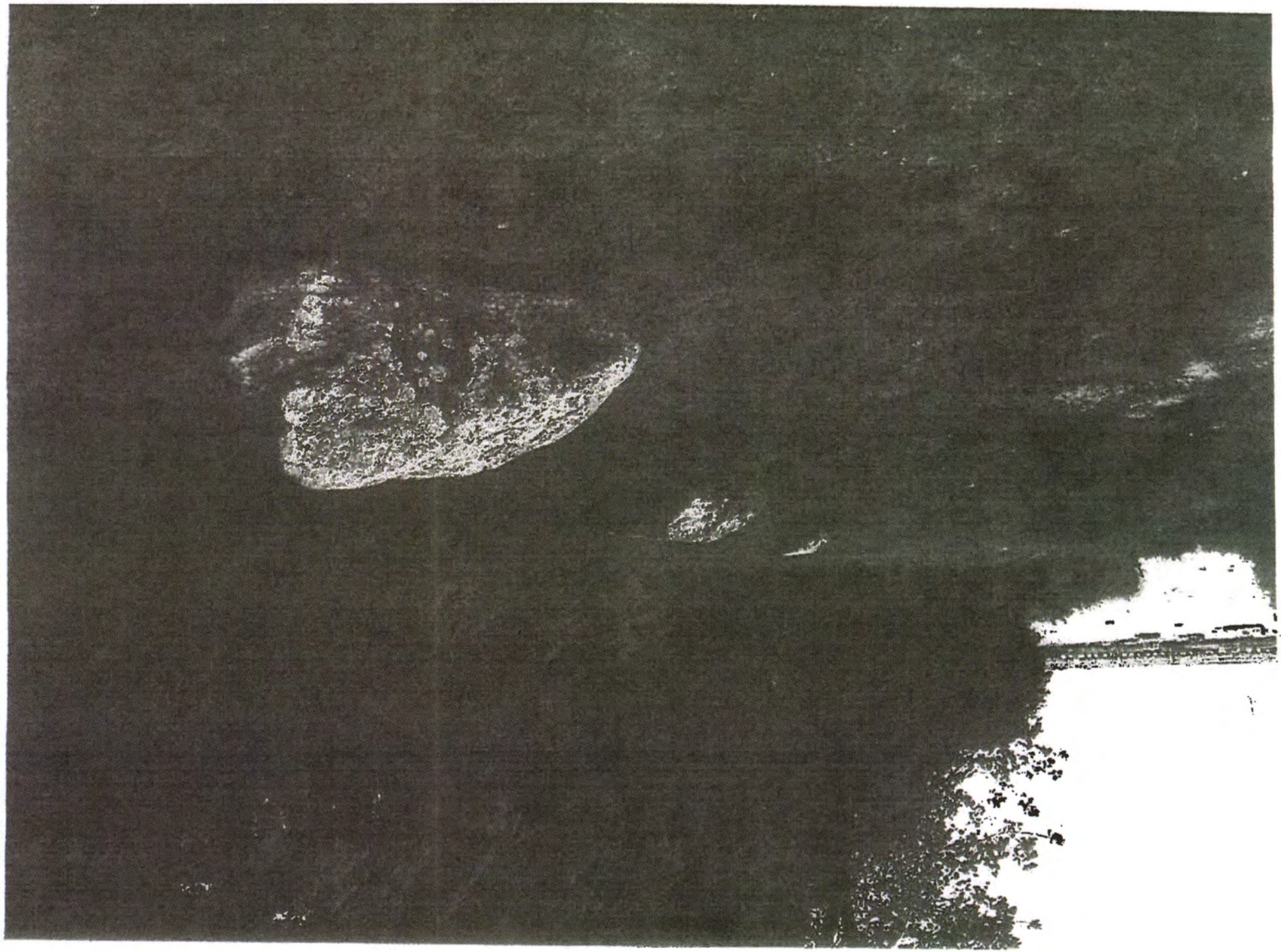
Building Official's Signature Date

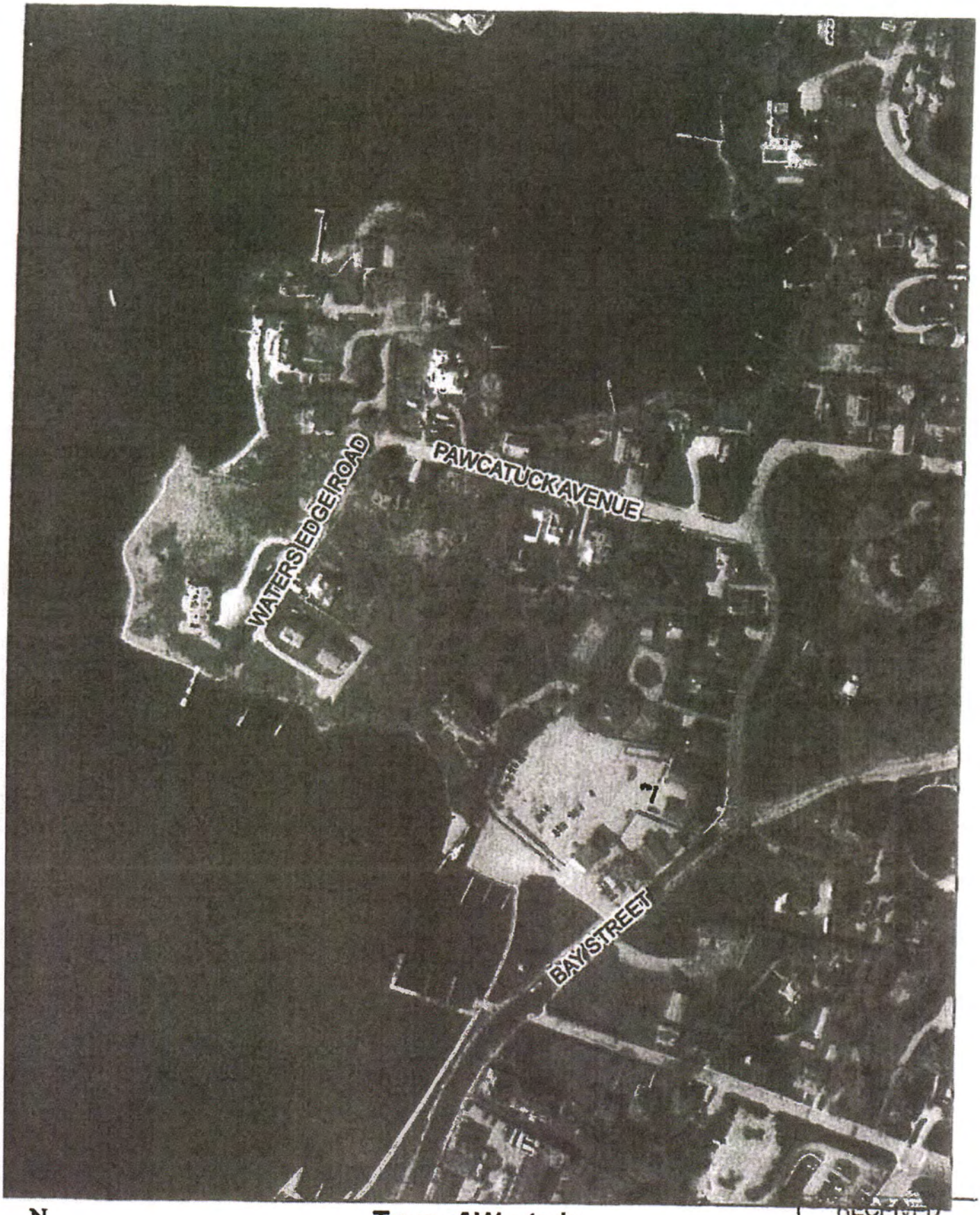
___ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final.

Zoning Officer's Signature Date

rev. 5/11/2001

RECEIVED
SEP 21 2020





N

Town of Westerly
CRMC Maintenance Application
Waters Edge Road

RECEIVED
2020

Exhibit E

Managed Cloud Systems

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>

CRMC APPLICATION 2020-9-108

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com> Thu, Jan 7, 2021 at 9:51 AM
To: dreis@crmc.ri.gov

Good Morning David:

I just spoke with Brittany in the CRMC office who directed me to you because she informed me that you are reviewing the Town of Westerly's Application for a State Assent.

As you probably know from the file I represent a number of homeowners whose properties abut the Town Designated Right-of-Way at Waters Edge Road South in Watch Hill. The Town in its Harbor Management Plan adopted by the Town Council on October 22, 2018 identified it as follows:

> **"Site #2 & 2A - Waters Edge Road (Town-designated---previously Meadow Lane.) Located at the end of Pawcatuck Avenue, running north/south, runs the entire length of Waters Edge Road, ending on the north side at Foster Cove and on the south side at Watch Hill Cove. The site is not posted. Access, blocked by fencing and established undergrowth. On the south side, at Watch Hill Cove, the launching ramp is ill-maintained and the right-of-way has been narrowed by vegetative growth on one side and large rocks on the other. No turnaround is available. No parking is available."**

You may or may not know that Town Manager, Mark Rooney, previously met with a group of residents of Watch Hill in October 2020 and came to an agreement with respect to the nature and scope of this maintenance project. Those terms are essentially noted and contained in Option One (1) of the Town's Application --- which is not contested. However, Options Two (2) and Three (3) regarding road expansion and parking on Waters Edge Road South and/or Pawcatuck Avenue were not agreed upon and appear to be well beyond the scope of a maintenance application thereby requiring notice and opportunity to be heard.

Moreover, I am concerned regarding the jurisdiction of CRMC to opine on Options Two (2) and Three (3) since this is a Town Designated Street subject to Parking Ordinances in the Town of Westerly and probably not within the jurisdiction of CRMC. As such, I would appreciate the opportunity to speak with you and if it is determined that CRMC intends to go forward and consider Options Two (2) and/or Three (3) I would like the opportunity to present expert witnesses and reports from Engineers, Town Planners, Safety Health and Welfare Experts, and others regarding Options Two (2) and Three (3) and specifically the matter of parking in this historical residential community.

I know you are working from home but would appreciate a preliminary discussion with you regarding the nature and scope of this project as well as CRMC's timing and jurisdiction.

Stay safe and healthy and Happy New Year!

Tom

--
Thomas J. McAndrew, Esq.
Thomas J. McAndrew & Associates
One Turks Head Place, Suite 205
Providence, Rhode Island 02903
(401) 455-0350 Tel
(401) 455-0882 Fax

Exhibit F

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>

CRMC File NO. 2020-09-108 Water's Edge Road

Mark Rooney <mrooney@westerlyri.gov> Mon, Jan 11, 2021 at 1:54 PM
To: Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>, Dave Reis <dreis@crmc.ri.gov>
Cc: Kyle Zalaski <kzalaski@westerlyri.gov>, Jeff Willis <jwillis@crmc.ri.gov>, Lisa Pellegrini <lpellegrini@westerlyri.gov>, "wconley@wjclaw.com" <wconley@wjclaw.com>

Tom

This has been festering far to long and the matter will before the council on the 25th of January under the Harbor Management amendments that will be forwarded to CRMC for their review and approval of our local plan.

I am informing you that staff will be proposing changes to the local Parking Ordinance to include parking at various locations to meet the "Public Access" of ROW designations throughout Town. Tom, your clients are not the only citizens with concerns. I appreciate their concerns and recognize the hardship real or perceived; but the needs of the many outweigh the self-interest of the few when establishing public policy. I hope this makes clear where I stand and where staff will be coming from on the 25th.

If CRMC requires parking as part of "Public Access" for any ROW staff and I will do our best to minimize the impact to the neighbors in close proximity of(any/all), ROW's.

Yet, do not continue to expect the Town to relinquish or diminish Public Access to satisfy a local self-interest group is folly as the staff and I work for the community writ large.

Plus, recently multiple communication has reached me which I can only take as they were clearly intended-- as a threat to my employment; which only stiffens my resolve with regard to serving the community interest in all matters involving the ROW's.

J. MARK ROONEY

Town Manager

Town of Westerly

45 Broad Street

Westerly, RI 02891

Tel: (401) 348-2530

Email: mrooney@westerlyri.gov

[Quoted text hidden]

Exhibit G

Managed Cloud Systems

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>

CRMC File NO. 2020-09-108 Water's Edge Road

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com> Mon, Jan 11, 2021 at 2:49 PM
To: Mark Rooney <mrooney@westerlyri.gov>
Cc: Dave Reis <dreis@crmc.ri.gov>, Kyle Zalaski <kzalaski@westerlyri.gov>, Jeff Willis <jwillis@crmc.ri.gov>, Lisa Pellegrini <lpellegrini@westerlyri.gov>, "wconley@wjclaw.com" <wconley@wjclaw.com>

Good Afternoon Mark:

I have tried and will continue to treat you with professionalism and respect. I am unaware that anyone in my group has sought to put pressure on anyone with respect to your employment. I recognize that you have a job to do and that it is not always easy balancing the interests of various constituencies.

However, when the residents of the Watch Hill Community met with you on October 22nd, they believed that they had an "agreement" with you and the Town regarding the Waters Edge Road South site and that included no roadway expansion and no parking in this historical residential community.

Subsequently, the residents became very concerned when the Town Council on November 9th, at the behest of Counselor Aiello, expanded the Agenda and included Waters Edge Road, a Town Right-of-Way, that was ultimately adopted and filed with CRMC on December 10, 2020.

In that document the Town changed the "agreement" that it had with the residents on October 22nd and incorporated Options 2 and 3 in the Town submission to include parking on Waters Edge Road and/or Pawcatuck Avenue.

The residents believe that the representations and "agreement" of October 22nd, which prompted me to withdraw their objection to CRMC on October 27th should be honored. They are not opposed to the kayak/paddle board launch site and the improvements that you discussed with them and I have so represented that to CRMC.

My clients have not sought to relinquish or diminish public access at Waters Edge Road South but embraced it and came to a resolution with you regarding the manner in which the site was to be improved and maintained. That "agreement" did not include widening the road or parking in this historical residential community.

Because of the nature and degree of widening the road and parking, I would respectfully suggest that the residents be given an opportunity in a workshop to present their arguments and experts to opine on the Town's plan. This would give the residents the opportunity to be heard and their issues to be explored. Moreover, I would appreciate it if you would forward me the proposed changes to the local parking Ordinance that are noted in your email.

I remain concerned about the role of CRMC because I am unaware that they have jurisdiction over Town roads and that whether they "prefer" parking at a Town Designated Right-of-Way, is of no consequence. To the best of my knowledge, they have no jurisdiction and therefore their recommendations are only advisory.

I would also note that with CRMC Designated Rights-of-Way, that they typically require some form of parking, but that does not mean that it is absolute or that parking must be created at the site. As a matter of fact, a number of CRMC Designated Rights-of-Way do not have any parking at all.

Because of the problems associated with the Town Council's action of November 9th, we have been forced to file a Complaint with the Office of Attorney General under RIGL 42-46-1 et. seq. today alleging a violation of the Open Meetings Act. You should receive a copy of that from the Office of Attorney General.

I would prefer, as would my clients, to meet at a mutually convenient time to try to resolve this matter in a manner in which the parties can claim a "win-win".

Tom

[Quoted text hidden]

Exhibit H

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882
January 11, 2021

HAND-DELIVERED

Attn: Open Government Unit
RI Office of the Attorney General
150 South Main Street
Providence, RI 02903

RE: MELINDA DEMPSEY, LEX GAMBLE ET.AL. v. TOWN OF WESTERLY, TOWN COUNCIL

Dear Mr. Neronha:

This is to file a Complaint on behalf of Melinda Dempsey, Lex Gamble et. al. residents of the Town of Westerly in accordance with RIGL 42-46-1 et. seq. alleging a violation of the Open Meetings Act against the Town of Westerly and its Town Council.

The relevant, but brief facts are as follows:

The Westerly Town Council published an Agenda for a meeting to be held on Monday, November 9, 2020 **(Exhibit 1)**. Noted in that Agenda under Section 7 "New Business" Subsection B it states as follows:

> "Spring Avenue And All CRMC Rights-of-Way – Formal Adoption By The Town Council To Send To CRMC For Review"

Spring Avenue is a piece of property located in Weekapaug. All CRMC Rights-of-Way were formally adopted in the Town's Harbor Management Plan on October 22, 2018 and have been brought forward to be included in the Town's Comprehensive Community Plan noted in Table 2-11. **(Exhibit 2)**.

Waters Edge Road located in Watch Hill is a Town Right-of-Way and not a CRMC Designated Right-of-Way.

During the meeting of November 9, 2020, and without notice or opportunity for the public to be heard, then Councilman William Aiello made a Motion to include a Town Right-of-Way (Waters Edge Road) located in Watch Hill, RI that was not noted or published in the Agenda. His Motion was unanimously adopted and noted in the minutes in Section 7B as follows:

"7. NEW BUSINESS

b. Spring Avenue And All CRMC Rights-of-Way – Formal Adoption By The Town Council To Send To CRMC For Review

Motion by Mr. Aiello, Seconded by Ms. Giorno, that CRMC investigate Spring Avenue Ex. and Waters Edge Road for possible designation as public rights-of-way to the shore and to authorize the Town Council President to sign the request on behalf of the Town Council. (Voted unanimously)"

The minutes of this meeting were subsequently approved by the Town Council on December 14, 2020 **(Exhibit 3)**.

Thereafter, the Town Manager forwarded to CRMC an Application 2020-9-108 on December 10, 2020 seeking to materially change the historical nature and residential character of Waters Edge Road, a Town Right-of-Way. See Options 2 and 3 attached to the CRMC Application 2020-9-108 **(Exhibit 4)**.

By failing to properly notice in accordance with RIGL 42-46-6 in its Agenda of November 9, 2020, any potential change to the Town Right-of-Way on Waters Edge Road without notice and opportunity for affected homeowners and residents to opine, the Town's action has materially and negatively impacted them, and has the effect among other things of devaluing their properties and interfering with their quiet, enjoyment, and historical residential neighborhood benefits.

Wheretofore, Petitioner Melinda Dempsey, Lex Gamble et. al., hereby seek a Cease and Desist from the Town and/or CRMC from considering the Town's Application 2020-9-108 noted in Exhibit 4 and from taking an action until the Town complies in all respects with the provisions of RIGL 42-46-1 et. seq.

Petitioner further seeks other appropriate and just relief including a stay of all proceedings before the Town and CRMC pending a decision by the Office of Attorney General in accordance with RIGL 42-46-8.

If you require additional information or documents please do not hesitate to contact me.

Respectfully submitted,

Thomas J. McAndrew, Esq.

TJM/cpm
Enclosures

REGULAR MEETING | WESTERLY TOWN COUNCIL | COUNCIL CHAMBERS

MONDAY | NOVEMBER 9, 2020 | 6:00 P.M.

Christopher A. Duhamel, President, Suzanne K. Giorno, Vice Pres.
Councilors Sharon E. Ahern, Caswell Cooke, Jr., Karen A. Cioffi, William J. Aiello, Brian H. McCuin
J. Mark Rooney, Town Manager; Law Firm of William J. Conley, Jr., Town Solicitor
Donna L. Giordano, MMC, Town Clerk; Patrick J. Falcone, Town Sergeant

Please click the link below to join the meeting:

https://us02web.zoom.us/j/89999191316

Telephone:
(929) 205 6099 (Toll Call)
(877) 853 5257 (Toll Free Call)

Meeting ID: 899 9919 1316

Written public comment can be submitted prior to the meeting by emailing mleblanc@westerlyri.gov.

(Pursuant to Governor Gina M. Raimondo Executive Order 20-46, dated June 12, 2020 and Executive Order 20-84, dated October 9, 2020)

1. CALL TO ORDER

   INVOCATION – Councilor Giorno

   SALUTE TO THE FLAG – Council President Duhamel

2. RECOGNITIONS, AWARDS & MEMORIALS

   a. Appreciation – Dan LaPointe, Chairman of the Westerly-Pawcatuck Veterans' Board of Control

   b. Appreciation – Joe Iorlano, Owner of Midway Pizza and His Employees

   c. Appreciation – The Greater North End Community Development, Inc.

   d. Appreciation – Westerly Board of Recreation, Recreation Department and Maintenance Crew

   e. Appreciation – Josiah Broadfoot Chapter 6 Disabled American Veterans

   f. Congratulations – The Westerly National Little League

   g. Celebration – Veterans' Day 2020

3. PRESENTATIONS

   a. COVID-19 Update

4. CITIZENS COMMENTS

Sign-Up Sheets will be available at the Council Meeting for any citizens wishing to be heard. Citizens who do not sign up to speak will have an opportunity to be heard following the individuals listed on the sign-up sheet.

When addressing the Council, please state your name and address; please conduct yourself in an orderly and respectful fashion. The comments of citizens accessing this portion of our meeting are neither adopted nor endorsed by this body, but heard as requested. *If the matter is scheduled for a public hearing, the comments shall be deferred to that agenda item.*

Any citizen wishing to be heard can access the meeting using the Zoom app or via phone. Please note:

If accessing the meeting via phone, Press *9, to be recognized or
If using the Zoom app, press the "raise hand" button to be recognized

COUNCILORS' RESPONSE

5. CONSENT CALENDAR **(all items are considered routine and can be approved by one motion; however, if discussion is necessary on any item, it can be moved to "New Business")**

   a. Approval of Minutes
   Regular – 10/19/20, 10/26/20
   Executive – 10/26/20 (Sealed)

   b. Fiscal Matters

      1. Resolution Awarding Contract For School Street Reconstruction Project (Ferreira Construction – Not to exceed $2,954,972.00)

   c. Appointments and Resignations

      1. Economic Development Commission – Full Member
      2. Board of Recreation – Full Member
      3. Housing Authority – Full Member
      4. Zoning Board – 2nd Alternate
      5. Board of Assessment Review – Auxiliary Member
      6. Planning Board – Full Member
      7. Public Works Committee – Full Member

6. PUBLIC HEARINGS (Adv. on 11/2/20 for this time)

   a. Proposed Ordinance – "An Ordinance Authorizing The Transfer Of Funds to Support Animal Control Officer Staffing ($35,000.00)

7. NEW BUSINESS

a. Petition from National Grid for New Pole Location at Margin Street (WR#29953422)

b. Spring Avenue And All CRMC Rights-of-Way – Formal Adoption By The Town Council To Send To CRMC For Review

Suspend Town Council Rules Of Procedure – Rule 9(8) – Committee of The Whole Requirement To Discuss And Consider The Following Items:

c. Resolution Authorizing The Town Manager To Sign The Memorandum Of Understanding Between The Town Of North Stonington, Connecticut And The Town Of Westerly, Rhode Island, Regarding A Maintenance Plan, Future Inspection, Reviews And Repairs Of the Boombridge Bridge

d. Round Abouts – Possible Request From Town Council To RIDOT To Review
   1. Intersections of Bradford Road (Rt 91)/Church Street (Rt 216)/South Main Street
   2. Intersections of Westerly-Bradford Road (Rt 91)/Bradford Rd (Rt 91)/Dunns Corners Bradford Road (McGowan Corners)

8. UNFINISHED BUSINESS

None

9. COMMUNICATIONS & REPORTS

a. Liaison Reports

b. Town Council – 11/9/20

c. Town Manager

d. Town Solicitor

e. Town Clerk

f. Agenda Referrals and Backlog Agenda ***(Items to be assigned to future agendas)***

g. Requests of Town Manager by Councilors

10. ADJOURNMENT

42-46-6(b) "...Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.

INDIVIDUALS REQUESTING INTERPRETER SERVICES FOR THE HEARING IMPAIRED MUST CALL 348-2502 IN ADVANCE OF THE HEARING DATE.

The Town Council agenda and supporting documents can be accessed on the Town of Westerly website at www.westerlyri.gov.

POSITIONS AVAILABLE ON THE FOLLOWING BOARDS:

(Applications can be obtained on the Town of Westerly's website www.westerlyri.gov and submitted to the Office of Town Clerk)

ECONOMIC DEVELOPMENT COMMISSION (ONE FULL MEMBER)
ECONOMIC DEVELOPMENT COMMISSION (ALTERNATE MEMBER)
LICENSING BOARD – AUXILIARY MEMBER
BOARD OF RECREATION (ONE FULL MEMBER)
HOUSING AUTHORITY (ONE FULL MEMBER)
ZONING BOARD (2ND ALTERNATE)
ARCHITECTURAL REVIEW BOARD (ONE FULL MEMBER)
ARCHITECTURAL REVIEW BOARD (2ND AUXILIARY MEMBER)
CONSERVATION COMMISSION (ONE FULL MEMBER)
CONSERVATION COMMISSION (AUXILIARY MEMBER)
PLANNING BOARD (ONE FULL MEMBER)
PLANNING BOARD (AUXILIARY MEMBER)
PUBLIC WORKS COMMITTEE (ONE FULL MEMBER)
PUBLIC WORKS COMMITTEE (ALTERNATE MEMBER)
BOARD OF FINANCE (TWO FULL MEMBERS)
CONCERTS ON THE BEACH COMMITTEE (THREE FULL MEMBERS)
BOARD OF ASSESSMENT REVIEW (ONE FULL MEMBER)

TOWN OF WESTERLY, RHODE ISLAND

COMPREHENSIVE COMMUNITY PLAN

2020 – 2040

SEPTEMBER 15, 2020

FOR PUBLIC HEARING ON

OCTOBER 6, 2020

Table 2-10 RI CRMC-Designated Rights-of-Way

RI CRMC Designation Number	Location	Water Accessible	Figure REC M2 Reference
	Bluff Avenue	Block Island Sound	29
	Manatuck Avenue	Block Island Sound	30
	Atlantic Avenue (1)	Block Island Sound	31
	Atlantic Avenue (2)	Block Island Sound	32
	Atlantic Avenue (4)	Block Island Sound	33
	Atlantic Avenue (5)	Block Island Sound	34
	Atlantic Avenue (6)	Block Island Sound	35
	Atlantic Avenue (7)	Block Island Sound	36
	Atlantic Avenue (8)	Block Island Sound	37
	Atlantic Avenue (9)	Block Island Sound	38
	Avondale Road	Pawcatuck River	39

Source: RICRMC Annual Designation of Public Rights of Way to the Tidal Areas of the State Report, 2017-2018

Figure Westerly Harbor Management Plan Rights of Way to the Shore (REC-M3) shows the existing Town- and State (RI CRMC)-designated rights-of-way (ROW) to the shore, per the descriptions in the Westerly Harbor Management Plan, and the RI CRMC Rights-of-Way to the shore online GIS map. Table 2-11 below provides a list of these Town- and State-designated ROWs.

Table 2-11 Town- and State-Designated Rights-of-Way to the Shore

Designation No. (Depicted on Figure REC M3)	Town or RI CRMC Right of Way	Location	Water Accessible
	Town	Avondale Road (CRMC A-14)	Pawcatuck River
	Town	Waters Edge Road North	Foster Cove
	Town	Waters Edge Road South	Watch Hill Cove
	Town	Fort Road	Watch Hill Cove
	Town	Bluff Avenue (CMRC A-2)	Block Island Sound
	Town	Everett Avenue	Block Island Sound
	Town	Niantic Avenue	~~Block Island Sound~~Refer to Harbor Management Plan
	Town	Manatuck Avenue (CRMC A-3)	Block Island Sound
	Town	Atlantic Avenue	Block Island Sound
	Town	Atlantic Avenue	Block Island Sound
	Town	Atlantic Avenue (CRMC A-13)	Block Island Sound
	Town	Atlantic Avenue (CRMC A-11)	Block Island Sound
	Town	Atlantic Avenue (CRMC A-6)	Block Island Sound
	Town	Atlantic Avenue (CRMC A-7)	Block Island Sound
	Town	Atlantic Avenue West	Block Island Sound
	Town	Atlantic Avenue East	Block Island Sound

Designation No. (Depicted on Figure REC-M3)	Town or RI CRMC Right-of-Way	Location	Water Accessible
	Town	Spray Rock Road	Block Island Sound
	Town	Sand Trail	Refer to Harbor Management Plan~~Refer to HMP~~
	Town	Spray Rock Road	Block Island Sound
	RI CRMC	Bluff Avenue	Block Island Sound
	RI CRMC	Manatuck Avenue	Block Island Sound
	RI CRMC	Atlantic Avenue (1)	Block Island Sound
	RI CRMC	Atlantic Avenue (2)	Block Island Sound
	RI CRMC	Atlantic Avenue (4)	Block Island Sound
	RI CRMC	Atlantic Avenue (5)	Block Island Sound
	RI CRMC	Atlantic Avenue (6)	Block Island Sound
	RI CRMC	Atlantic Avenue (7)	Block Island Sound
	RI CRMC	Atlantic Avenue (8)	Block Island Sound
	RI CRMC	Atlantic Avenue (9)	Block Island Sound
	RI CRMC	Lotteryville Marina/ Avondale Road	Pawcatuck River

* Refer to Westerly Harbor Management Plan (HMP) for details regarding water access.

Sources: Westerly Harbor Management Plan 2016, Revised October 28, 2019
RICRMC Annual Designation of Public Rights of Way to the Tidal Areas of the State Report, 2017-2018

Maintenance of these public access points is a priority for the Town of Westerly and will be implemented through regular inspection and clear identification through permanent boundary markers, vegetation control, signage, and public information.

Section 2.6 – Recreation Programming Providers

Many programs sponsored by the Recreation Department have been seasonal, such as summer playground camps, watersports, and indoor basketball. These programs are also sponsored in conjunction with private organizations to provide a wider variety of recreation options for residents. Many team sports are provided by private organizations and supported by the Town, with teams, such as the Westerly Youth Soccer and Lacrosse Associations, the Connie Mack Baseball League, and Westerly Peewee Football, using Town facilities.

Participation in Town programs has continued to increase since the Recreation Department was established in 2001 with thousands of residents now participating. One of the programs with the largest participation numbers is the Town's Tunes on the Dunes program offered in midsummer at Westerly Town Beach. The Blues on the Beach and Monday Night Jamz concerts have grown to between 2,000 and 3,000 attendees.

The Westerly School Department provides two key programs in Westerly – Westerly Community Education and Enrichment and After School Enrichment. The Westerly Community Education and Enrichment Program provides a variety of adult classes such as educational, hobby, yoga and workforce training classes funded through tuition fees.

After School Enrichment, also tuition-based (except for students in the Free and Reduced-Priced Meals program who pay reduced tuition only for full-day programs), is offered mainly to elementary school students and runs twice a week, for five weeks, three to four times a year. The program has provided classes for students to learn special activities or skills ranging from martial arts to basket weaving and beach combing. During school recesses in February and April, the programs also provide extended full-day sessions. In addition to classes for elementary

school students, there are also programs offered for older students including a program for high school students with the local radio station and a lacrosse program for middle school-aged students.

While it is not a public entity, Ocean Community YMCA provides additional recreation opportunities in Westerly (as well as in Wyoming in Richmond and Mystic in Stonington, Connecticut) for both members and non-members. Programs include aquatics, arts and enrichment, health and wellness classes, yoga programs, sports classes, and teen programs. The YMCA also offers a center for teens to socialize after school and on weekends and an after-school program for Westerly's elementary school students which uses Westerly public school facilities.

The Westerly Library provides numerous community programs as well, such as book discussions, art gallery receptions, and various special events. Information on the library's services is included in the Services and Facilities chapter and its local significance is discussed in the Historic and Cultural Resources chapter.

A formal assessment of future recreational programming needs, including adaptation to changing demographics and recreational trends, is necessary to form clear goals for the future of recreational programming in the Town. Securing funding to complete this analysis will be the first step toward creating a clear plan for adapting the current recreational programming to a changing population. Creating partnerships with nearby towns will help grow recreational programming through shared resources and visions.

REGULAR MEETING | WESTERLY TOWN COUNCIL | COUNCIL CHAMBERS

MONDAY | NOVEMBER 9, 2020 | 6:00 P.M.

THIS MEETING WAS CONDUCTED VIA ZOOM

The public was able to view and participate in this meeting.

1. 6:08 P.M. CALL TO ORDER

Present: Pres. Duhamel, Vice Pres. Giorno
Councilors Aiello, Cooke, Ahern, McCuin
T. Mgr. Rooney, Co. Clk. Pro Tem LeBlanc

In Attendance Remotely: Councilor Cioffi
T. Sol. Conley

Also Present: Shawn Lacey, Chief of Police

Absent: Co. Clk. Giordano
T. Sgt. Falcone

INVOCATION – Councilor Giorno

SALUTE TO THE FLAG – Council President Duhamel

2. RECOGNITIONS, AWARDS & MEMORIALS

Motion by Ms. Giorno, Seconded by Mr. McCuin, that the following resolutions be adopted: (Voted Unanimously)

a. Appreciation – Dan LaPointe, Chairman of the Westerly-Pawcatuck Veterans' Board of Control

Dan LaPointe were present to accept the resolution, read aloud by Councilor Aiello.

b. Appreciation – Joe and Jennifer Iorlano, Owners of Midway Pizza, and Their Employees

Joe and Jennifer Iorlano were present to accept the resolution, read aloud by Councilor Cooke.

c. Appreciation – The Greater North End Community Development, Inc.

Carla White was present to accept the resolution, read aloud by Councilor Ahern.

d. Appreciation – Westerly Board of Recreation, Recreation Department and Maintenance Crew

Julia Beasley, Interim Recreation Director, was present to accept the resolution, read aloud by Councilor Aiello.

e. Appreciation – Josiah Broadfoot Chapter 6 Disabled American Veterans

David Lowe was present to accept the resolution, read aloud by Councilor McCuin.

f. Congratulations – The Westerly National Little League

Art Burton was present to accept the resolution, read aloud by Council President Duhamel.

g. Celebration – Veterans' Day 2020

Ray Capalbo, a Marine veteran, was present to accept the resolution, read aloud by Councilor Giorno.

3. PRESENTATIONS

a. COVID-19 Update

Report from J. Mark Rooney, Town Manager

Town Manager Rooney stated that it is hopeful that there will be more than one vaccine available for distribution in December.

Report from Shawn Lacey, Chief of Police

Chief Lacey reported the number of COVID cases are increasing. He reported that the positivity rate is 3.3%, up from 2.9% the prior week; that there are 160 new patients hospitalized in Rhode Island, up from 145 patients last week; and that there are 278 cases per 100,000, up from 244 cases per 100,000 the prior week. He stated that 3,975 people were tested yesterday with 266 positive cases, which is a 6.7% positivity rate. He stated that Westerly is remaining steady; that there have been 203 positive cases since the inception of COVID; and that 30% of the population has been tested. He reported that there have been no new hospitalizations. He addressed the new restrictions put in place, which include a reduction in social gatherings to 10 people, a curfew of 10:00 p.m. on weekdays and 10:30 p.m. on weekends for bars and restaurants with take-out service only after these times, and a stay-at-home advisory from 10:00 p.m. to 5:00 a.m. from Sunday through Thursday and 10:30 p.m. to 5:00 a.m. on Friday and Saturday. He noted that fines are not being issued because it is an advisory only. He reported that catered event numbers have been reduced to 75 people; that venues of assembly have been reduced to 125 people maximum; and that large retailers are restricted to 1 person per 150 square feet. He reported that the Governor is encouraging all

business travel be cancelled and that masks be worn. He explained the requirements before one can return to work, including having 24-hour pass after one's last fever followed by a 10-day waiting period or a 10-day waiting period after a positive test. He stated that the Governor is encouraging no travel for the Thanksgiving holiday; that there be no large family gatherings beyond immediate family members; and that there be no buffet-style dinner service. He stated that Pfizer developed a drug that is 90% effective and it is hoped that it can start to be distributed next month.

Report from Lisa Konicki, President, Ocean Community Chamber of Commerce

Ms. Konicki participated remotely. She stated that local businesses pay the price from enhanced restrictions; therefore, the wearing of masks and social distancing is encouraged. She reported that there is additional help to support small businesses; that any business with 2 to 100 employees who is creatively adapting to the challenges can apply for State monies; and that details are available on commerceri.com. She stated that everyone is relying on shoppers to shop locally and that a Facebook live shopping program will be provided on the Chamber's website on December 5th, 7th and 12th, 2020.

Motion by Mr. Aiello, Seconded by Mr. Cooke, to move to Item #7b at this time. (Voted Unanimously)

4. CITIZENS COMMENTS

Sign-Up Sheets will be available at the Council Meeting for any citizens wishing to be heard. Citizens who do not sign up to speak will have an opportunity to be heard following the individuals listed on the sign-up sheet.

When addressing the Council, please state your name and address; please conduct yourself in an orderly and respectful fashion. The comments of citizens accessing this portion of our meeting are neither adopted nor endorsed by this body, but heard as requested. *If the matter is scheduled for a public hearing, the comments shall be deferred to that agenda item.*

Any citizen wishing to be heard can access the meeting using the Zoom app or via phone. Please note:

If accessing the meeting via phone, Press *9, to be recognized or if using the Zoom app, press the "raise hand" button to be recognized

a. Benjamin Weber, 3 Blossom Ct - re: Expressed gratitude for Council diligence for public access issue and sending rights-of-way to CRMC for review; re: need to address parking for public access, especially on Spring Ave; only 10 public parking spots on Spring Ave; handicapped parking sign on Spring Ave was removed; Weekapaug Inn employees have been accessing these parking spaces; re: APRA request for maps and survey regarding Spring Ave – would appreciate a response as soon as possible

b. Ken Burton, 83 Potter Hill Rd - re: Flags on poles throughout Town; WBLQ supports the veterans; thanked the Town for its support of veterans; thanked the Department of Public Works for new flag locations on 250 poles

c. Anthony Palazzolo, Esq., 285 Pendleton Hill Rd, Stonington, CT - re: Thanked Council for sending rights-of-way to CRMC for review

d. James Malardo, 104 South Woody Hill Rd - re: Thanked Council for work it has done with rights-of-way; re: access enforcement of sand trail - would like RIMS to be involved in the process

e. Gwenn Whitham, 3 Carriage Ln, East Granby, CT - re: Thanked Council for taking vote to send rights-of -way to CRMC for review

COUNCILORS' RESPONSE

Councilor Giorno thanked Ken Burton for his time and dedication in making the Downtown area so patriotic through the installation of flags. She reported that the veterans' hour on WBLQ radio tomorrow was initially cancelled because the veterans are unable to attend; however, she volunteered to host the hour from 10:00 a.m. to 11:00 a.m. and encouraged everyone to tune in.

Councilor Ahern asked the Town Manager to contact the Weekapaug Inn to ensure that its employees are not using the 10 public parking spaces on Spring Avenue.

Councilor Cioffi stated that she would be more than happy to assist Mr. Weber in obtaining answers to his questions regarding Spring Avenue.

Town Manager Rooney reported that Public Works Superintendent Chiaradio and staff have begun to mark the Town rights-of-way from Maple Avenue to the breachway using the granite bollards and decorative signage. With regards to enforcement of access of the sand trail, he stated that he will ask stakeholders to participate in the discussions.

5. CONSENT CALENDAR

a. Approval of Minutes
Regular – 10/19/20, 10/26/20
Executive – 10/26/20 (Sealed)

Motion by Mr. McCuin, Seconded by Mr. Aiello, that the aforesaid minutes be accepted and approved as printed and that the Executive Session minutes be sealed. (Voted Unanimously)

b. Fiscal Matters

Motion by Mr. Aiello, Seconded by Ms. Giorno, that the following resolution be adopted with the stipulation that $775,650.00 is funded by the Water Department. (Voted Unanimously)

1. 20/21-32 Resolution Awarding Contract For School Street Reconstruction Project (Ferreira Construction – Not to exceed $2,954,972.00)

c. Appointments and Resignations

1. Economic Development Commission – Full Member

No action taken on the aforesaid appointment.

2. Board of Recreation – Full Member

Councilor Giorno nominated Jono Seltzer, who currently serves as Auxiliary Member, for appointment as a full member to the Board of Recreation.

A vote was taken on the nomination of Jono Seltzer of 5 Nina Drive, Bradford, RI for appointment as a full member to the Board of Recreation to fill the unexpired term of Sherri Mello, term expiring April 2023 and the motion carried. (Voted Unanimously)

3. Board of Recreation – Auxiliary Member

Councilor Giorno nominated Michael Joyce for appointment as Auxiliary Member to the Board of Recreation.

A vote was taken on the nomination of Michael Joyce of 47 Babcock Road for appointment as Auxiliary Member to the Board of Recreation to fill the unexpired term of Jono Seltzer, term expiring April 2022 and the motion carried. (Voted Unanimously)

4. Housing Authority – Full Member

Councilor Giorno nominated Julie Ann Rofrano for appointment to the Housing Authority.

A vote was taken on the nomination of Julie Ann Rofrano of 9 State Street for appointment to the Housing Authority for a five-year term, expiring May 2025 and the motion carried. (Voted Unanimously)

5. Zoning Board – 2nd Alternate

Councilor Giorno nominated Dawn Robinson for appointment as 2nd Alternate to the Zoning Board.

A vote was taken on the nomination of Dawn Robinson of 5 Egret Lane for appointment as 2nd Alternate to the Zoning Board for a five-year term, expiring January September 2025 and the motion carried. (Voted Unanimously)

6. Board of Assessment Review – Auxiliary Member

Councilor Giorno nominated Kenneth F. Swain for re-appointment as Auxiliary Member to the Board of Assessment Review.

A vote was taken on the nomination of Kenneth F. Swain of 155 Watch Hill Road for re-appointment as Auxiliary Member to the Board of Assessment Review for a two-year term expiring August 2022 and the motion carried. (Voted Unanimously)

7. Planning Board – Full Member

Councilor Giorno nominated Elizabeth McGuire for appointment to the Planning Board.

A vote was taken on the nomination of Elizabeth McGuire of 49 Urso Drive for appointment to the Planning Board to fill the unexpired term of Jason Parker, term expiring August 2021 and the motion carried. (Voted Unanimously)

8. Public Works Committee – Full Member

Councilor Giorno nominated Joseph C. Manfredi for re-appointment to the Public Works Committee.

A vote was taken on the nomination of Joseph C. Manfredi of 34 Dunns Corners Road for re-appointment to the Public Works Committee for a three-year term expiring August 2023 and the motion carried. (Voted Unanimously)

6. PUBLIC HEARINGS (Adv. on 11/2/20 for this time)

a. Proposed Ordinance – "An Ordinance Authorizing The Transfer Of Funds to Support Animal Control Officer Staffing ($35,000.00)

Motion by Mr. Cooke, Seconded by Mr. McCuin, that the public hearing be opened. (Voted Unanimously)

No one appeared or spoke remotely in favor or in opposition.

Councilor McCuin stated that, due to COVID, he was opposed to the hiring of any new individuals at this time and would prefer to pay overtime instead. Council President Duhamel agreed.

Chief of Police Lacey explained that this is the first year that the Animal Shelter has fallen back under the Public Safety umbrella. He provided background on the past and current structure of the Animal Control Department. He explained the necessity of having a second animal control officer in order to provide more adequate coverage and oversight of the operation.

Councilors Ahern, Aiello, Giorno, Cooke and Cioffi spoke in favor of the new position.

Motion by Ms. Ahern, Seconded by Ms. Giorno, that the hearing be closed and the aforesaid ordinance be adopted. A poll vote was taken as follows and the motion carried: (So Voted 6 to 1 – Councilor McCuin dissented)

YES	NO
Cioffi	McCuin
Aiello	
Giorno	
Cooke	
Ahern	
Duhamel	

7. NEW BUSINESS

a. Petition from National Grid for New Pole Location at Margin Street (WR#29953422)

Motion by Mr. Aiello, Seconded by Mr. McCuin, that the aforesaid petition be granted. (Voted Unanimously)

b. Spring Avenue And All CRMC Rights-of-Way – Formal Adoption By The Town Council To Send To CRMC For Review

Motion by Mr. Aiello, Seconded by Ms. Giorno, that CRMC investigate Spring Avenue Ex. and Waters Edge Road for possible designation as public rights-of-way to the shore and to authorize the Town Council President to sign the request on behalf of the Town Council. (Voted Unanimously)

Council President Duhamel read, into the record, the list of e-mails received requesting that Spring Avenue Ex. and Waters Edge Road rights-of-way be referred to CRMC for investigation and review.

Motion by Mr. Cooke, Seconded by Ms. Giorno, to revert to Citizens' Comments. (Voted Unanimously)

Suspend Town Council Rules Of Procedure – Rule 9(8) – Committee of The Whole Requirement To Discuss And Consider The Following Items:

Motion by Ms. Giorno, Seconded by Mr. Aiello, that the Town Council Rules of Procedure be suspended as aforesaid. (Voted Unanimously)

c. Resolution Authorizing The Town Manager To Sign The Memorandum Of Understanding Between The Town Of North Stonington, Connecticut And The Town Of Westerly, Rhode Island, Regarding A Maintenance Plan, Future Inspection, Reviews And Repairs Of the Boombridge Bridge

Councilor Aiello requested that the aforesaid resolution be tabled to the next meeting so that he can forward his comments to the Council for review.

Motion by Mr. Aiello, Seconded by Ms. Giorno, that the aforesaid resolution be tabled to the next meeting. (Voted Unanimously)

d. Round Abouts – Possible Request From Town Council To RIDOT To Review
   1. Intersections of Bradford Road (Rt 91)/Church Street (Rt 216)/South Main Street
   2. Intersections of Westerly-Bradford Road (Rt 91)/Bradford Rd (Rt 91)/Dunns Corners Bradford Road (McGowan Corners)

Councilor Aiello stated that the locations of the two requested round abouts are located on State roads. He explained that RI DOT requires a request from the Town Council in order to start the procedure to evaluate the sites.

Responding to Council President Duhamel, Town Manager Rooney stated that the Chief of Police and Town Engineer support the aforesaid request.

Motion by Mr. Aiello, Seconded by Ms. Giorno, that a letter be send to RIDOT requesting review for possible round abouts at the two aforesaid intersections. (Voted Unanimously)

8. UNFINISHED BUSINESS

None

9. COMMUNICATIONS & REPORTS

a. Liaison Reports

1. Chamber of Commerce – Santa's arrival and holiday light trail scheduled for Friday, November 27, 2020, at 6:00 p.m. on 1 Chamber Way; free coloring books, crayons, individually wrapped cookies for the children; fee for those who make reservations for the 20 exclusive s'mores village seating – 6 people for $60; visit Chamber website for more information; Chamber is looking for volunteers to set up and break down the event (Councilor Giorno)

2. Westerly Public Library – Trustees Board meeting held; board agreed that there will be no signage for the Columbus statue; therefore, no hinderance of participants that want to contribute to protect the statue (Councilor Giorno)

3. Veterans' Day – Extended happy Veterans' Day to all veterans; no parade scheduled due to COVID; encouraged the public to thank veterans for their service and to tune in to WBLQ on Tuesday, November 10, 2020, at 10:00 a.m. for veterans hour (Councilor Giorno)

4. Board Liaison – Will be attending one more month of various board and committee meetings as liaison (Councilor Aiello)

5. 2020 General Election – Board of Elections informed the Town that the State has to certify the entire election first before any city or town can certify its election; the Board of Elections plans to certify the election on or around November 30, 2020 and then the Westerly Board of Canvassers can certify the Town's election; the new Council could possibly be sworn in on December 7, 2020 (Town Manager Rooney)

b. Town Council – 11/9/20

None

c. Town Manager

1. Boombridge Road Bridge – Town Manager Rooney reported that the contractor will have bridge open by the first of December and that the State of Connecticut Department of Transportation will schedule a day for the ribbon cutting.

d. Town Solicitor

None

e. Town Clerk

None

f. Agenda Referrals and Backlog Agenda ***(Items to be assigned to future agendas)***

1. House Bill regarding Airports and Landing Fields – Airport Zoning – Councilor Ahern requested that the Council consider a resolution asking Representative Azzinaro to vote against the proposal from RIAC. She stated that the Council voted to send a letter in opposition to the proposed legislation; however, the proposed legislation passed in the Senate but has not yet been before the House.

2. Left-Hand Turn Signals – Councilor Giorno requested that the Council consider sending a letter to RI DOT and Statewide Planning asking for an evaluation for the installation of left-hand turn signals at the intersections of Granite Street/Cross Street and Granite Street/John Street.

3. Road Bond Update – Responding to Councilor Aiello, Town Manager Rooney stated that Town Engineer Zalaski can provide the Council with an engineering road bond update.

g. Requests of Town Manager by Councilors

None

10. ADJOURNMENT

7:20 P.M. Voted Unanimously to adjourn.

ATTEST: Mary L LeBlanc, MMC

Mary L. LeBlanc, MMC
Council Clerk Pro Tem

Details of the aforesaid proceedings are available on video on the Town of Westerly website.

Click to view the entire meeting or click any video icon below to jump to that section of the meeting.

REGULAR MEETING	WESTERLY TOWN COUNCIL	COUNCIL CHAMBERS
MONDAY	DECEMBER 14, 2020	6:00 P.M.

Sharon E. Ahern, President, Suzanne K. Giorno, Vice Pres.
Councilors Caswell Cooke, Jr., Christopher A. Duhamel, Philip M. Overton, Karen A. Cioffi,
Brian H. McCuin
J. Mark Rooney, Town Manager; Law Firm of William J. Conley, Jr., Town Solicitor
Donna L. Giordano, MMC, Town Clerk; Patrick J. Falcone, Town Sergeant

Please click the link below to join the meeting:

https://us02web.zoom.us/j/82573076933

Telephone:
(929) 205 6099 (Toll Call)
(877) 853 5257 (Toll Free Call)

Meeting ID: 825 7307 6933

Written public comment can be submitted prior to the meeting by emailing mleblanc@westerlyri.gov.

(Pursuant to Governor Gina M. Raimondo Executive Order 20-46, dated June 12, 2020 and Executive Order 20-100, dated November 30, 2020)

1. CALL TO ORDER

   INVOCATION – Councilor McCuin

   SALUTE TO THE FLAG – Council President Ahern

2. RECOGNITIONS, AWARDS & MEMORIALS

   None

3. PRESENTATIONS

   a. COVID-19 Update

4. CITIZENS COMMENTS

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When addressing the Council, please state your name and address; please conduct yourself in an orderly and respectful fashion. The comments of citizens accessing this portion of our meeting are neither adopted nor endorsed

by this body, but heard as requested. ***If the matter is scheduled for a public hearing, the comments shall be deferred to that agenda item. Citizens who have signed a petition shall be represented by a spokesperson. Likeminded citizens are encouraged to select a spokesperson. Comments can be up to ten (10) minutes maximum.***

COUNCILORS' RESPONSE

5. CONSENT CALENDAR **(all items are considered routine and can be approved by one motion; however, if discussion is necessary on any item, it can be moved to "New Business")**

   a. Approval of Minutes

   Committee of the Whole – 11/16/20, 12/7/20
   Regular – 11/9/20
   Special – 11/30/20, 12/7/20
   Executive – 11/9/20 (Sealed); 11/16/20 (Sealed); 12/7/20 (Sealed)

   b. Fiscal Matters

      1. Resolution Authorizing The Addition to The Pro-Rated Tax Roll ($5,648.94)

      2. Resolution Authorizing Deletion To Tax Rolls ($28,516.97)

      3. Resolution Authorizing Payment To The Law Office Of Oliverio & Marcaccio, LLP (Litigation Matters - $1,891.17)

      4. Resolution Authoring Corrections To The Water And Sewer Accounts Department Accounts Receivable (Water Refund - $1,213.75)

   c. Appointments and Resignations

      1. Resignations:
         a. Elizabeth McGuire, Planning Board
         b. John H. Ornberg, Zoning Board

6. PUBLIC HEARINGS

   None

7. NEW BUSINESS

   a. Resolution Of The Town Of Westerly Authorizing The Issuance of General Obligation Refunding Bonds

8. UNFINISHED BUSINESS

   a. Resolution Authorizing The Town Manager To Sign The Memorandum Of Understanding Between The Town Of North Stonington, Connecticut And The Town Of Westerly, Rhode Island, Regarding A Maintenance Plan, Future Inspection, Reviews And Repairs Of the Boombridge Bridge

b. Resolution Accepting Fallon Trail Into The Town Of Westerly Road System

c. Resolution Of The Town Of Westerly Authorizing The Town Manager to Enter Into A Contract For A Grant With The Connecticut DEEP (Pump Out Boat)

d. Approval Of Letter To RI Department Of Transportation (RI DOT) For Review Of A Green Arrow Light For Left-Hand Turn At Intersections Of Granite Street/Cross Street and Granite Street/John Street

e. 2021 Town Council Meetings Schedule

f. Rules Of Procedure To Govern 2020-2022 Town Council

1. Liaison Appointments

9. COMMUNICATIONS & REPORTS

a. Liaison Reports

b. Town Council – 12/14/20

c. Town Manager

d. Town Solicitor

e. Town Clerk

f. Agenda Referrals and Backlog Agenda ***(Items to be assigned to future agendas)***

g. Requests of Town Manager by Councilors

10. ADJOURNMENT

42-46-6(b) "...Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.

INDIVIDUALS REQUESTING INTERPRETER SERVICES FOR THE HEARING IMPAIRED MUST CALL 348-2502 IN ADVANCE OF THE HEARING DATE.

The Town Council agenda and supporting documents can be accessed on the Town of Westerly website at www.westerlyri.gov.

POSITIONS AVAILABLE ON THE FOLLOWING BOARDS:
(Applications can be obtained on the Town of Westerly's website www.westerlyri.gov and submitted to the Office of Town Clerk)

ECONOMIC DEVELOPMENT COMMISSION (ONE FULL MEMBER)
ECONOMIC DEVELOPMENT COMMISSION (ALTERNATE MEMBER)
ZONING BOARD (FULL MEMBER)
ARCHITECTURAL REVIEW BOARD (ONE FULL MEMBER)
ARCHITECTURAL REVIEW BOARD (2ND AUXILIARY MEMBER)
CONSERVATION COMMISSION (ONE FULL MEMBER)
CONSERVATION COMMISSION (AUXILIARY MEMBER)
PLANNING BOARD (FULL MEMBER)
PLANNING BOARD (AUXILIARY MEMBER)
PUBLIC WORKS COMMITTEE (ONE FULL MEMBER)
PUBLIC WORKS COMMITTEE (ALTERNATE MEMBER)
BOARD OF FINANCE (TWO FULL MEMBERS)
CONCERTS ON THE BEACH COMMITTEE (THREE FULL MEMBERS)
BOARD OF ASSESSMENT REVIEW (ONE FULL MEMBER)

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CRMC Application Review Sheet

File Number: ~~2020-12-481~~ -9-108

Owner Name: Town of Westerly

Site Address: Waters Edge, Westerly
Plat: ; Lot:

SCANNED

Administrative Review

Reviewer: BMS
Completed on 12/11/2020

- ☐ Application Complete
- ☐ Application Deficient
- ☐ FONSI
- ☐ Enforcement compliance _____

Missing

- _____ Application
- _____ Fee
- _____ ISDS
- _____ Proof of Ownership
- _____ Building Permit
- _____ Site Plans

As Applicable:

- ____ CHA Worksheet
- ____ Stormwater Calcs
- ____ Structural Lot Calcs

☐ **EXTENSION** (Enforcement review)

Notes: _____

Team Review for Acceptance

Application Deficient

- ☐ Deficiency Letter Required
- ☐ Notified Via Phone Call – waiting for _____

☑ ~~Application~~ NEW SUBMISSION Accepted

Date: 1/5/21

	Assigned To	Date Completed	Denial Recommendation	Management Sign-off
Project Manager	TDR			
Engineer				
Biologist	DR			
Geologist				
Aqua				
Dredge				
Other				

Category: A

Project Type: 32

Water Type: _____

Water Area: WATCH HILL HARBOR

PGP Category: SV PCN IP ☐ Public Access 355 ☐ Public Access Easement

Short Project Description: BOAT RAMP & ROADWAY MAINTENANCE WITH ROADWAY WIDENING FOR PARKING PLACES

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

APPLICATION FOR STATE ASSENT

To perform work regulated by the provisions of Chapter 279 of the Public Laws of 1971 Amended.

Project Location Waters Edge, Westerly (No. Street City/Town)	File No. (CRMC USE ONLY) 2020-09-108
Owner's Name Town of Westerly	Plat: Lot(s):
Mailing Address 45 Broad Street	401-348-2562 Contact No.: Email Address: kzalaski@westerlyri.gov
City/Town Westerly State RI Zip Code 02891	
Contractor RI Reg. # Address	Email address: Tel. No.
Designer Owner Address See Above	Tel. No. See above
Name of Waterway Little Narragansett Bay	Estimated Project Cost (EPC): Application Fee:

Describe accurately the work proposed. (Use additional sheets of paper if necessary and attach this form.)
See attached sheet

Have you or any previous owner filed an application for and/or received an assent for any activity on this property?
(If so please provide the file and/or assent numbers): _____

Is this site within a designated historic district? ☒ **YES** ☐ **NO**

Is this application being submitted in response to a coastal violation? ☐ **YES** ☒ **NO**

If YES, you must indicate NOV or C&D Number: _____

Name/mailing addresses of adjacent property owners whose property adjoins the project site. Accurate mailing addresses will insure proper notification. JMK Applicant must initial to certify accuracy of adjacent property owners and accuracy of mailing addresses.

_____

_____

STORMTOOLS (http://www.beachsamp.org/resources/stormtools/) is a planning tool to help applicants evaluate the impacts of sea level rise and storm surge on their projects. The Council encourages applicants to use STORMTOOLS to help them understand the risk that may be present at their site and make appropriate adjustments to the project design.

NOTE: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible, adhered to the policies and standards of the program. Where variances or special exceptions are requested by the applicant, the applicant will be prepared to meet and present testimony on the criteria and burdens of proof for each of these relief provisions. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. If the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then the permit granted under this application may be found to be null and void. Applicant requires that as a condition to the granting of this assent, members of the CRMC or its staff shall have access to the applicant's property to make on-site inspections to insure compliance with the assent. This application is made under oath and subject to the penalties of perjury. 08/04

_____
Owner's Signature (sign and print)

PLEASE REVIEW REVERSE SIDE OF APPLICATION FORM

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DEC 10 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

/sjt/lat

Town of Westerly, R. I.

Town Assessor's Office 45 Broad St Westerly RI 02891
Tel (401) 348-2541 Fax (401) 348-2616

COASTAL RESOURCE MANAGEMENT COUNCIL
STEDMAN GOVERNMENT CENTER
TOWER HILL ROAD
WAKEFIELD, RI 02879

TO WHOM IT MAY CONCERN:

RECORDS AT THE ASSESSOR'S OFFICE, TOWN OF WESTERLY, RI, INDICATE THAT THE FOLLOWING OWN PROPERTY IN SAID TOWN:

NAME:	TOWN OF WESTERLY
ADDRESS:	45 BROAD STREET WESTERLY, RI 02891
PROPERTY LOCATION:	WATERS EDGE ROAD WESTERLY, RI 02891
PLAT/LOT:	/
LAND EVIDENCE RECORDS:	BOOK 2 PAGE 86
DATE OF ISSUE:	September 16, 2020

SINCERELY,

DAVID B. THOMPSON
TOWN ASSESSOR

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DEC 10 2020

TO: **Coastal Resources Management Council**
4808 Tower Hill Road Suite 3
Wakefield, RI 02879
Phone: (401) 783-3370

FROM: **Building Official** DATE: September 16,2020

SUBJ: Application of: Town of Westerly

Location: Waters Edge Road

Address: Adjacent to Plat No. 179 Lot No. 15

To Construct: Resurfacing of existing earthen kayak ramp with stone and sand; repair of existing asphalt road and installation of asphalt driveway apron

I hereby certify that I have reviewed _____ foundation plan(s).
_____ plan(s) for entire structure
_____ site plans
Titled: _____

Date of Plan (last revision): _____

___ and find that the issuance of a local building permit is not required as in accordance with Section _____ of the Rhode Island State Building Code.

___ and find that the issuance of a local building permit is required. I hereby certify that this permit shall be issued once the applicant demonstrates that the proposed construction/activity fully conforms to the applicable requirements of the RISBC.

___ and find that a Septic System Suitability Determination (SSD) must be obtained from the RI Dept. of Environmental Management.

___ and find that a Septic System Suitability Determination (SSD) need not be obtained from the RI Dept. of Environmental Management.

___ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final. The Zoning Board approval shall expire on _____.

Building Official's Signature Date

___ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final.

Zoning Officer's Signature Date

rev. 5/11/2001

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Town of Westerly, Rhode Island
Engineering Division

Application for State Assent
Waters Edge Road Improvements

Project Narrative

Existing Conditions

The public right-of-way (ROW) identified as Waters Edge Road is located in the Watch Hill section of Westerly. The ROW is improved with an asphalt-paved road, approximately 18 feet side and 800 feet in length, that is bisected by Pawcatuck Avenue. The paved road dead ends to both the north and south of Pawcatuck Avenue, terminating just beyond the driveways for 3 and 4 Waters Edge Road, and 14 and 16 Waters Edge Road, respectively. The ROW extends further north and south to the waters of the Little Narragansett Bay. An earthen boat ramp exists at the southern terminus of Waters Edge Road that gradually slopes towards the water, which is approximately 90 feet in length and 10 feet in width. Starting at the terminus of the road, the first 50 feet of the earthen ramp is surfaced with gravel, sand, and grass. The remaining 40 feet of the ramp is surfaced with fine sand and silt. Some boulders and concrete debris were noted within and alongside of the ramp.

Proposed Conditions

The Town of Westerly proposes to improve this ROW to provide the public with better access to the Little Narragansett Bay. These improvements consist of the following: installing a kayak rack; restoring the surface of the earthen boat ramp to provide ease of access to the water, mitigate erosion of the earthen ramp, and mitigate sediment accumulation along Waters Edge Road, and conducting repairs to the existing asphalt paved road to improve vehicular access while also delineating private property. The description of the three options proposed by the Town are provided below.

Option 1

As part of Option 1, the following activities will be conducted:

- Resurfacing/restoration of the existing earthen boat ramp;
- Repair of the existing deteriorated asphalt at the southern terminus of Waters Edge Road;
- Installation of a new asphalt driveway apron at the driveway for 14 & 16 Waters Edge Road; and,
- Installation of (a) new kayak rack(s) in the grassy area to the southwest of the southern terminus of Waters Edge Road, adjacent to the earthen boat ramp.

The boat ramp restoration will consist of removing the mixture of gravel, sand, and grass from the first 50 feet of the ramp, and replacing it will an approximately 8-inches of 2- to 3-inch diameter stone. Any fine silts or organic deposits will be "mucked out" and replaced with beach sand, as necessary, for the remaining 40 feet of the ramp. Any concrete debris located within and along side of the earthen ramp will be removed and disposed off-site. Any existing boulders that obstruct use of the ramp will be relocated to a nearby location. The use of the 2- to 3-inch stone will stabilize the surface beyond the asphalt road for vehicular passage, and will also act as a sedimentation buffer between the road and the lower part of the earthen ramp. Removal and replacement of the fine silts and localized organic deposits within the limits of the lower ramp will provide a safer and more stabilized kayak launch for public use. The new asphalt driveway apron is intended to delineate the public ROW from the private driveway, while also providing an erosion control measure for the existing stone driveway.

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COASTAL RESOURCES MANAGEMENT COUNCIL

Town of Westerly, Rhode Island
Engineering Division

Application for State Assent
Waters Edge Road Improvements

Option 2

All activities described in Option 1 would be included in Option 2. Additionally, Waters Edge Road would be widened by approximately 9 feet, for a length of approximately 190 feet, in order to provide 6 parking spaces while still allowing for two-way traffic. Widening of the road would require removal of 3-foot and 6-foot wide grass strips located parallel to the north and south sides of road, respectively. White pavement markings would be placed to delineate the six 20-foot long, 9-foot wide parking spaces, with hatched no-parking areas located near the driveway for 11 Waters Edge Road and the southern terminus of Waters Edge Road.

Option 3

All activities described in Option 1 would be included in Option 3. Differing from Option 2, Option 3 proposes to add parking spaces on the abutting street (Pawcatuck Avenue), which is currently wide enough to provide parking and still allow two-way traffic. Pavement markings added along the southern side of Pawcatuck Avenue, between the driveways for 10 Waters Edge Road and 14 Pawcatuck Avenue, would provide for seven 20-foot long, 9-foot wide parking spaces, with hatched no-parking areas located adjacent to the driveways.

Preferred Option

The Town has identified Option 2 as the preferred option. The activities described in Option 2 can be completed by the Town of Westerly's Department of Public Works, and does not require substantial road reconstruction activities to provide public parking for use of the improved boat ramp.

Adjacent Property Owners

- Thomas F & Melinda Dempsey, 348 Pondfield Road, Bronxville, NY 10708
- Watch Hill LLC, 14 Waters Edge Road, Westerly, RI 02891
- Jane Ross Orthwein, 50 Lock Road, Deerfield, FL 33442-1580
- Jonathan Bicknell, 1015 Winding Way, Baltimore, MD 21210
- Elizabeth Wendelin Wilkes, Waccabuc, NY 10597
- D Trust, 66 Mt Vernon Street Unit 2, Boston, MA 02018

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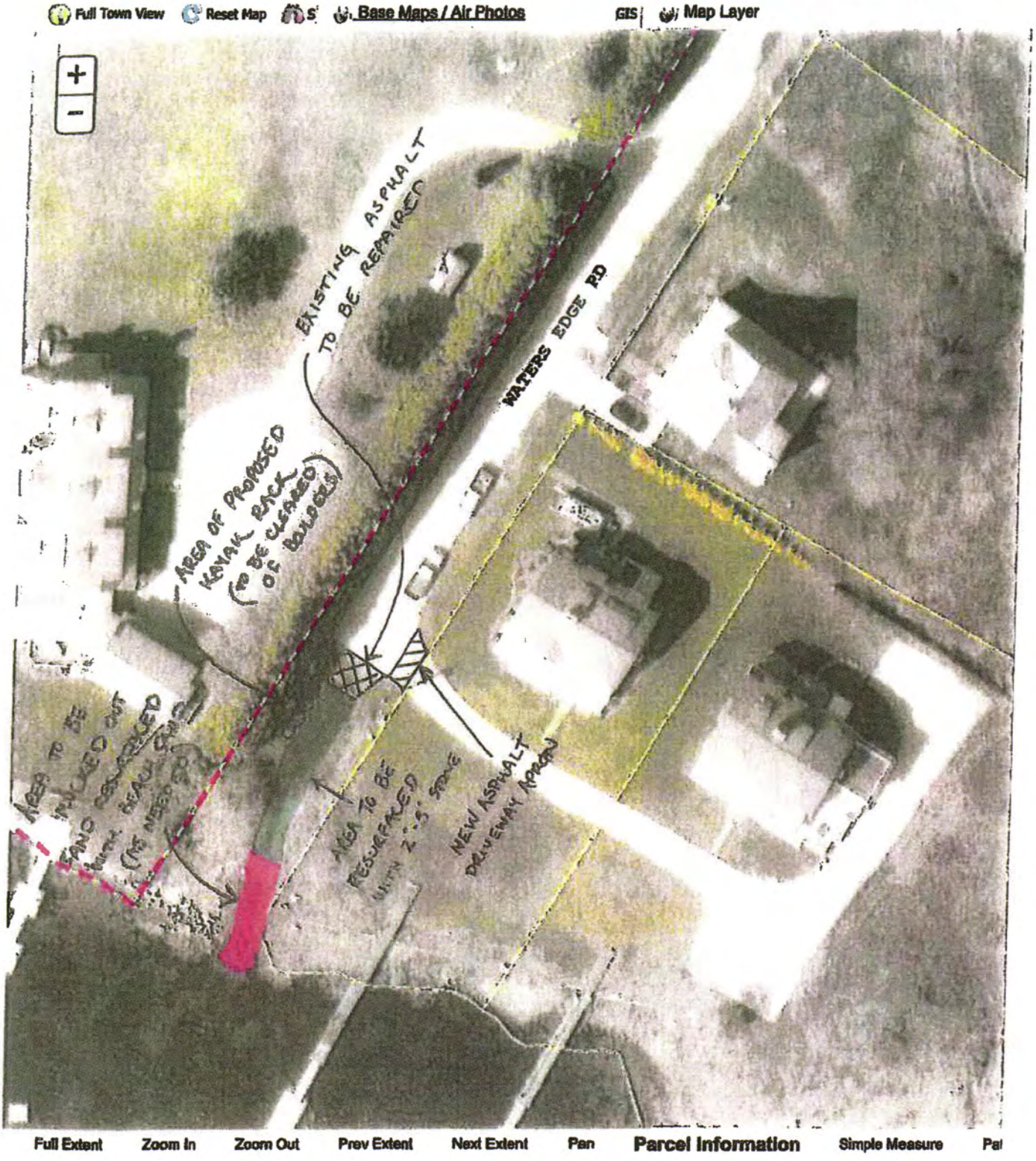
WATERS EDGE IMPROVEMENTS: OPTION 1 (PAGE 1 OF 1)



MapXpress v1.2

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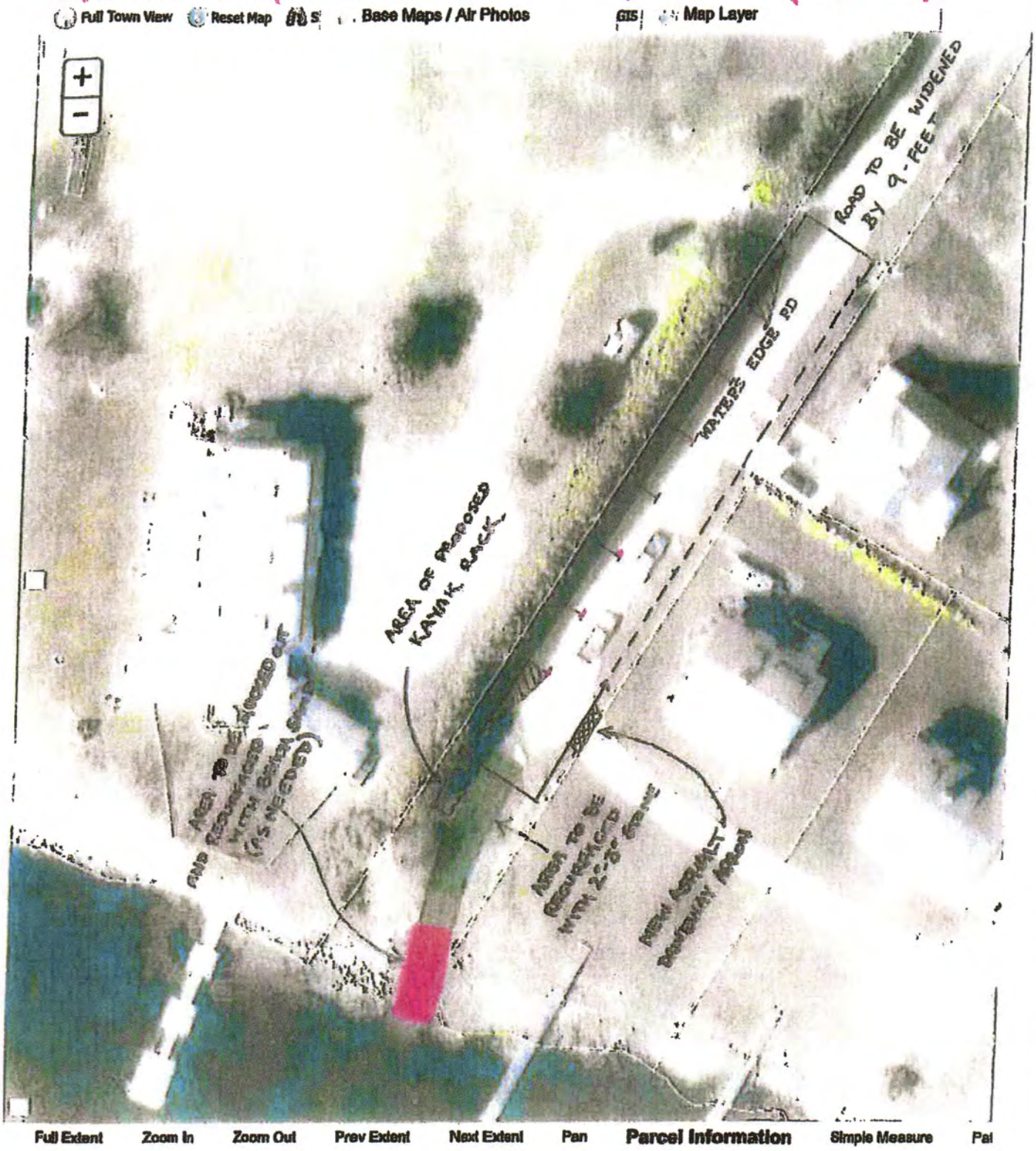
WATERS EDGE IMPROVEMENTS : OPTION 2 (PAGE 1 OF 1)



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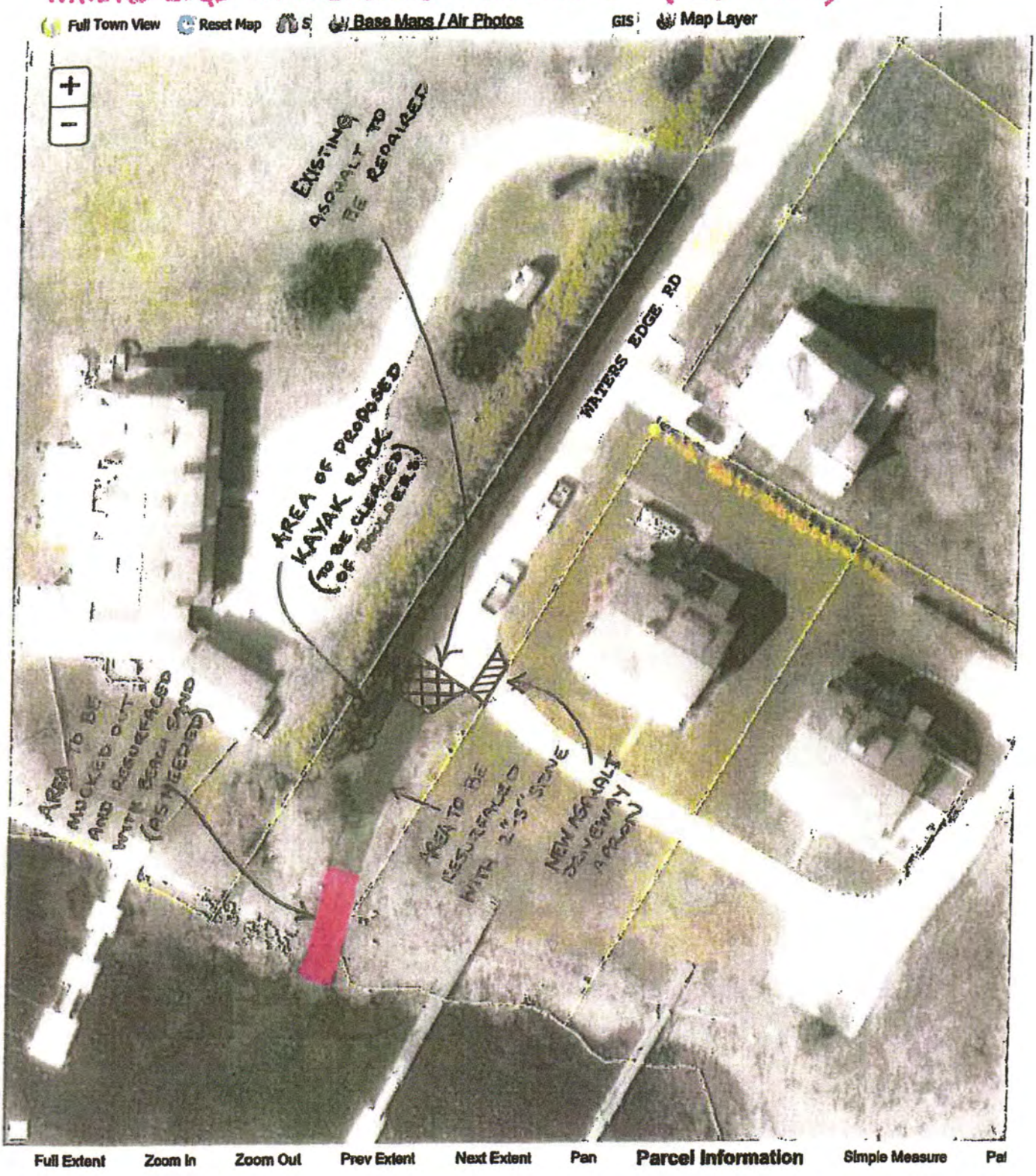
WATERS EDGE IMPROVEMENTS: OPTION 3 (PAGE 1 OF 2)



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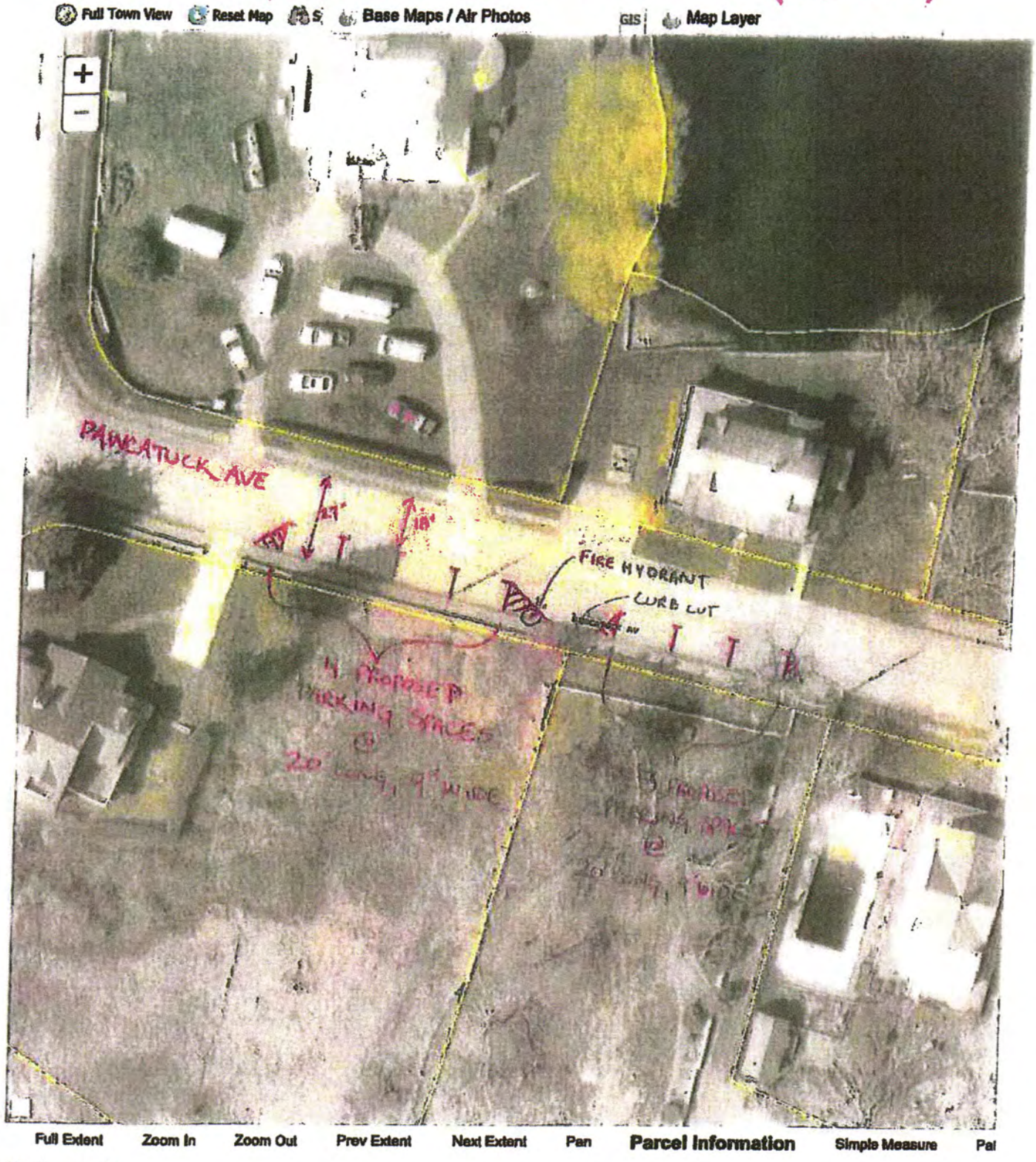
WATERS EDGE IMPROVEMENTS: OPTION 3 (PAGE 2 OF 2)



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Town of Westerly, Rhode Island
Engineering Division

Waters Edge Road

Existing Conditions Photolog

December 7, 2020

Photo 01: View looking south along Waters Edge Rd. The driveway shown immediately to the right is associated with the property identified as 11 Waters Edge Rd.

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DEC 10 2020

Photo 02: View looking south along Waters Edge Rd. The gravel driveway shown to the left is associated with the properties identified as 14 and 16 Waters Edge Rd

Photo 03: View looking south to the earth boat ramp located do the south of the asphalt paved section of Waters Edge Road. The area with standing water contains deteriorated asphalt.

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Photo 04: View looking south along the earthen boat ramp located to the south of Waters Edge Road. The area immediately to the south of the road contains gravel and grass surface cover.

Photo 05: View looking View south along the earthen boat ramp to the south of Waters Edge Road. The southern 40 feet of the ramp contains sand and silt surface cover, with vegetative debris, concrete debris, and boulders.

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Photo 06: View looking south of the earthen boat ramp to the south of Waters Edge road as it approaches the waters of the Little Narragansett Bay.

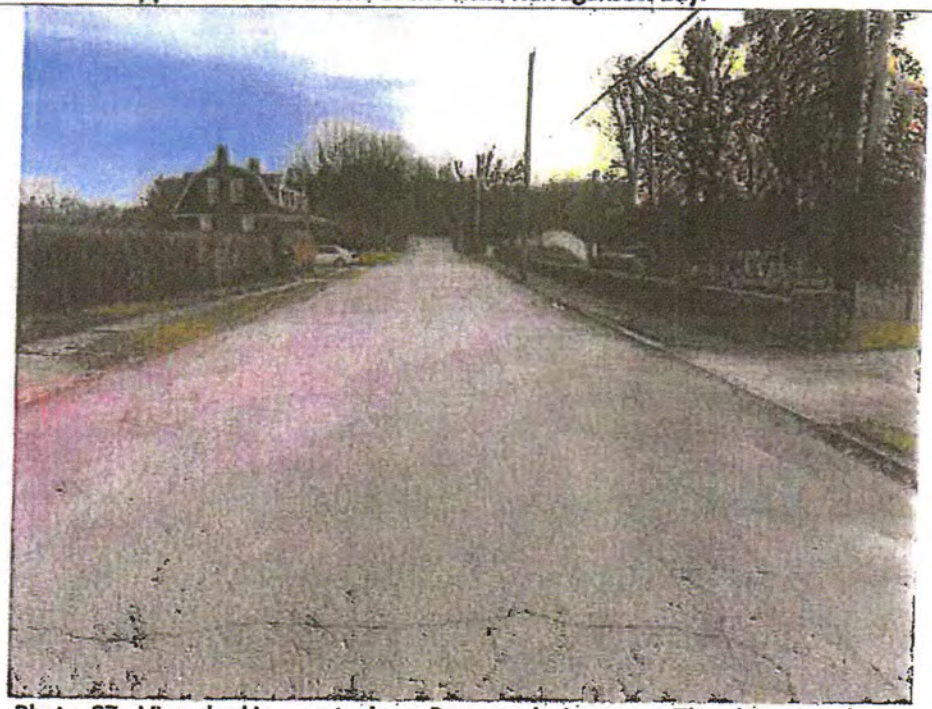

Photo 07: View looking east along Pawcatuck Avenue. The driveway shown immediately to the left is associated with the property identified as 10 Waters Edge Rd. The road is approximately 27 feet wide.

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DEC 10 2020

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

November 16, 2020

Mr. Jeffrey M. Willis, Executive Director
RI Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: WATERS EDGE ROAD SOUTH – RIGHT-OF-WAY

Dear Jeff:

I previously wrote to you on September 8, 2020, September 29, 2020 and October 27, 2020 regarding the Town of Westerly's Right-of-Way at Waters Edge Road South because residents and abutting landowners were concerned about the manner in which the Town intended to improve that site.

As a result of a collaborative effort between the parties and Town Manager, I withdrew/clarified the residents' concerns in correspondence sent to you on October 27, 2020. At that time, we believed that an appropriate compromise had been reached with the Town Manager and that there were a number of conditions agreed to by the parties.

Today I received an email from the Town Manager in which he now indicates that I have "overstated" the parties understanding about this site and that neither the Town nor he have intention of being bound by conditions that I might add, he previously agreed to with the residents and the Watch Hill Fire District Moderator.

Significantly, on Monday, November 9, 2020 for some unknown reason the Town Manager proposed that the Town Council send a matter to CRMC regarding Waters Edge Road South. My clients have no idea what this referral was all about and wish to inform you that if CRMC asserts some form of jurisdiction over this matter as a result of the Town Council's November 9, 2020 action, the abutting property owners and residents wish to be heard.

It is entirely possible that this issue will be "academic" and particularly if the conditions that the Manager and the parties agree to are honored. However, if for some reason those conditions are modified in any material way, the residents wish to be heard with respect to their concerns and/or objections.

I look forward to hearing from you regarding this matter and next steps that CRMC envisions as a result of the Town Council's referral of November 9, 2020.

Sincerely,

Thomas J. McAndrew, Esq.

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NOV 18 2020
COASTAL RESOURCES
MANAGEMENT COUNCIL

TJM/cpm

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

October 27, 2020

Mr. Jeff Willis, Director
Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: WATERS EDGE ROAD SOUTH – RIGHT-OF-WAY

Dear Sir:

I previously wrote to you on September 29, 2020 requesting that the residents of Waters Edge Road receive "notice" if the Town of Westerly sought to change in any material way the existing Right-of-Way at that site. I am afraid that my letter requesting "notice" has been misunderstood or misinterpreted because on behalf of those residents that I represent they do not have an objection to improve this site and have been working with the Westerly Town Manager to establish appropriate conditions that will make this site safe and accessible to the public.

To date there have been excellent collaborative meetings held between the parties that portend for a mutually agreed upon Agreement to improve access and to establish, among other things, kayak racks at this site.

I trust that this note clarifies the position of the abutting land owners, and we look to continuing to work with the Town Manager to finalize a mutual understanding with the Town that incorporates appropriate conditions.

Please feel free to contact me should you have any questions, concerns or comments regarding the abutting neighbors support for this initiative.

Sincerely,

Thomas J. McAndrew, Esq.

Cc: Mark Rooney
Joan Beth Brown

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OCT 29 2020
COASTAL RESOURCES
MANAGEMENT COUNCIL

2020-09-108

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

September 29, 2020

Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: WATERS EDGE ROAD SOUTH

Dear Sir or Madame:

I attended a meeting with the Westerly Town Council on Monday, September 14, 2020 and was informed by the Town Council that there would be no activity performed at Waters Edge Road South unless and until the Town petitioned CRMC for an Assent and Order. On behalf of my clients, neighbors and abutting landowners we would appreciate notice and the opportunity to appear before CRMC to contest the Town's petition for numerous reasons.

To date, I have not received anything from the Town or CRMC regarding this initiative, but wanted to reaffirm my previous correspondence dated September 8, 2020 and enclosed indicating that I, on behalf of abutting landowners, would like notice and the opportunity to appear before CRMC along with other residents of the neighborhood, who too have concerns with respect to the Town's initiative.

Please provide notice to me if the Town of Westerly and/or through its employees, agents and others seek to change clear or modified in any way the Town's Right-of-Way at Waters Edge Road South in Watch Hill.

Thank you very much for your kind attention to this.

Sincerely,

Thomas J. McAndrew, Esq.

Enclosure

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OCT 01 2020

Law Offices of
THOMAS J. McANDREW & ASSOCIATES
One Turks Head Place, Suite 205
Providence, Rhode Island 02903

tmcandrew@tjmcandrewlaw.com
Tel: (401) 455-0350 (401) 490-6800
Fax: (401) 455-0882

September 8, 2020

Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: JANE ROSS ORTHWEIN REVOCABLE TRUST
11 Waters Edge Road, Westerly, RI 02891

Dear Sir:

This office represents Jane Ross Orthwein as Trustee of the JANE ROSS ORTHWEIN REVOCABLE TRUST DATED 1/29/2004 (the "Trust"). The Trust owns property located at 11 Waters Edge Road, Westerly, RI 02891. Waters Edge Road is a public road in the Town of Westerly, and is bounded on the north and south terminus by Little Narragansett Bay.

The Town Manager of the Town of Westerly has indicated that the Town intends to improve the southerly terminus of Waters Edge Road so as to make it useable as a public access. It is difficult to understand how any plan for improvement at this site would not require a permit from your office. We have secured a number of reports from a group of professionals who have studied this site and opined that it is an unsuitable location for improvement as a public boat launch site. Among those reasons are the impossibility of satisfying CRMC's regulations and associated issues including access, trespassing, parking, health and welfare, and safety.

The fact that the Town prohibits parking along the entire length of the road, and the road is bound by private property and homes, makes this site inappropriate for development. It would inevitably require people to trespass on Private Property.

If the Town of Westerly files an application for a permit to clear or modify this area, I would respectfully request notice of same so that we can participate in the review process and if necessary, file a formal Objection to the Town's application.

Sincerely,

Thomas J. McAndrew, Esq.

Cc: James Orthwein

RECEIVED
OCT 01 2020

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
HISTORICAL PRESERVATION & HERITAGE COMMISSION
Old State House • 150 Benefit Street • Providence, RI 02903-1209
TEL (401) 222-2678 FAX (401) 222-2968
TTY Relay 711 Website www.preservation.ri.gov

Jennifer R. Cervenka, Chair
Coastal Resources Management Council
Stedman Government Center, 4808 Tower Hill Road
Wakefield, RI 02879

CRMC File Number: 2020-09-108

Applicant: Town of Westerly

Town: Westerly

Response Date: 10/6/20

Dear Ms. Cervenka,

The Rhode Island Historical Preservation & Heritage Commission has reviewed the above- referenced project. It is our conclusion that this project will have no effect on any significant cultural resources (those listed on or eligible for listing on the National Register of Historic Places).

These comments are provided in accordance with 650-RICR-20-00-1.2.3 Areas of Historic and Archaeological Significance of the Coastal Resources Management Council. If you have any questions, please contact James Toner, Project Review Coordinator, or Charlotte Taylor, Senior Archaeologist, at this office.

Very truly yours,

Charlotte Taylor (for)

J. Paul Loether
Executive Director, RIHPHC
State Historic Preservation Officer

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OCT 06 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

CRMC Application Review Sheet

File Number: 2020-09-108
Owner Name: Town of Westerly
Site Address: Waters Edge Road, Westerly
Plat: ; Lot:

Administrative Review

Reviewer: BMS
Completed on _____
☐ **Application Complete**
☐ **Application Deficient**
☐ **FONSI**
☐ **Enforcement compliance** _____

☐ **EXTENSION** (Enforcement review)

Missing
_____ **Application**
_____ **Fee**
_____ **ISDS**
_____ **Proof of Ownership**
_____ **Building Permit**
_____ **Site Plans**

As Applicable:
____ **CHA Worksheet**
____ **Stormwater Calcs**
____ **Structural Lot Calcs**

Notes: _____

Team Review for Acceptance

Application Deficient
☐ **Deficiency Letter Required**
☐ **Notified Via Phone Call – waiting for** _____

☐ **Application Accepted**

Date: _____

Assigned To		Date Completed	Denial Recommendation	Management Sign-off
Project Manager				
Engineer				
Biologist				
Geologist				
Aqua				
Dredge				
Other				

Category: _____
Project Type: _____
Water Type: _____
Water Area: _____
PGP Category: **SV** **PCN** **IP** ☐ **Public Access 355** ☐ **Public Access Easement**
Short Project Description:

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

(401) 783-3370
Fax (401) 783-2069

MAINTENANCE CERTIFICATION APPLICATION

Project Location Waters Edge Road Westerly (No. Street City/Town)	File No. (CRMC USE ONLY): 2020-09-108
Owner's Name Town of Westerly	Plat: Lot(s):
Mailing Address 45 Broad Street City/Town Westerly State RI Zip Code 02891	Contact No.: 401-348-2572
Contractor RI Reg. #: Town of Westerly Department of Public Works Address:	
Name of Waterway: Little Narragansett Bay	Estimated Project Cost: $ Fee (chart based on EPC): $

Description of facility to be maintained (type of facility and present conditions)
Kayak/Canoe launch is obstructed as a result of rock and debris

Describe accurately the maintenance work proposed. (Use additional sheets of paper if necessary and attach this form.)
Removal of rock in right of way and removal of rock and debris at launch area

Describe equipment to be used, construction methods, access routes, etc.
Backhoe

Have you or any previous owner filed an application for and/or received an assent for any activity on this property?
(If so please provide the file and/or assent numbers): _____

Is this site within a designated historic district? ☒ YES ☐ NO

Is this application being submitted in response to a coastal violation? ☐ YES ☒ NO

If YES, you must indicate NOV or C&D Number: _____

NOTE: The applicant acknowledges by evidence of their signature that they have reviewed the Rhode Island Coastal Resources Management Program, and have, where possible adhered to the policies and standards of the program. The applicant also acknowledges by evidence of their signature that to the best of their knowledge the information contained in the application is true and valid. The filing of false information can result in the Coastal Resources Management Council revoking state assent.

J. Mark Rooney

J. MARK ROONEY
Town Manager

Owner's Signature

/ajt 03/2020

SEE REVERSE SIDE →

RECEIVED
SEP 21 2020
COASTAL RESOURCES

ELLIE DERRIG
ASSISTANT PROJECT MANAGER

Town of Westerly
Rhode Island
Engineering

68 White Rock Road
Westerly, RI 02891
TEL: (401) 348-2572
FAX: (401) 596-9512

September 16, 2020

State of Rhode Island
Coastal Resources Management Council
Oliver H. Stedman Gov't Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

Re: Town of Westerly Maintenance Application

Dear Sir/Madam:

Enclosed please find the 4 (four) copies of the Town of Westerly Maintenance Application for Waters Edge Road.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Ellie Derrig

Ellie Derrig
Assistant Project Manager

RECEIVED
SEP 21 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

Town of Westerly, R. I.

Town Assessor's Office 45 Broad St Westerly RI 02891
Tel (401) 348-2541 Fax (401) 348-2616

COASTAL RESOURCE MANAGEMENT COUNCIL
STEDMAN GOVERNMENT CENTER
TOWER HILL ROAD
WAKEFIELD, RI 02879

TO WHOM IT MAY CONCERN:

RECORDS AT THE ASSESSOR'S OFFICE, TOWN OF WESTERLY, RI, INDICATE THAT THE FOLLOWING OWN PROPERTY IN SAID TOWN:

NAME:	TOWN OF WESTERLY
ADDRESS:	45 BROAD STREET WESTERLY, RI 02891
PROPERTY LOCATION:	WATERS EDGE ROAD WESTERLY, RI 02891
PLAT/LOT:	/
LAND EVIDENCE RECORDS:	BOOK 2 PAGE 86
DATE OF ISSUE:	September 16, 2020

SINCERELY,

DAVID B. THOMPSON
TOWN ASSESSOR

RECEIVED
SEP 21 2020
COASTAL RESOURCES

TO: **Coastal Resources Management Council**
4808 Tower Hill Road Suite 3
Wakefield, RI 02879
Phone: (401) 783-3370

FROM: **Building Official** **DATE:** September 16,2020

SUBJ: Application of: Town of Westerly

Location: Waters Edge Road

Address: Adjacent to **Plat No.** 179 **Lot No.** 15

To Construct: Removal of rock in right of way and removal of rock and debris in water at canoe/kayak ramp

I hereby certify that I have reviewed _____ foundation plan(s).
_____ plan(s) for entire structure
_____ site plans
Titled:

Date of Plan (last revision):

___ **and find that the issuance of a local building permit is not required as in accordance with Section _____ of the Rhode Island State Building Code.**

___ **and find that the issuance of a local building permit is required. I hereby certify that this permit shall be issued once the applicant demonstrates that the proposed construction/activity fully conforms to the applicable requirements of the RISBC.**

___ **and find that a Septic System Suitability Determination (SSD) must be obtained from the RI Dept. of Environmental Management.**

___ **and find that a Septic System Suitability Determination (SSD) need not be obtained from the RI Dept. of Environmental Management.**

___ **and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final. The Zoning Board approval shall expire on _____.**

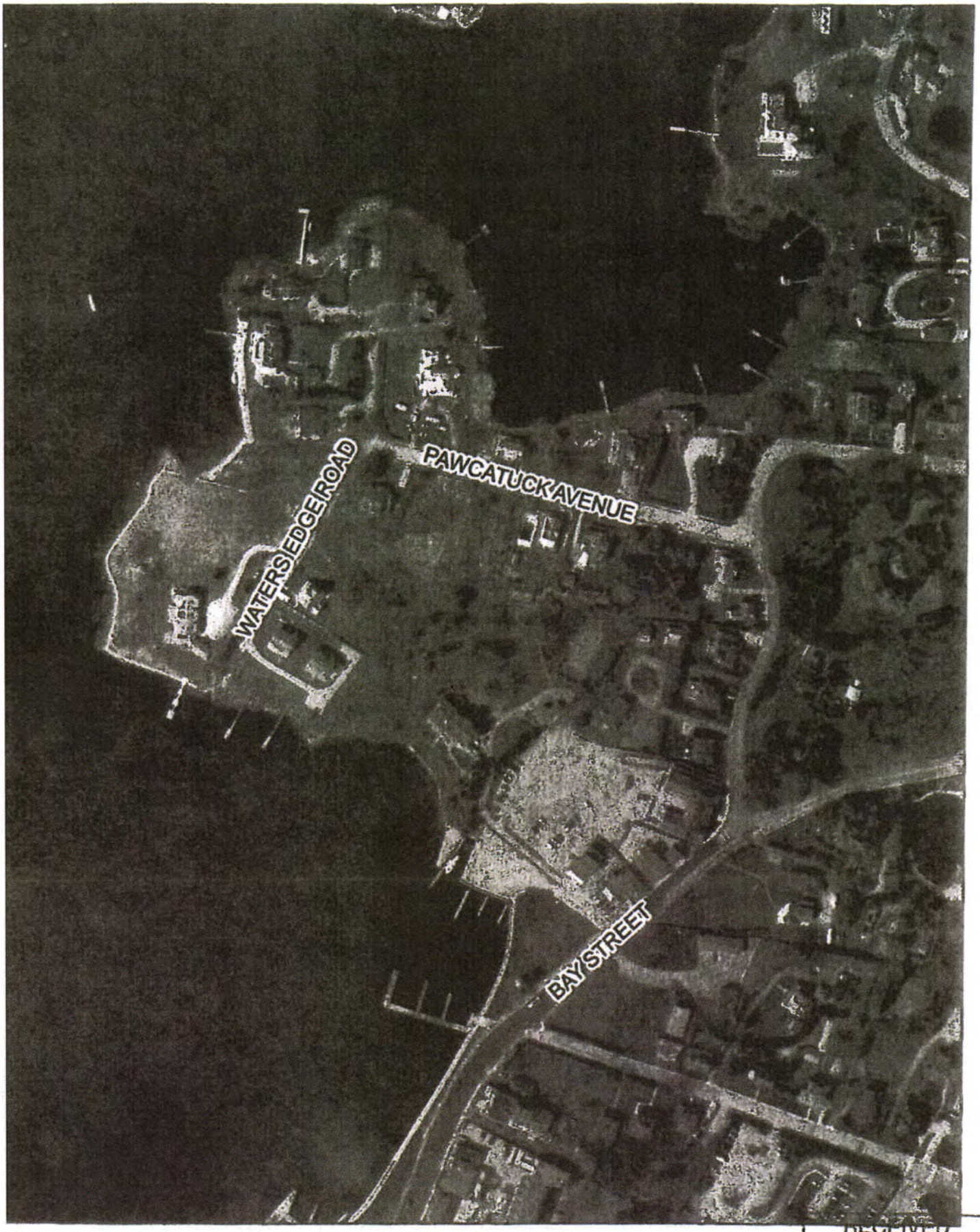
Building Official's Signature **Date**

___ **and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final.**

Zoning Officer's Signature **Date**

rev. 5/11/2001

RECEIVED
SEP 21 2020
COASTAL RESOURCES



N

Town of Westerly
CRMC Maintenance Application
Waters Edge Road

RECEIVED
2020

Exhibit I

Managed Cloud Systems

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>

CRMC File NO. 2020-09-108 Water's Edge Road

Dave Reis <dreis@crmc.ri.gov> Tue, Jan 12, 2021 at 8:55 AM
To: Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>, Mark Rooney <mrooney@westerlyri.gov>
Cc: Kyle Zalaski <kzalaski@westerlyri.gov>, Jeff Willis <jwillis@crmc.ri.gov>, Lisa Pellegrini <lpellegrini@westerlyri.gov>, wconley@wjclaw.com, "Anthony DeSisto, Esq." <adlawllc@gmail.com>

Hello Folks,

Please consider the preferred option communicated by the Town to the CRMC involves parking on Pawcatuck Avenue which does not involve widening of the road. With regard to CRMC jurisdiction, CRMC Staff will be reviewing this matter with CRMC Legal Counsel and will be in touch.

Sincerely,

Dave

David S. Reis

Supervising Environmental Scientist

Coastal Resources Management Council

Oliver Stedman Government Center

4808 Tower Hill Road

Wakefield, RI 02879

Phone: 401 783-3370

Web: www.crmc.ri.gov

[Quoted text hidden]

Jason and Mary Dillow
9 Waters Edge Road
Westerly, Rhode Island
02891

To: Members of The Westerly Town Council

Dear Members of Council,

I hope this letter finds you all well and healthy. We are residents at 9 Waters Edge Road and we write to you to voice our strongest objection to the proposed change in parking ordinance that would allow for parking on Waters Edge Rd and/ or Pawcatuck Avenue. I have deep respect for what you all do and view this Council as the stewards of this town. This is the kind of place where community matters and I know you all care deeply about protecting the character and peaceful nature of this corner of the world.

We have three very small children (ages 7, 4 and 2) and we spend a great deal of time outside enjoying these streets. As a mother, the idea of on-street parking is a five-alarm fire for me in my most important role of protecting my small children. All the many, many children of the neighborhood spend a great deal of time back and forth between houses, scooting and biking in the street, and generally just getting the freedom to be kids. People already drive down these streets too fast and, as it is a dead-end street with nowhere to turn around, are often pulling into residents' driveways and backing up with low visibility of the small children around them. I invite all of you to come visit on a summer day to experience the vibrancy of our pedestrian life. It is crystal clear the congestion that would ensue from people looking for parking, waiting for spots and trying to turn around. If on-street parking is to be implemented in this area, it is without a doubt a horrific accident waiting to happen.

Furthermore, I can attest to the large numbers of Westerly residents that park in the village and use these streets for pedestrian enjoyment – for exercise, walking with strollers, biking etc– and I cannot overstate the danger that on-street parking would present to these pedestrians as well. To be clear, we are not opposed to the Right-of-Way at Waters Edge South and embrace its' use as a kayak/ canoe launch. We embraced maintenance upgrades that were made earlier this fall at the behest of the Town Manager for the use of all Westerly residents. This Right-of-Way has existed for 100+ years with no parking on these historic, residential streets. To add parking would fundamentally change the character and essence of the neighborhood. Moreover, the demand is simply not there. Designated parking spots for Westerly residents exist mere blocks away and, as recorded by the Fire District, were only used to capacity twice this past summer. There is plenty of availability for Westerly residents to park nearby and use the Waters Edge ROW for their enjoyment. If these proposed parking spots were designated only for the use of those using the ROW, who would enforce their appropriate use? Inevitably, these spots would be used for town and beach-goers which would only increase traffic and cars looking and waiting for spots.

In addition, this proposal is being put through without due process for the neighborhood residents. After 100+ years of no parking on these residential streets, no traffic or safety studies have been performed, no environmental impact reports have been looked at and no real forum for the neighborhood to give input has been offered. At a minimum, we would respectfully ask for thorough research into this extremely seminal matter.

I implore you to not move forward with adding any parking to these residential streets as it not only is a huge public safety concern but also fundamentally changes the character of the area. I thank you very much for your time and serious consideration of our concerns.

Respectfully yours,

Mary Dillow

Mary Leblanc

From: Rob McCormack <mccormack.rob@gmail.com>
Sent: Monday, January 25, 2021 11:04 AM
To: Sharon E. Ahern; Caswell Cooke, Jr.; Christopher A. Duhamel; Suzanne K. Giorno; Karen Cioffi; Brian H. McCuin; Philip M. Overton, Jr.; Donna Giordano; Lisa Pellegrini; Mark Rooney; wconley@wjclaw.com; rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov
Subject: NO ON-STREET PARKING!

I am a Westerly resident living at 70 Meadow Avenue.

My family and I love visiting Watch Hill to walk around the harbor, window shop and get some ice cream (during the summer). Although parking can be a challenge, I strongly believe traffic and the risk to everyone, including pedestrians, cyclists and people walking their dogs, would only get worse with more on street parking on the already narrow streets.

Town Ordinance 238-67 was established to protect public safety and safety is our top concern. The roads are too narrow and too busy - with cars, pedestrians and cyclists already cautiously navigating around one another - to safely accommodate on-street parking. Such parking would further narrow roadways and create blind spots and other safety hazards. On-street parking will make navigation of emergency vehicles more challenging. On-street parking will create new and busy traffic patterns through narrow and dead-end residential streets. On-street parking is easily abused and will be a tremendous burden for our police to enforce. And importantly, on-street parking would seriously diminish the character of our beautiful and historic community. As you may recall, all of Watch Hill is recognized by the United States Department of Interior's National Park Service, and listed on the National Register of Historic Places, as a Federal Historic District.

Sincerely,
Rob

--
Rob McCormack
mccormack.rob@gmail.com
US: +1.650.305.9030

Mary Leblanc

From: Charles Kline <clyslekline@gmail.com>
Sent: Monday, January 25, 2021 11:06 AM
To: Sharon E. Ahern; Caswell Cooke, Jr.; Christopher A. Duhamel; Suzanne K. Giorno; Karen Cioffi; Brian H. McCuin; Philip M. Overton, Jr.; Donna Giordano; Lisa Pellegrini; Mark Rooney; wconley@wjclaw.com; rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov; dlamm@thewatchhillconservancy.org
Subject: Fwd: NO ON-STREET PARKING!

To Whom It May Concern/Town Council Westerly,
It is my understanding that The Town of Westerly has applied for a CRMC Assent to construct improvements at the southern end of Waters Edge Road.
Regarding this proposal, I am writing to strongly object to the introduction of on-street parking because it violates the current Westerly Town Ordinance 238-67 which PROHIBITS on-street parking in the residential areas of Westerly.

As a homeowner at 8 Plimpton Hill Road in Watch Hill. We are very aware of the congestion that occurs during the year. Our street, as well as all roads in and around town are busy with pedestrians, families with small children, children able to walk into town on their own, dog walkers and people on bicycles. Cars are also a part of the mix. However, having parking restricted to Bay Street is very helpful. The ability to walk and cycle safely is what makes the area so attractive. I am very opposed to street parking on any of the smaller roads in Watch Hill. It would hamper our ability to walk and ride bikes safely if cars were parked on the street.

Town Ordinance 238-67 was established to protect public safety and safety is our top concern. The roads are too narrow and too busy - with cars, pedestrians and cyclists already cautiously navigating around one another - to safely accommodate on-street parking. Such parking would further narrow roadways and create blind spots and other safety hazards. On-street parking will make navigation of emergency vehicles more challenging. On-street parking will create new and busy traffic patterns through narrow and dead-end residential streets. On-street parking is easily abused and will be a tremendous burden for our police to enforce. And importantly, on-street parking would seriously diminish the character of our beautiful and historic community. Watch Hill is recognized by the United States Department of Interior's National Park Service, and listed on the National Register of Historic Places, as a Federal Historic District.
Thank you.
Sincerely,
Charles L. Kline

Mary Leblanc

From: Emily Brenner <emlbrenner@gmail.com>
Sent: Monday, January 25, 2021 11:09 AM
To: Sharon E. Ahern; Caswell Cooke, Jr.; cduhamel@westerly.gov; Suzanne K. Giorno; Karen Cioffi; Brian H. McCuin; Philip M. Overton, Jr.; Donna Giordano; Lisa Pellegrini; Mark Rooney; wconley@wjclaw.com; rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov
Subject: Please! NO ON-STREET PARKING

Dear Council Members, Staff, and State Representatives,

I write as a Westerly resident and neighborhood home owner (39 Foster Cove Road) to voice my displeasure with the proposal to allow on-street parking along Pawcatuck Avenue in Watch Hill.

There are myriad reasons why Westerly put into place Town Ordinance 238-67, which PROHIBITS on-street parking in the residential areas of our town. Safety is chief among them and should remain Westerly's top priority, both for residents and visitors. To move against Town Ordinance 238-67 would be to invite unsafe conditions into the already narrow lanes of the village of Watch Hill.

I implore you to think not only of current safety conditions but also of future growth and development of our town and its villages. As elected officials and those engaged in carrying out their plans, please take into careful consideration all the implications of this proposal before making any decisions.

Pawcatuck Avenue, specifically, is a dead-end road and Water's Edge is but the short top of the "T." Nowhere along either road would it be safe for cars to maneuver in and out to park multiple times a day. The neighborhood is populated with multi-generational families, including many small children who enjoy the rare opportunity to ride their bicycles and scooters safely, sharing space with many pedestrians and dog walkers. Parked cars along the side of the Pawcatuck Avenue would turn this common practice into a dangerous prospect. Parked cars would also limit access for emergency vehicles and personnel, should they be required.

Visitors or residents wishing to launch kayaks or the like at the public access point along the southern end of Pawcatuck may already do so. No parking required. Once crafts are launched, cars and trucks must find their proper place to park for the day. This is the same requirement for beach goes, bird watchers, ice cream seekers, and retail shoppers. Limiting parking spots to areas of commerce and wider roads preserves the safety of residential neighborhoods in all of Westerly, especially its villages.

In addition to safety, I ask you to consider the seismic shift in strategic planning that introducing on-street parking to Westerly's villages would mark. To allow on-street parking this in one small area of Watch Hill would open the door, so to speak, to other areas. It is a short-sighted proposal now and an inadvisable precedent for the future.

Please, stay true to our town's commitment to public safety amid growth and development.

In the words of our state's motto, I sign this letter with "HOPE."

Thank you for your attention.

Your sincerely,

Emily L. Brenner
39 Foster Cove Road
Watch Hill, RI 02891
(401) 374-8002
emlbrenner@gmail.com

Mary Leblanc

From: jillrwight@gmail.com
Sent: Monday, January 25, 2021 11:14 AM
To: Sharon E. Ahern; Caswell Cooke, Jr.; Christopher A. Duhamel; Suzanne K. Giorno; Karen Cioffi; Brian H. McCuin; Philip M. Overton, Jr.; Donna Giordano; Lisa Pellegrini; Mark Rooney; wconley@wjclaw.com; rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov
Subject: please vote AGAINST parking on Water's Edge/Pawcatuck roads in Watch Hill

To our esteemed State Representatives, Westerly Town Council members and Staff:

My husband, our daughter and I are residents of Westerly; we own a home at 6 Camelback Way. I write today to implore you not to allow street parking on Water's Edge or Pawcatuck roads in Watch Hill, as outlined in the CRMC application to be discussed at the Town Council Hearing later today.

While we are fully supportive of keeping and maintaining the public access point at the end of Water's Edge Road, we are strongly against building out parking at the end of Water's Edge or around the corner on Pawcatuck. We have a young daughter and frequently walk or take her to ride her bicycle on Pawcatuck and Water's Edge, as they are quiet neighborhood streets with no outlet and minimal traffic, and quite safe as things stand today. Adding parking and the heavy traffic that would accompany it, particularly in the summer season, would create a huge safety risk for my family and the many residents of our community and visitors who enjoy this area today.

We are all familiar with the heavy traffic that clogs Bay and Larkin streets in the summer, and adding parking on Water's Edge or Pawcatuck would bring that same traffic from motorists seeking parking to these narrow, residential, no outlet streets. With parking, Pawcatuck would scarcely have room for two way traffic, let alone room for pedestrians, particularly children, to walk or bike safely. Water's Edge is a dead end at both ends, with no place to turn around. The safety risks created by narrowing either of these streets with parking and adding heavy traffic seem obvious. If allowed, this scenario will be a disaster waiting to happen, as it will only be a matter of time before a driver trying to turn around with a tight three point turn in traffic or backing out of an unfamiliar driveway will inadvertently back into a pedestrian or small child who may be below the driver's line of sight.

While perhaps a lesser concern, it also seems unfair to subject the residents of these streets to the likelihood that drivers will use their properties to turn around given the lack of alternatives.

Again, I implore you for the safety of our community to vote against adding parking to Water's Edge or Pawcatuck.

Thank you,
Jill Wight

.

Mary Leblanc

From: Ardith Schneider <scottandardi@gmail.com>
Sent: Monday, January 25, 2021 11:17 AM
To: Sharon E. Ahern; Caswell Cooke, Jr.; Christopher A. Duhamel; Suzanne K. Giorno; Karen Cioffi; Brian H. McCuin; Philip M. Overton, Jr.; Donna Giordano; Lisa Pellegrini; Mark Rooney; wconley@wjclaw.com; rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov
Cc: Deborah Lamm; Jocelyn WH Conservancy
Subject: No On-Street Parking, Please

Dear Town Council Member,

I am lucky enough to be a resident of Watch Hill and have summered here since the mid-60s. This proposal of on-street parking opens the door to a change that would ruin this community. Some days the traffic going in and out of the village is so extensive that it's difficult for emergency vehicles to get through.

This move would also violate the current Westerly Town Ordinance 238-67 which PROHIBITS on-street parking in the residential areas of Westerly. On-street parking is unsafe on Waters Edge and Pawcatuck and everywhere else in the village where people are walking with children.

Thank you all for being on the Town Council and seeking the betterment of the area.

Sincerely,

Scott and Ardi Schneider

10 West Ridge Road

Watch Hill, RI 02891

Mary Leblanc

From: kingsdogs@aol.com
Sent: Monday, January 25, 2021 11:26 AM
To: Sharon E. Ahern; Caswell Cooke, Jr.; Christopher A. Duhamel; Suzanne K. Giorno; Karen Cioffi; Brian H. McCuin; Philip M. Overton, Jr.; Donna Giordano; Lisa Pellegrini; Mark Rooney; wconley@wjclaw.com; rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov
Cc: dlamm@thewatchhillconservancy.org
Subject: On Street Parking

Deborah,

I strongly object to creating on-street parking in Watch Hill.

Marc Layton
48 Ocean View Highway
Westerly, Ri 02891

361-947-3398

Mary Leblanc

From: Bill Miller <wjm3570@gmail.com>
Sent: Monday, January 25, 2021 11:33 AM
To: Sharon E. Ahern; Caswell Cooke, Jr.; Christopher A. Duhamel; Suzanne K. Giorno; Karen Cioffi; Brian H. McCuin; Philip M. Overton, Jr.; Donna Giordano; Lisa Pellegrini; Mark Rooney; wconley@wjclaw.com; rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov
Subject: NO ON-STREET PARKING IN RESIDENTIAL AREAS

To Whom It May Concern

As a long-time Watch Hill resident, it greatly concerns me that parking is being considered for Water's Edge Road and Pawcatuck Avenue as part of a plan to provide a kayak launch/boat ramp on the right-of-way at the south end of Water's Edge. I don't object to the Town allowing public access or maintaining this location, but I am vehemently opposed to introducing on-street parking on these two residential streets. This proposal violates the current Westerly Town Ordinance 238-67 which PROHIBITS on-street parking in the residential areas of Westerly. As you know, Watch Hill has been designated a Federal Historic District, and parking on its streets will change the character of this special place.

There is also a public safety concern. These streets are used by residents, pedestrians and bicyclists. Parking on them will create safety hazards and make it more difficult for emergency vehicles to operate. It will also be difficult for the police to enforce the on-site parking rules, leading to the spread of illegally parked cars to other areas.

Please preserve the character and safety of Watch Hill! Thank you for your attention to this matter.

William J. Miller, Jr.
35 Pasadena Ave.
Watch Hill, RI 02891

Mary Leblanc

From: Jim Snowden <jsnowden@hntlgh.com>
Sent: Monday, January 25, 2021 11:44 AM
To: Sharon E. Ahern; Caswell Cooke, Jr.; Christopher A. Duhamel; Suzanne K. Giorno; Karen Cioffi; Brian H. McCuin; Philip M. Overton, Jr.; Donna Giordano; Lisa Pellegrini; Mark Rooney; wconley@wjclaw.com; rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov
Cc: Kathy Snowden (@gmail)
Subject: FW: Parking in Watch Hill

Ladies and Gentlemen:
I am forwarding a letter my wife sent in opposition to the proposed changes in the Waters Edge Road area.
I am fully in agreement with her, as are our two adult daughters who have written with particular respect to the increased dangers for their young children (our grandchildren) and other residents.
Sincerely,
Jim Snowden

-----Original Message-----
From: Kathy Snowden <ksnowden000@gmail.com>
Sent: Saturday, January 23, 2021 9:59 AM
To: dgiordano@westerlyri.gov
Cc: Jim Snowden <jsnowden@hntlgh.com>
Subject: Parking in Watch Hill

Dear Ms. Giordano:
My family and my husband's family have been enjoying summers in Watch Hill for many generations—six on my family's side and five on husband's side. I grew up spending my summers at 14 Water's Edge Road as did our children, and now their children love going there too.
The traffic situation, on our quiet street, is already far from perfect primarily due to out-of-state cars turning around in our driveway creating a danger to our grandchildren and other residents as well as a disturbance to the privacy and peace and quiet we rightfully expect to enjoy on our property.
Should the plan being considered by the Town Council of widening the street and allowing parking on it be passed, it would have a disastrous effect. There would be an increased risk of bottle-necking, car accidents, more cars pulling into our driveway, lack of access by emergency vehicles and a further decrease in resident's enjoyment.
Because increased parking in this part of Watch Hill will substantially decrease the quality of life and property values of all of us living in the neighborhood, my husband and I strongly request that this residential, not commercial, area be maintained as a no-parking part of Watch Hill.
Sincerely,
Katherine O. Snowden
Please note my new email:
ksnowden000@gmail.com
Notice: All email sent to or from this address will be received or otherwise recorded by the Huntleigh corporate e-mail system and is subject to archival, monitoring or review by, and/or disclosure to, someone other than the recipient. Huntleigh Securities Corporation does not accept securities orders for your account via e-mail. Transactional details sent by e-mail do not supersede normal trade confirmations or statements.

Mary Leblanc

From: Walter S. Tomenson Jr. <wstomjr@gmail.com>
Sent: Monday, January 25, 2021 11:48 AM
To: Sharon E. Ahern; Caswell Cooke, Jr.; Christopher A. Duhamel; Suzanne K. Giorno; Karen Cioffi; bmccuin@westelyri.gov; Philip M. Overton, Jr.; Donna Giordano; Lisa Pellegrini; Mark Rooney; wconley@wjclaw.com; rep-azzinarro@rilegislature.gov; sen-algiere@rilegislature.gov
Subject: Urgent! Stop On-Street Parking

My wife, Leslie, and I are relative newcomers to Watch Hill. We have been residents at 4 Aloha for only 28 years.

We understand that you are considering removing the parking restriction on Pawcatuck Avenue to allow for on-street parking in connection with the proposed boat launch ramp. We also understand that there may be further enablement of on-street parking elsewhere that may be under consideration.

We strongly urge you to reconsider allowing on-street parking.

We do so because as grandparents of four children five years of age and younger, who love chasing our little dogs, and who often breach our rules about not leaving the driveway or lawn, we are fortunate not to have to worry about parked cars moving in and out. Aloha, as a private street with just a couple of houses, is relatively safe. We are concerned, however, about our friends and neighbors in the Pawcatuck environs who want to enjoy a safe environment for themselves and their family.

We trust there is an alternative to allow access to the boat ramp without parking beyond that which is necessary to launch the boat.

Respectfully, submitted...Walter Tomenson

Andrew C. Homan
11 Nepun Road
Westerly, RI 02891

January 25, 2021

Westerly Town Council
45 Broad Street
Westerly, RI 02891

Re: Parking on Waters Edge Rd and Pawcatuck Ave

Dear Honorable Members of the Town Council:

As a father of four young children ages nine and under, I am writing to strongly oppose the addition of parking spaces on Waters Edge Rd and Pawcatuck Ave. My family and I frequently spend time near the proposed parking area. We enjoy biking and walking on both of the streets.

Specifically, my nine year old daughter rides her bike to a home on Waters Edge for a babysitting job. Watch Hill is a special community where young children are able to experience independence not available in larger cities and towns. Additional street parking and traffic will create unnecessary safety risks. As a result, my wife and I would be much more reluctant to have our daughter bike in the neighborhood by herself.

I firmly believe the addition of these parking spaces is not in the best interest of our community and in particular, the children of our community. The safety risks and increased congestion far outweigh any benefit from the additional parking.

Sincerely,

Andrew C. Homan

Andrew C. Homan

Mary Leblanc

From: Dean Brenner <dmbrenner@thelatimergroup.com>
Sent: Monday, January 25, 2021 12:13 PM
To: Sharon E. Ahern; Caswell Cooke, Jr.; cduhamel@westerly.gov; Suzanne K. Giorno; Karen Cioffi; Brian H. McCuin; Philip M. Overton, Jr.; Donna Giordano; Lisa Pellegrini; Mark Rooney; wconley@wjclaw.com; rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov
Subject: Please! NO ON-STREET PARKING

Dear Council Members, Staff, and State Representatives,

I write as a Westerly resident and a family member of a neighborhood home owner (39 Foster Cove Road), to speak out against allowing on-street parking along Pawcatuck Avenue in Watch Hill.

My concern is simple... safety, for both residents (specifically their children) and visitors, which is exactly why Town Ordinance 238-67 is in place, and why it prohibits on-street parking in residential neighborhoods.

Pawcatuck Avenue, specifically, is a dead-end road and Water's Edge is but the short top of the "T." Nowhere along either road would it be safe for cars to maneuver in and out to park multiple times a day. The neighborhood is populated with multi-generational families, including many small children who enjoy the rare opportunity to ride their bicycles and scooters safely, sharing space with many pedestrians and dog walkers. Parked cars along the side of the Pawcatuck Avenue would turn this common practice into a dangerous prospect. Parked cars would also limit access for emergency vehicles and personnel, should they be required.

Visitors or residents wishing to launch kayaks or the like at the public access point along the southern end of Pawcatuck may already do so. No parking required. Once crafts are launched, cars and trucks must find their proper place to park for the day. This is the same requirement for beach goes, bird watchers, ice cream seekers, and retail shoppers. Limiting parking spots to areas of commerce and wider roads preserves the safety of residential neighborhoods in all of Westerly, especially its villages.

In addition to safety, I ask you to consider the seismic shift in strategic planning that introducing on-street parking to Westerly's villages would mark. To allow on-street parking this in one small area of Watch Hill would open the door, so to speak, to other areas. It is a short-sighted proposal now and an inadvisable precedent for the future.

Please, stay true to our town's commitment to public safety amid growth and development.

Thank you for your attention.

Sincerely,

Dean M. Brenner
39 Foster Cove Road
Watch Hill, RI

THE LATIMER GROUP

Mary Leblanc

From: M Gagarin <missygags@gmail.com>
Sent: Monday, January 25, 2021 12:19 PM
To: Sharon E. Ahern; Caswell Cooke, Jr.; Christopher A. Duhamel; Suzanne K. Giorno; Karen Cioffi; Brian H. McCuin; Philip M. Overton, Jr.; Donna Giordano; Lisa Pellegrini; Mark Rooney; wconley@wjclaw.com; rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov
Subject: No On-Street Parking in Downtown Watch Hill

Dear Sirs and Madams-

I am writing to you to object to the proposed on street parking for Waters Edge Road and Pawcatuck Avenue in Watch Hill. I live on Lighthouse Road and watch the daily problems incurred by on street parking on Larkin Road and also along Bluff Avenue on Sundays. So many cars attempt to park all day and do not bother reading the signs and regulations. Furthermore, the parking limits visibility of both drivers and pedestrians causing near accidents. Waters Edge and Pawcatuck are very narrow streets and it is difficult to turn around on Waters Edge even without cars parked along the side of the road. Please do not move forward with this idea! It is a very bad idea and will only lead to further problems in the future.

Sincerely,

Mary Gagarin
4 Lighthouse Road
Watch Hill, RI 02891

Mary Leblanc

From: Tony Brady <abrady@somprop.com>
Sent: Monday, January 25, 2021 12:28 PM
To: Sharon E. Ahern; Caswell Cooke, Jr.; Christopher A. Duhamel; Suzanne K. Giorno; Karen Cioffi; Brian H. McCuin; Philip M. Overton, Jr.; Donna Giordano; Lisa Pellegrini; Mark Rooney; wconley@wjclaw.com; rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov
Cc: Deborah Lamm; Page Brady
Subject: No On-Street Parking in Watch Hill

To Whom It Might Concern:

As home owners at 15 Nepun Road in Westerly, RI 02891, we adamantly oppose the proposal to add on-street parking to Waters Edge Road and Pawcatuck Avenue in Watch Hill which is a residential neighborhood. In addition to all the obvious reasons against on-street parking (safety to walkers and bikers, access for emergency vehicles, ability to police the parking violators, etc.) the addition of these parking spaces will change the historical environment of the Watch Hill community and will affect home values (and thus tax revenue to Westerly). Home owners purchased or built their homes in these neighborhoods for the quiet and safety it provides for their families.

We all also know that once this change is made on these streets, other streets will be forced to add on-street parking causing more traffic to already congested streets in the summer months.

I have no problem with improving the boat ramp complete with a five-minute parking / loading area, but I am not a fan of a Kayak Rack which will be an eyesore to the beautiful Watch Hill Harbor landscape. Kayakers should be able to launch their kayaks and then take advantage of the public parking areas a short distance away.

Yours truly,

Page and Anthony N. Brady

Mary Leblanc

From: Nicholas C. Moore <ncmesq@gmail.com>
Sent: Monday, January 25, 2021 12:24 PM
To: Donna Giordano
Cc: Audrey C. Moore; George C. Moore - Moore Company, The
Subject: 7 Pawcatuck Avenue -- LETTER TO COUNCIL REGARDING PARKING ON PAWCATUCK AVENUE and WATERS EDGE
Attachments: Moore -- LETTER TO TOWN COUNCIL 1-20-21.pdf

Importance: High

Dear Donna –

Would you kindly forward Mom's letter to Town Council for their review regarding tonight's Resolution to Adopt Revisions Regarding ROW's to the Town of Westerly Harbor Management Plan (agenda item 3a for tonight's workshop, and agenda item 7a in tonight's Regular Meeting).

Thank you,

Nicholas

Nicholas C. Moore
(917) 574-8500

Mary Leblanc

From: George Skakel <george@gskakel.com>
Sent: Monday, January 25, 2021 1:00 PM
To: George Skakel
Subject: My name is George Skakel and I have owned a home on Avondale Road since 1986

My name is George Skakel and I have owned a home on Avondale Road since 1986. I am writing this message to implore you to vote AGAINST creating on-street parking on Waters Edge Road, or any other place, in Watch Hill. Watch Hill and environs, is a special place, with high property values and therefore real estate taxes. Watch Hill's specialness is partially because its charming small roads and streets are free from on street parking. Westerly has really lucked out because it enjoys huge real estate tax revenues for a relatively small population of year-round residents. We have a good thing going now, let's not screw it up. The many local boat yards can accommodate folks wanting access to the Pawcatuck River.

Thank you for your valuable time and service to our community, I really appreciate it. Stop by to chat anytime.

George Skakel
34 Avondale Road
Westerly, RI 02891
george@gskakel.com

Mary Leblanc

From: Nick Wood <nick.h.wood@gmail.com>
Sent: Monday, January 25, 2021 1:11 PM
To: Sharon E. Ahern; Caswell Cooke, Jr.; Christopher A. Duhamel; Suzanne K. Giorno; Karen Cioffi; Brian H. McCuin; Philip M. Overton, Jr.; Donna Giordano; Lisa Pellegrini; Mark Rooney; wconley@wjclaw.com; rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov
Subject: NO ON-STREET PARKING

All -

My name is Nick Wood and own a home at 86 Avondale Road in Westerly. I am writing to voice my concern over the proposed 6 on-street parking spaces at the southern end of Waters Edge Road in Watch Hill.

Town Ordinance 238-67 was established to protect public safety. This proposal flies in the face of 238-67 and should be rejected outright. The roads are already too busy and way too narrow to accommodate 6 on-street parking spaces.

For the safety of our neighborhood, please reject the on-street parking proposal.

Thanks,

Nick Wood

Sent from my iPad

Mary Leblanc

From: Eva Page <eva@acmeidea.com>
Sent: Monday, January 25, 2021 1:32 PM
To: Sharon E. Ahern; Caswell Cooke, Jr.; Christopher A. Duhamel; Suzanne K. Giorno; Karen Cioffi; Brian H. McCuin; Philip M. Overton, Jr.; Donna Giordano; Lisa Pellegrini; Mark Rooney; wconley@wjclaw.com; rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov
Subject: On-Street Parking in Watch Hill

Dear Town Leaders,

I'd like to express my strong personal objection to introducing on-street parking in Watch Hill residential areas.

In my more than 20 years as a resident of Watch Hill, I have been witness to many close-call situations walking, biking and driving through Watch Hill streets. And we all know about about a tragic incident involving a person walking in Watch Hill a few years ago.

Our roads are simply already too narrow, there are no side walks and the traffic is hard to navigate in the summer. Narrowing any of these roads with one side parking poses a serious threat and may have terrible consequences.

We all love Watch Hill for its beauty and its wonderful community and the last thing we need is to endanger our families and friends.
Many of us are parents and grandparents and want to keep them safe enjoying outdoor activities.
As a grandmother of an 8 year old Jordan Page who loves biking to the beach or using her little scooter, I would REALLY worry to let her do it on even narrower streets. A big part of Watch Hill unique appeal is that we always felt safe letting our little ones enjoy the freedom and safety of Watch Hill outdoors.

Not to mention what consequences these narrowed streets might have for out police and ambulances working to keep all of us out of danger.

Please, don't take any steps that may make these important values a thing of the past and destroy the exceptional character of our town.
I truly hope you'll consider my voice when making this important decision.

Sincerely,
Eva Page
17 Shore Rd
Watch Hill RI
203-984-8100

Mary Leblanc

From: Cee Greene <ceegreene@hotmail.com>
Sent: Monday, January 25, 2021 1:34 PM
To: Donna Giordano
Subject: VOTE NO -- To the Town Application 2020-09-108

Afternoon Donna,

It has come to my attention that you will consider the Town's application (2020-09-108) at tonight's 5:30 meeting. As a longtime resident of Westerly, I am opposed to the application for several reasons -- primarily the safety of our roads.

To start, the addition of on-street parking on Water's Edge is in direct violation of the current Westerly Town Ordinance 238-67 which PROHIBITS on-street parking in the residential areas of Westerly. On-street parking is unsafe on Waters Edge and Pawcatuck which are narrow roads with no outlet. As I know you're aware, Ordinance 238-67 was established to protect public safety and safety is our top concern. The roads are too narrow and too busy - with cars, pedestrians and cyclists already cautiously navigating around one another - to safely accommodate on-street parking. Such parking would further narrow roadways and create blind spots and other safety hazards. On-street parking will make navigation of emergency vehicles more challenging. On-street parking will create new and busy traffic patterns through narrow and dead-end residential streets. On-street parking is easily abused and will be a tremendous burden for our police to enforce. And importantly, on-street parking would seriously diminish the character of our beautiful and historic community.

Watch Hill is recognized by the United States Department of Interior's National Park Service, and listed on the National Register of Historic Places, as a Federal Historic District and as such we should all do all we can to preserve the beauty and safety of our village.

Public access to the ramp for resident's enjoyment is a terrific objective but if it can only be accomplished by violating an existing ordinance which keeps safety at the top of the agenda for ALL residents, then it should not be approved.

Please vote no. Thank you.

Best,
Cecilia Greene
18 Yosemite Valley Road

Mary Leblanc

From: Peter Lamm <plamm@fenwaypartners.com>
Sent: Monday, January 25, 2021 1:43 PM
To: Sharon E. Ahern; Caswell Cooke, Jr.; Christopher A. Duhamel; Suzanne K. Giorno; Karen Cioffi; Brian H. McCuin; Philip M. Overton, Jr.; Donna Giordano; Lisa Pellegrini; Mark Rooney; wconley@wjclaw.com; rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov
Subject: On Street Parking

TO: The Westerly Town Council and Related Parties

From: Peter Lamm

I am concerned about the intention of the town to allow on street parking at Waters Edge Road and/or Pawcatuck Road. Given the narrowness of the local streets throughout Westerly and even more so in Watch Hill; the dense vehicular, pedestrian and bicycle traffic in season; and the tendency for drivers to exceed speed limits, on street parking will substantially increase the likelihood of a serious accident. I support public access and the desire of the town to make public access easily accessible. That said, the proposed solution is dangerous and ill-conceived. If on street parking cannot be provided safely it should not be approved.

I have been a resident of Westerly-Watch Hill-Misquamicut since 1984. Since 1997 my wife and I have owned a home in Watch Hill, first on Overlook Drive (formerly Pautipaug Way) and currently on Ocean View Highway. For nearly 40 years I have observed the frightening competition for space between walkers, bicyclists and drivers, almost all of whom drive well above the speed limit. We already have more than enough accidents waiting to happen. Don't make it worse.

Your proposal for on street parking is not safe. Please reconsider.

Sincerely,

Peter Lamm

29 Ocean View Highway

Westerly RI

Mary Leblanc

From: Donna Giordano
Sent: Tuesday, January 26, 2021 12:22 PM
To: Mary Leblanc
Subject: FW: Neighborhood street parking in Watch Hill

From: P Brockmann <pjb@brocklaw.net>
Sent: Tuesday, January 26, 2021 11:27 AM
To: Sharon E. Ahern <sahern@westerlyri.gov>; Caswell Cooke, Jr. <CCooke@westerlyri.gov>; Christopher A. Duhamel <CDuhamel@westerlyri.gov>; Suzanne K. Giorno <sgiorno@westerlyri.gov>; Karen Cioffi <kcioffi@westerlyri.gov>; Brian H. McCuin <BMcCuin@westerlyri.gov>; Philip M. Overton, Jr. <poverton@westerlyri.gov>; Donna Giordano <dgiordano@westerlyri.gov>; Lisa Pellegrini <lpellegrini@westerlyri.gov>; Mark Rooney <mrooney@westerlyri.gov>; wconley@wjclaw.com; rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov
Subject: Neighborhood street parking in Watch Hill

Dear Friends –

I am writing to implore you to consider very deliberately any expansion of neighborhood street parking in Watch Hill and to err – always – on the side of caution, even if it means foregoing newly created parking spots.

My family has owned 20 Wauwinnet Avenue – built in 1888 - since the 1970s; our driveway – shared with our neighbors, the Changs, meets the street essentially where Bay St., Wauwinnet Ave and Sunset Avenue all come together. Exiting our driveway during a busy summer day was already tricky and fraught with danger; on a nice summer day – especially weekends, a seemingly incessant stream of pedestrians, cyclists and vehicles pass by our driveway. Vehicles heading up Wauwinnet leaving the village accelerate – oftentimes at an excessive rate – just as they are coming to and passing our driveway. Thus far, thank God, we have not had any significant accidents. Then, to complicate matters further, several years ago a couple new parking spots were somehow created just south of our driveway. Those spots have further increased the risks of an accident at that location. Not only have those spots further limited visibility and added to congestion in that area, it is only inevitable, and it has routinely come to pass, that if someone is determined enough to park their car and cannot find a legal spot and/or is unwilling to pay for a spot in one of the lots, they will park wherever they can put their car out of the lane of traffic. That usually means tacking onto the last legally parked car – thereby creating illegal parking spots beyond the marked, legal spots. This is nothing new and is an issue that is almost certainly not going away (except perhaps if tow trucks start removing the illegally parked cars – as they should – and/or human behavior somehow, inexplicably changes in this regard).

Adding new parking spots in what is a fairly dense residential district, filled with pedestrians, strollers, dog-walkers, joggers and children on bikes, is a very bad idea, fraught with serious risks and dangers. Even if you only add one or 2 new spots, you can bet that once those are filled, areas around those – even if marked "TOW ZONE" – will be filled with cars as well. Just take a drive around the village area on any sunny summer weekend – certainly many of you are already well aware of this perennial issue.

The town has already squeezed in enough street parking in and around the village. We are beyond the saturation point with street parking.

Thank you for your kind considerations –

Peter Brockmann
Mandalay
20 Wauwinnet Avenue

Mary Leblanc

From: Donna Giordano
Sent: Tuesday, January 26, 2021 3:56 PM
To: Mary Leblanc
Subject: FW: Town of Westerly on-street parking proposal- Waters Edge and Pawcatuck Avenue

From: William Hayes <william@hayeswm.com>
Sent: Tuesday, January 26, 2021 3:04 PM
To: Sharon E. Ahern <sahern@westerlyri.gov>; Caswell Cooke, Jr. <CCooke@westerlyri.gov>; cduhamel@westerly.gov; Suzanne K. Giorno <sgiorno@westerlyri.gov>; Karen Cioffi <kcioffi@westerlyri.gov>; Brian H. McCuin <BMcCuin@westerlyri.gov>; Philip M. Overton, Jr. <poverton@westerlyri.gov>; Donna Giordano <dgiordano@westerlyri.gov>; Lisa Pellegrini <lpellegrini@westerlyri.gov>; Mark Rooney <mrooney@westerlyri.gov>; wconley@wjclaw.com; rep-azzinaro@rilegislature.gov; sen-algiere@rilegislature.gov
Cc: Stephen <shayes@careyllc.com>
Subject: Town of Westerly on-street parking proposal- Waters Edge and Pawcatuck Avenue

Dear Westerly Town Leadership,

My family and I are writing in reference to the Town's plan to add parking spaces on Waters Edge Road and Pawcatuck Avenue in Watch Hill.

I am a resident and voter in Westerly, and I live with my mother and brother, who are also signing this email, at 2 Larkin Road.

We believe strongly in access to the water for everyone. We in Westerly are blessed to have a great shoreline that should be enjoyed and appreciated. Westerly also has a unique, historic and scenic area that should be enjoyed and appreciated by all, and efforts should continue to preserve what makes Watch Hill special.

While we encourage the public water-access point at Waters Edge Road to remain open, we have serious safety concerns with adding parking spaces on the densely residential and dead end Waters Edge Road, as well as on neighboring Pawcatuck Avenue. These streets quite frankly cannot safely handle additional on-street parking. In cycling and walking in the area, I can tell you from first-hand experience the hazards created by on-street parking on residential and dead-end streets. New and unplanned traffic patterns, road congestion (especially in turn arounds and blind spots) and diminished visibility for cyclists and pedestrians are major concerns with this on-street parking proposal. I have had several close calls with vehicles who swerve to get into parking spaces, blindly open drivers' doors, and where parked cars significantly limit visibility for those on the street and sidewalks.

Additionally, the historic character of these streets, which are genuinely enjoyed by the pedestrian as part of the historic Watch Hill experience, will be severely and negatively impacted by adding on-street parking.

We sincerely hope you reconsider adding street parking to an already dense and stressed area and instead allow people to park in the lots that already exist and are only a short walk away.

Thank you for your consideration, and best regards,

William Hayes
Stephanie Hayes
Stephen Hayes

and

Elise F. Griffin
24 Foster Cove Road
Watch Hill, RI 02891

Jan. 29, 2021

Dear members of the Town Council,

I write today on behalf of my mother and myself as residents of the town of Westerly.
We have great concern with language included in the above referenced application which introduces on street parking on Pawcatuck Avenue and Meadow Lane. Such language specifically violates existing town ordinances which prohibit on street parking in the residential areas in the town of Watch Hill.

If Council is willing to breach the existing safety standards of no on street parking a
resident will be left with no confidence except that a creeping problem of further on street parking will have been created.

We have narrow streets which have many children on bicycles, walkers ,and dog walkers. I urge you not to accommodate on street parking in the name of safety.

Sincerely,

Lisa Griffin McGill &. Elise F. Griffin

Sent from my iPad

Sent from my iPad

WILLIAM H. NICKERSON

January 29, 2021

Re: Waters Edge Road/Pawcatuck Avenue, Westerly

Ladies and Gentlemen:

I am writing to express my opposition to the proposals to widen and pave the subject roads in connection with the kayak loading ramp, and to permit on-street parking. My house is at 152 Watch Hill Road, so I have special concerns about this.

I submit that on-street parking in the Watch Hill area is a fundamentally flawed idea. First of all it is in violation of Town of Westerly Ordinance 238-47 which specifically prohibits on-street parking in residential areas in Westerly. This prohibition, which has long been in force, is important for many reasons. On-street parking would bring into play a host of problems since our local roads are difficult to navigate as is and were never meant to accommodate both vehicle traffic and parking.

Secondly we have all had many "close calls" driving on nearby roads as walkers, joggers, dog walkers and bikers are jockeying to occupy the same road. There have been accidents before and it is inevitable that there would be more if on-street parking were permitted. Navigation for police vehicles, fire engines, ambulances and other emergency equipment would be made more difficult than it already is. If on-street parking is allowed in the proposed areas there inevitably will be calls for more on-street parking on more roads, followed by more accidents, followed by more calls for more on-street parking. I respectfully submit that the roads in the area were never designed for, or intended for, on-street parking, and it is in the best interests of the Town of Westerly and its residents that this be recognized.

To use an analogy, it would be like trying to put 10 pounds of potatoes in a 5 pound bag: it won't fit!

Very truly yours,

William H. Nickerson

Retaining Access to Napatree Point in SLR-induced Nuisance Tides

Project Narrative
Submitted by The Watch Hill Fire District, Inc.

Purpose

We are requesting $259,000 from the Climate Resilience Fund to address significant, and increasing nuisance tide and severe weather flooding that currently precludes access to an extraordinary natural open space asset, as well as much needed access and parking for local businesses and attractions. This solution will benefit the entire public; Rhode Island residents and tourists alike. We will accomplish this by elevating the sandy pathway at the entrance to the Napatree Point Conservation Area using a natural materials design solution. In addition, we will secure the paved access route to Napatree and local businesses by redesigning components of the current built infrastructure; closing a gap in the Watch Hill Fire District-owned seawall that currently allows for significant flooding, improving the drainage systems at the paving and the seawall, and repairing leaks caused by eroded and deteriorating pavement. The proposed two-component solution will keep the Napatree Point Conservation Area and the paved parking area accessible on all but the most severe weather days for the next 15 years.

Bay Street in the Village of Watch Hill, RI is the community center for commerce and access to many public amenities. The Napatree Point Conservation Area is a significant and unique natural amenity accessed from Bay Street. Because of its low elevation, the paved route to Napatree and the sandy entrance path to the Conservation Area floods extensively in nuisance tides and Nor'Easters. In flood conditions, public parking for the businesses in Larkin Square and on along Bay Street is reduced and pedestrian traffic is impeded. One Bay Street restaurant owner reported that she can detect declines in business sales during such flooding with the loss of just 4-5 parking spaces. The entrance to the Napatree Point Conservation Area, a publicly accessible nature reserve owned by the Watch Hill Fire District (WHFD) and managed by The Watch Hill Conservancy is accessible across paved parcels owned by the WHFD (Plat/Lot 185-33 and 185-31-1, property titled 151 Bay Street, Westerly parcels database). Herein, we will refer to this 710 foot long pedestrian and vehicle access way the *Napatree access route*.

The Napatree Point Conservation Area is heavily used by the public; 95,000 visitors will come to Napatree in a single year, and 1,500 will visit Napatree on a warm summer day. The Conservation Area is an important destination and asset for residents and tourists alike. At tides > 0.5 foot MHHW, ATV access necessary for public safety and land stewardship efforts on Napatree is compromised (Figure 1 and Attachment 2 in Other Supporting Materials). This occurs on average 121 days per year (mean of last four years of data based on the USGS tide gauge data in the Watch Hill Harbor). At tides > 1 foot MHHW, visitor access on dry ground is not possible (Figure 1) and this occurs on average 39 days per year. The proposed project will correct this problem and significantly restore accessibility.

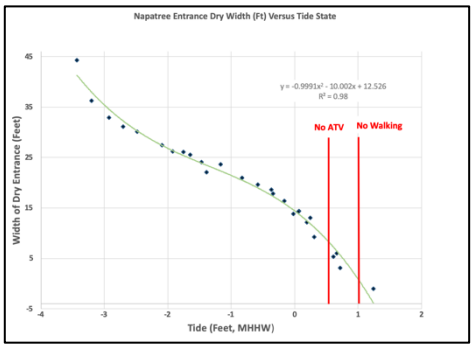


Figure 1. Width of dry sand versus tide state at the Napatree entrance. Source: The Watch Hill Conservancy.

For our region, NOAA defines a nuisance tide as any tide greater than 1.9 feet above mean higher high water (MHHW, for New London, CT). The frequency of sea level rise (SLR)-induced nuisance tides has been increasing, and southern New England (Montauk, New London, Providence, Boston) shows the greatest number of nuisance tides in the country (Figure 2, NOAA, 2014).

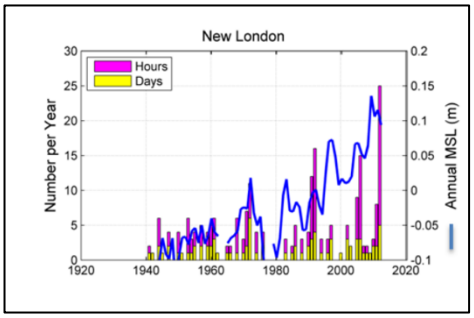


Figure 2. Frequency of nuisance tides in New London over the past 70 years. Source NOAA, 2014.

Impeded access to Napatree during nuisance tides results from two main sources of inundation (see maps in Other Supporting Materials): (1) The sandy 15-foot wide path at the entrance to the Napatree Point Conservation

Guidelines for the Development of Municipal Harbor Management Plans

State of Rhode Island
Coastal Resources Management Council

Oliver Stedman Government Center
4808 Tower Hill Road
Wakefield, Rhode Island
02879-1900

June 1998

as rev July 13, 2009

ACKNOWLEDGMENTS

This document was originally researched and developed for the RI CRMC by Timothy P. Dillingham, Marine Resources Specialist, CRMC. Assistance was provided by Jeffrey M. Willis, CRMC Research Assistant, and Pamela Pogue, Marine Research Assistant, Coastal Resources Center, University of Rhode Island. It was developed over the spring and summer of 1988 and adopted by the Coastal Resources Management Council on November 22, 1988.

The revisions to the original *Guidelines* were undertaken in 1994 and completed during the summer of 1996. It had two principal purposes: the first was to incorporate sections not previously required but which had addressed issues common to every HMP developed since 1988. Therefore, these revised *Guidelines* now include model elements on public access, water quality management, and storm preparedness, as well as the original requirement of mooring management. The second purpose was to provide a format which could be more easily used as a management planning tool.

The revised *Guidelines for the Development of Municipal Harbor Management Plans* were edited by Jeffrey M. Willis and Laura Kelley Miguel, Marine Resources Specialists, of the CRMC and Thomas H. Brillat, marine consultant. Much of the research and development prior to final editing was done by Paul Watters, former CRMC Marine Resources Specialist, with the assistance Mike Newell, Bob Almeida and Henrick Dunlaevy, CRMC Marine Research Interns.

The revisions to these *Guidelines* was funded in part by the federal Office of Ocean and Coastal Resources Management, Award #NA37OZ0282, under the requirements of Section 309 of the federal Coastal Zone Management Act of 1972, as amended, and was overseen by the CRMC Subcommittee on Planning and Procedures, members of which included: George DiMuro, Chairman; Dave Abedon; Mike Tikoian, CRMC Chairman; Lloyd Sherman; Jim Beattie of the RIDEM; Senator Dennis Algiere; Paul Hicks; Sandra Thornton-Whitehouse, (past) CRMC Chairperson; Turner Scott; Rep. Eileen Naughton; Peter Troy; Robert Ellis Smith; and, Pam Pogue.

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SECTION I
INTRODUCTION TO HARBOR MANAGEMENT PLANNING

INTRODUCTION TO HARBOR MANAGEMENT PLANNING

A. BACKGROUND

New England has experienced a great deal of development along the waterfront and adjacent harbor areas during the past decade. Increase in the population density of coastal areas has brought increased demand for water related activities and uses of harbors and shoreline areas. Changes in the attitudes of society, evolutionary processes in business and industry, and the effects of nature have had a dramatic affect on shoreline use and harbor areas. These changes have led to user conflicts and water quality degradation.

In response to increasing pressures and multiple conflicts over existing water resource uses, the State of Rhode Island has empowered the Coastal Resources Management Council (CRMC) to enact regulations and planning programs designed to proactively stimulate coastal communities to develop comprehensive municipal ***harbor management plans*** (HMPs). The purposes of HMPs are to: 1) Provide a comprehensive and continuous evaluation of municipal harbor management activities; 2) Provide for a detailed assessment of current and/or proposed municipal harbor management programs, ordinances or regulations to ensure compliance with applicable regulatory and management requirements of the State of Rhode Island; and, 3) Delegate the primary management authority and responsibilities of consistent local harbor management programs to the municipalities.

It is in the best interests of every coastal community to have a well-thought out, carefully developed harbor management plan that provides a long range vision for controlled growth and development of harbor and shoreline areas. HMPs that achieve this aim routinely include policies and programs outlining goals for the development of the tidal waters adjacent to a municipality and/or the designation of specific locations, conditions, or other management requirements for activities conducted within the local harbor area. CRMC's success in implementing a statewide program for harbor management and emphasis on HMPs as a vital element of community comprehensive planning programs has created a standard by which other coastal states judge the success of their own efforts in land use planning.

The harbor planning process must be integrated closely with a community's comprehensive land use plan and zoning regulations in order to be successful. Recommendations for controlled development in a harbor plan that are nullified by land side zoning restrictions undermine the integrated planning cycle and may result in reducing economic returns to the community. A sound harbor management plan allows a community to guide expansion of waterfront development, marinas, mooring fields and other recreational boating activities. The time to examine these issues is **before** they reach a critical point. Communities must look closely at their present position and prepare long range recommendations and goals for the future.

B. HARBOR MANAGEMENT PLANNING AUTHORITIES

This section discusses the legislative authorities inherent in the harbor planning process from state, local and federal government sources. There are no specific requirements in this section, but it does provide a background in the regulatory process that affects the development of all harbor management plans.

1. State Authority

Rhode Island Coastal Resources Management Council (CRMC)

The submerged lands, coastal resources and tidal waters of the state are subject to the State of Rhode Island's jurisdiction. These areas are owned by the State and held in trust for the public. The State carries out several different management and regulatory programs to protect the rights and interests of the public in these areas, primarily through the Coastal Resources Management Council (CRMC) and the Department of Environmental Management (DEM).

The CRMC is the state's primary agency for planning and management of coastal resources and the uses made of tidal waters. The CRMC was given jurisdiction over all activities taking place in tidal waters of the state and along the coastline by the General Assembly in 1971 (RIGL 46-23). CRMC was charged with "preserving, protecting, developing and, where possible, restoring the coastal resources of the state through comprehensive and coordinated long range planning and management". It was the aim of the General Assembly that these charges be implemented so as to produce the maximum benefit for society.

The enabling legislation that created the Coastal Resources Management Council also established the regulatory authority under which the CRMC operates. The regulations, procedures, and policies of the CRMC are laid out in the *Coastal Resources Management Program* (CRMP), also known as the "Red Book". The CRMP was adopted in 1978 and substantially revised to its current format in 1983. The CRMP identifies six categories of water "types" and designates tidal waters and coastlines of the state accordingly. The water types are: Type 1- Conservation Areas; Type 2 - Low-Intensity Use; Type 3 - High-Intensity Recreational Boating; Type 4 - Multipurpose Waters; Type 5 - Commercial and Recreational Harbors; and, Type 6 - Industrial Waterfronts and Commercial Navigation Channels. Goals, policies and regulatory standards are established for each of these areas and the activities taking place within them. Adjacent shoreline features are also considered as part of the overall determination of activities which are allowed. In sum, the Water Type classifications and Shoreline Features, as well as other regulations, direct what uses may be made of an area and how these uses may be carried out.

The CRMP provides an overall "blueprint" for activities occurring on or within coastal areas and the CRMC carries out certain coordinating functions in order to promote and insure the CRMP objectives. These functions include: serve as a binding arbitrator for disputes involving coastal resources and the interests of two or more municipalities and state agencies; consult on and coordinate actions with local, state, regional and federal agencies and private interests; conduct and sponsor coastal research; and advise the Governor, General Assembly and the public on coastal matters. Additionally, all departments and agencies of state government are required to cooperate with the Council in discharging its responsibilities.

The approval of municipal harbor management regulations and plans is regulated under Section 300.15 of the CRMP. This section establishes that "all rules or management functions that apply to the use of tidal waters adjacent to a municipality" are considered Municipal Harbor Regulations and subject to review and approval by the CRMC. While the primary responsibility for developing and implementing harbor management remains at the local level, regulations to

ensure that actions taken by the municipalities are consistent with the overriding management programs are reserved by the state.

Rhode Island Department of Environmental Management (DEM)

The Department of Environmental Management (DEM) has primary responsibility within the state for implementing requirements of the Federal Clean Water Act, managing living resources of the state's waters, and for overseeing federal and state land acquisition and open space programs.

DEM has promulgated specific regulations and water quality standards to implement its authority under the Clean Water Act, through its Division of Water Resources. Water Quality Classifications and Standards are designed to protect and improve the quality of the state's waters where these may be threatened or impaired by pollutant discharges. The regulations contain an anti-degradation clause, which establishes that there can be no degradation of classified high-quality waters from their assigned classification due to a proposed activity. The regulations specifically identify concentrations of vessels, as in a marina or mooring area, as a potential source of pollution. The DEM currently utilizes a methodology developed by the National Shellfish Sanitation Program and the US Environmental Protection Agency to determine the potential impacts to water quality from marinas and mooring areas. Compliance of an activity with these requirements is obtained through the issuance of a Section 401 Water Quality Certification, which is prerequisite for CRMC approval of some activities.

The DEM Division of Fish and Wildlife, in conjunction with the Marine Fisheries Council, manages the fin and shellfish fisheries within the state. Current programs include the regulation of commercial fisheries, shellfish propagation and transplanting, and establishing and protecting shellfish management areas. The Division also provides comment to CRMC on proposals which may impact coastal resources. RIDEM also issues other permits which regulate development of shoreline areas, including: RIPDES, ISDS, underground injection control, and freshwater wetlands.

2. Municipal Authority

Local Harbor Ordinances and Harbormaster Authorities

Chapter 4 of Title 46 of the General Laws of Rhode Island (Harbors and Harborlines) confers upon the coastal municipalities of the state certain powers concerning the regulation of public waters within their jurisdiction. These powers can be segregated into management of vessel operations within harbors, including the removal of wrecks and derelict or abandoned boats or docks, management of anchorages and moorings, and regulation of activities such as water-skiing, skindiving, regattas, and marine parades.

The enabling legislation clearly grants towns these powers to ensure the orderly development of the harbor areas within their jurisdictions, particularly as applied to the use of these areas by vessels. Specifically, municipalities are granted authority and power to enact, through ordinance and an appointed harbormaster, rules and regulations to control activities on or in the waters under their jurisdiction. They may also impose penalties for violations of such ordinances. In

addition, municipalities are empowered to enact zoning ordinances, wastewater management districts, erosion and sediment ordinances, and stormwater management ordinances, each of which can enhance the management of shoreline areas. However, the powers and duties granted through the enabling legislation may not be construed to abrogate the powers and duties of the CRMC.

It is also important to understand what municipalities are not empowered to do under Chapter 4 Title 46 of the GLRI. They are not specifically empowered to consider environmental impacts of activities, prevention of conflicts with other water dependent uses, or to decide resource allocation questions. This is significant, because these issues are often a consequence of how the municipalities exercise their existing authority and how these concepts are included in the HMP process is discussed in Section II of these guidelines.

3. Federal Authority

The U.S. Army Corps of Engineers, under regulatory outlined in Section 10 of the Rivers and Harbors Act of 1899, requires permits for all work seaward of the mean high water line in the navigable waters of the U.S. In Rhode Island, navigable waters are those subject to the ebb and flow of the tide. Therefore, harbor management plans that identify requirements for improvements to the harbor waters of the municipality such as public boat ramps, docks or commercial moorings, may require the municipality to obtain permits from the Corps' New England Division. Corps permits are also required under Section 404 of the Clean Water Act for activities involving the discharge of fill material into U.S. waters. On the coastline, the Corps' jurisdiction under the Clean Water Act extends landward to the high tide line, or to the landward limit of any wetlands, whichever is more extensive.

While the Corps' regulatory program is meant to focus primarily on navigation, it also considers the environmental consequences of proposals and their impact to other elements of public interest. This policy requires the Corps to base its decision to grant or deny applications for municipal projects on an evaluation of the probable environmental impact of the proposed activity and its intended use. The Corps first defines those factors specific to the public interest for each proposal, and then weighs the benefits resulting from the activity balanced against any reasonable foreseeable detriments.

The Corps' regulatory program seeks to ensure that unobstructed access to harbor channels is maintained, and that harbors that have been dredged or maintained with federal funds by the Corps (federal navigation projects) are made available on a policy of "open to all on a fair and equitable basis." Under provisions of this policy, moorings located in harbor areas that were dredged or maintained by the Corps are considered integral elements of the accessibility issue, and are subject to the Corps policy that access to these moorings be non-exclusionary. This means that non-residents of a coastal community must be granted equal opportunity to obtain mooring permits with those of residents, and that a certain percentage or proportion of available mooring space within a federally maintained harbor must be made available to transit boaters for anchorage. The policy also states that any funds received by the municipality for the rental of moorings in federal navigation projects must not exceed that required to maintain and service the mooring area.

C. PLANNING CONSISTENCY: FEDERAL, STATE, AND LOCAL CONCERNS

The final harbor management plan must be consistent with the requirements of the Rhode Island Coastal Resources Management Plan (RICRMP), Section 300.15, Special Area Management Plans, and State Guide Plan Elements. It must also meet specific federal and local standards. Specifically, goals and recommendations made in the harbor management plan must be consistent with those contained in the local comprehensive land use plan and with current zoning regulations of the respective community. This is important in order to ensure that the two planning concepts are carried out in conjunction with one another. Land and water side planning must be considered as one in the long range goals of the community in order to maximize social, economic and environmental benefits.

1. U.S. Army Corps of Engineers

The Coastal Resources Management Council forwards all harbor management plans to the New England Division of the U.S. Army Corps of Engineers for review of consistency with applicable federal regulatory guidelines.

2. Rhode Island Coastal Resources Management Program (RICRMP)

The CRMP provides a blueprint for allowable activities in particular areas of the state's coastal waters. The purpose of this section is to assist municipalities in fully understanding the CRMC policies that pertain to each Water Type within the jurisdiction of the municipality. By following these guidelines consistency with the CRMP can be achieved, and thereby reduce potential problems in the CRMC review of Harbor Management Plans.

The following list is a simplification of the allowed and prohibited uses of specific water areas under the CRMP and attempts only to provide general guidance to where differing uses might be allowed.

Type 1 Waters - Conservation Areas: The Council's goal is to preserve and protect Type 1 waters from activities and uses that have the potential to degrade scenic, wildlife, and plant habitat values, or which may adversely impact water quality and the diversity of natural shoreline types. Included in this category are water areas that are within the boundaries of designated wildlife refuges and conservation areas, water areas that have retained undisturbed natural habitat or maintain scenic values of unique or unusual significance, and water areas that are particularly unsuitable for structures due to their exposure to severe wave action, flooding, and erosion

Fishing, swimming, shellfishing, aquaculture, wildlife areas, conservation uses, and low intensity recreational uses are allowable uses in Type 1 waters. Maintenance and improvement dredging, recreational mooring areas, commercial operations other than fishing and/or aquaculture, structural shoreline protection facilities, residential boating facilities, marinas, and launching ramps are all prohibited uses in Type 1 waters.

Type 2 Waters - Low Intensity Use Areas: The Council's goal is to maintain and, where possible, restore the high scenic value, water quality, and natural habitat values of these areas, while providing for low-intensity uses that will not detract from these values. This category

includes water in areas with high scenic values that support low-intensity recreational and residential uses. These waters include seasonal mooring areas where good water quality and fish and wildlife habitat are maintained.

Fishing, swimming, aquaculture, conservation areas, non-commercial recreational mooring areas, maintenance of existing navigational channels, transient anchorage areas, residential boating facilities, and launching ramps are allowable uses in Type 2 waters. Commercial mooring areas, improvement dredging, and marinas are prohibited uses in Type 2 waters.

Type 3 Waters - High Intensity Recreational Boating Areas: The Council's goal is to preserve, protect, and where possible, enhance Type 3 areas for high-intensity boating and the services that support this activity. Other activities and alterations will be permitted to the extent that they do not significantly interfere with recreational boating activities or values. This category includes intensely utilized water areas where recreational boating activities dominate and where the adjacent shorelines are developed as marinas, boatyards, and associated water-enhanced and water-dependent businesses.

Commercial and recreational mooring areas, public launching ramps, boatyards, marinas, houseboats (in marinas), channels, fairways, turning areas, structural shoreline protection facilities, and maintenance and improvement dredging are allowable uses in Type 3 waters.

Type 4 Waters - Multipurpose Areas: The CRMP policies for multi-purpose waters are to maintain a balance among the diverse activities that coexist in Type 4 waters; therefore, allowable and non-allowable uses for these areas will be measured against the degree to which they impair other activities such as fishing, water quality, navigation and recreational uses.

Type 5 Waters - Commercial and Recreational Harbors: The Council's goals are: to maintain a balance among diverse port-related activities, including recreational boating, commercial fishing, restaurants, and other water-enhanced businesses; to promote the efficient use of space; and to protect the scenic characteristics that make these areas valuable to tourism. These waters are adjacent to waterfront areas that support a variety of tourist, recreational, and commercial activities.

Berthing, mooring, servicing of recreational crafts, commercial fishing vessels or ferries, water-dependent, water-enhanced commerce, maintenance of navigational channels and removal of obstructions to navigation are allowable uses in Type 5 waters.

Type 6 Waters - Industrial Waterfronts & Commercial Navigational Channels: The Council's goals for Type 6 waters and adjacent lands under Council jurisdiction are to encourage and support modernization and increased commercial activity related to shipping and commercial fisheries. These water areas are extensively altered in order to accommodate commercial and industrial water-dependent and water-enhanced activities.

Modernization and increased commercial fisheries, berthing, loading and unloading, and servicing of commercial vessels, construction and maintenance of port facilities, navigation channels & berths, and construction and maintenance of support facilities for commercial fishing are allowable uses in Type 6 waters. Activities which substantially detract from or interfere with the above listed priority use are prohibited in Type 6 waters.

3. Rhode Island Department of Environmental Management (DEM).

The Department of Environmental Management (DEM) has primary responsibility within the state for implementing requirements of the Federal Clean Water Act, and managing living resources of the state's waters. To implement its authority under the Clean Water Act, the DEM Division of Water Resources has promulgated specific regulations and water quality standards. Water Quality Classifications and Standards are designed to protect and improve the quality of the state's waters. The regulations contain an anti-degradation clause, which establishes that there can be no degradation of classified waters from their assigned classification due to a proposed activity.

The regulations specifically identify concentrations of vessels, as in a marina or mooring area, as a potential source of pollution. The DEM currently utilizes a methodology developed by the National Shellfish Sanitation Program and the US Environmental Protection Agency to determine the potential impacts to water quality from marinas and mooring areas. Compliance of an activity with these requirements is obtained through the issuance of a Section 401 Water Quality Certification. If a community can show within the plan that adequate marine vessel pumpout facilities exist to accommodate the number of vessels expected to be moored within a mooring field, DEM water quality concerns may be mitigated. If no pumpout facilities exist to accommodate these vessels, other mitigatory means must be addressed by the plan, such as the documentation of vessel length and use, or the detailed scheduling of installing a pumpout(s) to service the expected vessels. However, consultation with the DEM Division of Water Resources early in the planning process is encouraged to address this water quality concern.

The DEM Division of Fish and Wildlife, in conjunction with the Marine Fisheries Council, manages the fin and shellfish fisheries within the state. Current programs include the regulation of commercial fisheries, propagation and transplantation of shellfish, and the establishment and protection of shellfish management areas. The Division also provides comment to CRMC on proposals which may impact coastal resources.

RIDEM also issues permits which regulate development of shoreline areas. These include: RIPDES, ISDS, underground injection control, and freshwater wetlands. If any of these concerns will be addressed within the harbor management plan, the DEM should be consulted.

4. Local Compliance

Coordination with Community Comprehensive Plan

CRMC considers harbor management plans to be the seaward extension of comprehensive plans, therefore municipalities are encouraged to develop HMPs in conjunction with the town's comprehensive plan. In order to accomplish this, the town has three options:

1. Incorporate information required by the HMP and necessary recommendations into the community's comprehensive plan.
2. Keep the HMP as a separate stand alone element of the comprehensive plan.
3. Incorporate the HMP as an Appendix to the comprehensive plan.

D. FUNDING

The development and administration of a harbor management program by a municipality may entails several costs. The most common ones are the costs necessary to cover the provision of a harbor master, administration of a mooring permit program, and improvements to harbor facilities. Much of these costs may be offset through permit fees for moorings placed within the public waters of harbor areas.

CRMC encourages municipalities to establish a harbor management fund to provide for costs associated with administration of the program. All fees collected from mooring permits and other uses of the tidal waters of the state should be deposited in this fund and used solely for harbor related costs. The Harbor Ordinance should specify terms of the fund, sources of revenue, and permitted expenditures. The Harbor Management Fund should be established, budgeted, and administered in a manner consistent with procedures contained within the municipal charter. Refer to Appendix III for a model ordinance.

SECTION II
THE HARBOR MANAGEMENT PLANNING PROCESS

THE HARBOR MANAGEMENT PLANNING PROCESS

The following section provides an overview of the planning process that a community may wish to utilize in the development of a harbor management plan. Experience with communities undergoing this process has shown that successful harbor plans are those that have had the most participation from the widest spectrum of the general public. Considering as many interests as possible when drafting the plan will result in a plan that represents the needs of the community it is designed to serve. Communities must utilize public participation in the planning process to help formulate a foundation for the harbor management plan.

A. THE MANAGEMENT PLAN AS A TOOL

Conceptually, a Municipal Harbor Management Plan may be understood as a "wet-side" application of more traditional land use planning theories and techniques. Such a plan becomes, in effect, a map for the use and management of harbor areas and activities occurring within them. Fundamental resource allocation and use decisions have been set forth in the CRMP. The Harbor Management Plan should be a guide to make activities, their location and management, and necessary protection measures under a municipality's jurisdiction, consistent with the requirements and policies of the CRMP.

The relatively limited jurisdiction that Rhode Island's coastal communities exercise over the watersheet (the surface of the harbors' waters) does not mean that harbor management planning is an uncomplicated process. Large numbers of people, from commercial fishermen and recreational boaters to windsurfers and swimmers, demand and have a right to the use of municipal waters. Each municipality must consider a variety of issues that include, but are not limited to: the allocation and equitable distribution of limited resources, such as physical space; the provision of appropriate restrictions on water uses and users in order to minimize conflict between competing activities; the protection of navigation; and the development of innovative tools for doing all these tasks. The community must also integrate its plans for the harbor with its land use ordinances and requirements, because water dependent industries, public access and supporting facilities such as parking are intimately linked to the activities on the water side. Developing a harbor management plan that takes into account all water and waterfront users presents real challenges to the harbor planning group within the municipality.

A Harbor Management Plan is developed by following basic planning phases:

1) preparing/gathering information for plan development;
2) reaching consensus on goals that are consistent with state policies; and
3) implementing the plan.

Within these phases specific tasks lead to the identification of issues and goals, development of policies, drafting a planning document, and establishing a system for harbor management that will allow the municipality to control the use of the harbor to achieve its goals. The following sections discuss the phases of plan development in more detail.

B. HARBOR MANAGEMENT COMMISSION

Formation of a Harbor Commission is the initial step in establishing the administrative structure of the municipality's harbor program. The Harbor Commission can be a separate commission created by local ordinance or an existing municipal body which assumes the responsibilities for development of the Harbor Management Plan and oversight of the harbor program. In either case, the local legislative body must make a decision. Should an ordinance be drafted it should specify the following:

- number of commission members;
- their method of selection;
- length of terms of office;
- procedures for filling vacancies;
- appointment by the respective town or city council;
- staggered terms to minimize turnover in a given year and to provide continuity to the leadership of the commission.
- the limits of the jurisdiction granted to the commission;
- authorization to prepare the harbor management plan for the tidal waters of the town;
- provide for the annual review of the plan;
- allow for any changes or additions to the plan as may be deemed necessary.

Harbor commission membership should represent groups most concerned with management of harbor resources. Members usually include commercial and recreational fishermen, marina operators, riparian property owners, recreational boaters, and commercial waterfront businesses. In addition, the municipal planning and zoning boards, and the town council should be represented on the commission. Consideration should also be given to representatives from other interest groups such as conservation, shellfish, and historical organizations since these agencies frequently regulate activities that affect harbor usage. For municipalities which share a common boundary intersecting a waterbody, there should also be ex-officio representation from each of the adjacent community's harbor commissions. Finally, the local habormaster should take an active role in commission activities.

The number of members on the commission should closely reflect the number of interest groups in the harbor, tempered with an understanding of what is a manageable size for such a group. Of equal importance is the fact that initial requirements for developing a new harbor plan are considerable and require a substantial time commitment from the members. Selection of members, therefore, should be done carefully in terms of this commitment

The Commission should assist in the management of the harbor through close coordination with the harbormaster and act as a Board of Appeals to hear complaints filed by any individual aggrieved by the enforcement or implementation of the applicable portions of the harbor management plan. The commission is also responsible for the development and recommendation of additional policies, rules, and regulations for the harbor management plan, subject to the approval of the town/city council and Coastal Resources Management Council as applicable. (See Appendix III for a model ordinance)

The Role of the Harbormaster

The Harbormaster, and any assistants or deputies, should be an employee of the municipality. He/she should be empowered to act for the Town Council or the Harbor Management Commission, and have specific powers and duties. Specific responsibilities of the Harbormaster should include, but not necessarily be limited to:

1) Acting as a non-voting, ex-officio member of the Harbor Management Commission;

2) Administering designated mooring areas;

3) Issuing permits for all moorings;

4) Keeping records of the location of all moorings, users and vessels within the designated harbor areas and other town waters;

5) Preparing and making available a current waiting list for mooring permits, if demand is greater than the number of moorings available in any given year;

6) Collecting mooring permit fees annually for deposit into the harbor management fund;

7) Enforcing any ordinance or provision of the harbor management plan, ordinance or any state boating safety laws as applicable.

C. THE PHYSICAL PLANNING PROCESS

Once a harbor commission has been established, the planning process typically consists of a series of steps such as an inventory of harbor and environmental resources, public input sessions, issue identification, and harbor management goal setting. Each are described in more detail below.

1. The Resource Inventory (Data Gathering)

Harbor areas support a multitude of activities including fishing, boating, commerce, recreation and wildlife. Each of these activities interacts with one or more of the others and the natural environment of the harbor. Management decisions must be made in order to protect desirable uses, to reduce the inevitable conflicts between them, and to protect the environment which supports them. The Harbor Management Plan is the context for these decisions and preparing information for the development of the HMP depends on two basic tools: the resource inventory and the planning process.

The first step in harbor assessment is conducting a resource inventory or characterization because baseline data for harbor planning must be established. This involves compiling information on water quality, fish and shellfish resources, historic resources, biological/wildlife areas, recreational sites, public access sites (e.g., rights-of-way and potential rights-of-way) an inventory of moorings, docks and boats, and the items listed later in these guidelines. By accurately assessing what currently exists, the town will have a greater capability of planning for

resources protection measures in the future. (See Appendix III for listing of state agency contacts and other sources of information.)

The list below details the information necessary to be collected in order to conduct a proper evaluation.

The Physical Setting

- Water depths from federally approved navigational charts;
- Water quality from DEM classifications, including the surface area within the specific classifications;
- Areas subject to extreme fetch and wave velocities (designated as V-zones on Federal Emergency Management Agency maps);
- Areas of shoaling and dredged areas;
- Navigational hazards.

CRMP Water Use Designations

- Map/Identify the CRMC's water use designations and list the priority uses for each area.

Current Uses Inventory

- Harbor Structures: Including but not limited to public, private and commercial marinas and boatyards, commercial fishing facilities, docks, wharves, boardwalks, and launching ramps;
- Federally maintained navigation channels, turning basins, anchorages, special anchorage areas;
- Current moorings and mooring areas, including a count of the moorings currently present, descriptions of where fields of 5 or more moorings are sited, the water area encompassed by them, the nature of their operation (public, private, commercial), the operators of these areas, and any areas designated for mooring placement;
- Shoreline access points, including CRMC designated rights-of-way, state parks and launching ramps, municipal paper streets, dedicated easements for drainage outfalls and underground cables;
- Other use areas, including swimming areas, public beaches and windsurfing areas;
- Municipal shoreline zoning districts.

Natural Resource Areas

- Wildlife or conservation areas, including private and public reserves, unique natural areas identified through state studies or programs, and areas used intensively for scientific research;
- Recreational and commercial fishing areas including anadromous fish runs, spawning areas, shellfish beds and traditional prime fishing grounds;
- Biological habitats such as submerged aquatic vegetation beds, intertidal flats and tidal wetlands.

2. Public Participation

Public participation is an essential part of the planning process and is a prerequisite for CRMC plan approval. Further, developing a viable harbor management program requires broad

public participation in order to be successful. This includes public participation during the development stage as well as implementation stage of a harbor management plan. Accordingly, public participation will enable the harbor commission to develop recommendations that more accurately reflect the wishes of the community and enhance implementation of the plan.

There are many ways a town can involve the public: as members of the harbor commission; by inclusion at public meetings, workshops, and hearings; and by communicating information via articles in local papers, newsletters or fact sheets. Harbor management plans that have been developed with significant input from the public sector are more representative of the goals and desires of the community, and are often more readily accepted by the citizens of that community. Decisions made by a harbor commission based upon inputs provided by a wide spectrum of public interests are perceived as being fair and equitable and representative of a wide range of public interests.

The importance of public participation in the harbor management planning process cannot be overemphasized. A planning group or advisory committee, which provides the first level of community representation, should be formed by the harbor commission and/or the town council, to oversee the development of the plan. The members should represent various aspects of the municipalities' involvement within their harbor areas. Ideally, the committee should consist of members from the local planning, conservation and zoning boards, representatives from user groups such as commercial/recreational fishing associations, marinas, yacht clubs, community associations, and other public advocacy groups. The CRMC recommends that the town planner assume the lead role in preparing the actual plan. If this is not feasible, then one or two members of the advisory committee should represent the planning/zoning board. The University of Rhode Island's Department of Marine Affairs and Department of Community Planning can also be contacted for assistance from graduate and undergraduate students who may be available to work with local communities in the preparation of their plans.

Public workshops should be scheduled once an advisory committee has been established. Workshops can form the cornerstone of public participation efforts. To be successful, workshops should be convened by the harbor commission at regular intervals, beginning early in the planning process and continuing to the point where the plan has been completed and is ready for public hearing and adoption. The first public workshop is extremely important because it is at this meeting that the community will identify the issues associated with its harbor and shoreline areas. The identified issues should become the basis for the entire plan. In order to hold a successful first workshop, sufficient advance public notice should be given.

Based on the issues identified at the public workshop, subcommittees may be formed. The subcommittees typically consist of both members from the harbor committee and interested citizens knowledgeable about the particular issues. The subcommittees typically address a prescribed set of issues and/or problems (e.g. public access, water quality, etc.) and are charged with developing goals and objectives, and recommending actions and a series of policies to address specific concerns. The formation of issue groups, similar in composition to subcommittees but focused on a single issue, are another mechanism to include the public.

Additionally, every effort should be made to meet with members of the local news media to explain what harbor management planning is all about and what it means to the community. It is

important that municipalities encourage and solicit public participation throughout the planning process.

3. Issue Identification

In preparing a Harbor Management Plan, there is a need to establish what the issues are, and what the problems and needs will be during the planning process. Based on the resource inventory and public input, the advisory committee should identify and define problems that the harbor management plan will address. Many of the problems occurring in municipal harbors are common throughout the state and existing approaches to managing these common problems can be easily adapted from one harbor to another. On the other hand, particular harbors may also have unique concerns that require individualized attention. The CRMC recommends that each municipality hold a series of public workshops at the beginning of the planning process to solicit community input into identifying issues of concern and community goals for the harbor.

The issues on which the plan should focus should be drawn from the concerns of the community, different users of the harbor, and the planning group itself. It is important that efforts stay focused on defining the problems and that the committee not try to develop recommendations before problems have been fully defined. The following issues are common throughout Rhode Island's harbors and, to a great degree, reflect issues which must be addressed in many water areas in order to be in conformance with the requirements of the CRMP:

- The shortage of public and private marina space and boat launching areas;
- The need or potential need to dredge or redredge navigation channels and marinas;
- Encroachments within federally maintained navigation channels;
- The need for more efficient utilization of mooring space within anchorage areas, the need for additional mooring space, and the need to allocate moorings fairly for private and commercial use;
- The need to provide safe harbor and shore access for transient vessels;
- A need for improved and expanded public recreational facilities and opportunities;
- The need to protect unique wildlife areas, including CRMP Type 1 and 2 Waters;
- The desire to improve and protect commercial and recreational shellfishing;
- The potential for expansion of existing, or development of new, water dependent uses along the developed urban waterfronts of the state;
- The need to provide appropriate restrictions on water uses and users in order to minimize conflicts between competing activities;
- The need for coordination of harbor information and management activities among agencies, commissions, and departments on the state, federal and local levels;
- Prevention or restoration of periodic or long term water quality problems related to recreational boating.

Assistance in scheduling meetings, workshops, etc. can be found in Appendix I - Schedule of Meetings.

D. POLICIES AND RECOMMENDED ACTIONS

Once the resource characterization/inventory has been completed and issues have been identified, the advisory committee can begin to develop policies and recommended actions to address the issues. Many communities have successfully used subcommittees to do this work. It is important for subcommittee members and the entire planning group to remember that policies should be consistent with CRMC regulations and the policies and requirements contained in this manual. They should be based on information derived from the resources characterization and citizen identification of relevant issues and take into account the legitimate political and fiscal constraints that may affect implementation of the plan.

At this point, the community planner or chair of the harbor planning committee should request CRMC involvement to review drafts of policies and recommended actions. CRMC will ensure that the proposed plan is developed in a manner consistent with these guidelines. A public workshop should be held once the harbor committee feels relatively comfortable with its proposed policies and recommended actions.

1. Policies:

The following *general policies* should be addressed in harbor management plans to ensure consistency with objectives of the CRMC. Guidance for more specific information included in the plan is contained in succeeding chapters in this manual.

The HMP should:

(a) Provide for the orderly use, operation, administration, development and preservation of the harbor and associated shoreline areas. This should be demonstrated within the context of the HMP and by a set of ordinances to enforce the policies contained in the plan;

(b) Carefully balance development with conservation of natural resources;

(c) Emphasize and describe the role of public participation used during the development and implementation of the harbor management plan.

(d) Provide a set of long range strategies to achieve the visions established through public participation;

(e) Prioritize the implementation of recommendations contained in the harbor management plan in a manner which assigns responsibility and accountability within the community;

(f) Coordinate with the municipal comprehensive plan and be viewed as the seaward extension of the town's comprehensive planning efforts.

2. Recommended Actions:

While policies identify what the town wants to manage, recommended actions set out how those policies will be implemented. Without an "action plan" outlined within the HMP, drafting a harbor management plan becomes a philosophical exercise and not a practical guide to resource management. Therefore, each policy must be accompanied by recommended actions for implementing the policy.

For example, many communities have adopted a policy which prohibits the overboard discharge of sewage wastes into the waters of the state, and which may read as follows:

> "*It is the policy of this town to prohibit all overboard and through-hull discharges of boat sewage wastes into the waters of the state."*

However, it is the recommended action which actually demonstrates how this policy will be implemented by the town. Such a recommended action may read as follows:

> *"It is recommended that the town confer through ordinance to the harbormaster the legal authority for regulating all overboard and through-hull discharges of boat sewage wastes into the waters of the state as found in Rhode Island General Laws 46-12-39 through 46-12-41."*

E. PREPARING DRAFTS OF THE HARBOR MANAGEMENT PLAN

It is important to understand that a harbor management plan consists of two interdependent elements: a plan and an ordinance.

The plan sets out the need for effective management of the harbors of a town by identifying pertinent issues, establishing policies that address these issues, and recommending actions that the community will undertake to implement these policies, consistent with relevant state and federal guidelines.

The ordinance is the legal implementation vehicle that gives specific local departments the ability to carry-out the identified actions of the plan. Without the implementing ability of the ordinance, the plan can only act as a document that provides a long-term vision of how the community wants its harbor areas to be managed. Therefore, the development of the ordinance is as important as the development of the plan.

Once consensus has been reached on what policies and recommended actions are needed, a harbor ordinance should be drafted or the existing ordinance should be amended, as necessary. The development of a single document - The Harbor Management Ordinance - has worked best in many cities and towns. The Ordinance is divided into subarticles: Harbormaster Powers and Duties, Harbor Regulations, Mooring Regulations, Harbor Committee Powers and Responsibilities, etc. (See Appendix III for a sample model ordinance.) It is important to draft the ordinance at the time the plan is developed to ensure consistency with the plan's recommendations.

Because the harbor management plan should also be integrated with the town's comprehensive plan, land use plan, zoning regulations and other regulatory tools, changes should be recommended in the town zoning ordinances, where appropriate. Examples include requiring public access for new and/or expanded waterfront development, protecting water dependent uses, and mitigating nonpoint source pollution, such as faulty on-site disposal systems. The harbor management plan, as with the comprehensive plan, should contain a five year implementation strategy for the recommended goals and it should also prioritize actions and assign responsibility (see below).

F. ADOPTION OF THE HARBOR MANAGEMENT PLAN

Once the harbor management plan and accompanying ordinance are written to the satisfaction of the harbor committee, the committee forwards it to the town council for final approval. In order to familiarize the town council with the plan and to answer any of their questions, joint work sessions should be scheduled between the harbor committee and the council, with assistance from CRMC staff. Then the town council typically holds a number of public hearings (in accordance with town requirements for approving plans and ordinances) and may recommend revisions before adopting the plan and sending it to the CRMC for final review and approval. When the harbor management plan and ordinance receive final approval by the town council the municipality forwards the plan, the ordinance, and a letter from the town solicitor certifying that the plan and ordinance have been properly approved to the CRMC.

G. IMPLEMENTATION

Assuming a favorable review and approval by the CRMC (see Section IV), the harbor management plan needs to be implemented.

A harbor management plan contains many recommendations designed to achieve the goals and policies established by the community. In order to ensure that these recommendations are carried out, the harbor management plan needs to include an implementation plan. The implementation plan takes the recommended actions and sets out a detailed schedule for implementation. The basic framework for this plan looks at each of the recommendations and provides the following details:

1. The primary responsibility within the local community for overseeing completion of a recommended action, either by position, title, or by agency;

2. A time schedule for accomplishing each action, with appropriate bench marks to ensure progress is maintained;

3. A draft of additional ordinances or regulations which may be required to implement the recommended actions;

4. An estimate of financial expenditures required to complete the recommended actions. See Appendix II for a sample implementation plan.

SECTION III

REQUIRED ELEMENTS OF A HARBOR MANAGEMENT PLAN

REQUIRED ELEMENTS OF A HARBOR MANAGEMENT PLAN

A. GENERAL ELEMENTS

All municipal harbor management plans must:

1. Contain a detailed analysis of the current uses of the municipal harbor and water areas (the Resource Inventory);

2. Include a comprehensive analysis of the major issues affecting a municipality and the means to address them (Issue Identification);

3. Develop a comprehensive management scheme for implementing the goals and policies of the harbor management plan (the Ordinance and Implementation Element); and

4. Include the parameters or physical boundaries of the local harbor waters.

B. ISSUE IDENTIFICATION ELEMENTS

Four major issues must be identified and addressed within all municipal harbor management plans. They are:

1. Public Access
2. Water Quality
3. Mooring Management
4. Storm Preparedness

A detailed analysis of each issue follows in this section. Any additional issues that a municipality wishes to address may also be included in the HMP.

1. Public Access

Public access to the shore and contiguous water areas is a right long recognized as inherent to citizens of the U.S. It is a right that will continue to be honored and protected by careful planning and management of coastal resources. The contents of this section focus on two basic areas. First, public access and the problems it typically presents for coastal communities are described, and second, the requirements for incorporating public access into harbor management planning are outlined.

Introduction

The right of the public to use the shoreline has its beginning in ancient civilizations that enacted laws and codes to protect this use. The Roman Emperor Justinian (483-565 A.D.) first recorded the public trust doctrine, which stated that:

> "No one is forbidden access to the seashore. The public use of the seashore, as of the sea itself, is part of the law of nations, consequently everyone is free...to dry his nets and haul them up from the sea..."

The principle of this edict was that the shore and the sea were "common to all" and could not be privately owned. This understanding of Roman law carried forth into laws of European nations. England's Magna Carta (1215) noticed the public's right to fishing and navigation. Numerous interpretations and clarifications of this basic premise gave Queen Elizabeth I title to the tidal lands. The early American colonists brought with them this English common law concept of keeping coastal access open for all new settlers. As the American colonies grew and matured, control of the tidelands was assumed by the states as a public trust, where public trust means that the people of the state have placed the legal title of the public trust land with the government of that state to protect their rights to its use.

Public access to the shore is guaranteed under provisions of the Rhode Island Constitution, Article 1, Section 17, which provides for basic rights in relation to the shore. The Article states that

> "The people shall continue to enjoy and freely exercise all the rights of fishing and privileges of the shore, to which they have been heretofore entitled under the charter and usages of the state, including but not limited to fishing from the shore, the gathering of seaweed, leaving the shore to swim in the sea and passage along the shore..."

At a minimum, the area below the Mean High Water (MHW) line is open to public access. Public access to the shore is guaranteed in order that the citizens of the state have access to the shore and waters in general, and are not prevented from reaching the waters during low tide. In Rhode Island, the state holds all water, land, and submerged lands below the mean high water mark in trust for the public. The Coastal Resources Management Council has been authorized by the state legislature to manage this public resource. In Rhode Island, public access to the shore is provided by designated rights-of-way which are the primary physical means by which the public reaches the shoreline and water areas.

Public Access is a general term used to describe the way the public legally reaches and enjoys the coastal areas and shoreline of the State which are held in public trust. Public access includes:

> (a) Physical access: the ability to reach the shoreline from upland areas via perpendicular access points such as rights-of-way, boat launching ramps, and fishing piers; and the ability to pass and repass horizontally along the shoreline as guaranteed by the Rhode Island State Constitution.
>
> (b) Visual access: the provision of unobstructed views of the coast and shoreline areas. Examples of visual access include; viewing platforms, observatories, scenic drives, and innovative architectural designs that provide unobstructed views.
>
> (c) Interpretive access: the provision of signage, plaques, etc., or the use of innovative techniques which serve to educate the public about the historical,

ecological, or cultural significance of a site or the industrial/commercial utilization of public trust resources. Interpretive access may also include other methods which impart a sense of public ownership and understanding of public trust resources.

Amenities which enhance public access opportunities such as picnic tables, public restrooms, lighting, etc., and other improvements are considered vital contributions to public access.

Traditional public access sites to the shore are rapidly being displaced by commercial and residential developments. Some access sites are not properly maintained and/or marked, and thus have become "incorporated" or "privatized" by adjacent property owners. Some public sites are illegally chained and/or blocked off with signs declaring them for use only by neighborhood users. Local municipalities need to have an aggressive approach in order to maintain existing sites, identify and develop new sites, and identify and prioritize future access sites to the shore.

Discussion

As the privatization of the coastal zone continues and the ability of individuals to access the shore is reduced, the significance of public access points as the only link between the intertidal zone and the upland areas becomes more pronounced. Therefore, it is the purpose of this section of the harbor management plan to identify all issues related to existing public rights-of-way (ROWs), document potential and existing access points, and provide the community with recommended actions for their management and improvement.

A current inventory of existing access points is critical to the development of goals and recommendations for the community and compiling one should be the starting point for this section of the harbor management plan. Although the CRMC is the vested authority for designating all public ROWs to the shore, the community can assist the designation process by identifying potential public access points, conducting background research and gathering evidence for the CRMC legal staff to process. In most respects, the residents of the community have better knowledge of local shoreline areas and are better able to conduct the preliminary research necessary for identification of potential ROWs. In addition, information gathered through local research can be very useful to the community in coordinating the development of the comprehensive land use plan with the harbor management plan.

The community will find it especially helpful to provide an accurate physical description of each potential access point. After compiling evidence from the tax assessors office, land evidence records, town or city council records, street indexes, or any other reliable sources, members of the harbor committee should visit each potential or existing site. An assessment of field conditions at the site is valuable because it provides information on the status of a current or potential access point. Data on past maintenance and upkeep can be gathered and the background necessary to implement requirements for the enhancement and/or preservation of the site can be provided. A written description of each site, including comments on the condition, accessibility, and potential for use, should be prepared for inclusion in the public access section of the harbor management plan.

Researching available documents can assist the community in developing their plan by eliminating the need to investigate ROWs already identified by various state agencies. The State

Comprehensive Outdoor Recreation Plan (SCORP) is the state's plan for outdoor recreation and is published by the R.I. Department of Administration as State Guide Plan Element 152. It identifies public and private actions that advance the public's opportunities for accessing state lands and waterways. The CRMC subcommittee on rights-of-way publishes a report annually entitled "Designation of All Public Rights-of-Way to the Tidal Areas of the State". The report lists all CRMC designated public rights-of-way to tidal areas of the state on a town-by-town basis. The University of Rhode Island, Coastal Resources Center, has produced a document entitled Public Access to the Rhode Island Coast. This publication provides a guide to parks, wildlife refuges, beaches, fishing spots, boat ramps, pathways and scenic view points along the state's coastline. Information on procedures for identifying and establishing public rights-of-way and on the rights-of-way designation process and its fact sheet, can also be obtained from the CRMC offices at 4808 Tower Hill Road in the Oliver Stedman Government Center, Wakefield.

Policy Statement

Adequate public access is necessary to meet the commercial and recreational needs of the State, and to support tourism, Rhode Island's largest industry. Tourism, commercial fishing, recreational boating, and commercial shipping comprise critical elements of the cultural and economic resources of the state and are dependent upon adequate access to the shore. Goals and recommendations of harbor management plans regarding public access should ensure that public access will be enhanced to provide access to and, whenever practicable, along the shore.

Requirements

Harbor Management Plans shall include public access provisions that:

(a) Inventory and catalogue the condition of all CRMC designated rights-of-way in the community, and identify potential rights-of-way for designation by the CRMC;

(b) Establish goals, policies and recommended actions designed to preserve, protect and enhance the existing public rights-of-way to the tidal waters of the town;

(c) Design a maintenance program to be implemented by the community to improve and maintain all municipally owned rights-of-way;

(d) Develop a prioritized list of CRMC designated rights-of-way that are municipally owned which could be improved by either public or private entities and identify appropriate site improvements required.

2. Water Quality

The purpose of this section is to provide guidance to municipalities in applying the policies of the Coastal Resources Management Council (CRMC) related to maintaining and, where possible, improving water quality. These guidelines ensure that municipalities develop goals and recommendations in their harbor management plans that will be consistent with the goals of CRMC in addressing water quality issues.

Introduction

The Coastal Resources Management Council recognizes the unique and precious resources inherent in the state's coastal waters and is committed to protect and continually improve the water quality for the citizens of the state. It is considered of paramount importance to identify, measure and document all sources of both direct (point) and indirect (nonpoint) pollution and potential threats of pollution to these waters. Pollution from both land and water sources should be identified and the impacts of this pollution mitigated to the greatest extent practicable.

Generally, any activity or alteration that is proposed for tidal waters, coastal ponds, shoreline features, and areas that are contiguous to shoreline features are required to receive a Council Assent through the issuance of a permit for such activity. The tidal waters and shoreline areas have been assigned to one of six use categories (See Section I - Planning Consistency-CRMC). The use categories are directly linked to the characteristics of the shoreline since the activities on the shore are directly linked to the uses and qualities of the adjoining water areas.

Concentrations of vessels can often be sources of pollution. Sewage, gas, oil, and toxic bottom paints are all potential pollutants common to recreational boating and commercial vessels. In order to protect water quality, the DEM regulates the density and numbers of boats allowed in marinas, mooring areas, and harbors through the Water Quality Certification process. A primary emphasis of this program is the protection of public health and shellfishing areas. Allowable numbers of boats are dependent on the relationship between the area covered by the marina or mooring field, water depth, proximity to shellfish resources and availability of vessel holding tank pumpout facilities.

The characteristics of uses and activities occurring in Rhode Island's harbor areas are unique to the individual harbor in which they are located. Some harbors are used by a boating population that is primarily transient such as Block Island. Other harbors have significant commercial marinas like Warwick. And still others are predominantly residential or have other public uses similar to Point Judith Salt Pond. Water Type categories are, in part, determined by balancing the use that is made of a particular body of water and its existing characteristics, with the goal of protecting and maintaining existing water quality.

Discussion

In order for water quality to be maintained, and where possible improved, harbor management plans should address the overall impacts recreational boating have on water quality. Additional pollution comes from stormwater runoff, failed individual sewage disposal systems (septic systems) and sewage overflows. The negative impacts on water quality from these sources increase significantly in poorly flushed or shallow harbors and estuaries. Therefore, municipalities developing harbor management plans for these natural conditions should pay particular attention to policies that propose further development or expansion of existing facilities.

Harbor management plans should examine the status of marine pumpout facilities available to boaters in local waters. Requirements to increase the number or availability of pumpout facilities should be balanced with the anticipated growth of a harbor area, both in terms of number of boats as well as shoreside facilities. All marine pumpout facilities should be designed and positioned in a manner that makes their use convenient for the boating public. In addition, all marine pumpout

facilities that are required by the CRMC to mitigate adverse impacts to water quality associated with recreational boating shall be available for the general public's use. Marina operators may charge a fair and nondiscriminatory fee to defray the cost of constructing and operating these facilities. Signs shall be posted directing the public to the location of the facility and should indicate the charge for pumping out and the operating hours.

Public education programs about the causes and effects of pollution and the impact it has on water quality should be developed as a method of preventing water pollution. Interpretive and instructional signs placed at marinas, public beach areas and boat launching ramps are a means of disseminating important information to the public. Pamphlets, flyers or newsletters can be utilized in a public education program by providing information on the use of marine sanitation devices (MSD) and pumpout facilities, emphasizing the impacts of pollution on shellfish areas, and providing guidance on environmentally sound practices for disposal of hazardous waste materials. Printed material could include a map of pumpout facilities in the local area, facts on boat pollution and plastic debris, and articles on the effects of boating activities.

Policy

The protection and continual improvement of the state's coastal waters and the maintenance of water quality for the general welfare of the public is an overriding goal of the CRMC, the DEM, and the Environmental Protection Agency. Each coastal community is expected to develop and support goals and recommendations in their harbor management plans that reflect continuing efforts to improve overall water quality. Municipalities should strive to ensure that the tidal waters of the municipality meet established water quality goals by preventing point and non-point pollutant sources to the greatest extent practicable.

Requirements

Harbor management plans shall include water quality provisions that:

(a) Develop programs for minimizing the introduction of pollutants, such as harmful cleaners and solvents and anti-fouling paints, into tidal waters of the municipality from recreational boats and shoreside activities;

(b) Ensure sufficient facilities exist for the safe and sanitary disposal of organic vessel-generated waste. This should be accomplished by having a comprehensive marina pumpout installation and maintenance plan that takes into account docked and moored vessels;

(c) Develop programs to provide for the disposal of waste oil, plastics, trash, paint, varnish, and other inorganic materials at municipal facilities convenient to recreational boaters; and

(d) Encourage operation and maintenance measures for marinas;

(e) Where significant shallow-water habitat is identified, restrict boating activities as necessary to decrease turbidity and physical destruction of such habitat;

3. Mooring Management

This chapter addresses the requirements for developing a municipal mooring management plan as part of the harbor planning process.

Introduction

One focus of all Harbor Management Plans must be to provide orderly, safe, equitable and efficient allocation of the harbor space for boating. Municipalities accomplish this by: establishing policies for the location and distribution of moorings and anchorages; providing unobstructed access to federal and other navigational channels, anchorage areas and harbor facilities; and allocating space for moorings and/or anchorages for transient vessels. These requirements are necessary to adequately address potential conflicts between navigation, commerce, public access and the problems associated with high intensity recreational boating in the State's waters.

Two primary factors determine the level of use harbors may support: 1) water quality considerations that limit the numbers of boats; and 2) the availability of support facilities such as public access and shoreline parking. The resource inventory and the steps outlined in this section should generate sufficient information to indicate the boating capacity of the harbor. Once the ultimate capacity of the harbor area is determined, the municipality must make decisions on how to allocate that available space between the various users of the harbor.

Like many aspects of harbor management in Rhode Island, the mooring management process will be unique to the individual harbors and water areas. Decisions should be based on existing characteristics, the municipality's goals, and the issues defined earlier. The procedures outlined in this section provide basic guidance to be utilized in defining requirements that are common to all harbors.

Discussion

One of the most difficult tasks facing the group developing the harbor management plan is to strike a balance between commercial uses of the harbor and public recreational moorings. Demand for mooring space is expected to continue to grow and harbor management plans need to protect existing commercial and public uses and plan for future growth. The planning committee should seek to estimate potential growth of commercial facilities and compare that data with the recreational figures and the carrying capacity of the harbor. Information should be collected from local waterfront development plans, zoning ordinances, industry contributions to the local economy, and discussions with the marina owners. Subsequent decisions on how to allocate available space between commercial and noncommercial uses must also be made on the basis of the type and number of existing facilities, the relative contributions of commercial and noncommercial moorings at providing public access to the water, and community needs.

Mooring proposals must provide for an "equitable and efficient allocation" of moorings. Mooring plans that do not seek an equitable balance between commercial and non-commercial uses will, in many cases, be contrary to state policies. The requirements establish that mooring availability must incorporate considerations for residents, non-residents, and commercial users based on recognition that the waters of the state must be available for use by all residents,

including inland residents. It must also recognize that the number of moorings must be related to the harbor's capability to support the proposed level of use.

Policy

(a) Municipalities shall manage their mooring areas and recreational boating activities in a manner which promotes safety and protects and preserves important aquatic and riparian habitat areas.

(b) Municipalities shall ensure that all harbor management plans develop a resident to non-resident mooring allocation permit policy.

Definitions

(a) **Mooring Areas**: shall be defined as any designated area managed by a commercial enterprise, a club, city or town where **five or more** recreational vessels are kept at moorings.

Public mooring areas are defined as those mooring areas managed by municipal or state agencies. Public mooring areas shall be delineated in approved harbor management plans and are subject to the requirements contained in Section 300.15 of the RICRMP and these Guidelines.

Marina mooring areas are defined as those mooring areas managed by a private organization (e.g., marinas, yacht clubs, etc.) Marina mooring areas shall be considered as marina facilities and are subject to the standards governing marina activities.

(b) **Rhode Island State Plane Coordinate System**:
The Rhode Island State Plane Coordinate System (RISPCS) consists of a system of x-y grid plane coordinates, established by the National Ocean/National Geodetic Survey, that can be used for defining and stating the geographic positions or locations of points on the surface of the earth within the state. This system is known as the "Rhode Island Coordinate System of 1983". A more technical definition of this system can be found in the NOAA Manual NOS NGS 5, State Plane Coordinate System of 1983, available through the National Geodetic Information Center, NOAA, Rockville, MD 20852.

Consistent with RIGL 34-8-9, these management procedures recognize that the Rhode Island State Plane Coordinate System of 1983 is the exclusive Rhode Island coordinate system. All mooring areas under the jurisdiction of the municipality preparing the harbor management plan must be described using the Rhode Island Coordinate System of 1983. The CRMC has software programs available for use by municipal agencies that will convert latitude/longitude coordinates into the State Plane Coordinate System.

Requirements

Harbor management plans shall include mooring management provisions that:

(a) Develop a resident-to-non-resident mooring allocation policy of no greater than three resident mooring permits to one non-resident mooring permit (3:1), unless the mooring field

is within a federal navigation project, then mooring allocations shall meet the Army Corps of Engineers requirement of "open to all on a fair and equitable basis";

(b) Include the locations of all mooring areas. Coordinates of at least the corner points of each mooring field must be recorded using the Rhode Island State Plane Coordinate System (RISPCS) of 1983 as defined above. A chart or map stamped and signed by a registered professional engineer, land surveyor, or architect showing the detailed features of all mooring areas shall be submitted to CRMC on a site plan at a scale of 1"= 40' or larger. Navigational channels, fairways and any pertinent set back limits must be shown and keyed to the RISPCS grid. In addition, the following data must be provided for all mooring areas:

- Mooring areas must be shown on a map with each area's respective coordinates. Preferably, the coordinates of each mooring area should also be shown in an Appendix of the harbor management plan. Each corner of a mooring area should also be referenced to some landmark for general siting purposes, and a verbal description defining the boundaries of each mooring area in relation to shoreside feature (street ends, physical landmarks, zoning district boundaries or lot numbers) or harbor structures (breakwaters, piers, jetties, or navigation marks) should be included. The coordinate system points, however, will be the final basis for establishing the actual location of mooring fields.

- The total area of each mooring area using acres, square feet, or square meters; and

- Estimated yearly boat count of vessels greater than 25 feet in length.

(c) Moor all vessels within designated mooring areas, except for riparian moorings. Moorings assigned to riparian property owners will not be included in the total mooring count for designated mooring areas;

(d) Ensure mooring areas are not established, nor any vessel moored or anchored, so as to interfere with the free and unobstructed use of channels, fairways, or shoreside facilities within the harbor. Public mooring areas shall provide, where possible, a **50 foot setback** from all residential docks, piers, floats, public launching ramps, federal navigation channels, fairways, anchorages, and/or turning basins. Setback limits from riparian moorings and shoreline public rights-of-way shall be sufficient to allow for ingress and egress and to prevent interference with the exercise of private or public rights in these areas. Mooring areas shall be set back at least **three times** the U.S. Army Corps of Engineers' authorized project depth from federal navigation projects (e.g., navigation channels and anchorage areas);

(e) Ensure mooring areas and/or moorings dedicated to private commercial uses are not sited in federally maintained project areas;

(f) Ensure that tides and currents aid in the flushing of all new and significantly expanding mooring areas;

(g) Ensure that all new and significantly expanding mooring areas do not cause significant adverse effects on water quality;

(h) Prohibit swimming and water-skiing in all designated channels, fairways, and mooring areas;

(i) Establish procedures for the administration and allocation of mooring spaces by implementing a permit system for use by all commercial and private mooring holders. Boat owners desiring a mooring shall be required to obtain a permit from the appropriate authority. In the event that all available mooring areas are filled, a waiting list for mooring permit applicants shall be developed by the municipality. The permit system, application process, and waiting list procedures shall be detailed in the Harbor Ordinance section of the harbor management plan.

(j) Do not site mooring areas where they may substantially interfere with access to designated shellfish management areas, traditional fishing grounds as defined by the CRMC, public recreational areas, and conservation areas;

(k) Do not site mooring areas where they may cause significant adverse effects on fish and shell fish resources, wetlands, submerged aquatic vegetation, or other important aquatic habitat areas; and

(l) Ensure that mooring fields are serviced by adequate and accessible marine pumpout facilities and dump stations which are maintained in operational condition.

(m) Develop a mooring allocation policy that limits the transfer of a private mooring permit to an immediate family member (brother, sister, mother, father, spouse, children or grandchildren) to a one time basis and prohibits the mooring permit transferee from subsequently transferring that private mooring permit under any circumstance. All private mooring permits that are forfeited by or not renewed by the transferee shall be made available to individuals on the waiting list.

Methodology

Municipalities describing mooring fields in accordance with the above may utilize any method to determine the corner points of mooring areas before converting to the State Plane Coordinate System. Two of the most common are described below.

(a) Survey corner points -- most accurate method.

(b) GPS (Global Positioning System) -- involves the use of a series of satellites in geosynchronous orbit around the Earth. The satellites transmit ultra stable signals and timing which can be received to obtain a position fix at any instant, either in a fixed or dynamic mode. In the dynamic mode (moving receiver), expected positional accuracy is on the order of 5 to 10 meters. In the fixed mode (stationary receiver), point positioning accuracy yields one meter or better results. Positioning data obtained from the GPS satellite constellation system can be converted to either latitude/longitude or the State Plane Coordinate System as required.

Although the Coastal Resources Management Council does not recommend the use of one particular product over another, the potential of a differential GPS receiver as an aid to siting mooring fields has been studied and has been found to be a highly accurate and cost

effective surveying tool for siting mooring fields. To ensure the greatest accuracy, a portable GPS unit should have a feature that can perform differential recording of positioning data. It is recommended that reference to a GPS operator's manual for further explanation of the proper operation of this equipment be considered. When siting mooring fields using the Global Positioning System, the coordinates of at least the corner buoys of each mooring field must be obtained and transferred to the State Plane Coordinate System.

Mooring field mapping utilizing GPS data integrated with the capabilities of the Graphic Information System (GIS) has been tested and proven to be a viable process that will provide a means to accurately plot mooring fields, individual mooring locations, and harbor areas. The process has the potential to allow municipalities to accurately chart every coastal feature, private dock, marina, mooring, and mooring field in local waters. This capability provides an important tool for future water area, shoreline, and harbor management decisions. It also allows the municipality to work more closely with CRMC to compile specific shoreline and harbor development plans. Combining the capabilities of the GPS and GIS systems will greatly assist communities in assimilating harbor planning with comprehensive land use planning.

4. Storm Preparedness

Introduction and Overview

Rhode Island has a long history of incurring severe storm damage from tropical storms and hurricanes and every community should have a well thought-out strategy for storm preparedness as part of their harbor management plan. Since the National Weather Service began tracking major weather events in 1936, a total of thirty-one storms classified as either tropical storms or hurricanes have struck the State. The months of August and September have been the most active months for tropical cyclone activity, but the State has been struck as early as June and as late as October by hurricane force storms.

During the late summer and early fall of 1991, two major disasters devastated the New England coast. Hurricane Bob in August and the October coastal storm caused millions of dollars in damage to the regions boats and harbors. Even though Hurricane Bob was considered relatively mild at Category Three, the insurance industry estimated losses involving boats from that hurricane to be in excess of $60 million. Massive losses to coastal communities highlight the need for procedures that mitigate the damage to harbors and vessels from future storms. Vulnerability of the New England coast to more severe storms, in the Category Four or Five range, make the development and implementation of best management practices for harbor safety a particular concern for coastal municipalities.

Traditionally, harbor management plans have not addressed mitigating the affects caused by natural hazards or disasters. This issue was generally overlooked because several, more pressing issues such as mooring management and public access, needed to be addressed. However, issues such as mooring management must closely consider potential storm events. As with most issues addressed in the current generation of harbor plans, concerns about storm events and methods for mitigating damage should receive additional attention. Therefore, this guidance had been

developed to assist municipalities in developing local storm preparedness plans as part of their harbor management plans.

Hazard mitigation strategies should be considered not only by mooring holders, but by and for all harbor and shoreline users who are constantly threatened by the potential of a storm event. Although many of the strategies outlined in this document can be addressed in the harbor management plan, storm events can effect all harbor and shoreline users. For this reason other town planning and regulatory documents should also be considered as tools for mitigating storm damage.

A storm preparedness program should be more than a set of documents or written response procedures. It should be an ongoing, coordinated effort between citizens of the community and the state emergency management agency. The focus should be to prepare the public for emergency situations before an emergency strikes. This can be accomplished by developing lines of communication and joint plans between private and public agencies and groups that direct, control, and support operations in an emergency situation. The preparedness program should be developed so that it becomes part of the active planning process.

This section is taken from the document ***Hazard Mitigation for Rhode Island Recreational Harbor Communities***, developed by the University of Rhode Island Coastal Resources Center for the Rhode Island Emergency Management Agency (1995). The guidance and appropriate policies that follow have been condensed from this document and are divided into two main sections. The first is the policy with which each municipality must comply. The policy specifies four steps the municipality must complete. The second section outlines recommended methods for achieving the policy. There is a third component, Appendix VII, that answers some frequently asked questions pertaining to hazard mitigation and contains a model hazard mitigation plan for municipal harbors. When used together, these three sections should provide the municipality with clear directions for completing a hazard mitigation plan.

Policy

Harbor management plans shall include storm preparedness provisions that:

(a) Assess the type and degree of risk that harbor and shoreline users face from natural hazards;

(b) Develop strategies that prepare for, respond to, and recover from natural disasters;

(c) Identify long term mitigation projects that will reduce damage from natural disasters; and

(d) Describe specific steps for coordinated implementation.

Natural Hazards Mitigation

Hazard mitigation is defined by the Federal Emergency Management Agency (FEMA) as any action taken to eliminate or reduce the long-term risk to human life and property from natural hazards. Natural hazards include flood, fire, hurricane, and earthquake. FEMA has identified several ways in which hazard mitigation actions are usually achieved. They are by:

- acting on the hazard (seeding hurricanes)
- redirecting the hazard (seawalls)
- interacting with the hazard (building codes)
- avoiding the hazard (relocating structures)

Increased numbers of shoreline uses and vessels in harbors are putting municipalities at risk. During severe storms, harbors and shoreline uses are extremely susceptible to forces of wind, rain, flooding, surge and wave action. These powerful forces combine to push boats from their berths onto bridges, roadways, public lands, and environmentally sensitive areas and wetlands. Damage caused by these grounded vessels is sometimes acute: leaking fuel and septic tanks; damage to roadways and bridges; and hazardous debris and flotsam littering the waterways, marshes, beaches and wetlands. The burden of removing these vessels, in terms of cost and nuisance, directly effects the whole community. Other problems include hazards from docks breaking free, waterfront buildings and storage areas being flooded, and the loss of power at sewage treatment facilities causing direct discharge of untreated waste into local waters.

This part of the harbor plan should be written in cooperation with appropriate municipal agencies such as: the harbormaster, police and fire departments, planning and zoning board, and the planning department. Responsibility for implementation should be clearly stated in the harbor hazard mitigation plan. Many of the implementation activities require that the harbormaster play the lead role.

Risk Assessment

A risk assessment identifies the types and degree of risk posed to harbor and shoreline users by natural disasters. This identification process provides insights concerning the level of vulnerability of local harbor and shoreline users, the allocation of financial and human resources, and the segments of the harbor community needing special attention. For instance, a risk assessment may identify that mooring field A is highly vulnerable because it faces a large fetch and has a sandy bottom which does not provide adequate holding for moorings.

Risk assessment can be completed by re-evaluating much of the information collected for the resource inventory. Important pieces of information include, but are not limited to: a description of harbor areas that includes bottom type; openness (fetch); number of moored and docked boats; a listing of docking facilities and services provided at each; a description of the surrounding land use activities; mooring and dock standards; man-made or natural characteristics; flood plain information; and historic vulnerabilities.

Once the information for the risk assessment is collected it should be evaluated by:

(a) identifying specific threats associated with a natural disaster.

(b) comparing each threat to each harbor and shoreline use and identifying what effect the threat will have on specific marine interests. It is common to combine similar harbor and shoreline users such as marinas, boaters, and homeowners instead of looking at each facility individually.

(c) listing potential effects (i.e., when surge occurs at a marina, docks top their pilings). Effects generally result in damage (i.e., when docks top their pilings, boat and dock damage result). Results can be carried out to several levels depending on the particular situation (i.e., when boats top their pilings, they are freed to damage the automobile bridge).

To assist in selecting strategies, it may be helpful to rank the results in order of significance to identify what effects need to be addressed immediately. Table 1 demonstrates a risk assessment model that looks specifically at a hurricane event.

Table 1: Risk Assessment Model for a Hurricane Event

Threat (cause)	**Marine Interest by Location**	**Effect**	**Result: Level 1**	**Result: Level 2**
Flood/Surge	Main harbor	wide fetch	poor holding	
	Moored boats	decreased scope	dragging	threaten auto bridge
	Marina facility	flooded facility	floating debris	threaten auto bridge
			spills of hazardous material	threaten surrounding wetland
		docks topping pilings	freed docks and boats	
	Private Residences	Flooded property		
		docks topping piles	Freed docks and boats	
Wind	Moored boats	windage	dragging or pennant breakage	
	Marina facility	windborne debris	structural damage	

Local Preparedness, Response and Recovery Strategies

The hazard mitigation strategy begins with the outputs of the risk assessment. The strategies should seek to reduce or eliminate the effect caused by the threat. Strategies should be selected to minimize the effects from identified threats. Action should be directed at the threat.

Strategies should be divided into preparedness, response and recovery sections. Each of these sections should define:

- who is responsible for implementing the section and specific actions;
- when should the activity be completed; and
- how are specific actions to be completed.

It is unlikely that the municipality has the resources or the authority to do everything that is needed to fully prepare, respond and recover from a natural disaster. Therefore, the municipality must work closely with those harbor and shoreline users that can take action to mitigate damage. To facilitate coordination, the municipality may consider requiring some harbor and shoreline users to submit individual facility or boat plans to the municipality. Individual plans should be compiled and maintained in one document, perhaps a three-ring binder, along with the Town's preparedness, response and recovery strategies outlined in the harbor management plan.

Individual plans from specific harbor and shoreline users, if required, should address preparedness, response and recovery activities. The municipality should provide specific guidance about how the plans should be written, submitted and updated to those persons having to write individual plans.

The municipality should seek to resolve conflicts between individual plans before a storm event. Opportunities to share resources such as cranes and salvage equipment should also be identified.

Contracts with service providers such as salvage firms should be arranged before the disaster occurs. This allows the harbormasters to easily activate a pre-arranged agreements immediately after the storm event without having to negotiate a contract.

The municipality preparedness sections should consider:

- how and when harbor and shorefront users will be advised to begin preparedness activities and be kept informed throughout the process
- safeguarding municipally owned facilities (i.e., beaches, docks) and equipment (i.e., boats).
- special issues such as boat owners wanting to stay on their vessel, increased boat traffic, and transient vessels.
- special hazards (i.e., absentee land/boat owners, commercial docking facilities) that need attention
- allocation of secure mooring areas (i.e., hurricane holes)

The response section should define what action the municipality will take during a storm event to protect people and property. The town manager, emergency response personnel, and the legal departments should determine the appropriate conditions for emergency operations. The following emergency responses should be addressed:

- who is qualified and authorized to dispatch personnel
- what are the parameters for dispatching personnel
- what equipment and precautions will be used

Emergency Response

There is the likelihood that a harbormaster will have to respond to a distress call from a vessel owner who initially decided to stay on his/her vessel and subsequently changed his/her mind. This scenario is common and dangerous. Whenever possible, the primary response should be by the Coast Guard, if the delay will not threaten the life of the boat owner. When immediate action is necessary, a response crew should be sent. The composition and responsibilities of this crew should have been established well before the storm event.

After a storm event, the primary objective is to secure the harbor so that harbor and shoreline users can safely begin the recovery phase. The first steps might be to institute security measures and crowd control to prevent looting and to protect curiosity-seekers from unnecessary injury and interference. Although the municipality may not be responsible for protecting each and every vessel that has washed up on the beach from being looted, the municipality does have a responsibility for maintaining civil order. The second stage of the recovery phase includes documenting damage to public property along the waterfront. This involves maintaining a file of what has been damaged, who the owners are, and what action is being taken. Standard activities to be considered may include:

- Immediate (within 24 hours)
  1. assess readiness of the harbormaster department, correct deficiencies
  2. complete rapid appraisal of damage
  3. assist emergency situations as appropriate
  4. initiate pre-established contracts services companies (towing, salvage) if required
  5. institute security watches as necessary

- Mid-term (within 1 to 14 days)
  1. complete inventory of damage
  2. notify appropriate parties regarding damage
  3. provide list of unidentified boats to appropriate authorities
  4. contact local harbor and shoreline users to assess their situation
  5. contact appropriate authorities such as the Coast Guard to provide a harbor status.
  6. begin to remove large pieces of floating debris

- Long-term (within 14 to 90 days)
  1. analyze effects of storm and results. Do they match risk assessment?
  2. review mitigation list and selection actions that could be implemented during the recovery phase;
  3. conduct an evaluation meeting for harbor and shoreline users to identify problems;
  4. update hazard mitigation plan and identify new mitigation opportunities;
  5. identify and apply for funding to implement hazard mitigation activities;
  6. complete any disaster assistance forms required by the state for reimbursement.

Property that is not claimed and has subsequently been taken into the town's custody is subject to the provisions of Rhode Island state law, Title 46, Chapter 10 which calls for the appointment of a commissioner of wrecks and shipwreck goods. It is the responsibility of the commissioner to inventory and store any found property in the town's custody. If a vessel is in a stable position and in no danger of sustaining additional damage then the salver cannot intervene without permission of the owner. This same is true for equipment or other goods which wash up on shore. A person who finds the property of another has not legal right of ownership even is he/she 'salvages' it. Legally, in Rhode Island, found goods and equipment are placed in the custody of the local commissioner of wrecks.

Educational materials and programs to guide boaters, harbormasters, marine operators, and local disaster officials in preparation for, response to, and recovery from major storms have proven to be successful tools for raising awareness about threats from natural disasters. These materials should be distributed widely throughout the community and be designed to stimulate study and encourage implementation of plans.

Inventory Longer Term Mitigation Projects

Medium and long term hazard mitigation projects may include large capital improvement activities or open space acquisition. An inventory of these proposed projects will be a valuable resource when hazard mitigation funding is made available after a storm event. An accurate inventory can easily be consulted to select appropriate projects that meet funding criteria. In developing this inventory, some projects may be able to be implemented during routine management and improvement such as new zoning ordinances or roadway improvements.

Identify existing funding sources that can be used to implement hazard mitigation actions. This information is generally available from the State Emergency Management Agency. When developing this section consider several key points:

- What projects may not be currently feasible but, if implemented, would mitigate damage? Building a breakwater or strengthening local building codes?

- What activities not directly associated with preparedness, response and recovery actions would make the harbor safer? Activities like educational programs informing boaters of new methods and technology may be important. These low cost efforts can have significant impact on the way boaters behave.

- How does insurance play a role in harbor hazard mitigation? Check on the town's insurance policy to identify any restrictions or limitations that may be in conflict with the hazard mitigation plan. Meet with boaters and marina operators to discuss methods for speeding the claim recovery process, perhaps hold an insurance workshop.

- What level of protection do existing mooring standards provide? Perhaps a study that examines the type of moorings that are most appropriate to the harbor could be conducted. Information gathered could then be used to improve existing mooring standards. If the scope (length of chain and/or line) of the mooring is dependent on the harbor density not the level of protection it offers, perhaps the harbor could be re-organized to better serve both purposes

Methods for coordinated implementation

To successfully survive a storm, all marine interests must play a role in preparedness and the municipality must play the important role of coordinator. Experience from previous storm events shows that one boat breaking loose initiates a domino effect causing significant damage to other property and natural resources. This happens even if all the boats are fully prepared except one. Therefore, this element of the harbor plan should specify how coordination will occur.

The harbormaster should be required to interface closely with other storm planning activities happening in the municipality. Each municipality usually has a storm preparedness plan that is maintained by the Emergency Management Officer. This plan should be reviewed and relevant parts should be used in the harbor plan. Overlap and potential conflicts between the two should be evaluated and changed.

Memoranda of Agreement with appropriate Municipal Departments should be established and maintained as part of harbor hazard mitigation planning. Municipal departments will likely include fire/police, public works, transportation, sewer, planning, and building inspection departments.

Link the harbor hazard mitigation plan with the Comprehensive Land Use Plan. All municipalities should have a State approved comprehensive land use plan that provides a blueprint for future development within the municipality. If, during the writing of the harbor plan, important land use changes are identified, those suggestions should be incorporated into the comprehensive plan. The comprehensive land use plan, in conjunction with local building codes, should specify adequate building requirements for structures in high risk zones. These codes specify building standards and required equipment. During the harbor planning process, evaluate local codes in terms of their resistance to storms.

Link the harbor hazard mitigation plan with the National Flood Insurance Program (NFIP). This program, administered through the FEMA, provides primary insurance coverage for private structures in high risk areas. NFIP uses a revenue based system and collects premium fees from the owners of structures in high risk areas. This program also evaluates and maps high risk flood hazard areas. The information available through this program should be used while completing the risk assessment phase of hazard mitigation planning. Also, if, during the risk assessment and subsequent planning activities, flood plain management issues are identified, they should be brought to the attention of the local or state flood plain manager. (e.g. significant changes to shoreline evaluation because of construction that are not reflected on the flood map).

Link the harbor hazard mitigation plan with waterfront zoning. Zoning provides the map for land development along the waterfront. During the planning process identify if there are any high risk uses in high risk areas. Depending upon the seriousness of the problem, the zoning requirements may require revisions. Water zoning could also be created by mapping the areas of the harbor that are higher risk because of the fetch, depth of water or surrounding land use. Also map vulnerable areas such as wetlands and bridges. Once these areas are identified, plan vessel berthing areas and other threats accordingly. This approach will create water zoning for harbor areas according to threat or vulnerability, allowing only certain uses according to the parameters of the specific zone.

SECTION IV
THE CRMC APPROVAL PROCESS

THE CRMC APPROVAL PROCESS

A. REVIEW

When the harbor management plan and harbor ordinance have been approved by the local town council, and a letter from the town solicitor has been provided certifying that the plan is consistent with the Rhode Island Coastal Resources Management Program (RICRMP), the HMP is sent to CRMC for staff review. It is reviewed for consistency with these Guidelines, and for applicability with any existing Special Area Management Plans and the RICRMP itself. Any major discrepancies discovered during this review process may cause the plan to be returned to the respective community for reconciliation.

Following staff review, a completed report will be forwarded to the CRMC Planning and Procedures Subcommittee for review and recommendation to the full Council. The plan will be scheduled for public hearing before the entire Council at which time members of the community's Harbor Commission will be invited to attend in order to address any questions Council members may have concerning the plan. The Council will vote to approve or reject the plan, with approval generally being given for a period of five years. The Council may grant limited approval pending correction of minor discrepancies, or satisfactory completion of plan deficiencies, as may be indicated in staff review documents.

Harbor Management Plans shall be classified by the CRMC as one of two types: Interim or Final.

1. Interim Harbor Management Plans - Interim HMPs shall be those elements of approved municipal programs which, in the determination by the CRMC, are consistent with, support, or advance the goals and policies of the CRMP, but which require continuing oversight to insure that the concerns and requirements of the CRMP are met. CRMC will hold public hearings to solicit the input and concerns of interested and affected segments of the public. In granting approval, the CRMC shall set conditions concerning CRMC oversight and the manner in which the Interim HMPs may be exercised. Upon approval, primary management authority for activities managed under the Interim HMP shall be delegated to the municipality, and all applications for such activities shall be required to gain local approval, subject to the conditions and stipulations established above. The CRMC shall reserve the right to refuse delegation of any activities it feels are inappropriate for municipal governance where these activities are subject to the regulatory authority of the state. Upon approval and delegation of management authority, no separate application may be made to the CRMC for that activity. The conditions and stipulations of the delegation of management authority shall be detailed in final CRMC decisions on Interim Harbor Management Plans.

2. Final Harbor Management Plans - Final Harbor Management Plans shall be those comprehensive municipal programs which establish a management plan for the most desirable use of the harbor for recreational, commercial, conservation and other purposes consistent with the requirements of the CRMP, and which meet the following requirements:

- identify existing and potential harbor problems;

- establish goals and make recommendations for the use, development and preservation of the harbor and its resources consistent with the policies, goals and requirements of the RI Coastal Resources Management Program;
- establish an adequate management structure for implementation of the Plan;
- identify officials responsible for enforcement, and propose ordinances to implement the plan;
- include a verbatim copy of all proposed ordinances, resolutions or other documents which have been, or will be adopted to authorize and/or guide the regulation or management;
- include a certification from the legal department or solicitor of the municipality that the proposed regulations or management programs conform to the Coastal Resources Management Program and the General Laws of the State of Rhode Island;
- include, but not be limited to, provisions for the orderly, safe, equitable and efficient allocation of the harbor for boating by establishing:
    (a) the location and distribution of seasonal moorings and anchorages;
    (b) Unobstructed access sufficient to prevent the interference with the exercise of private or public rights to and around: federal navigation channels; anchorage areas and harbor facilities; riparian areas associated with waterfront properties; and shoreline public right-of-ways;
    (c) space for moorings and/or anchorages for transient vessels; and,
- provide a map prepared and stamped by a professional engineer, land surveyor or architect that designates the area of tidal water that will be affected by the Harbor Management Plan;

In addition, the following sections are suggested for inclusion in the HMP.

- boundaries designating the limits of seaward development of pierhead, bulkhead and shoreside activities, to be approved and established by the CRMC. Designation of such lines shall not be construed to abrogate or diminish the exercise of the regulatory powers of the State of Rhode Island regarding activities conducted within these areas;
- recommendations for approval and establishment by the CRMC of channels and boat basins;
- boundary lines designating the limits of areas for the location of vessels with persons living aboard, to be approved and adopted by the CRMC, with review and recommendation from the Department of Environmental Management;
- recommendations for the location of marine pump-out facilities and the designation of no discharge zones in accordance with Section 312 of the Water Quality Act of 1987.

Factors Considered in Preparation of the Plan

In preparing the plan, the municipality shall consider the following factors:

- Recreational and commercial boating;
- Recreational and commercial fisheries and shellfisheries;
- Fish and shellfish resources, including leased beds, licensed aquaculture projects, and shellfish management areas as designated by the Department of Environmental Management;
- Conservation of natural resources, including the policies, rules and regulations of the Coastal Resources Management Council and Program, the Department of Environmental Management, and the State Guide Plan;

- Areas subject to high velocity waters, including but not limited to hurricanes, wave washes or tsunamis, that are designated as V-zones on flood insurance rate maps published by the National Flood Insurance Program;
- Water dependent uses, as defined in the Coastal Resources Management Program;
- Water Quality standards, as established by the Department of Environmental Management;
- Recreational uses other than boating and fishing;
- Water dependent educational uses;
- Public access to and along the shoreline and tidal waters of the state, including the Guest Mooring Program of the Department of Environmental Management and CRMC designated public rights-of-way;
- Contiguous land uses and transportation facilities, including parking and sanitary facilities;
- The right and privilege of all citizens of the state to the use and enjoyment of the natural resources of the state with due regard for the preservation of their values.

B. APPROVAL: DELEGATION OF MANAGEMENT AUTHORITY AND IMPLEMENTATION

Upon acceptance, the CRMC shall submit to the Department of Environmental Management, the Department of Administration/Division of Planning, and the Army Corps of Engineers/New England Division all Final Harbor Management Plans for concurrent and, if applicable, separate review. The Department of Environmental Management exercises authority over the applicable elements of a harbor management plan that may impact water quality and subsequently may require water quality certification. The Department of Administration/Division of Planning, and the Army Corps of Engineers/New England Division review each plan for consistency with their authorities. If a harbor management plan requires water quality certification, such certification will be obtained outside the CRMC approval process.

Upon approval, the CRMC shall issue a determination of consistency with the RICRMP and delegate primary management authority to the municipality for activities under the jurisdiction of the Final Harbor Management Plan, subject to similar restrictions established for Interim HMPs described above. No separate application for activities subject to the jurisdiction of the Final Harbor Management Plan shall be made to the CRMC.

Upon approval of the plan, any official of the state, municipality or any other political subdivision making regulatory decisions or undertaking or sponsoring development affecting the area within the jurisdiction of the plan shall, to the maximum extent practicable or allowable by law, make such decisions or conduct such activities consistently with the recommendations and requirements of the plan, unless such official shows cause to the CRMC why a different action should be taken, or that there exists an overriding public interest in pursuing such decisions or activity.

All elements, activities, authorities and management functions contained within approved Final Harbor Management Programs, and any activities carried out under those provisions shall be considered to be acting under license from the State of Rhode Island. In no way shall this be construed to create or impart property rights, title or other rights to the municipality or individuals inconsistent with or contrary to the rights of the public in tidal waters of the state.

In all instances, the CRMC reserves the right to override local decisions in those instances where there is a probability of conflict with the CRMP or potential damage to the coastal environment and to exercise its authority under 46-23 GLRI to function as a binding arbitrator in any matter of dispute involving both the resources of the state's coastal region and the interest of two (2) or more municipalities or state agencies.

All Final Harbor Management Plans shall be reviewed by the CRMC every 5 years. All changes to approved Final Harbor Management Plans, or elements thereof, shall be submitted to the CRMC for review and approval.

APPENDICES

APPENDIX I: SCHEDULE OF MEETINGS

The following is a suggested schedule of meetings to begin the harbor planning process. It is provided as a guide to the community based on experiences from other municipalities.

1. Initial Meeting of Harbor Committee/Commission. Committee becomes familiar with the process to be used throughout the development of the harbor management plan. (Can be accomplished with or without a facilitator knowledgeable in harbor planning). Schedule the first public workshop and subsequent meetings. Public workshop should be scheduled at least 2-3 weeks in advance to allow for adequate public notice and time for articles to appear in local papers. Frequently the resource characterization/inventory is completed by this meeting.

2. First Public Workshop. Explain the harbor management planning process and results of the resource characterization to the public. Open the remainder of the meeting to public discussion of issues and definitions of the problems. Collect list of volunteers to work on issues within the HMP.

3. Harbor Committee. Discuss the first public workshop. Consolidate issues and problems identified by the public into general categories. Set up subcommittees and notify volunteers of first meeting. At least one member of the Harbor Committee should be on each subcommittee. (This meeting should occur within one-two weeks of the public workshop).

4. Subcommittee Meetings. Hand out a list of issues and general categories as identified in the public workshop. Break into groups to further discuss each issue and define specific problems and their impact on the harbor. Have harbor committee members hand out a sample format to be followed for all issue reports. For example, each report could be organized into: problem statement, discussion of problem, suggested policy statement, and recommended actions. Each issue group should schedule additional meetings to work toward completion of a report summarizing their findings and recommendations. Before the meeting adjourns, the harbor committee should establish a firm deadline for all issue reports, usually three weeks. (This meeting should occur within two weeks of the first public workshop while the results of the meeting are still relatively fresh in everyone's mind).

5. Harbor Committee Meeting. Issue reports should have been received and distributed to all members for review prior to this meeting. Review issue reports for accuracy. Policies and recommended actions should be discussed by the harbor committee at this time. Weekly meetings should be scheduled with each issue group. Ideally, a rough first draft incorporating the issue reports and initial thoughts on policies and recommended actions should be drafted and distributed to subcommittee members and issue group representatives before the weekly meetings. (Draft #1 should be sent out at least 1-2 weeks before the weekly issue meetings)

6. Weekly Meetings to Discuss Issues. Review issue section of HMP with issue group representatives to reach consensus on issue statement. Discuss policies and recommended actions. (Schedule one meeting per week for each issue. Meeting should not last more than 2 hours. If there is a particularly lengthy issue schedule two consecutive meetings)

7. Revise Plan Based on Meetings. Change the plan as agreed upon by the Harbor Committee. Circulate drafts to all members and representatives from issue groups. (Draft #2)

8. Draft Ordinance. An ordinance should be drafted based upon the policies and recommended actions of the HMP. Once drafted, meetings should be scheduled with the Town Solicitor to ensure that the ordinance is consistent with Town, State, and Federal Laws.

9. Summary Discussion and Wrap Up. Invite issue group representatives. Make revisions as necessary. (Draft #3)

10. Hold Town Council Work Session. Mail draft #3 to town council for their review at least two weeks prior to work session. Meet informally with town council to discuss the content of the HMP. In particular, policies and recommended actions and the proposed ordinance should be reviewed. Make revisions as necessary. (Draft #4)

11. Public Workshop #2. Draft #4 should be made available for public comment at least two weeks prior to the workshop. Review process and take public comments. Provided there are no major problems, vote to adopt plan and forward to town council. Make revisions if necessary. (Draft #5)

12. Town Council Review and Adoption of Plan and Ordinance. Schedule public hearings for adoption of the ordinance and plan. Once plan and ordinance are adopted by the town, send copies to CRMC for final approval. (The town council adoption process generally takes up to two months because of open meeting laws. Two meetings each requiring 2-3 week advance notice.)

APPENDIX II: SAMPLE IMPLEMENTATION PLAN

Each harbor management plan should incorporate an IMPLEMENTATION PLAN that provides a means of ensuring that goals and recommendations are included in the Town's planning process. The Implementation Plan takes major recommendations from the HMP and:

1. Assigns responsibility within local government for each action;
2. Sets a general schedule for accomplishing each action;
3. Suggests applicable new ordinances or regulations, new town administrative services, and estimated costs involved.

RECOMMENDED ACTIONS shall be supported with the following data:

1. Action - Recommended implementation action;

2. Reference - HMP page number, Section, Sub-section, etc;

3. Responsibility - The agency, board or commission which is responsible for implementing the action and reporting on progress and completion schedule;

4. Time Line - Estimated number of weeks, months, or years to complete the action;

5. Cost - Estimate of the approximate cost to complete the action.

Implementation Plan Example:

Action: Construct public launching ramp on Town property at Smith Street; Dredge the ramp site to allow launching of deep draft boats.

Reference: Harbor Management Plan, Page 24, Section III, Subsection 1

Responsibility: Harbor Commission/Harbormaster, Planning and Engineering offices

Timing: Dredging commences January 1994; ramp construction by September 1994

Costs: Dredging - $25,000; Ramp and Parking - $100,000

APPENDIX III: MODEL HARBOR ORDINANCE

TOWN OF SALTY ACRES, RHODE ISLAND

AN ORDINANCE FOR THE TOWN OF SALTY ACRES COASTAL WATERS AND HARBOR AREAS

Chapter Xx. Harbors and Vessels Code

ARTICLE 1. GOALS OF THE ORDINANCE
ARTICLE 2. DEFINITIONS
ARTICLE 3. JURISDICTION AND AUTHORITY
ARTICLE 4. HARBOR REGULATIONS
ARTICLE 5. MOORING REGULATIONS
ARTICLE 6. FEES AND PENALTIES
ARTICLE 7. HARBOR MANAGEMENT FUND
ARTICLE 8. LIABILITY
ARTICLE 9. SEVERABILITY
ARTICLE 10. EFFECTIVE DATE

ARTICLE 1. GOALS OF THE ORDINANCE

Section 1. Manage the coastal waters and harbor areas of the Town of Salty Acres, as described herein and hereafter referred to as the Town, by establishing regulations that balance and manage the diverse uses of the waters, harbor areas, and waterfront and to minimize user conflicts.

Section 2. Provide a mechanism to ensure the administration and operational costs of this ordinance and the Harbor Management Plan are shared by the Town of Salty Acres, private and commercial mooring owners, and other groups or individuals as may be identified by the Harbor Management Commission, described herein.

Section 3. Maintain, improve, and develop public access opportunities to the coastal waters of the Town of Salty Acres for the benefit of all user groups.

Section 4. Remain consistent with the goals and regulations of the Rhode Island Coastal Resources Management Council, the Rhode Island Department of Environmental Management, the State Guide Plan, and the United States Army Corps of Engineers.

Section 5. Maintain compliance with the Town of Salty Acres Comprehensive Community Plan.

ARTICLE 2. DEFINITIONS (These are town-defined and specific)

ABODE	MOORING TACKLE
ANCHORING	NON-RESIDENT
CHANNEL	NON-WATER-DEPENDENT USE
COMMERCIAL MOORING	NON-WATER-RELATED USE
FAIRWAY	PERSON
HARBOR MGMT COMMITTEE	QUALIFIED INSPECTOR
HARBORMASTER	RECREATIONAL BOATING FACILITY
LAUNCHING RAMP	RESIDENT
MARINA	RESTRICTED AREA
MEAN HIGH WATER	RIGHT-OF-WAY
MOOR	VESSELS
MOORING	WATER-DEPENDENT USE
MOORING ASSIGNMENT COMM.	WATER-RELATED USE

ARTICLE 3. JURISDICTION AND AUTHORITY

Section 1. Jurisdiction. The coastal waters and harbor areas of the Town of Salty Acres included under the jurisdiction and authority of this ordinance are those coastal waters and harbor areas within the jurisdiction of the corporate boundaries of the Town of Salty Acres as they pertain to the Thames River, the Gulf of Oman, Bluff Hill Cove, the Rio Grande, and all other coastal waters and harbor areas not otherwise named within this jurisdiction.

Section 2. The Harbor Commission. The Harbor Commission shall be the local regulatory body authorized to regulate the coastal waters and harbor areas of the Town through the implementation of the Harbor Management Plan and subsequent ordinances. The Harbor Commission shall enforce the provisions and ordinances of the Harbor Management Plan as well as adopt additional policies, rules and regulations for the implementation of the Harbor Management Plan and subsequent ordinances and perform all acts necessary and con-consistent with the Harbor Management Plan and such ordinances, subject to the approval of the Town Council and the Coastal Resources Management Council.

(a) Composition. The Harbor Commission shall consist of ___ ( ) members, with representation from each of the following groups: recreational boating community; commercial fishing industry; marina and/or boatyard operators; environmental groups; public access interests; inland representation; and one citizen at large; etc...

(b) Appointments. Members shall be appointed by the _____ for terms consisting of _ years. Initial appointments shall be staggered.

(c) Vacancies. Vacancies shall be filled as necessary and in accordance with the initial appointment.

(d) Officers. A Chairman, Vice Chairman, and secretary shall be elected by the members of the commission. Meetings shall be called by the Chairman or at the request of at least

___ ( ) members of the commission. The secretary shall keep minutes of all meetings and file such minutes with the Town Clerk in accordance with established procedures and the Administrative Procedures Act..

(e) Powers and Duties. The Harbor Commission shall be the local regulatory body authorized to regulate the coastal waters and harbor areas of the Town through the implementation of the Harbor Management Plan and its subsequent ordinances. The Harbor Commission shall adopt rules of procedure and operation for its meetings and is authorized to:

(1) Recommend to the Town Council the adoption of rules, regulations fees, penalties, and other amendments to the Harbor Management Plan and its subsequent ordinances which may be necessary to fulfill the goals and objectives of the Harbor Management Plan and meet the requirements of the its ordinances;

(2) Create additional authorities and duties for the Harbormaster, herein detailed, with the approval of the Town Council;

(3) Assist in the preparation of an annual budget in accordance with the provisions of the Town to expend monies in the Harbor Management Fund;

(4) Act as a board of appeals, sitting with the Town Council, to hear any person aggrieved by any decision of the Harbor Commission and/or harbor- master(s) in their enforcement and implementation of this ordinance;

(5) Review and revise as necessary the Harbor Management Plan and its subsequent ordinances for Town Council and Coastal Resources Management Council approval. The Harbor Management Plan and its ordinances shall be reviewed and revised at least once every five (5) years;

(f) Ex-Officio Members.

(1) The Harbormaster shall be a non-voting, ex-officio member of the Harbor Commission.

(2) To enable to Harbor Commission to coordinate issues of mutual concern between adjacent coastal municipalities, there may be one non-voting, ex-officio member from the _____ Harbor Commission and the _____ Harbor Commission.

(g) Compensation. Harbor Commission members may be compensated for any normal expenses incurred in the performance of their duties.

Section 3. Harbormaster.

(a) There shall be a Harbormaster for the Town who shall be appointed by the Town Council and who shall serve at the pleasure of the Town Council. The Harbormaster shall report to the Harbor Commission and have the following duties:

(1) Be responsible for the administration and enforcement of the provisions of the Harbor Management Plan and its ordinances;

(2) Process applications for the issuance of mooring permits and assign proper placements of moorings in accordance with this ordinance;

(3) Keep proper records of all mooring application information, including the locations of moorings, mooring owners and vessel usage of mooring, type of vessels using mooring, etc...

(4) Prepare, keep current, and make available a waiting list for mooring permits in accordance with the provisions of this ordinance if the demand for available mooring permits is greater than the number of available mooring locations in any given year;

(5) Inspect mooring tackle in accordance with the provisions of this ordinance;

(6) Carry out all other powers and duties authorized to the harbor- master under various state and federal marine laws, including but not limited to Marine Sanitation Device (MSD) inspection and discharge responsibilities afforded through the U.S. Coast Guard, MARPOL ANNEX V, Section 312 of the Clean Water Act, Title 46-22 of the General Laws of Rhode Island, and future laws yet to be enacted.

(b) Assistant Harbormaster(s). Assistant harbormaster(s) for the Town may be appointed by the Town Council and shall serve at the pleasure of the Town Council. Assistant harbormaster(s) shall report directly to the harbor- master and are authorized with the same duties as the harbormaster, under the direction of the harbormaster.

(c) Compensation and Budget. The harbormaster and assistant harbor- master(s) shall receive an annual salary. The harbormaster is responsible for the day-to-day administration of a harbor management budget, with Harbor Commission authorization. The harbormaster and assistant harbormaster(s) salaries shall be determined by the Harbor Commission and included in a harbor management budget prepared annually by the Harbor Commission for Town Council approval.

ARTICLE 4. HARBOR REGULATIONS

Section 1. Vessel Speed. The operation of any vessel within the coastal waters and harbor areas of the Town of Salty Acres shall proceed in a manner which protects all persons and property from damage from waves, wake, and operation. Operators of vessels within the coastal waters and harbor areas of the Town of Salty Acres shall comply with state regulations on vessel speeds and wake which establishes a maximum speed for vessels at five (5) miles per hour, no wake (GLRI 46-22-9).

Section 2. Vessel Speed Zones. The Town hereby designates the following vessel speed zones, to be established and marked immediately by Town Council petition to the Rhode Island Department of Environmental Management Division of Boating Safety:

(a) Federal Navigation Channels: Vessel speed shall not exceed ____ miles per hour in any Federal Navigation Channel located within the area of jurisdiction of this ordinance.

(b) Navigation Fairways: Vessel speed shall not exceed five (5) miles per hour nor create wake in any navigation fairway as established and described herein.

(c) Mooring Fields: Vessel speed shall not exceed five (5) miles per hour nor create wake in any mooring field as established and described herein.

Section 3. Vessel Operations. Vessels used alone or in engaged in activities including, but not limited to, water skiing, jet skiing, para-gliding, and other like uses are not allowed within 200 feet of any swimming area, mooring area, shoreside facility, Rights-of-Way ingress and egress point, launching ramp, federal navigation channel, nor navigation fairway. Vessels used in these manners are allowed within 200 feet of shoreside facilities when the sole purpose is to begin or end such activity.

Section 4. Navigation Fairways. Navigation fairways are hereby designated within the following parameters, to be forwarded to the Coastal Resources Management Council for U. S. Coast Guard establishment:

(a) Bluff Hill Cove: Beginning adjacent to the eastern side of the Dismal Island Bridge, the fairway runs generally east for approximately 500 yards and ends 100 yards south of Thomas Point, at a width of 75 feet.

(b) Cabot Cove: Beginning at the terminus of the breakwater, the fairway runs due east for approximately 1000 yards and ends 100 feet west of the Town Dock, at a width of 100 feet.

Section 5. Obstruction of Channels, Fairways, and Berthing Space. No vessel shall be moored or anchored so as to interfere with the free and unobstructed use of channels, fairways, or berthing spaces within the areas under Town jurisdiction as detailed in ARTICLE 3 of this Ordinance.

Section 6. Swimming. Swimming is prohibited in all federal navigation channels, navigation fairways, mooring fields, and transient anchorage areas.

Section 7. Fishing. Fishing and shellfishing is prohibited in all federal navigation channels, navigation fairways, and mooring fields. The placement of lobster pots, pot floats and fish nets is also prohibited in all federal navigation channels, navigation fairways, and mooring fields.

Section 8. Use of Vessels as Abodes. In accordance with the RI Coastal Resources Management Program, Section 300.5, houseboats or floating businesses are prohibited from mooring or anchoring unless within the boundaries of a marina. Houseboats or floating businesses shall tie into pumpout facilities.

Section 9. Boat Sewage Waste. The disposal of untreated boat sewage wastes by any means into the coastal waters of the Town is prohibited.

Section 10. Marine Debris. The discharge of any waste, garbage, refuse, petroleum product or by-product, paint, varnish, dead animals, fish, bait, or any other debris is prohibited under this ordinance.

Section 11. Towing and Moving of Vessels. If any vessel berthed, moored, or anchored in the coastal waters of the Town is found to be in violation of any provision of this ordinance, the harbormaster is directed to move, relocate, or tow such vessel. In addition to any fines such violation may incur, a fee of **$$\_\_\_$$** shall be collected from the vessel owner for such harbormaster action. This fee shall be set by the Town Council annually, upon recommendation from the Harbor Commission.

Section 12. Rafting. Vessels may raft on a single mooring when such activity does not interfere with the proper functioning of adjacent moorings or vessel anchorages. Vessels at raft shall be manned at all times.

Section 13. Abandoned Vessels and Structures.

(a) Upon determination of the harbormaster, the harbormaster may take custody and control of abandoned vessels and structures located in the coastal waters and harbor areas of the Town and remove, store, or otherwise dispose of such vessel or structure at the expense and sole risk of the owner of the abandoned vessel or structure. Reasonable notice of such removal, storage, or disposal shall be publicly advertised.

(b) The harbormaster shall assume all of the duties and powers of the Commissioner of Wrecks and Shipwrecked Goods as detailed in the General Laws of Rhode Island, Title 46 Chapter 10 Sections 1 through 13.

Section 14. Special Events. The Harbor Commission, with approval from the Town Council, may authorize in accordance with all appropriate state and federal guidelines, certain special events, such as swimming races, regattas, marine parades, or other marine and maritime activities that may from time to time be held on or in the coastal waters and harbor areas under the jurisdiction of the Town.

Section 15. Boat Standards. Every vessel entering the coastal waters and harbor areas of the Town of Salty Acres shall be equipped as required by Title 46-22 of the General Laws of Rhode Island, as amended, and all similar federal laws, rules and regulations. Consistent with Title 46-22 of the General Laws of Rhode Island, as amended, the harbormaster shall have the authority to enforce all provisions of Title 46-22.

Section 16. Right-of-Ways to the Water.

(a) No person shall block, barricade or in any way impede the public use of or access to designated public rights-of-way to the water as defined by the Coastal Resources Management Council or the Town of Salty Acres.

(b) No person shall store a vessel, vehicle or structure on a designated public right-of-way to the water as defined by the Coastal Resources Management Council or the Town of Salty Acres.

(c) Any person in violation of this section of the Ordinance shall be subject to a fine in accordance with ARTICLE 6 Section __ of this Ordinance.

Section 17. Transient Anchoring and Anchorages.

(a) A vessel may anchor on its own anchor in the coastal waters and harbor areas of the Town except in federal navigation channels, navigation fairways, mooring fields, swimming areas, rights-of-way ingress and egress areas, and launching ramp areas, for a period not to exceed ____ hours. Written consent of the harbormaster is required for extended visits of more than ___ hours. No vessel anchored under such conditions shall be left unattended. Owners and/or operators of such vessels may go ashore, but must be available to tend the vessel in the event of heavy weather. It shall be the vessel owner's and/or operator's responsibility to remain clear of all moored vessels, and other structures.

(b) Transient Anchorages. The following areas are established for use as transient anchorage areas:

Bluff Hill Cove: From point ____ to point ___ to point ____.

Cabot Cove: From point ___ to point ___ to point ____.

Section 18. Failure to Stop. It shall be a violation of this ordinance for any person to refuse to move or stop on oral command or order of the harbormaster or assistant harbormaster(s) operating from a patrol boat identified as such and exercising the duties lawfully assigned to him.

ARTICLE 5. MOORING REGULATIONS

Section 1. Permitting.

(a) No mooring shall be located in the coastal waters and harbor areas of the Town of Salty Acres until a permit has been issued for the use of such mooring by the Harbor Commission. No mooring shall be located nor shall be maintained unless the mooring owner has received a valid mooring permit issued by the Harbor Commission for the mooring and that the mooring conforms to the specifications and standards set forth in this ordinance and permit.

(b) Request for a New Mooring Permit. To be eligible for a new mooring permit, an applicant must own a boat for which a mooring permit is being sought, or be a commercial mooring operator. All requests for new mooring permits shall be submitted to the Harbor Commission on the application forms provided by the Harbor Commission by _____ of each year. Mooring permit applications are available at the Town Clerk's office. An application shall be accompanied by the appropriate fee and shall be received by _____in the offices of the Harbor Commission. A complete and accurate mooring

permit application must be provided before the Harbor Commission can act to approve or deny such application. The Harbor Commission shall determine if a new mooring permit can be issued only after all provisions of the Harbor Management Plan and this ordinance are met.

If the Harbor Commission issues a mooring permit, the mooring owner for which such permit has been issued must locate the mooring at the direction of the harbormaster or assistant harbormaster(s) in accordance with the Harbor Management Plan and this ordinance.

(c) Permit Renewals. Applications for renewal of a valid mooring permit shall be submitted to the Harbor Commission on the application forms provided by the Harbor Commission by _____ of each year. An application shall be accompanied by the appropriate fee and shall be received by _____ in the offices of the Harbor Commission. Failure to submit a complete and accurate application by _____ shall result in the loss of mooring space.

The Harbor Commission shall mail the application forms by _____ of each year to those persons who held valid mooring permits at the end of the previous calendar year, to the address listed on their last mooring permit. It shall be the responsibility of the mooring permit holder to notify the Harbor Commission of any change in address.

The Harbor Commission shall approve or reject mooring permit applications by _____.

(d) Relocation of Existing Permitted Mooring. All requests for relocation of existing permitted moorings must be submitted to the Harbor Commission. Information for such a request must meet the requirements listed for a mooring permit application, as well as show proof of a valid mooring permit issued for the previous year. The reasons for a mooring relocation must also accompany the request. Based upon availability of space, the requirements of the ordinance, and the type and size characteristics of vessel, action will be taken on the request. Any requests received by the Harbor Commission that is not complete shall be returned to the applicant and no action will be taken on the request.

(e) Failure to Renew an Existing Valid Mooring Permit. Failure to renew an existing valid mooring permit in accordance with the provisions of this Ordinance by _____ of any given year shall result in the permitted owner's abandonment of all his privileges and interests in the previously permitted mooring space. The harbormaster, under direction from the Harbor Commission, may remove the now abandoned mooring at the permitted owner's expense. Such expenses may in turn be recovered by the Town, in accordance with any provision of this Ordinance.

(f) Forfeiture of Mooring Space. Any owner of a mooring located in the coastal waters and harbor areas of the Town shall be deemed to have forfeited his mooring space by reason of the following:

(1) Failure to comply with any of the requirements of this Ordinance;

(2) Removal of mooring and mooring tackle by mooring owner and notification to the harbormaster and/or Harbor Commission that the mooring has been removed;

(3) Failure to respond to the harbormaster's and/or Harbor Commission's notice that the mooring does not comply with the mooring tackle standards herein after set forth, or that the mooring has been displaced or moved from its permitted location.

(4) Failure to resurface or replace mooring within sixty (60) days after being advised by the harbormaster that the mooring is down.

(g) Available Spaces. As of _____ of each year, the Harbor Commission shall determine the number of mooring spaces available for moorings placement as the sum of all authorized mooring spaces minus the totals of all not completed/not acceptable mooring permit renewal applications [Article 5, Section 1(c)], not renewed mooring permits [Article 5, Section 1(e)], and forfeited mooring space [Article 5, Section 1(f)]. These available mooring spaces shall be made available to those persons whose names appear on the waiting list.

(h) Waiting List. The Harbor Commission shall maintain a waiting list of all applications for private and commercial mooring permit requests when no mooring space is available within the coastal waters and harbor areas of the Town. Placement of applications on such a waiting list will be recorded from complete mooring permit applications as they are received by the Harbor Commission. The Harbor Commission shall update the waiting list twice a year and make the waiting list available for public review at all times.

(I) Occupancy of Mooring.

(1) No vessel shall occupy a mooring other than the one for which it has been permitted. The harbormaster shall have the authority to move any vessel violating the provisions of this section, with such movement at the expense and risk of the vessel owner.

(2) The harbormaster may permit the temporary use of a mooring by another vessel upon written request by the permitted mooring owner.

Section 2. (a) Mooring Permit Application Requirements. The following requirements are set for applications for mooring permits:

(1) Private Moorings. All applications for private mooring permits shall contain the following information:

a. Name, Address and Telephone (home and office) of owner;

b. Vessel Name, Registration Number, Length (ft), Width (ft), Draft (ft), Type, and Color;

c. Number of Sleeping Berths, if any, and Type of Marine Sanitation Device (MSD), if any;

d. Mooring Classification, Actual mooring weight;

e. Appropriate registration fee;

f. Area(s) where applicant would like to locate mooring, prioritized.

(2) Commercial Moorings. Commercial moorings shall only be permitted in approved mooring fields as designated within the Harbor Management Plan and Ordinance. All applications for commercial mooring permits shall contain the following information;

a. Name of Business, Owner's Name, Address and Business Telephone;

b. Name, Address, and Telephone of Business Manager, if different from applicant;

c. Number of Moorings requested;

d. Mooring Field in which mooring(s) would be located;

e. Compliance with Section 300.4.E.1(a) & (b) of the Rhode Island Coastal Resources Management Program (RI CRMP) as they relate to the provisions of sanitary facilities and parking requirements.

(b) Additional Requirements for Commercial Mooring Permits.

(1) Commercial mooring permit holders must submit to the Harbor Commission within receiving such a permit a breakdown by mooring with the following information:

a. Vessel Name, Registration Number, Length (ft), Breadth (ft), Draft (ft), Type, and Color;

b. Number of Sleeping Berths, if any, and Type of MSD, if any;

c. Mooring Classification, Actual mooring weight;

(2) Upon initial submission of the above information to the Harbor Commission, each commercial mooring permit holder must submit an annual report with the information required in Article 5, Section 2(b)(1) (above) and shall prepare and submit a plan that details the use and layout of those commercial moorings permitted within a Town mooring field by April 1 of each year.

Section 3. Numbering.

(a) Each mooring located in the coastal waters and harbor areas of the Town of Salty Acres, once permitted, shall be assigned a number by the Harbor Commission. The number will be displayed in contrasting color in two places on each mooring buoy or pick-up float in block letters at least _____ inches in height.

(b) Any mooring not displaying a mooring registration number will be considered a not permitted mooring. Not permitted moorings, and any vessels attached thereto, will be removed in accordance with any provisions of this Ordinance.

Section 4. Moorings Records. The Harbor Commission and harbormaster shall keep a detailed record of all moorings, both private and commercial, their location, along with the owner's name, home (and business, if applicable) address, telephone number(s), mooring permit number, date mooring was set, last mooring inspection date, and vessel data as detailed above at Article 5, Section 2(a) and (b). The Harbor Commission and harbormaster may keep separate or combined private and/or commercial mooring records, in accordance with this provision.

Section 5. Permit Ratios. There shall be a permit ratio for all moorings in the Town of 35 percent commercial and 65 percent private. Mooring permits associated with residential waterfront property owners are not to be included in this ratio.

Section 6. Moorings Associated with Residential Waterfront Properties. Moorings owned by persons who own residential waterfront property are allowed to be placed in the coastal waters and harbors areas of the Town in those waters immediately adjacent to the upland residential waterfront property. The mooring owner must comply with all mooring permit application requirements and receive a mooring permit from the Town as described herein, and the mooring must meet all mooring tackle standards and inspections as described hereinafter, before such placement will be permitted. One (1) such mooring is allowed to be placed in these areas by residential waterfront property owners.

Section 7. Transfer of Moorings. Mooring permits cannot be transferred from person to person.

Section 8. Mooring Fields.

(a) No mooring shall be located or placed within the coastal waters and harbor areas of the Town of Salty Acres without a valid mooring permit issued by the Harbor Commission and without having the mooring inspected as detailed herein and approved by the harbormaster. The harbormaster must direct the placement of the mooring.

(b) No vessel so moored or anchored shall extend beyond the designated mooring field boundaries, as detailed herein.

(c) All designated mooring fields sited within the coastal waters and harbor areas of the Town shall be setback a minimum distance of:

(1) 100 feet from the Mean High Water mark of the shore to accommodate the placements of moorings associated with residential waterfront property owners; and,

(2) 50 feet from all federal navigation channels, navigation fairways, Right-of-Way fairways, shellfish management areas, and shoreside structures such as, but not limited to, docks and piers.

(d) Mooring Field Designations. Certain waters of the Town of Salty Acres shall be designated as mooring fields. Those waters herein designated are authorized for the placements of permitted moorings as detailed within this Ordinance. They are located in accordance with all policies of the Town of Salty Acres' *Harbor Management Plan*, and the policies and requirements of the Coastal Resources Management Council's *Guidelines for the Development of Municipal Harbor Management Plans*. Any revisions to the size, and/or location of these mooring field designations shall require Town Council approval. Once Town Council approval is obtained, approval for the revisions from the Coastal Resources Management Council shall also be obtained. Once approval has been obtained from the CRMC, the revisions may take place.

The following mooring field designations are herein described and designated and are plotted on Map A1 and A2, Appendix A:

Mooring Field A: In Salty Acre Harbor, Mooring Field A begins at a point 100 feet east of Narragansett Avenue (RI State Plane Coordinate 42356), parallels the shore at a 100 foot distance from MHW north to a point 100 feet east of North Shore Road (RI SPC 42556), turns east until a point 50 feet west of the federal navigation channel (RI SPC 42589), and parallels the federal navigation channel south to a point 50 feet west of the federal navigation channel and 1000 feet east of Narragansett Avenue (RI SPC 42389).

Mooring Field B: In Salty Acre Harbor, Mooring Field B begins at a point 100 feet west of Walnut Road (RI SPC 42399), parallels the shore at a 100 foot distance from MHW north to a point 100 feet west of Birch Street (RI SPC 42599), turns west until a point 50 feet east of the federal navigation channel (RI SPC 42590), and parallels the federal navigation channel south to a point 50 feet west of the federal navigation channel and 1000 feet west of Walnut Road (RI SPC 42390).

Mooring Field C: In Bluff Hill Cove, Mooring Field C begins at a point 100 feet north of the State Pier Docks #2 at the east entrance of Marine Drive (RI SPC 42112), parallels the docks with a 100 foot setback buffer west to a point 50 feet from Can 17 at the federal navigation channel (RI SPC 42001), turns north along the federal navigation channel with a 50 foot buffer setback for 500 feet to Can 19 (RI SPC 42301), turns east and parallels the State Pier Docks #1 with a 100 foot setback buffer to a point 100 feet south of the easternmost State Pier #1 Docks (RI SPC 42312), then connecting RI SPC 42112 with RI SPC 42312.

Section 9. Mooring Tackle Specifications. (Refer to Appendix VI for specific mooring tackle recommendations.) All tackle shall meet the following minimum standards:

(1) The maximum length of the pennant should be two and one-half times the distance from the bow chock to the water plus the distance from the bow chock to the mooring cleat or post.

(2) All pennant lines running through a chock or any other object where chafing may occur should have adequate chafe guards.

(3) The total scope of the chain should be two and one-half time the depth of the water at high tide. The bottom and top chain should each consist of approximately 50 percent of the scope.

(4) All shackles, swivels, and other hardware used in the mooring hookup should be proportional in size to the chain used.

(5) All shackles should be properly sized.

(6) The pennant should be spliced or shackled into the bitter end of the top chain below the buoy so the strain is not carried by the buoy. The use of a second pennant and anchor in heavy weather is encouraged.

(7) Only mushroom and/or concrete anchors will be acceptable on permanent moorings.

(8) The minimum distance between any two moored vessels should be 1.25 times the total mooring scope plus the length of the larger vessel.

(b) The harbormaster may approve informal variances to mooring tackle specifications other than those minimum standards described herein for specific cases if such specifications are appropriate for the area in which a mooring will be located. The harbormaster must file such variances with the Harbor Commission.

Section 10. Inspections.

(a) All new moorings in the coastal waters and harbor areas of the Town must have the chain, tackle, and anchor inspected by the harbormaster or his designee prior to setting the mooring.

(b) Every permit holder shall be required to maintain his mooring in safe condition. Any chain, shackle, swivel, or other tackle which has become warped or worn by one-third its normal diameter shall be replaced. Failure to maintain a safe mooring shall be cause for revocation of the mooring permit and shall be deemed a violation of this Ordinance. The harbormaster or his designee may inspect any moorings at any time to determine compliance with this section.

(c) All moorings shall be inspected once every _____ years and the results of such inspection shall be reported to the Harbor Commission. Mooring inspections shall be performed by a qualified inspector. The inspection shall be made by either raising the mooring or by underwater inspection. Such inspection shall determine compliance with the mooring and mooring tackle standards of this Ordinance. Any mooring or component of a mooring reported not in compliance with this Ordinance shall be replaced within thirty (30 days of such notice. Any mooring washed ashore during a storm shall be inspected by the harbormaster or his designee before it is reset. All costs of any mooring inspection required under the provisions of this Ordinance shall be the responsibility of the mooring owner.

(d) Within forty-five (45) days after a mooring and/or its mooring tackle has been reported to violate any requirements of this Ordinance, a second mooring inspection must be completed to determine if the violation has been corrected and meets the standards detailed in this Ordinance. The results of such second mooring inspection must be reported to the Harbor Commission. Failure to correct the violation shall cause the mooring to be deemed not safe and shall be cause for the revocation of the mooring permit, a violation of the Ordinance, and subject to the removal of the mooring from the coastal waters and harbor areas of the Town in accordance with any provision of this Ordinance at the risk and expense of the mooring owner.

(e) Qualified Inspectors.

(1) The Harbor Commission shall develop and set standards for the requirements and qualifications of mooring inspectors. The Harbor Commission may designate as many inspectors as it feels are necessary. Minimum requirements for mooring inspectors that the Harbor Commission shall consider are that an inspector must hold certificate as a certified SCUBA diver, and that all mooring inspectors are familiar with the minimum mooring and mooring tackle specifications of this Ordinance.

(2) The Harbor Commission shall make available an application form for which potential mooring inspectors may complete to be considered a designated mooring inspector. The application shall be filed with the Harbor Commission with the appropriate fee. The Harbor Commission shall determine if such applications meet the requirements to be a qualified mooring inspector for the Town and shall so designate the applicant as a qualified mooring inspector able to carry the certain provisions of this Ordinance for which such activity is allowable. Qualified mooring inspectors must reapply by _____ of each year.

(3) The Harbor Commission shall keep a list of all qualified mooring inspectors and shall make this list available to all mooring permit holders.

ARTICLE 6. FEES AND PENALTIES

Section 1. Fees.

(a) All applications for mooring permits shall be accompanied by the appropriate fee. All such fees are non-refundable. These fees shall be set annually by the Harbor Commission and shall be approved as part of the Harbor Commission's budget submittal to the Town Council. At no time shall the fee collected by the Harbor Commission from an mooring permit applicant be less than the following:

Commercial	$ 100.00
Private/Non-Residential	$ 50.00
Private/Residential	$ 25.00

(b) All applications for qualified mooring inspectors shall be accompanied by a fifty ($50) dollar fee.

Section 2. Penalties.

(a) Any violation of this Ordinance or any violation of the Town of Salty Acres *Harbor Management Plan* shall be punishable by a fine not to exceed one hundred ($100.00) for each violation or by imprison- maned not exceeding _____ days. Each day the violation exists shall be deemed a new violation. Violation of this Ordinance may result in the loss of boating and/or mooring privileges for a period of up to _____ years.

(b) It shall be a misdemeanor punishable by a fine of not more than one hundred ($100.00) dollars for any person to refuse to move or stop on oral command or order of the harbormaster or his designee exercising the duties lawfully assigned to him.

ARTICLE 7. HARBOR MANAGEMENT FUND

Section 1. Creation. A harbor management fund is hereby created to receive and expend monies for harbor-related purposes as determined by the Harbor Commission. All revenues generated by town boat launching fees, mooring permit fees, qualified mooring inspectors, other fees of this ordinance, and fines levied under the authority of this ordinance shall be deposited into this fund. Funds shall be dispersed for purposes directly associated with the management and implementation of the Town of Salty Acres Harbor Management Plan and this ordinance. Monies from this fund should be allocated to the harbormaster and/or his designee for the purpose of enforcing the provisions of the Town of Salty Acres Harbor Management Plan and/or this ordinance. The harbor management fund shall be established, budgeted and administered in a manner consistent with the procedures of the Town of Salty Acres.

ARTICLE 8. LIABILITY

Section 1. Persons using the coastal waters and harbor areas of the Town of Salty Acres shall assume all risk of personal injury and damage or loss to their property. The Town of Salty Acres assumes no risk on account of accident, fire, theft, vandalism or acts of God.

ARTICLE 9. SEVERABILITY

Section 1. If any provisions of this ordinance are held invalid or in-operative, the remainder shall continue in full force and effect as though such invalid or inoperative provisions had not been made.

ARTICLE 10. EFFECTIVE DATE

Section 1. This ordinance shall take effect upon its passage.

APPENDIX IV: STATE OF RHODE ISLAND CONTACT SOURCES FOR FURTHER INFORMATION

Coastal Resources Management Council Stedman Government Center 4808 Tower Hill Road Wakefield, RI 02879 222-2476	R.I. Department of Environmental Management, Water Resources 235 Promenade St. Providence, RI 222-3961
The University of Rhode Island Coastal Resources Center Marine Resources Building Narragansett Bay Campus Narragansett, RI 02882 874-6224	R.I. Department of Environmental Management, Boating Registration 235 Promenade St. Providence, RI 222-6647
R.I. Department of Administration, Division of Planning 265 Melrose St. Providence, RI 02907 222-2656	R.I. Harbormasters Assn. Dan Leahy, Secretary 15 Garfield Ave. Rumford, RI 02916

Appendix V: SAMPLE MOORING PERMIT APPLICATION

APPLICATION FOR 19__ MOORING SPACE PERMIT

1. Applicant's Name:_____ Date:_____

2. Address:_____

3. Telephone: Home:_____ Office:_____

4. Name of Vessel:_____

    a. Length:_____

    b. Beam:_____

    c. Draft:_____

    d. Power/Sail:_____

    e. Type of MSD:_____

5. Vessel Registration Number and State of Issue:_____

Provide photocopy of all registration forms to include vessel documentation certificate if applicable. Applications sent without copies of current registration or documentation will be returned unapproved. NAME APPEARING ON MOORING PERMIT MUST BE THE SAME AS THAT APPEARING ON VESSEL REGISTRATION OR DOCUMENTATION FORMS.

6. Mooring Tackle:

    a. Mushroom anchor weight:_____

    b. Chain size and length:_____

    c. Date of last inspection:_____

    d. Name and address of certified mooring inspector:
    _____

    _____

DO NOT LEAVE THIS SECTION BLANK. DO NOT WRITE "SAME AS LAST YEAR". THIS INFORMATION IS REQUIRED FOR MOORING PERMIT ISSUE.

SAMPLE MOORING APPLICATION
PAGE 2

A COPY OF THE DIVER'S CERTIFICATE OR OTHER CERTIFICATION OF INSPECTION ATTESTING TO THE RELIABILITY AND SERVICEABILITY OF THE MOORING TACKLE **MUST** ACCOMPANY THE PERMIT APPLICATION.

7. No-Discharge Policy Statement.

The Town of _____ prohibits the discharge of any sewage or pollutants whatsoever into the waters under its jurisdiction. Every mooring permittee shall be expected to abide by this policy which will be strictly enforced. PLEASE READ AND SIGN THE FOLLOWING CERTIFICATION STATEMENT.

"I am aware that the Town of _____ prohibits the discharge of any sewage or pollutants whatsoever into the waters under its jurisdiction. I will ensure that my guests and myself will not discharge sewage or other pollutants into the waters of the Town. I grant permission to the Harbormaster or his designated assistant(s) to board my vessel and/or my guests vessel to inspect marine sanitation devices (MSDs) for proper operation and compliance with applicable U.S.C.G. requirements. I understand that any non-compliance with the above is cause for revocation of mooring permit."

_____ _____
Signature Date

8. Guest Mooring Policy.

Private mooring holders have the right to have guest vessels use their mooring. The permit holder is responsible for the guest(s) vessel, its actions while the guest is utilizing the mooring, and for the safe use of the mooring and its tackle. All such guest use of a mooring must be filed with the Harbormaster as soon as possible.

PRIVATE MOORINGS CANNOT BE RENTED OUT. VIOLATION OF THIS POLICY WILL RESULT IN LOSS OF MOORING PERMIT.

9. Mooring Fees.

(Fee structures for mooring permits are established by individual municipalities)

10. Payment of Fees:

Make all checks payable to the Town of _____.
Send Mooring Applications and Fees to: Office of the Harbormaster
(local address)

Appendix VI: MOORING TACKLE SPECIFICATIONS

GENERAL MOORING TACKLE SPECIFICATIONS

The following mooring tackle specifications are provided as a general guide for mooring under average conditions of tidal flow and surge, bottom holding characteristics and water depth. Vessel owners should consult with local Harbormaster and/or mooring installation service to determine exact mooring tackle specification for their particular requirements.

Length of vessel in feet	Mushroom anchor (in pounds)	Lower Chain Diameter (inches)	Upper Chain Diameter (inches)	Mooring Pendant Dia. (inches)
Up to 20'	150	½	3/8	½
21' - 26'	200 - 250	½	3/8	5/8
27' - 36'	300 - 400	3/4	½	3/4
37' - 45'	500 +	3/4	½	3/4 - 7/8
46' - 55'	750 +	1	5/8	7/8 - 1
56' - 65'	1,000 +	1 - 1 ½	3/4	1 1/4

1. Center pipe mooring buoys are recommended.
2. Use chaffing gear on all mooring pendants.
3. Mooring tackle must be inspected on a three year cycle.
4. Mooring tackle should be removed during winter seas.

Appendix VII: STORM PREPAREDNESS

A. Frequently Asked Questions

What are some preparedness actions that can be recommend for the recreational boater?

One of the critical harbor and shoreline users is the individual boater. Because they are often the primary occupant of the harbor area, they should be given special attention. As part of this element of the harbor plan and related ordinance, each boater should complete and submit to the harbormaster a preparedness plan. There is a growing amount of technical and educational material being developed for individual boat owners about to prepare for storm events. The town should review this information and provide to local boaters relevant parts. The following is a summarization of key points contained in the current literature.

Boat owners will be faced with the decision of what to do with their boats in advance of a storm event. If the decision is made to stay at a dock, all lines should be doubled and chaffing protection provided where dock lines pass through fairleads and chocks over the vessel's side. Dock lines should be attached to the high end of the pilings, if on a floating dock, rather than to cleats or other fastenings on the dock.

If mooring tackle has been recently inspected and serviced, leaving the boat on the mooring may be the best option. One of the drawbacks to staying on a mooring, as with staying at a dock, is the threat of storm surge. Check with expected storm-surge forecasts to determine if the scope of the mooring will provide sufficient holding power at maximum tidal flow.

Regardless of whether the boat remains at a dock or mooring, there are some basic steps that need to be taken before the storm strikes. The first is to minimize the amount of surface area the wind can work against. The more surface area the wind has to push on, the greater the strain on all components of your boat and securing devices. Remove sails entirely and stow them below deck, especially roller furling jibs. Secure or remove everything in the cabin that is not fastened down, with particular attention to the galley area and chemicals stored in lockers. Secure all ports and hatches, and remove and cap all funnels. Tightly secure the tiller or wheel with strong lines from either side of the cockpit, do not leave coils of line on deck, and take out all slack from running lines on the deck or mast. In order to minimize damage caused by impact of loose boats in a crowded harbor, it is important to place fenders on both sided of the boat. Once all precautions have been taken, the boat owner should leave the boat and seek shelter.

Can the municipality tow a disabled vessel?

According to the U.S. Coast Guard, assistance cases fall into two broad categories: distress and non-distress. Distress is defined as imminent danger requiring immediate response and assistance (U.S. Coast Guard COMDTINST 16101.2B, p. 2). If the situation is life-threatening, the historic law of the sea obliges the harbormaster, or any boater, to render assistance.

In cases of distress the Coast Guard should be notified immediately of the situation and of the intent of the harbormaster. The harbormaster plays a key role in the hierarchy of emergency response as he/she is often the first to arrive on-scene. If the Coast Guard deems it necessary, it may direct other private/public resources, in addition to its own, to respond. If the Coast Guard arrives and finds a stable situation with the first responders capable of assisting, it may withdraw its response equipment. However, if the Coast

Guard finds the situation unstable, and if the first responders are unable to provide the necessary assistance, it will intervene immediately.

When a harbormaster responds to a distress situation, and provides some form of emergency aid, he/she is afforded protection from liability through Title 46, Section 2303 of the US Code which states:

> Any person...who gratuitously and in good faith renders assistance at the scene of a vessel collision, accident, or other casualty without objection of any person assisted, shall not be held liable for any civil damages as a result of the rendering of assistance for any act or omission in providing or arranging salvage, tonnage, medical treatment, or other assistance where the assisting person acts as an ordinary, reasonable prudent man would have acted under the same or similar circumstances.

The key phrase here is “act as an ordinary, reasonable prudent...” which dictates that the harbormaster must act in good faith and in a reasonable, seamanlike manner. Any variance from this standard may increase liability.

This potential liability, and the fact that alternatives exist, should dissuade the harbormaster from towing. Other resources that may be able to offer assistance can be contacted. The Coast Guard will issue a Marine Assistance Request Broadcast (MARB) which solicits voluntary response of anyone who can assist the disabled mariner (including Coast Guard Auxiliary Units and good samaritans) (U.S. Coast Guard COMDTINST 16101.2B, p. 2). A harbormaster may also contact a friend or family member of the boater for assistance.

Another viable form of assistance may be sought through professional towing companies that work in the area. The harbormaster can provide the disabled boater with information on how to contact these companies, and their current rates. In most instances these firms will contact the boater directly in response to the MARB. Once the boater decides upon a service and a verbal agreement is made, the harbormaster cannot interfere with that contract.

It is clear that "good faith" actions of harbormasters are protected, to some degree, by the "Federal Boating Safety Act of 1971," but to what extent remains uncertain. Unfortunately, there is no statutory framework from which to formulate guidelines. Issues such as this are decided by customary law, which means each case is reviewed individually by a judge and jury. Because there are so few cases involving harbormaster liability, judges and jurors lack prior judicial decisions which set precedents. It is therefore difficult to predict the extent to which harbormasters will be protected by the state. In order to limit the potential of being found liable, harbormasters must realize the extent of their liability and must make rational, professional decisions which can be supported as reasonable actions before a court of law.

What is the municipalities mooring liability?

The major concern focuses on the harbormaster's involvement with setting mooring standards, placing ground tackle and conducting inspections. In order for a harbormaster to avoid or minimize the amount of liability he/she must exercise reasonable care. This includes:

(1) setting mooring standards which are appropriate for the area. The harbormaster must be able to justify the standards which have been set. The maximum load the mooring gear is expected to withstand must be identified and documented (Taylor, 1992);

(2) providing mooring occupants with information on the stress points of moorings and offering advice on dealing with extreme weather conditions; and

(3) ensuring that all mooring gear under town control is routinely inspected, and that proper records of these inspections are kept. The question of liability continually arises if the town conducts the inspections itself. Liability results not because the town inspects the mooring, but because it does so improperly or fails to correct a situation in which the mooring does not meet specifications.

Some towns have opted to place the burden of mooring inspection on the boaters. This is generally a financial decision. However, by doing so, the town relinquishes direct control of the inspection process, and may not be as effective in ensuring that all mooring tackle conforms to the regulations. The harbormaster can choose instead to conduct the inspection and assure that each mooring has in fact been inspected.

(4) identifying and correcting situations which may cause damage to a moored vessel. If a harbormaster learns that two boats are hitting one another while on town managed moorings, the situation needs to be rectified quickly. The harbormaster must first stop the vessels from hitting. This can be achieved by removing one of the vessels from its mooring. The harbormaster then decides where to move the vessel. To another mooring? Is that mooring of adequate size? Has it been inspected? Where is the owner and when will the owner return? Are the town guest moorings available and of adequate size?

If the town acts as a commercial mooring operator, owning and then renting the mooring gear, its liability is greatly increased. The town can be held responsible for the safety of vessels stored on its moorings. This may include providing security patrols, preventing chafing during storms and assuring the general well-being of the vessel. Normally, a town acts as surface manager and the physical mooring gear is owned by the boater. This greatly reduces the potential for law suits against the town, which is not responsible for the gear itself, but for the proper allocation of space and general management of the harbor area.

B. Model Hazard Mitigation Plan for Municipal Harbors

This section presents a model overlay for developing a harbor hazard mitigation plan. Included in the document ***Hazard Mitigation for Rhode Island Recreational Harbor Communities***, developed by the University of Rhode Island Coastal Resources Center for the Rhode Island Emergency Management Agency, are models that can be used by marinas and boaters in preparing their own preparedness plans.

The model provides the harbor planner, harbormaster and others with an example of what a local harbor hazard mitigation plan may look like. It was developed in conformance with the guidance for municipalities presented in the previous part of this document.

The model is included for two purposes. The first is to demonstrate one form that the plans may take. The second is to provide specific strategies and actions that can be used to mitigate potential damage from natural hazards.

B. Model Harbor Hazard Mitigation Plan

This model harbor storm preparedness plan has been written in conformance with the guidance detailed in the previous part of this document. The model harbor contains many of the physical attributes found in a typical harbor in Rhode Island. In developing the features from Wickford Harbor located in North Kingston, Rhode Island were drawn upon heavily for the model.

Model Harbor Summary

- RIDEM Water Quality Designation: SB
- CRMC Use Type Designation: Type 3
- FEMA Flood Zone(s): 445404 0009 B - 445404 0013 B - V16 and A13 zones, subject to 100 year storm flooding and wave action.
- Land Use: The land use along the shores of this harbor have been a mix of high density residential and water dependent commercial development, such as marinas and boat yards. The Army Corp of Engineers constructed two break-waters along the eastern face of this harbor in 1962. These structures are at times submerged during storms and high tides.
- Moorings: The town regulates 3 mooring fields in the Harbor for a total of 230 boats. The town sets and enforces standard mooring gear with the average scope of 2.5:1 resulting 50% overlap between moored vessels.

100. Authority:

The primary authority for carrying out the responsibilities detailed in this plan is vested with the harbormasters, who will work in cooperation with the harbor commission. However to successfully complete the activities outlined in this plan, the harbormaster is required to work with other town departments including the: planning board, police and fire departments, town planners, building code official, department of public works and the emergency management officer.

200. Goals of the Harbor Hazard Mitigation Plan

To prevent the loss of life and property by:

- properly preparing for storm events
- having a completed and enforceable response and recovery plan
- working in cooperation with harbor and shorelines users to ensure that a coordinated approach is applied to hazard mitigation
- integrating harbor hazard mitigation activities with other, ongoing, local hazard mitigation programs.
- identifying and completing long term actions to redirect, interact with or avoid the hazard.

Although this plan strives to eliminate all damage from natural disaster, providing that level of protection clearly impossible. Therefore, the plan seeks to provide the greatest degree of protections from storm events while allowing traditional waterfront uses to continue.

300. Risk Assessment

310. General Harbor Characteristics:

The bottom consistency is generally mud, with a minimum depth of 3 feet. This bottom type provides good holding for moorings. The harbor opens eastward with a man-made breakwater marking the entrance. The breakwater separates the harbor from a stretch of open water extending eastward approximately five miles. The breakwater provides limited protection from surge and swell, but will be topped with a surge exceeding 3.6 feet.

The town manages 330 moorings in the harbor. The mooring field is divided into three sections. The lower mooring areas which is contained by the breakwater and natural harbor entrance (120 deep water moorings). The middle mooring field which is contained by the main harbor (140 large and medium size moorings) and the upper mooring field (70 moorings) which is a string of small boat moorings extending up into the shallowest part of the harbor.

The surrounding harbor uses can be divided into three general uses:

1. Open space - this use is limited to 3 acres around the harbor area and is predominantly located in the northeast section.

2. Residential - this use totals approximately 70% of the land use surrounding the harbor area. Generally, the single family dwellings are built upon lots that range from 10,000 square feet to 1 acre.

3. Commercial - commercial waterfront uses such as marinas dominate the southwest section of the harbor. There are five marinas located in the harbor. Their total in-water capacity exceeds 1,000 boats. Two facilities operate a fuel dock. All the marinas provide upland storage and limited repair facilities.

   In addition to the marinas, there is a commercial strip that fronts main street and backs-up to the west end of the harbor. This commercial is generally retail sales. There are no high hazard uses (i.e., gas stations, chemical storage, etc...) bordering the harbor area.

All waterfront structures are built to local building code (ordinance 33-104). A full time building inspector ensures that the codes are adhered to during construction.

320. High Hazard Areas:

According to FEMA flood insurance maps, all of the land surrounding the harbor is within the 100 year storm flood plain.

Historically, the land uses in the upper part of the harbor within 300 feet of the shoreline have received significant surge damage.

330. Risk Assessment Table

Threat	Marine interest	Effect	Result -1	Result -2
Flood/surge	Boaters on moorings	decreased scope	Dragging	
	Lower			threaten shoreline homes
	Middle			threaten shoreline business
	Upper			threaten auto bridge
	Marina facility	flooded facility	floating debris	
			spills of hazardous material	threaten surrounding wetland
		Docks topping piles	freed docks and boats	
	Private residences	flooded property		
		Docks topping piles	freed docks and boats	
Wind	Boaters on moorings	windage	Dragging or pennant breakage	
	Marina facility	windborne debris	structural damage	

400. Strategies for Preparedness, Response and Recovery

410. Town - The harbormaster will coordinate all harbor activities related to preparation, response and recovery. This will be done in coordination with the emergency management officer and department of transportation.

410.1 Preparedness - The town, through its harbormaster, will activate the following preparedness, response and recovery plan 72 hours prior to a severe storm event or as necessary for unpredictable events.

LEVEL 3 72 HOURS

1. If hurricane, begin tracking and monitoring hourly weather reports
2. Contact any services under contract for after event to assess their readiness
3. Manage harbor traffic as it increases during marina/boater preparation activities
4. Ensure fuel tanks are full and reserve batteries are charged
5. Inventory and update first aid equipment and other onboard emergency tools
6. Maintain radio watch
7. Alert local port community, encouraging boat owners to seek safe refuge, remove boats from water, or take action to minimize damaging effects

8. Alert local marinas, marine interests, holders of mooring permits, and occupants of special anchorage areas to impending emergency.

9. Keep MSO Providence appraised of hazardous conditions in harbor

LEVEL 2 48 HOURS

1. Continue to perform activities in level 3

2. Contact those town mooring holders who are not complying with their preparedness plan.

3. Assist marina/waterfront business with special requests

4. Continue to manage harbor traffic as it increases

5. Finalize emergency work schedule with assistant harbormasters

6. Confirm arrangements to have harbormaster vessel hauled and stored

7. Preparation of town properties with department of public works, that includes:
    - removing all town equipment from flood plain
    - securing all items such as trash bins, benches, etc..
    - complete necessary precautions for harbormaster office

8. Establish liaison with police and public works departments

9. Alert maritime community to unsafe conditions in the harbor as needed

10. Curtail regular business activities

11. Begin regular patrols of the harbor to ensure necessary individual precautions are begin taken

12. Advise MSO Providence as to the status of emergency preparedness in progress

13. Alert local harbor community to any impending closure of anchorages or waterways.

14. Encourage local marinas to suspend fueling operations and to secure fueling piers sufficiently to minimize pollution threat.

LEVEL 1 24 HOURS

1. Final patrol of the harbor.
    - inventory number of vessels and precautions taken by harbor and shoreline users
    - clear public pier of vessels and equipment

2. Log information on transient boats (see section 425.2)

3. Fuel harbormaster vessel

4. Haul and store harbormaster vessel with assistance of the Department of Public Works

5. Complete shoreline survey and final harbor check from shore

6. Alert harbor community and MSO to any unsafe conditions in harbor

7. Continue to perform pertinent level 2 activities.

410.2 Response - The town's policy is that no emergency watercraft will be dispatched for emergency response during a storm event. All requests for assistance will be forwarded to the nearest Coast Guard Station. This policy will remain in force unless revoked by the police chief or the Town Manager.

The harbormaster will remain on-station in the harbor's or police department to address any harbor related issue. This will also allow the harbormaster vessel to begin operation immediately at the conclusion of storm.

410.3 Recovery - Immediately after the event has terminated, the town has three recovery priorities.

Priority 1:
Reestablish the harbormaster department as an operational unit in order to facilitate the second and third priority

Priority 2:
Take the necessary immediate action to minimize additional risk to life and property.

Priority 3:
Reopen the harbor for recovery activity.

To achieve these priorities, the following sequential actions will be taken:

IMMEDIATE 24 HOURS

1. Assess readiness of the harbormaster department, correct deficiencies
   - reestablish radio communications.
2. Complete rapid appraisal of damage
3. Provide damage assessment information to town's public information center and to MSO Providence
4. Initiate pre-established contracts services companies (towing, salvage) if required
5. Institute security watches as necessary
6. Alert maritime community to unsafe conditions in the harbor

7. Provide damage assessment information to town's public information center and MSO Providence

8. Track time and resource allocation of harbormasters department for possible state and federal reimbursement.

MID-TERM 1 TO 14 DAYS

1. Complete comprehensive inventory of damage using photographs and video if possible

2. Notify appropriate parties regarding damage (i.e., mooring holders)

3. Provide list of unidentified boats to MSO Providence and DEM Enforcement

4. Contact local harbor and shoreline users to assess their situation

5. Provide MSO Providence with a daily harbor status.

6. Begin to remove large pieces of floating debris from the harbor

7. Assist town and state agencies with damage assessments and emergency permitting process.

LONG-TERM 14 TO 90 DAYS

1. Analyze effects of storm on the harbor. Complete summary report within 30 days of storm event for town manager.

2. Review mitigation list and selection actions that could be implemented during the recovery phase

3. Conduct an evaluation meeting for harbor and shoreline users to identify problems not properly addressed by this plan

4. Complete a survey of boat damage

5. Update hazard mitigation plan and identify new mitigation opportunities

7. Assist emergency situations as appropriate

8. Track time and resource allocations for possible state and federal reimbursement.

420. Harbor and Shoreline Users

421. Marina facilities - As part of the Town's harbor hazard mitigation plan, all marina facilities as defined by CRMC, will submit a hazard mitigation plan to the harbormaster within 90 days of this document being approved. The facility's plan will be updated annually and any changes will be reported to the harbormaster by January 1 of each year.

Facility plans will include:

- Primary contact person primary and secondary phone numbers.
- VHF channel that is monitored
- List of facility staff who are expected to assist in preparation, response and recovery phases.
- List of hazardous material stored on site (i.e. waste oil, fuel tanks, solvents). This information can be extracted from the facilities Environmental Operations and Maintenance Plan.
- Inventory of potential recovery equipment (heavy equipment, generators), including outside contracts for special equipment for recovery phases
- Debris disposal plan
- Special assistance requested from town
- List of preparation, response and recovery activities and timing

422. Boaters - Boats moored on town managed moorings will be required to submit a preparedness plan. This will be accomplished by adding a preparedness plan questionnaire as part of the annual mooring renewal forms. For a mooring permit to be approved, the questionnaire must be completed and returned with the mooring application. Boaters will be expected to comply, to the best of their ability, with the plan they have prepared. The boat owner should advise the harbormaster of any significant changes to the plan made during the boating season.

    Mooring standards have been developed to maximize safety during normal weather conditions. To safeguard a moored boat during a severe storm event, additional precautions will be necessary. This actions will include:

- Improving the connection between the vessel and the mooring chain by using chafing gear and extra lines.
- Reducing windage
- Whenever possible, increase scope.

Boaters should also consider:

- Bypassing the mooring swivel and attach the chain directly to the pennant.
- Hauling their boat and storing it upland
- Leave anchor lights and autobilge pumps on.
- Ensure that self-bailing cockpit drains are clear of debris
- Add an emergency catenary weight at the vessel end of the chain to absorb shock

Boat owners are encouraged not to stay aboard during major storm events. The town's standard procedure is NOT to respond to on-the-water requests for assistance during a major storm event. Such requests for assistance will be forward to the nearest U.S. Coast Guard Station.

423. Waterfront business (excluding marinas) - All waterfront business are expected to take the necessary precautions to protect their property.

424. Shorefront home owners- All shorefront homeowners are expected to take the necessary precautions to protect their property.

425. Special Hazards

.1 Commercial Dock- all vessels shall be cleared of the town commercial dock 12 hours prior to expected storm event.

.2 Transients- vessels not usually moored in the harbor, but seeking safe refuge will be allowed to moor in the specified anchorage areas. Transit yachts will not be allowed to tie to a mooring if not authorized by both the mooring owner and the harbormaster. Transient vessels seeking shelter will provide the harbormaster with:

- name of owner and captain if different.
- home port
- registration/documentation numbers
- length, draft and type (power/sail)
- number of persons aboard
- address and phone were owner can be contacted

.3 Passenger vessels and ferries- As deemed necessary by the harbormaster, local passenger vessels and ferries will submit individual plans to the harbormasters. These plans will include information about planned preparedness, response and recovery actions.

500. Inventory of longer term mitigation projects

1. Maintaining the existing seawall. Although it does not provide complete protection, there is a measure of safety gained by having the seawall properly maintained.

2. Methods to increase scope within the harbor without losing surface area maximization should be explored. Actions may included a targeted approach to removing vessels from moorings and increasing the scope with storm pennants for those that remain. In the existing mooring configuration, increasing mooring scope is difficult. Therefore, the town should explore alternative methods for gridding the mooring field that will allow space maximization and increased scope.

3. Implement an annual education and training program conducted by the harbormaster for the public. This program should focus on storm preparedness for the boater. Other workshops should be conducted with the help of the building inspector and planning board to discuss shoreline construction standards and storm proofing homes and business.

4. The harbormaster should compile a list educational material that can be shared with harbor and shorefront users.

5. Maintain an accurate lists of principle marine interests including
   marinas
   waterfront business
   neighboring harbormasters

Coast Guard
Towing and Salvage Companies
Environmental Response teams
Key vessel operators (charter boats and ferries)
fishing cooperatives

6. Starting at the beginning of each hurricane season (June 1) the harbormaster shall:
   - review local harbor hazard mitigation plan and update as necessary
   - distribute and post revised plan
   - inspect all storage sheds, outbuildings, and portable office trailers for proper tie-down.
   - inspect all emergency power sources and lighting systems to ensure they are operational
   - distribute a storm checklist for to boaters

7. Conduct a Disaster Mitigation workshop for Business and Industry in cooperation with RI Emergency Management Agency. Propose activities that can be implemented to mitigate damage. Suggested actions for local coastal business may include:

   1. Place more essential equipment and functions on higher levels of the structure, above the anticipated flood level;
   2. Construct berms around the facility;
   3. Install or have dewatering pumps;
   4. Provide emergency generators and potable water storage;
   5. Install blowout plugs in floor slabs whose elevation is below anticipated flood elevation.
   6. Install master shutoff valve controls for sewer, gas, and water above anticipated flood elevation;
   7. Reinforce walls to carry hydrostatic and hydrodynamic loads;
   8. Install floodproof electrical systems and utility cores in areas subject to flooding; and
   9. Install safety glass in windows.

8. Assess the feasibility of developing a volunteer corp who can assist the harbormaster secure vessels during the phase or maintain security patrols after an event.

600. Coordination

Memorandum of Agreement shall be entered into with the Department of Public Works to establish the working relationship between it and the harbormaster for completing the following activities:

preparing pubic waterfront property
hauling and storing the harbormaster vessel

The harbor commission shall work with the planning board and planning department to establish redevelopment policies for shoreline areas. These policies will be consistent with CRMC and DEM regulations.

In order to discourage redevelopment of critical shoreline areas and to reduce vulnerability of life and property to coastal hazards the town should: (the following has been adapted from Florida Department of Environmental Protection)

1. encourage and participate in the maintenance, restoration and enhancement of beaches and dunes.

2. limit development and redevelopment in hazardous coastal areas to protect lives and property from coastal storms and hazards. Post storm development shall avoid extensive rebuilding and intensification of land uses in critical areas and encourage reductions in the amount and intensity of development in order to reduce exposure of lives and property to coastal hazards.

3. attempt to minimize public expenditures and reduce risk to public infrastructure and facilities through redevelopment

4. encourage relocation of structures landward of critical areas. This can be done by influencing State policies, expenditures, and programs to reduce the amount and intensity of development and redevelopment

5. require shorefront areas replacement of non-conforming uses and eliminate unsafe conditions and inappropriate uses as opportunities arise

6. identify shorefront areas that shall be subject to post-storm regulations and acquisition in order to reduce loss of life and damage to property.

In order to further coordinate local policies contained in the comprehensive land use plan for resource protection, coastal management, the town should consider the following policies. (these policies have been adapted from the Florida Department of Environmental Protection)

1. The town should work with appropriate state agencies to ensure that Post-storm shoreline management options for shoreline areas shall be consistent, to the extent possible, with use, density and other land uses policies and standards contained in the comprehensive land use plan.

2. Create local priorities for acquiring coastal properties to promote hazard mitigation, public recreation, and resource management objectives contained in the comprehensive plan.

3. Post-storm redevelopment options should consider impacts to evacuation routes, as determined by emergency management officials.

4. maintain and or adopt minimum parcel size and configuration requirements on the subdivision of critical shoreline features.

5. discourage platting of shoreline properties and encourage replatting to accommodate post-storm relocation of structures landward.

INNOVATOR Q&A

Shore access is also a food access issue, URI researcher says

Rhode Island's narrative around coastal access needs to expand, says Professor Melva Treviño, who aims to reframe it

By Brittany Bowker Globe Staff, Updated February 26, 2024, 6:00 a.m.

Rhode Island professor Melva Treviño is spearheading a project that aims to extend coastal fishing access. COURTESY MELVA TREVIÑO

The Boston Globe's weekly Ocean State Innovators column features a Q&A with

Rhode Island innovators who are starting new businesses and nonprofits, conducting groundbreaking research, and reshaping the state's economy. Send tips and suggestions to reporter Alexa Gagosz at alexa.gagosz@globe.com.

SOUTH KINGSTOWN, R.I. — Melva Treviño is a University of Rhode Island professor you'll often find on the coast, chatting with local fishermen, usually with a student or two. She's been conducting research in the Ocean State since 2019, exploring the relationship communities have with the shoreline, particularly immigrant groups.

Her work focuses on understanding how communities can improve food security and overall well-being by fishing and consuming what they catch. She hopes to identify the barriers that exist for people trying to access the coast, as well as educate and inspire stakeholders to create policies that reduce those barriers. The project is funded by Rhode Island Sea Grant.

Last year, the R.I. General Assembly passed and Governor Dan McKee signed historic legislation to improve public access to the shore, which is provided for in the state Constitution. Treviño's work is within the context of that debate, where she is most focused on who is missing from the state's ongoing shore access conversations.

Rhode Island professor Melva Treviño. COURTESY URI

Q. What have you found are some of the main reasons Rhode Islanders fish?

A. Recreation is obviously a big, big reason. We've spoken to people living in small apartments in Providence who talked about fishing as a way to escape the summer heat, something to do with the family.

We also got a lot of, "Well, I like to eat fish." So that is where I started: A lot of people fish for food reasons.

From there, I saw the opportunity to apply for the Sea Grant Project, and I really wanted to focus more on making this an advocacy research project, where I am totally OK with arguing that I want to advocate for coastal access and expand the narrative.

Yes, the coast is there for recreational purposes, and all of us have a right to it. But there's also some people that access the coast for food reasons: to feed themselves and their families and their communities. That was really missing from a lot of the coastal access conversations. I don't think people are saying, "Hey, this is a food access issue." But it is.

Q. What are some of the barriers to accessing the coast that you've identified so far?

A. People have shared experiences and narratives of showing up to places and being told that they're going to have the cops called on them. Some people reported that some places aren't necessarily the best because there's maybe no parking, no amenities, no bathrooms. Those are issues that I think are aligned with a lot of the narratives that we hear about coastal access.

But, I wanted to start learning about the barriers that people face when they want to have access to the coast to improve their food security. I thought, if we show up, and they're there, they can probably share some insight. But they also already got there. They know how to access the coast. But what about people who aren't already there?

Q. How did you find groups encountering barriers to access?

A. I had built relationships with some community organizations already, and the Center for Southeast Asians of Rhode Island and the Refugee Dream Center said yes to working with us.

I knew the Southeast Asian community was very active in fishing because I talked to a lot of members of that community on the coast. But I wasn't as aware of the more recent immigrants or refugees served by the Refugee Dream Center, so they're working with the most recent arrivals, and they help them get settled in the state.

When we spoke to them, the conversation really shifted. We learned immediately that our questions were not relevant. We learned that there's people who've been in the state for 5-6 years, and they've been to the coast 1-2 times. So the conversation was no longer about the barriers of getting there. It was about not knowing that the coast is an accessible space, not knowing that they can show up and that they're going to be OK. Not knowing that they can keep the fish they catch. The level of knowledge was not there. They did not have access to this information.

It was sad to learn, but it really gave us insight that for some communities, the problems are totally different than what we usually think of.

Q. What do you hope to accomplish with the project?

A. There's so much to this work. It's not just coastal access or food access, it's access to information. Like people consuming fish that they shouldn't be consuming as often as they do. The lack of access to information is what's keeping certain people from enjoying the full benefits that the ocean can provide.

For me, the work is very exploratory. Even just learning these things, it sounds basic, but it is new information that's not being given the attention it deserves.

There's a bus, for example, that goes from Providence to the coast. I know there was talk that they were maybe going to cancel that route because it wasn't getting enough

use. That sends the message that people don't need public transportation. But in reality, do people even know that bus route exists?

The biggest thing that I can hope for in this work is that it starts to ignite interest among many different stakeholders so they can start to think about how to tackle these problems. Because there are so many of them, and they're so multilayered and so complex. It will require many people working together to improve coastal access for these communities.

Q. What sites do you plan to visit this summer?

We're working on a bigger project looking at alternative self-provisioning food networks. It's a USDA-funded project that's mostly focusing on urban growers and how people gain access to food through community gardens, backyard gardens, bartering, gifting, selling on the side of the street.

We are trying to merge the land side and the sea side to see how self-provisioning activities such as gathering or growing or fishing can intersect to contribute to people's well-being and provide a food source to different immigrant and refugee communities.

This interview has been edited for length and clarity.

Brittany Bowker can be reached at brittany.bowker@globe.com. Follow her @brittbowker and also on Instagram @brittbowker.

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PUBLIC HEALTH & RECREATION (HTTPS://ECORI.ORG/RECREATION-NEWS/)

Survey Says: Rhode Islanders Believe Parking Biggest Deterrent to Shoreline Access

By Rob Smith / ecoRI News

January 29, 2024

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While lawmakers enshrined the public's lateral access to the shore last summer, there's still plenty of issues left over in access to coastal rights of way around the state. (Rob Smith/ecoRI News)

PROVIDENCE — What do Ocean State residents think is one of the biggest deterrents to shoreline access?

That most Rhode Island of answers: parking.

While lawmakers were debating the merits of expanding shoreline access last year, the Coastal Resources Management Council, together with Rhode Island Sea Grant and the Narragansett Bay National Estuarine Reserve, was seeking feedback from the public on the status of coastal rights of way (ROW) around the state.

The survey, performed by New Jersey-based company Impact by Design, was part of a $206,000 grant from the National Oceanic and Atmospheric Administration awarded to CRMC to improve equitable shoreline access in Rhode Island and to create a shoreline access management plan.

According to the survey, 41% of local residents said there were ROWs they used less often or outright avoided. When asked why, they cited a range of reasons, including a lack of parking, feeling unsafe, unwelcome or unsure if they're allowed to use access points, guards being posted to block access points, and ROWs containing a

lot of litter or just generally poorly maintained.

"COVID exposed the need for education and signage and a renewed focus on CRMC's public access program as a whole," said Laura Dwyer, CRMC's public educator and information coordinator, during a presentation of the survey's results. "We wanted to understand how people use the shoreline and what barriers prevent them from using."

When asked what the state could do to improve coastal access, respondents said better parking, better signage, more equitable access points with updated information on current sites, and stopping private property owners from blocking ROWs.

Residents in two counties, Washington and Bristol, thought there were not enough access points to the shore in areas they would like to visit, despite fewer ROWs in Providence County on average. (Known locally as South County, Washington County's south shore still remains the most-visited shoreline in the state.)

CRMC may have a little extra money coming its way to promote shoreline access. In Gov. Dan McKee's state budget proposal for the upcoming fiscal year (2025), he granted the agency's request for $25,000 to help further shoreline access education, a decent-sized increase for a state agency that receives less than $4 million in state funding annually.

"It will help further our efforts in implementing and providing education for the shoreline access bill," CRMC executive director Jeff Willis said. "To have marker posts and signs purchased by us so we can take [shoreline access] information and put on the signs at our rights of way and let people understand what the shoreline lateral access bill is trying to accomplish."

Dwyer said CRMC's next step was to convene a community leader advisory group, including members from the Warwick Harbor Commission, Charlestown Climate Resiliency Commission, Narragansett's Coastal Access Improvement Committee, the Narragansett Indian Tribe, and others to identify what policies need to go in a proposed public shoreline access management plan.

The agency said it would also fundraise to hire a municipal liaison to help the state's 39 municipalities work with CRMC on addressing local ROW issues and other priorities to be identified by the advisory group.

Categories

PUBLIC HEALTH & RECREATION

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VIEW COMMENTS

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Harbor Management Commission 3/6 Meeting

- The residents should have been put on notice and given an opportunity to be heard and present their information including experts – no community engagement

- I am sure that if you propose to change the "no parking, tow zone" on the below noted streets, the residents would have been given notice and an opportunity to be heard

  - Elm Street
  - Beach Street
  - Watch Hill Road

- Historical "no parking, tow zone" on Water's Edge Road has existed for decades. Parking has never been allowed on this street as it is very narrow street in a residential community

- The proposal violates Town Ordinance § 238-67 (3) prohibited parking on the street

- The Town, as part of an Agreement in 2021 with the residents, agreed that there would be no parking on this street IF the residents allowed for the construction of a kayak/canoe rack

- The Harbor Management Commission's proposal:

  - Violates the negotiated Agreement between and among the Town, the residents, and CRMC in 2021
  - Violates CRMC Assent dated 2/18/2021 – CRMC File No.: 2020-09-108 (no parking on Water's Edge Road)
  - Is targeted at specific individuals in the Watch Hill residential community
  - Is contrary to the covenants noted in the Everett Farm Plat and their deeds
  - Is not borne out of a "study" conducted to allow for engineering, environmental, health, welfare, safety, and other concerns
  - Is contrary to the health and welfare of the residents on Water's Edge Road as it puts them and others in peril as emergency vehicles would necessarily be inhibited in the event that parking is established on said road
  - Seeks to undermine and repudiate the agreement reached between CRMC, the Town, and the residents in February 2021
  - Is going to invite unnecessary costly and contentious litigation

Question

- Is the Harbor Management Commission seeking to reverse CRMC's Agreement with the Town and residents, and if so, will the kayak/canoe racks be removed from the site?

These are just a handful of reasons why this proposal is ill conceived and inappropriate.

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November 16, 2020

Mr. Jeffrey M. Willis, Executive Director
RI Coastal Resources Management Council
Stedman Government Center, Suite 3
4808 Tower Hill Road
Wakefield, RI 02879-1900

RE: WATERS EDGE ROAD SOUTH – RIGHT-OF-WAY

Dear Jeff:

I previously wrote to you on September 8, 2020, September 29, 2020 and October 27, 2020 regarding the Town of Westerly's Right-of-Way at Waters Edge Road South because residents and abutting landowners were concerned about the manner in which the Town intended to improve that site.

As a result of a collaborative effort between the parties and Town Manager, I withdrew/clarified the residents' concerns in correspondence sent to you on October 27, 2020. At that time, we believed that an appropriate compromise had been reached with the Town Manager and that there were a number of conditions agreed to by the parties.

Today I received an email from the Town Manager in which he now indicates that I have "overstated" the parties understanding about this site and that neither the Town nor he have intention of being bound by conditions that I might add, he previously agreed to with the residents and the Watch Hill Fire District Moderator.

Significantly, on Monday, November 9, 2020 for some unknown reason the Town Manager proposed that the Town Council send a matter to CRMC regarding Waters Edge Road South. My clients have no idea what this referral was all about and wish to inform you that if CRMC asserts some form of jurisdiction over this matter as a result of the Town Council's November 9, 2020 action, the abutting property owners and residents wish to be heard.

It is entirely possible that this issue will be "academic" and particularly if the conditions that the Manager and the parties agree to are honored. However, if for some reason those conditions are modified in any material way, the residents wish to be heard with respect to their concerns and/or objections.

I look forward to hearing from you regarding this matter and next steps that CRMC envisions as a result of the Town Council's referral of November 9, 2020.

Sincerely,

Thomas J. McAndrew, Esq.

TJM/cpm

RECEIVED
NOV 18 2020
COASTAL RESOURCES MANAGEMENT COUNCIL

Managed Cloud Systems

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>

CRMC File NO. 2020-09-108 Water's Edge Road

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com> Mon, Jan 11, 2021 at 2:49 PM
To: Mark Rooney <mrooney@westerlyri.gov>
Cc: Dave Reis <dreis@crmc.ri.gov>, Kyle Zalaski <kzalaski@westerlyri.gov>, Jeff Willis <jwillis@crmc.ri.gov>, Lisa Pellegrini <lpellegrini@westerlyri.gov>, "wconley@wjclaw.com" <wconley@wjclaw.com>

Good Afternoon Mark:

I have tried and will continue to treat you with professionalism and respect. I am unaware that anyone in my group has sought to put pressure on anyone with respect to your employment. I recognize that you have a job to do and that it is not always easy balancing the interests of various constituencies.

However, when the residents of the Watch Hill Community met with you on October 22nd, they believed that they had an "agreement" with you and the Town regarding the Waters Edge Road South site and that included no roadway expansion and no parking in this historical residential community.

Subsequently, the residents became very concerned when the Town Council on November 9th, at the behest of Counselor Aiello, expanded the Agenda and included Waters Edge Road, a Town Right-of-Way, that was ultimately adopted and filed with CRMC on December 10, 2020.

In that document the Town changed the "agreement" that it had with the residents on October 22nd and incorporated Options 2 and 3 in the Town submission to include parking on Waters Edge Road and/or Pawcatuck Avenue.

The residents believe that the representations and "agreement" of October 22nd, which prompted me to withdraw their objection to CRMC on October 27th should be honored. They are not opposed to the kayak/paddle board launch site and the improvements that you discussed with them and I have so represented that to CRMC.

My clients have not sought to relinquish or diminish public access at Waters Edge Road South but embraced it and came to a resolution with you regarding the manner in which the site was to be improved and maintained. That "agreement" did not include widening the road or parking in this historical residential community.

Because of the nature and degree of widening the road and parking, I would respectfully suggest that the residents be given an opportunity in a workshop to present their arguments and experts to opine on the Town's plan. This would give the residents the opportunity to be heard and their issues to be explored. Moreover, I would appreciate it if you would forward me the proposed changes to the local parking Ordinance that are noted in your email.

I remain concerned about the role of CRMC because I am unaware that they have jurisdiction over Town roads and that whether they "prefer" parking at a Town Designated Right-of-Way, is of no consequence. To the best of my knowledge, they have no jurisdiction and therefore their recommendations are only advisory.

I would also note that with CRMC Designated Rights-of-Way, that they typically require some form of parking, but that does not mean that it is absolute or that parking must be created at the site. As a matter of fact, a number of CRMC Designated Rights-of-Way do not have any parking at all.

Because of the problems associated with the Town Council's action of November 9th, we have been forced to file a Complaint with the Office of Attorney General under RIGL 42-46-1 et. seq. today alleging a violation of the Open Meetings Act. You should receive a copy of that from the Office of Attorney General.

I would prefer, as would my clients, to meet at a mutually convenient time to try to resolve this matter in a manner in which the parties can claim a "win-win".

Tom

[Quoted text hidden]

9:28 34%

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Managed Cloud Systems

Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>

CRMC File NO. 2020-09-108 Water's Edge Road

Mark Rooney <mrooney@westerlyri.gov> Mon, Jan 11, 2021 at 1:54 PM
To: Thomas McAndrew <tmcandrew@tjmcandrewlaw.com>, Dave Reis <dreis@crmc.ri.gov>
Cc: Kyle Zalaski <kzalaski@westerlyri.gov>, Jeff Willis <jwillis@crmc.ri.gov>, Lisa Pellegrini <lpellegrini@westerlyri.gov>, "wconley@wjclaw.com" <wconley@wjclaw.com>

Tom

This has been festering far to long and the matter will before the council on the 25th of January under the Harbor Management amendments that will be forwarded to CRMC for their review and approval of our local plan.

I am informing you that staff will be proposing changes to the local Parking Ordinance to include parking at various locations to meet the "Public Access" of ROW designations throughout Town. Tom, your clients are not the only citizens with concerns. I appreciate their concerns and recognize the hardship real or perceived; but the needs of the many outweigh the self-interest of the few when establishing public policy. I hope this makes clear where I stand and where staff will be coming from on the 25th.

If CRMC requires parking as part of "Public Access" for any ROW staff and I will do our best to minimize the impact to the neighbors in close proximity of(any/all), ROW's.

Yet, do not continue to expect the Town to relinquish or diminish Public Access to satisfy a local self-interest group is folly as the staff and I work for the community writ large.

Plus, recently multiple communication has reached me which I can only take as they were clearly intended-- as a threat to my employment; which only stiffens my resolve with regard to serving the community interest in all matters involving the ROW's.

J. MARK ROONEY

Town Manager

Town of Westerly

45 Broad Street

Westerly, RI 02891

Tel: (401) 348-2530

Email: mrooney@westerlyri.gov

[Quoted text hidden]

Email: mrooney@westerlyri.gov

From: Dave Reis <dreis@crmc.ri.gov>
Sent: Monday, January 11, 2021 10:42 AM
To: 'Thomas McAndrew' <tmcandrew@tjmcandrewlaw.com>
Cc: Kyle Zalaski <kzalaski@westerlyri.gov>; Mark Rooney <mrooney@westerlyri.gov>; 'Jeff Willis' <jwillis@crmc.ri.gov>; Jenn Abbruzzese <jabbruzzese@crmc.ri.gov>
Subject: RE: CRMC File NO. 2020-09-108 Water's Edge Road

Hello Tom,

Thank you for your response. Please be aware that in order to assure this application continues to move along and due to a tight Coastal Council Meeting schedule, a Coastal Council Meeting has been set for February 23, 2021. In order to meet this Council Meeting date, CRMC Staff review and reports must be complete by February 16, 2021. Please also be aware that I will be on vacation next week Jan. 19th – 22nd). Accordingly, it would help if we were able to meet sometime this week. Please also be aware that this meeting is not intended to be a hearing. It is simply meant to be an opportunity to briefly exchange ideas and determine if a mutually agreeable plan can be developed for the area. In fact, a meeting of this type is usually more successful if it is held to a few people representing the range of perspectives associated with the issue.

Sincerely,
Dave Reis

(Jenn – Please place this email in the file for the record.)

David S. Reis
Supervising Environmental Scientist
Coastal Resources Management Council
Oliver Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879
Phone: 401 783-3370
Web: www.crmc.ri.gov

From: Thomas McAndrew
Sent: Monday, January 11, 2021 10:25 AM
To: Dave Reis <dreis@crmc.ri.gov>
Cc: Kyle Zalaski <kzalaski@westerlyri.gov>; Mark Rooney <mrooney@westerlyri.gov>; Jeff Willis <jwillis@crmc.ri.gov>; Lisa Turner <lturner@crmc.ri.gov>
Subject: Re: CRMC File NO. 2020-09-108 Water's Edge Road

Good Morning:

Unfortunately, because of the late notice (Friday, January 8th), I and our experts, as well as many of the residents and homeowners, are not available to attend the proposed meeting at the Waters Edge Road site on Tuesday, January 12th or Wednesday, January 13th.

The Public's Radio

Watch Hill Cove: How Congress changed the law to benefit private interests

by Alex Nunes
November 2, 2022

The view of Watch Hill Cove from Napatree Point Conservation Area in Westerly. The cove was once a federally authorized anchorage area, where U.S. law required access be open to all boaters on equal terms. Credit: Alex Nunes/The Public's Radio

If Watch Hill Cove is anything, it's highly desirable. Boaters, kayakers, swimmers, fishermen, tourists, vacation homeowners, and year-round residents of Westerly all want to get to the sheltered inlet at the end of the Pawcatuck River, right by the open waters of Block Island Sound.

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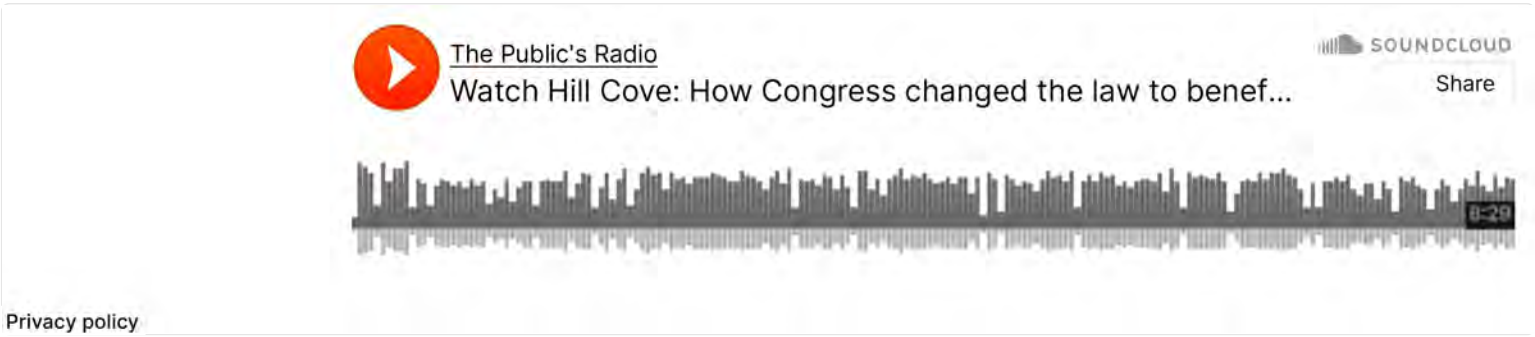
Watch Hill's central village.

But this coveted spot now lacks federal regulations meant to protect public access, thanks to the work of government officials at the local, state, and federal levels that benefited private interests in Watch Hill.

When town officials learned in recent years that federal law required public access to boat moorings in the cove, they did not use that as an opportunity to expand access to the water. Instead, an investigation by The Public's Radio found officials lobbied Rhode Island's congressional delegation to change federal law and keep the moorings in use by private hands.



The Public's Radio · How The Public Lost Coastal Access Protections In Watch Hill Cove

'A high crime'

Watch Hill Cove looks the way it does today because of work done by the federal government decades ago. A spokesperson for the Army Corps of Engineers said the U.S. government dredged the cove as part of a federal navigation project in the area in 1948 and 1949. According to an Army Corps information guidebook, the total work cost the federal government what would amount to more than $2 million in today's money.

Because federal tax dollars paid for the dredging, Watch Hill Cove was designated a federal anchorage area, where access is required to be open to all boaters on equal terms. That means access should have been managed in "the general public interest" and in a way that "made no arbitrary distinction or requirement of any kind," according to U.S. Army Corps of Engineers standards.

But what emerged over time was something different. The cove filled up with moorings and boaters claimed them as their own, effectively blocking other boaters from much of the area. Eventually the Watch Hill Yacht Club, founded in 1913, and its members came to own most of these moorings.

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squatters show up and they don't have any authority, but they're there."

Then in 2018, the Army Corps of Engineers decided to put pressure on the town of Westerly to address the lack of access to the area that federal law required. Army Corps of Engineers Col. William Conde sent the Westerly Town Council written notice, saying he'd been made aware that moorings in the cove were being managed in a way that "limits access on the basis of yacht club membership."

"Membership in a specific yacht club should not be a prerequisite for obtaining a mooring in the Federal anchorage area," Conde wrote. "The Town must ensure proper use and access to the Federal resource…"

Town officials realized if action wasn't taken, they ran the risk of the Army Corps removing the moorings in Watch Hill Cove entirely. At that time in 2018, the town was working to draft an official harbor management plan that spells out its current and proposed regulations around public shoreline access, water quality, storm preparedness, and mooring management. In Rhode Island, harbor management plans need to be approved by the state's Coastal Resources Management Council. CRMC, though, would not approve Westerly's plan if its moorings policies in Watch Hill Cove violated federal law.

Westerly faced a choice: work with the yacht club to force open and equitable public access in the cove, or ask Congress to remove the federal designation and free the interests in Watch Hill of the protections inherent to a federal anchorage area. That would also mean the federal government would no longer be responsible for the upkeep of the area and would not be required to foot the bill for any future dredging projects, for instance.

Kevin Cute, an official with the Rhode Island Coastal Resources Management Council, cautioned the town at the time, saying deauthorization would "essentially accommodate the people in Watch Hill Cove who have absconded with public property for decades while keeping the public out," according to minutes from a September 2018 Westerly Planning Board meeting.

The minutes add, "Mr. Cute said from his perspective this is a high crime."

Jean Gagnier, one of the town councilors at the time, said he preferred to delay a deauthorization vote until the town council took up its harbor management plan.

The town could have used the uncertain future of the moorings, he said, as a way to force concessions from the yacht club on greater public access.

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Gagnier said on another occasion the council voted to send the congressional delegation its written objection to a federal railway plan, but he did not remember the town ever lobbying federal lawmakers to change U.S. law at any other point during his two terms on the town council.

Less than two weeks after CRMC's Kevin Cute advised the town's planning board that deauthorization would allow private interests to capitalize on public goods, Westerly's town council voted to send a letter to Rhode Island's congressional delegation requesting that lawmakers change federal law to strip Watch Hill Cove of its federal designation and its associated public protections.

The resolution passed the town council in a 4-to-3 vote, formalizing the town's intent to seek "the assistance of the Rhode Island Congressional delegation in getting Congress to enact legislation deauthorizing the anchorage portion of the Federal Navigation Project at Watch Hill Cove."

At that meeting, then-Town Council President Edward Morrone, a longtime property owner in Watch Hill, said the vote was the first step "to get us off the block."

"All of the intricacies and the mechanics of the operation of the harbor management plan will come forth as

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In a recent interview, Morrone, who is running again this year to get back on the town council, said deauthorization was a viable way to help resolve a complex issue and he voted for it based on the input he was getting from the town of Westerly's legal counsel and the CRMC, which eventually backed the move.

"I think we took the best advice we could on a very touchy subject matter, obviously," he said. "I think that we were open and forthright with regards to the meetings that were held to listen to the concerns of citizens."

Then-Westerly town councilor William Aiello said recently that he voted for the deauthorization in 2018 because he thought CRMC's Kevin Cute supported it and that deauthorization would lead to more parking options and better public access to Watch Hill Cove. Aiello is also running for town council again this year. Current Town Council President Sharon Ahern, who voted for the deauthorization as a town councilor in 2019, did not respond to an interview request.

In the end, the Coastal Resources Management Council backed the deauthorization. In an email sent days before the town council vote and recently obtained by The Public's Radio, CRMC's Kevin Cute shared the draft resolution with staff from the office of U.S. Senator Sheldon Whitehouse and told them "I wish to assure you that CRMC supports the resolution."

CRMC would not make Cute available for comment. In an interview, CRMC spokesperson Laura Dwyer said, "I can only speculate that Kevin, or whoever, is trying to help the process along" so the town can have "an approved harbor management plan."

When asked for CRMC's current position on the deauthorization, Dwyer said only that the agency has not completed its review of the town's harbor management plan, which the town submitted in 2019. She said the agency doesn't have the resources at this time to properly review and approve Westerly's plan.

Deauthorized during the pandemic

Despite Council President Morrone's urgency to approve the deauthorization in September 2018, the state's congressional delegation did not immediately act on it.

In 2019, a staff member from Rhode Island U.S. Senator Jack Reed's office contacted the Westerly town manager and director of development services by email to see if the town approved of language the office intended to use to deauthorize Watch Hill Cove. The new town council, which had taken office in November

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signed the Consolidated Appropriations Act of 2021 in December 2020, federal protections vanished.

In a joint statement, senators Reed and Whitehouse said they requested the deauthorization provision be included in legislation after a formal request from the town of Westerly. They said they "urge an open and consultative process with the public, just as every coastal community in Rhode Island must under state and local laws and procedures."

The Army Corps of Engineers declined several interview requests. Spokesperson Bryan Purtell said in an email the Army Corps reviewed the deauthorization request and okayed it because the town wanted more local control of the cove and deauthorization would relieve the U.S. government of the responsibility of paying to dredge the cove in the future.

'It seems to be working'

The Watch Hill Yacht Club was an obvious beneficiary of the deauthorization. Today it controls 72 moorings in Watch Hill Cove.

The town now runs an annual permitting process for moorings. The yacht club pays the town for the permits to the moorings and rents them to its members. There are a limited number available for transient boaters passing through the area. And when yacht club members leave for extended periods of time, the club lets others use those spots on a transient basis.

The yacht club's commodore and vice-commodore did not respond to multiple interview requests for this story. The yacht club's general manager declined to comment.

Roughly 50 boaters using other moorings prior to deauthorization were allowed to keep them. Ten of those will be phased out over time. The town has established a waitlist for boaters who want permits when the other 40 moorings in Watch Hill Cove become available. The current estimated wait time is three years.

"We have a program in place and it seems to be working," said Kimberlie Rayner-Russell, Westerly's assistant harbormaster, who also served on the Harbor Management Commission that helped draw up the town's new moorings policy.

Rayner-Russell said the new system actually opens up the cove for more public access. The moorings

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Rayner-Russell said she doesn't understand why the Watch Hill Yacht Club is being singled out for scrutiny, because it's not the only yacht club in Westerly that has moorings. She said it makes sense that yacht club members and the boaters who kept their moorings in Watch Hill Cove got priority, because they're the people who have a need for them and the means to use them.

Much of the recreational land and parking around Watch Hill Cove is controlled by the Watch Hill Fire District, a quasi-municipal entity that owns about 65 acres of property, most of it along the shore. The yacht club rents a parking lot along Watch Hill Cove from the fire district. A security guard is stationed there in the summer to block vehicles from entering. It's hard for an average boater to use a mooring in the cove, even if they have a permit.

When you look at the total picture, Rayner-Russell says, the way the town handled the situation with moorings in Watch Hill Cove is appropriate and fair.

"When something's been going on for 50 years, and [the mooring users in Watch Hill Cove have] not done anything wrong — they've gone through the channels that were in place at that time — why do they get penalized?" Rayner-Russell said. "It doesn't make sense, and it would have made a lot, a lot of work for a lot, a lot of people. We just didn't think that that was going to be in the best interest of our plan."

Rayner-Russell said, "My point is that it's not this big group of people that are being disserviced by what was decided upon."

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‘We’re an eyesore’

Jason Jarvis begs to differ. He’s a commercial fisherman from Westerly.

On a recent day, he stood in the rain at the state-run Quonochontaug Breachway Boat Launch in Charlestown. It’s one of the spots Jarvis tows his boat to so he can get out to the ocean to fish.

He’s on the waitlist to get a mooring in Watch Hill Cove, which he said could save him hours every day because the area is so close to Block Island Sound. But he’s at spot number 23 on the waitlist, and he says he doesn’t expect a mooring permit until “I’m about 82 years old, if I see it at all.”

He says other fishermen would love a mooring in Watch Hill Cove, but the powers of exclusion in Watch Hill, enabled by town officials willing to appease them, are working against him and other boaters.

“We’re an eyesore,” Jarvis said. “You know, you want to eat the fish, but you don’t want to see the commercial fishermen. You know, not in my backyard.”

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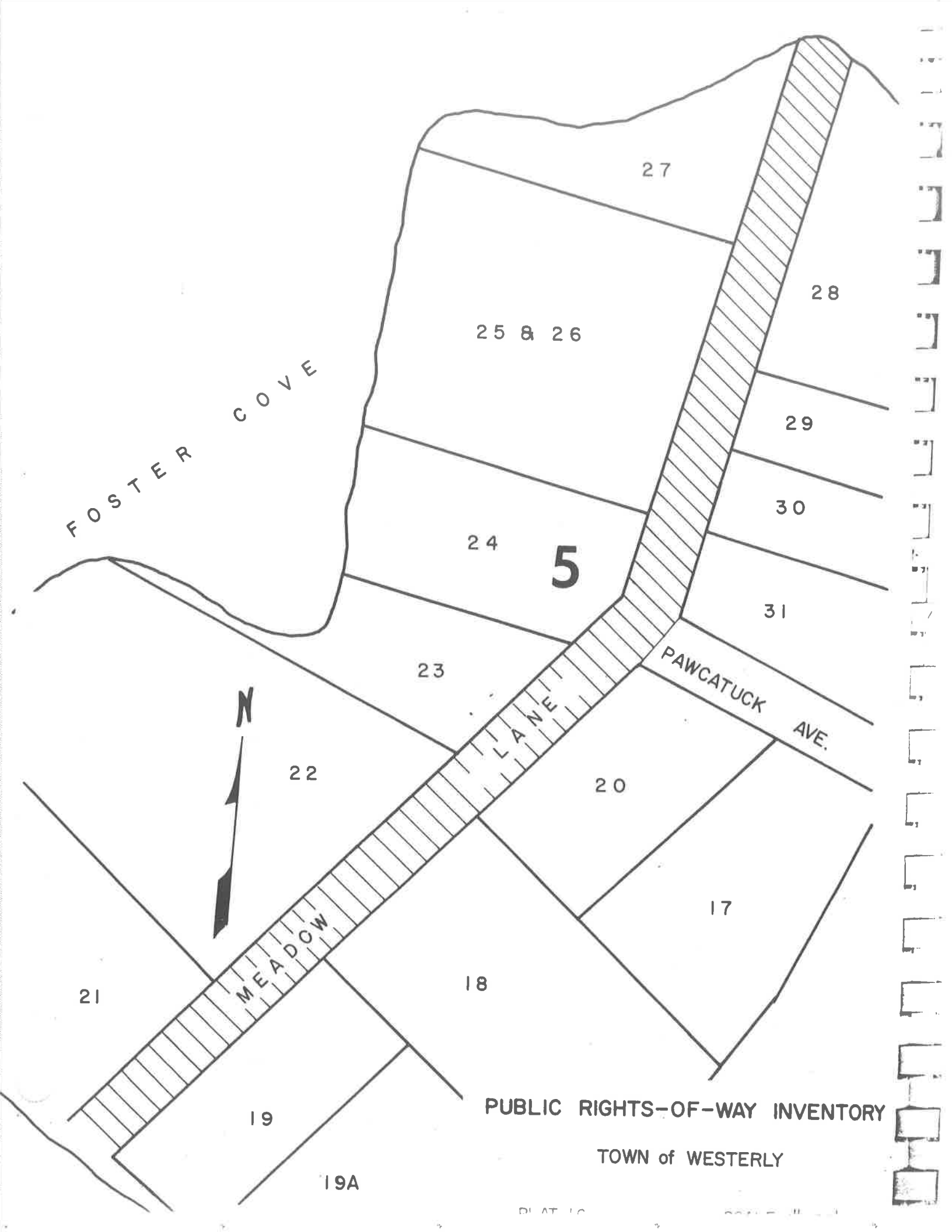


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WESTERLY

PLAT 16

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality: Number: 5

Town of Westerly

Location:

This public right-of-way runs the length of Meadow Lane which intersects with Pawcatuck Avenue. It is bounded by Foster Cove (northside) and Watch Hill Cove (southside).

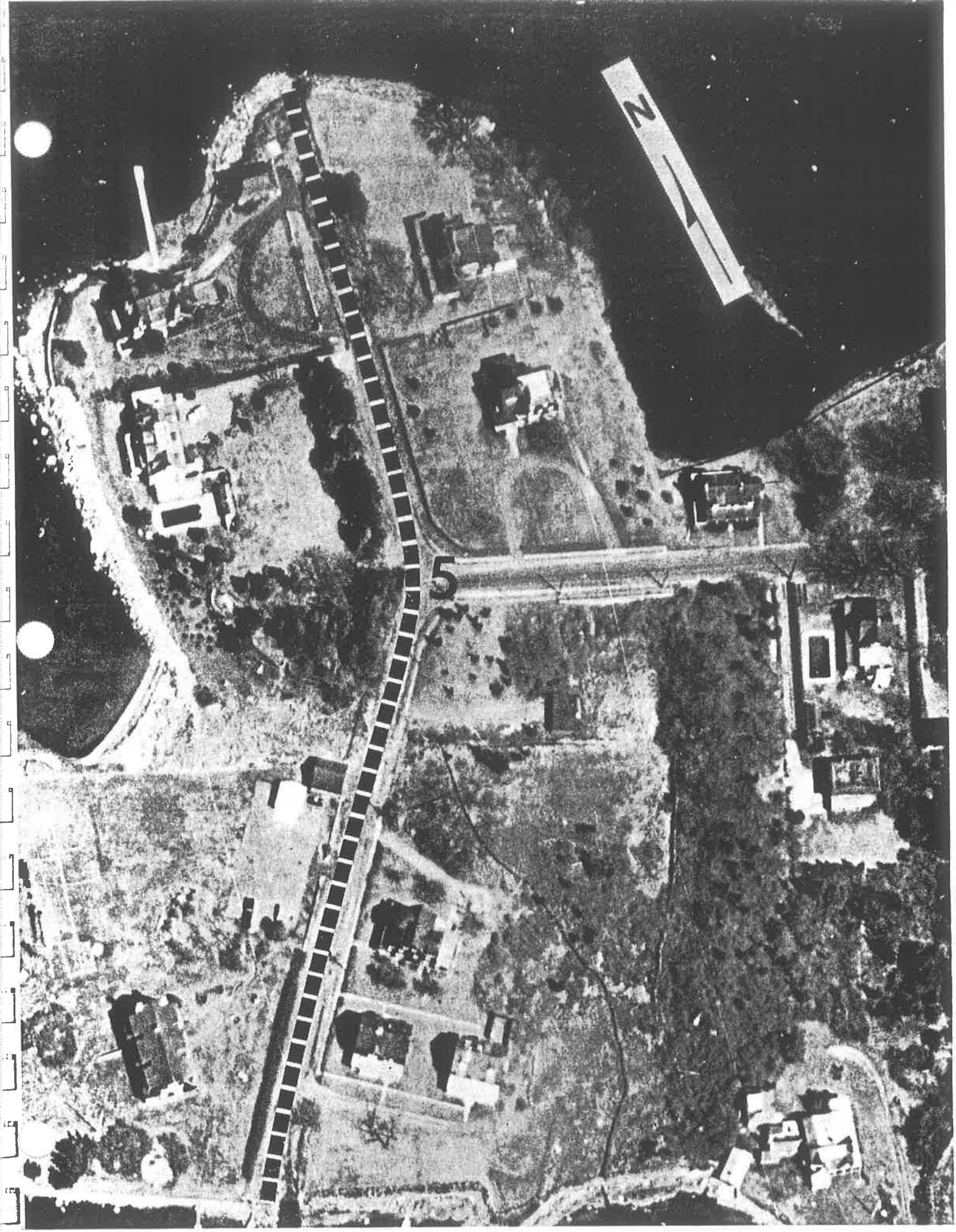
Approximate Dimensions: Width: 40 feet
Length: 960 feet
Area: 38,400 square feet

Existing Conditions and Land Uses:

This area is zoned for low density residential development. There are private homes at either end of the public way. There is no vacant land in the immediate area.

Recommendations:

At the present time this right-of-way provides access to the adjacent developed parcels. There does not appear to be the land available for further development of this area. No further action is recommended at this time.


N
5

PUBLIC RIGHTS OF WAY INVENTORY - TOWN OF WESTERLY

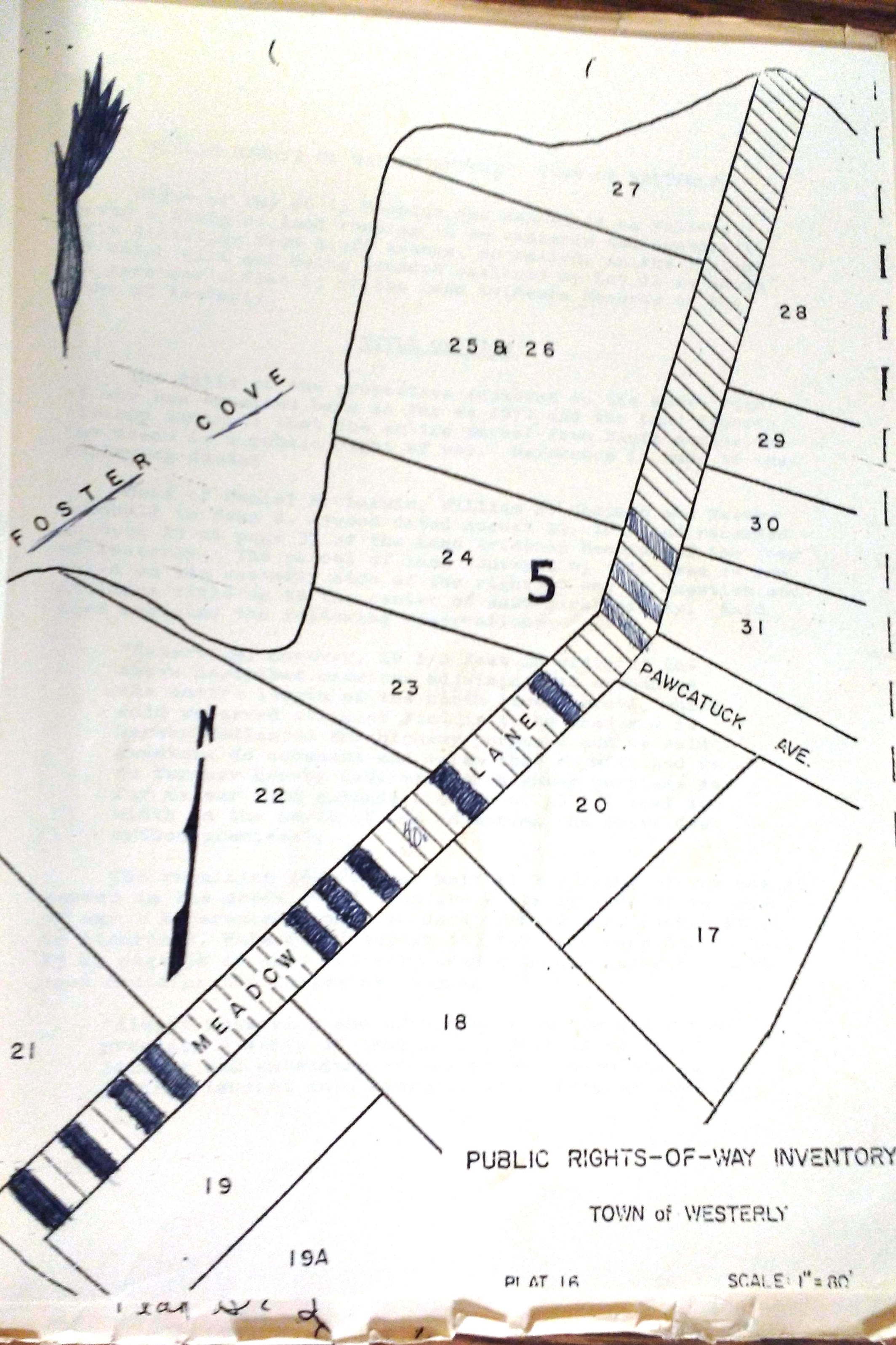
Right of Way #5 bounded and described as follows: That certain 40 foot strip of land intersected on the north by Fosters Cove, so called, on the south by the Little Narragansett Bay, the Watch Hill Cove so called, being designated as Meadow Land on Westerly Assessor's Map No. 16.

TITLE OPINION

The above parcel is presently designated as Meadow Lane and is a blacktop paved road servicing houses located on either side of the Lane. Title to the parcel of land encompassing Meadow Lane is found in deed of Charles J. Everett to Jacob S. Burnet et al dated June 12, 1886 and recorded in Book 27 at page 304 of the Westerly Land Evidence Records. This parcel was approximately 120 acres more or less and predated the subsequent development of the area. No specific conveyance of the roadway can be found and reference is made to that certain plat which designates Meadow Lane entitled "Map of Cottage Sites, Everett Farm, Watch Hill, Rhode Island, Made by Jacob S. Burnet, Lyneas Norton and Walter St. John Jones, 1886 Scale 100' per inch" recorded in Plat Book 2, pages 86 and 87 on December 21, 1887.

Based on the foregoing it is hereby certified that the above parcel is a public right of way.

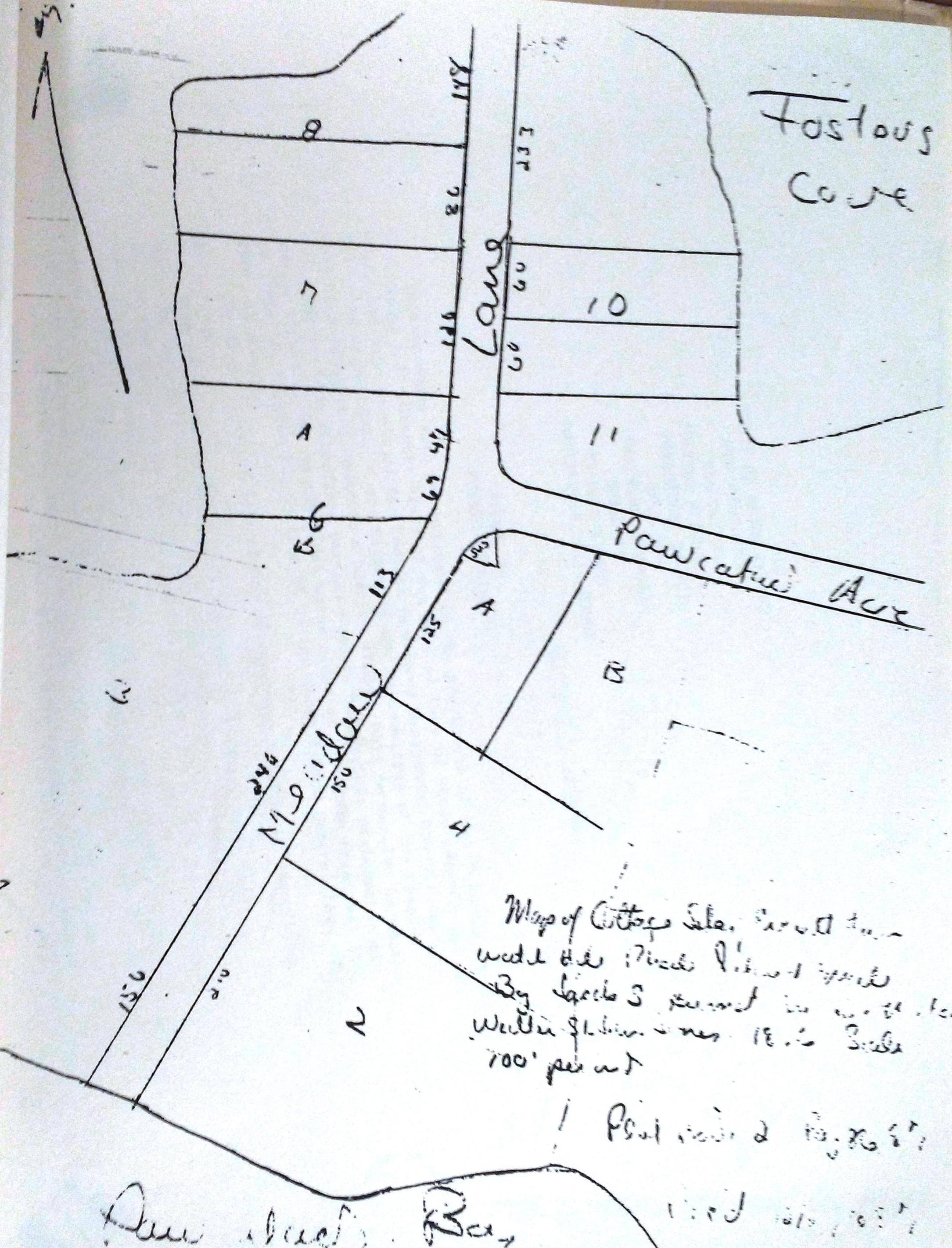
John T Palle

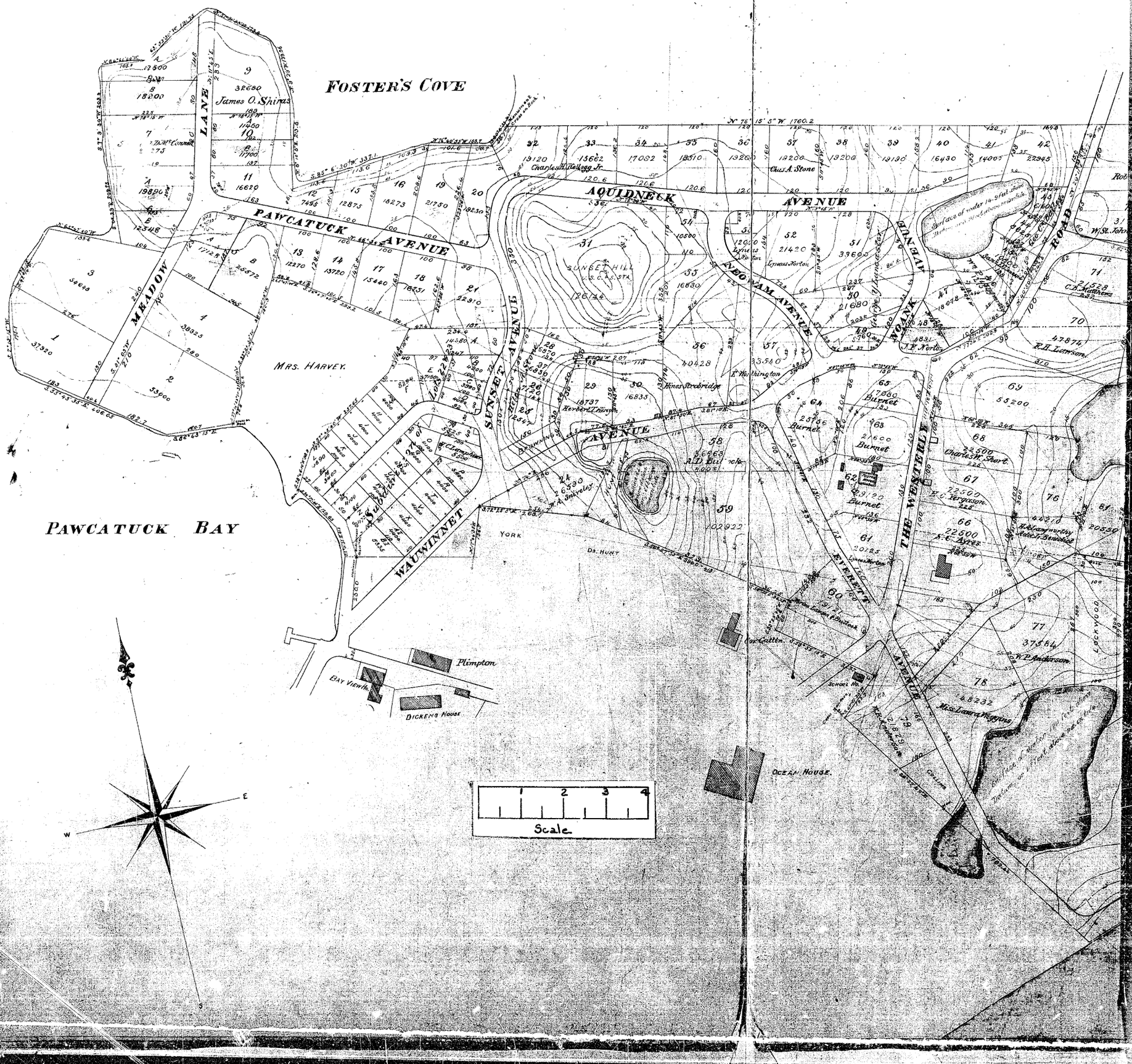


PUBLIC RIGHTS-OF-WAY INVENTORY

TOWN of WESTERLY

PLAT 16 SCALE: 1" = 80'


Fostous Cove
Lawson
Pawcatuck Ave
8
7
A
6
5
9
10
11
A
B
4
2
Map of Cottage Site, Property of
Mrs. Ida Pierce Palmer
By Lewis S. Palmer
Watch Hill, R.I.
Scale 100' per inch


FOSTER'S COVE
PAWCATUCK BAY
PAWCATUCK AVENUE
AQUIDNECK AVENUE
NEOWAM AVENUE
NOANK AVENUE
THE WESTERLY ROAD
SUNSET AVENUE
WAUWINNET AVENUE
MEADOW LANE
MRS. HARVEY.
SUNSET HILL
Plimpton
BAY VIEW HO.
DICKENS HOUSE
OCEAN HOUSE.
YORK
DR. HUNT
Scale
1 2 3 4

Map of Cottage Sites
EVERETT FARM
WATCH HILL RHODE ISLAND.

MADE BY

JACOB S. BURNET

LYNEAS NORTON

WALTER ST. JOHN JONES.

1886.

Scale

Boundaries and Topography from a survey by
J.H. Serviss C.E. 1881.
Subdivision by M.D. Burke C.E. 1886.
Datum plane 11 feet below mean tide.
Contour lines at vertical intervals of 5 feet each.

Scale, 100 feet per inch.

Received and placed on file in the Town
Records of the Town of Westerly, Rhode Island
December 27 A.D. 1887 at 3 o'clock P.M.
Attest: [illegible]
Town Clerk

BROWNING ROAD

MANATUCK AVENUE

NINIGRET AVENUE

NIANTIC AVENUE

MONEY HILL

KIDD'S WEST

ATLANTIC OCEAN

Monument 10 ft. from + on rock at Potter's Cor.

Surface of water 14.9 feet above Datum, or 3.9 feet above mean tide.

Surface of water 14.6 feet above Datum, or 3.6 feet above mean tide.

Surface of water 13.3 feet above mean tide.

Surface of water 11.1 feet above mean tide.

Surface of water 11.6 feet above Datum, or 2.6 feet above mean tide.

Surface of water 11.1 feet above Datum, or 2.1

State of Rhode Island and Providence Plantations

REPORT

OF

THE SPECIAL COMMISSION TO DISCOVER

THE PUBLIC RIGHTS-OF-WAY TO WATER

AREAS OF THE STATE

TO THE

GOVERNOR

March 1958

Santo J. Turano, Jr., Esq.
Attorney for Commissi on

I ATLANTIC BEACH

The following is a report showing lot numbers taken from the Assessor's Plat in Westerly, R. I. and the corresponding numbers of the same lots as designated in "Plan of present Beach Roads, Westerly, R. I. scale 200 ft. to the inch by C. H. Chandler and S. B. Palmer, Engineers, Norwich, Conn., 1909," filed July 21, 1909. Said plan being recorded in the Westerly Land Evidence Record Plat Book number 2 pages 13, 14 and 15. Authorities which have the recording of these beach lots is contained in an agreement between Albert Langworthy, et als, dated May 17, 1909 and recorded in the Land Evidence Records of said Westerly in Book 39, page 419. Between each of these lots is a right-of-way.

Assessor's Plat #7 Lot 10 & 11	being	Plat Book #2 Page 14 Lot # 11 & 12
Assessor's Plat #5 Lot #2 & 1	being	Plat Book #2 Page 15 Lot #123 & 124
Assessor's Plat #5 Lot #51 & 52	being	Plat Book #2 Page 14 Lot #73 & 74
Assessor's Plat #5 Lot #37 & 36	being	Plat Book #2 Page 14 Lot #88 & 89
Assessor's Plat #4 Lot #14 & 15	being	Plat Book #2 Page 14 Lot #140 & 141

Assessor's Plat #5 Lot #22 & 21	being	Plat Book #2 Page 15 Lot #58 & 59
Assessor's Plat #6 Lot #32 & 31	being	Plat Book #2 Page 14 Lot 41 & 42
Assessor's Plat #6 Lot #48 & 49½	being	Plat Book #2 Page 14 Lot 95 & 25

At the outset, for sake of brevity, deeds of importance will be designated by book and page number without reference to words. For example, deed in Book 500 page 63 will be designated as 500/63.

For key deeds at Misquamicut see 71/266; 59/519; 47/568; 53/219; 49/15; 71/10; 61/200; 51/329; 55/571; 45/531; 561/363; 55/583-586; 63/323 47/313; 41/479; 71/175; 57/591; 48/382; 71/108; 64/576; 74/177; 67/306; 53/481; 46/596; 66/582; 48/95; and 48/436

Other points accessible by public roads refer to:

1. Assessor's Plat No. 8 - Winnapaug Road bordering on Winnapaug Road.
2. Assessor's Plat No. 13 - shows Ocean View Highway to shore, south of Lot No. 2. Everett Avenue also shows a lot from Bluff Avenue to shore east of Lots No. 11 and 12.

3. Assessor's Plat No. 16 - Meadow Lane from Watch Hill Cove to Foster's Cove.

4. Assessor's Plat No. 16 - Wapon Road, from Misquamicut to Pawcatuck River.

5. Assessor's Plat No. 18 - Avondale borders on so-called Col. Wither's Cove off the Pawcatuck River.

6. Assessor's Plat No. 19 - Public Way and wharf opposite Lot No. 9.

7. Assessor's Plat 13 shows the following roads which lead to or are adjacent to public waters: Bluff Avenue, Everett Avenue, Wanwimast Avenue, Niantic Avenue, Ninigret Avenue. See also book 43, page 458 in reference to right-of-way to Napstree point and Book 44, page 368 regarding a 10 foot right-of-way from Ocean View highway. Also Book 35, page 298 with reference to Napstree Point and Book 22, page 358 with reference to a right-of-way of roadway leading to Coast Guard Station. These latter referred to rights-of-way have not been conclusively determined and should be pursued further

Town of Westerly

Town Hall • 45 Broad Street • Westerly, Rhode Island 02891
TEL: (401) 348-2544 • FAX: (401) 348-2616

Town Assessor's Office

February 14, 2023

Anthony M. Palazzolo Jr., Esq.
285 Pendleton Hill Road
North Stonington, CT 06359

Re: Waters Edge Road, Westerly, RI

Dear Attorney Palazzolo,

Based on the Westerly Street Inventory collected by the Town Planner in 2006, Waters Edge Road is maintained by the Town of Westerly and is not taxed as a distinct parcel to any private entity.

Attached is a Westerly GIS map of the area showing that there is no Map/Lot designation for Waters Edge Road. I have also included two maps of sections of the Everett Farm subdivision from 1886 that show Waters Edge Road (f/k/a Meadow Lane).

Please contact me should you have any further questions.

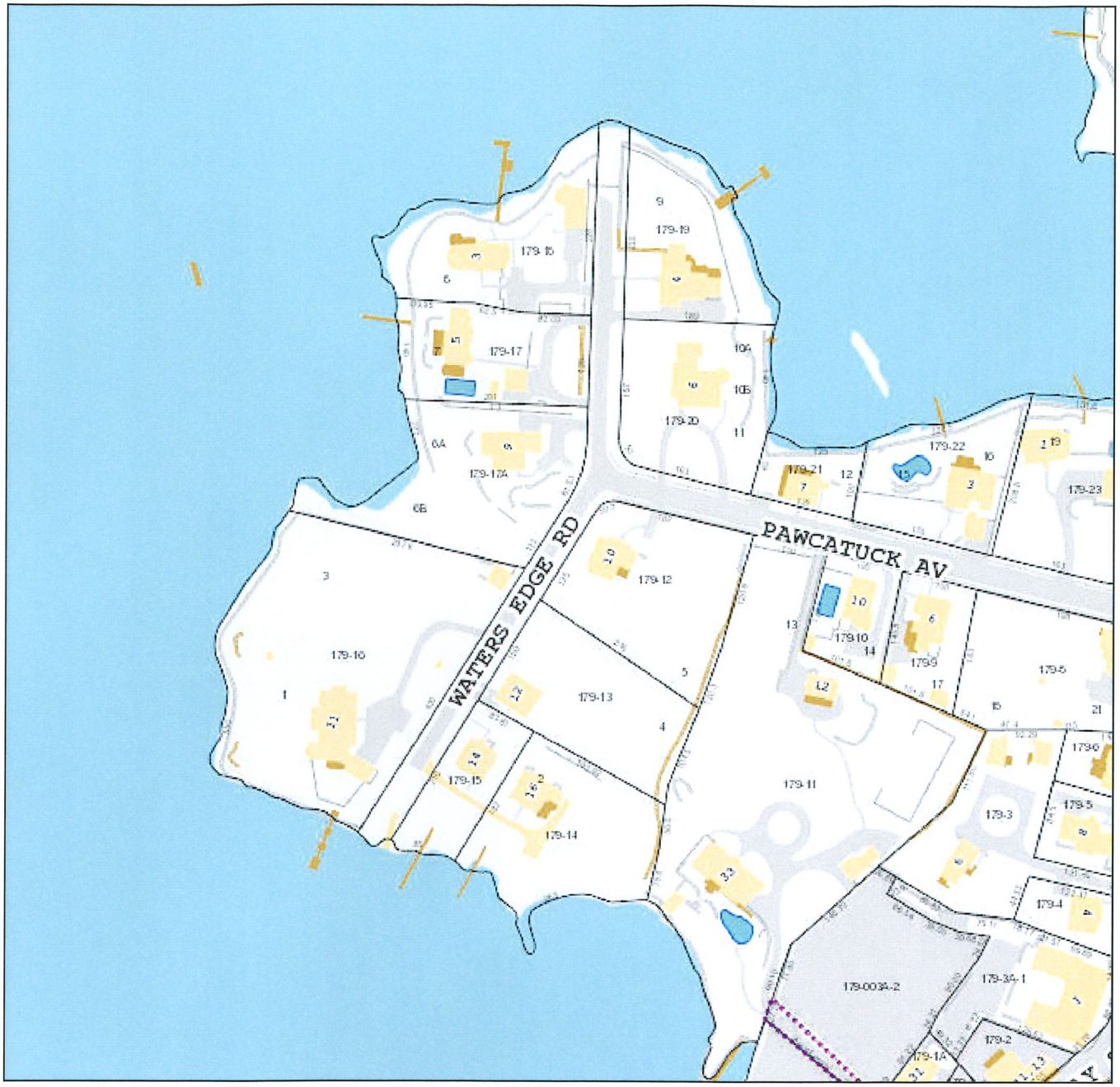
Sincerely,

David B. Thompson
Westerly Town Assessor

Town of Westerly

Geographic Information System (GIS)

Date Printed: 2/14/2023



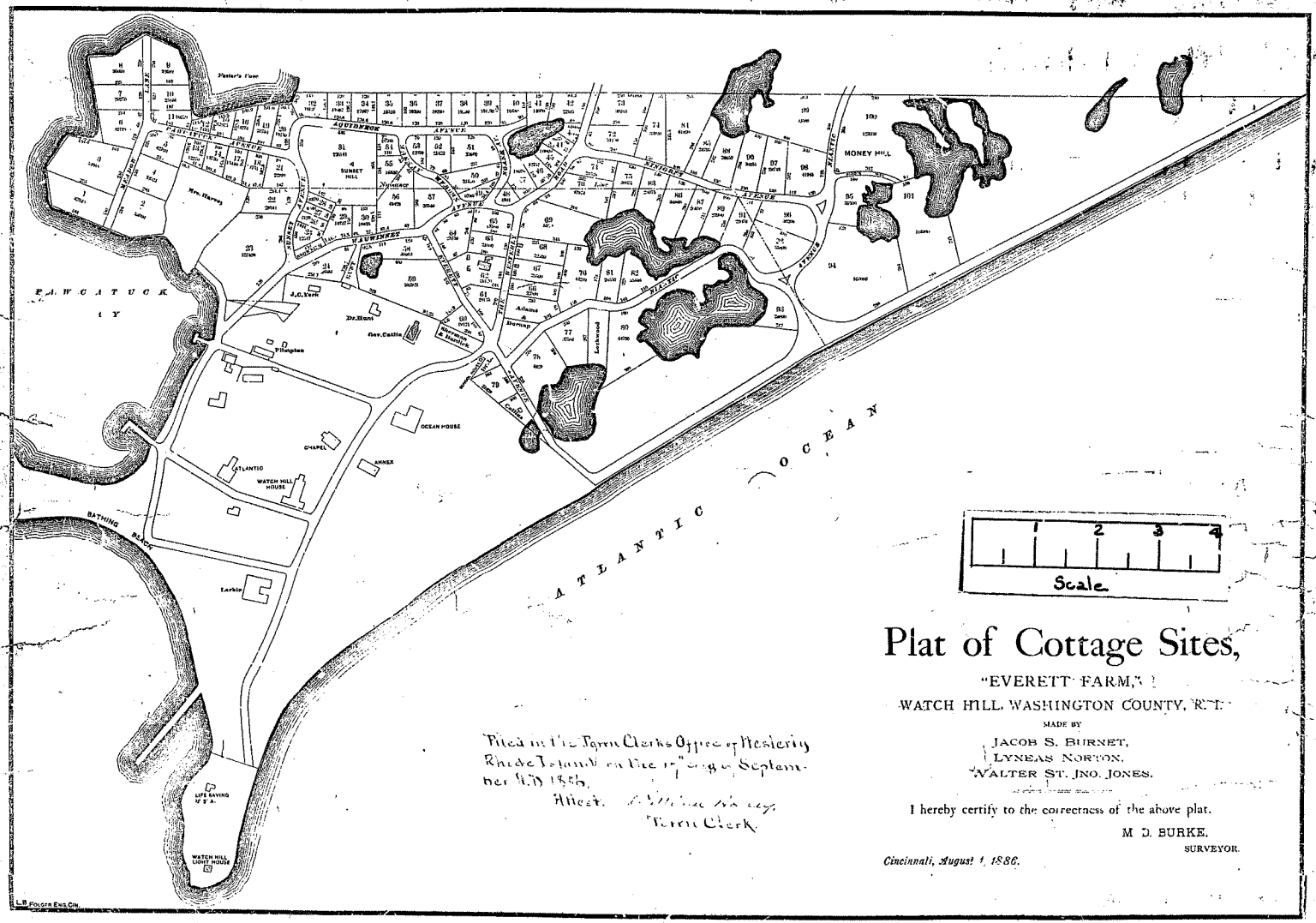
MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. The Town of Westerly and its mapping contractors assume no legal responsibility for the information contained herein.

Approximate Scale: 1 inch = 200 feet

0 200 Feet

N W E S



Plat of Cottage Sites,

"EVERETT FARM,"

WATCH HILL, WASHINGTON COUNTY, R.I.

MADE BY

JACOB S. BURNET,
LYNEAS NORTON,
WALTER ST. JNO. JONES.

I hereby certify to the correctness of the above plat.

M. D. BURKE,
SURVEYOR.

Cincinnati, August 1, 1886.

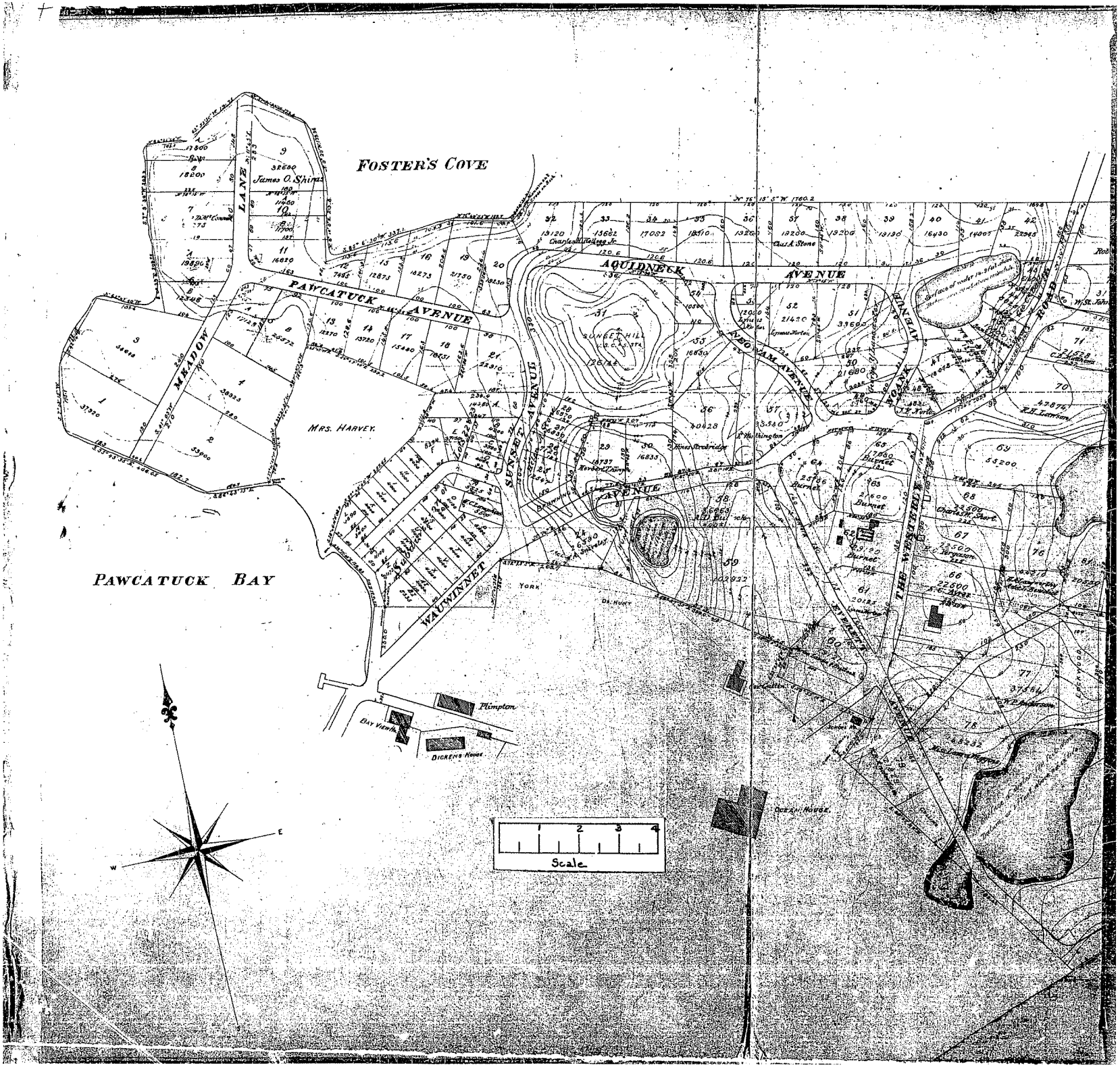
Filed in the Town Clerks Office of Westerly Rhode Island on the 17th day of September A.D. 1886.

Attest. [illegible]
Town Clerk.

L.B. FOLGER ENG. CIN.

12/21

2/86


FOSTER'S COVE
PAWCATUCK BAY
MEADOW LANE
PAWCATUCK AVENUE
AQUIDNECK AVENUE
SUNSET AVENUE
NEOWAM AVENUE
WOANK AVENUE
THE WESTERLY ROAD
WAUWINNET AVENUE
MRS. HARVEY
James O. Shiras
SUNSET HILL
Plimpton
BAY VIEW
DICKENS HOUSE
OCEAN HOUSE
Scale
1 2 3 4
E
W

Retaining Access to Napatree Point in SLR-induced Nuisance Tides

Project Narrative
Submitted by The Watch Hill Fire District, Inc.

Purpose

We are requesting $259,000 from the Climate Resilience Fund to address significant, and increasing nuisance tide and severe weather flooding that currently precludes access to an extraordinary natural open space asset, as well as much needed access and parking for local businesses and attractions. This solution will benefit the entire public; Rhode Island residents and tourists alike. We will accomplish this by elevating the sandy pathway at the entrance to the Napatree Point Conservation Area using a natural materials design solution. In addition, we will secure the paved access route to Napatree and local businesses by redesigning components of the current built infrastructure; closing a gap in the Watch Hill Fire District-owned seawall that currently allows for significant flooding, improving the drainage systems at the paving and the seawall, and repairing leaks caused by eroded and deteriorating pavement. The proposed two-component solution will keep the Napatree Point Conservation Area and the paved parking area accessible on all but the most severe weather days for the next 15 years.

Bay Street in the Village of Watch Hill, RI is the community center for commerce and access to many public amenities. The Napatree Point Conservation Area is a significant and unique natural amenity accessed from Bay Street. Because of its low elevation, the paved route to Napatree and the sandy entrance path to the Conservation Area floods extensively in nuisance tides and Nor'Easters. In flood conditions, public parking for the businesses in Larkin Square and on along Bay Street is reduced and pedestrian traffic is impeded. One Bay Street restaurant owner reported that she can detect declines in business sales during such flooding with the loss of just 4-5 parking spaces. The entrance to the Napatree Point Conservation Area, a publicly accessible nature reserve owned by the Watch Hill Fire District (WHFD) and managed by The Watch Hill Conservancy is accessible across paved parcels owned by the WHFD (Plat/Lot 185-33 and 185-31-1, property titled 151 Bay Street, Westerly parcels database). Herein, we will refer to this 710 foot long pedestrian and vehicle access way the *Napatree access route*.

The Napatree Point Conservation Area is heavily used by the public; 95,000 visitors will come to Napatree in a single year, and 1,500 will visit Napatree on a warm summer day. The Conservation Area is an important destination and asset for residents and tourists alike. At tides > 0.5 foot MHHW, ATV access necessary for public safety and land stewardship efforts on Napatree is compromised (Figure 1 and Attachment 2 in Other Supporting Materials). This occurs on average 121 days per year (mean of last four years of data based on the USGS tide gauge data in the Watch Hill Harbor). At tides > 1 foot MHHW, visitor access on dry ground is not possible (Figure 1) and this occurs on average 39 days per year. The proposed project will correct this problem and significantly restore accessibility.

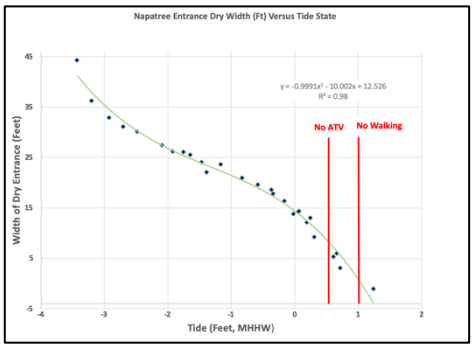


Figure 1. Width of dry sand versus tide state at the Napatree entrance. Source: The Watch Hill Conservancy.

For our region, NOAA defines a nuisance tide as any tide greater than 1.9 feet above mean higher high water (MHHW, for New London, CT). The frequency of sea level rise (SLR)-induced nuisance tides has been increasing, and southern New England (Montauk, New London, Providence, Boston) shows the greatest number of nuisance tides in the country (Figure 2, NOAA, 2014).

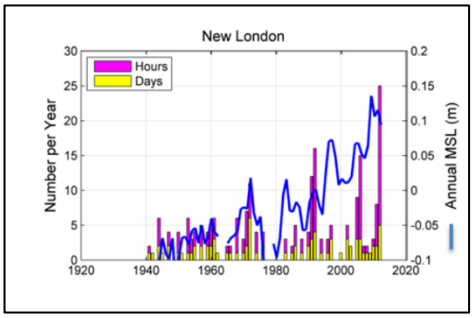


Figure 2. Frequency of nuisance tides in New London over the past 70 years. Source NOAA, 2014.

Impeded access to Napatree during nuisance tides results from two main sources of inundation (see maps in Other Supporting Materials): (1) The sandy 15-foot wide path at the entrance to the Napatree Point Conservation

Area (only land-based public access point for Napatree) becomes completely submerged at tides > 1 foot MHHW. The elevation of the path is 0-1 foot MHHW (Attachment 1 in Other Supporting Materials). As previously mentioned, this tide level occurs 39 days a year. (2) The seawall (owned by the Watch Hill Fire District) at the beginning of the Napatree access route has a gap in elevation (Attachment 2, Other Supporting Materials). Water pours over this gap at tides > 0.8 feet MHHW and floods the roadway and parking lot. This occurs 64 days per year based on a 4-year average from the Watch Hill tide gauge. In addition, in the same area, the paved roadbed has deteriorated and water seeps up from underneath and at the juncture where the pavement meets the seawall during very high tides.

Such flooding takes away parking available for the commercial businesses and private residences in Larkin Square, and impedes pedestrian and vehicle access to public destinations, including Napatree (Attachment 2, Other Supporting Materials). Ensuring public and emergency access to the Napatree Point Conservation Area and the commercial areas along the Napatree access route will require fixing both sources of tidal flooding. We seek DEM Resilience Grant funding to resolve these SLR-induced problems that are limiting access to the Napatree Point Conservation Area and are negatively impacting the businesses in Watch Hill. For the Napatree entrance location, we will use a natural material based design and strive to be as "nature-based" as CRMC permitting will allow us. The seawall and paved roadbed repair is a redesign of current infrastructure.

The primary drivers of our proposed project are environmental and economic: to protect public and emergency access to the Napatree Point Conservation Area and the adjacent commercial areas along the Napatree access route, to ensure access for public safety and land stewardship services to Napatree by ATV, and to make sure that fire safety and other emergency response vehicles have immediate passage on the Napatree access route. Every year in the Conservation Area we address medical emergencies, boat strandings, marine mammal strandings, and the need to carry equipment and personnel for endangered species management and habitat restoration. As evidenced in the 2019 State of Napatree Report (Attachment 5, Other Supporting Materials), we, and our partner conservation organizations (US Fish and Wildlife Service, RI DEM), have very active stewardship, monitoring, and youth education programs on Napatree that require safe and dependable access. Our designs for preserving access to Napatree have a target life of at least 15 years and will accommodate another 1 foot of SLR. The flooding problems are present and they are urgent; they must be addressed now. In addition, we are actively planning to develop a longer-term resolution to the SLR-induced flooding that is predicted over the next 30-40 years. As the best science currently predicts, when sea levels are 2-3 feet higher than they currently are, Watch Hill will be severely impacted.

Project Approach

Napatree Entrance: The single sandy entrance path to the Napatree Point Conservation area is 15 feet by 260 feet and occurs at an elevation of 0-1 foot MHHW. Tides greater than 1 foot are common (at least 39 days per year (average of the last four years)). The design life for the current mitigation plan is 15 years. Thus, we must be able to accommodate another 1 foot of anticipated SLR. The plan is to raise the elevation of the entrance to Napatree to an elevation of 3.5 feet MHHW. This will rarely flood under normal (non-storm) tidal conditions for the next 15 years. We are aware that flooding will occur during moderate to intense storms, but our design should remain substantially intact under such conditions with minimal maintenance.

Our design will raise the Napatree entrance to a final elevation of 3.5 feet MHHW with large stones (2'x2'x2', 1,500 lb each) providing a base to the entrance path, then topped with 1 foot of sand (Attachment 3, Other Supporting Materials). The elevated surface will extend from the entrance gate at Napatree to the main dune crossing, approximately 15 feet wide by 260 feet long. The south side of the entrance to Napatree is a private parking lot. A chainlink fence marks that boundary. The 0 feet MHHW elevation is approximately 25 feet north from the fence. From 0 MHHW north to MLLW (-3 feet MHHW) is an additional 25 feet into Watch Hill Harbor. From MLLW to MHHW we will establish a stone revetment that will protect the entrance path from wave energy and storm surge. The site is classified as a V-13 zone by FEMA, thus a stone revetment is required to stabilize this narrow, but critical Napatree entrance and protect the elevation capital that we create. The entrance path to Napatree originally had a short stone revetment to protect it from wave action, but it has long been dispersed. The stones are clearly visible in the photographs of the site at low tide (Attachment 2, Other Supporting Materials). We are reestablishing and enhancing the protection that the original revetment provided. The underlayment of stone with the overtopping of sand will be durable to storms and have a long lifespan. Our mitigation plans have been developed in close consultation with

coastal geologists, marine engineers, civil engineers, and coastal wetland ecologists. We have had a number of meetings with CRMC staff to make sure our plans can be permitted.

The current entrance path will be graded to an elevation of about 0.5 feet MHHW. Remnant asphalt and stones will be removed so that the surface is flat and free of foreign objects. Grading and asphalt removal will be done using a small Bobcat excavator on rubber tracks. The stone underbase for the walkway will be comprised of same size stones as those used in the revetment. The voids between stones will be filled with sand and a one foot overtop dressing of sand will be applied. Soil will be used along the southern edge of the path next to the private parking lot. Native shrubs (Bayberry *(Myrica pensylvanica*), Virginia Rose (*Rosa virginiana*), Beach Plum (*Prunus maritima*) will be planted to stabilize the southern edge of the path and to keep sand from migrating and blowing into the parking lot (Attachment 3, Other Supporting Materials).

We are requesting $134,000 to complete this component of our project. Our rationale for developing a mitigation plan that uses natural materials is simple, we want to preserve the natural setting of the Napatree Point Conservation Area. The underlayment of stones will be buried under a foot of sand and invisible to pedestrians walking on the path. Beside protecting the path, the stone revetment will create intertidal structure and new habitat for marine organisms, such as fish, crustaceans and mussels. The native shrubs we will plant along the southern edge are high value food resources for wildlife. The entrance path is not a source of sediment for the bayside Napatree shoreline; thus, the revetment will not impede the sediment budget of the area (Systems Approach to Geomorphic Engineering, SAGE, 2020). We recognize that these plans may require some adjustment as we proceed through the permitting process.

Repairing the Roadbed, Eliminating the Seawall Gap: Mitigating nuisance tide flooding at the Napatree entrance path is one piece of a two-part project to protect the Larkin Square businesses and access to public destinations, including the Conservation Area. Another major source of flooding is a low elevation gap in the seawall at the beginning of the Napatree access route and the Larkin Square business and residential complex. The gap accommodates the entrance ramp to a private establishment. The current elevation of the gap is 0.8 feet MHHW. Normal nuisance tides exceed this elevation 64 days per year (average of the last four years). The seawall on either side of the gap is 2.3 feet MHHW. With the grant funding we seek here, we will increase the elevation of the gap by one foot to a new elevation of 1.8 feet MHHW. Nuisance tides above this elevation are infrequent (3-10 days per year on average). Reducing the gap will prevent water from flowing into the Napatree access route that we currently witness on a regular basis. Because of ADA access regulations to the private establishment, we cannot increase the elevation of the gap beyond the 1.8 foot target at the current time.

The roadbed at the seawall gap has deteriorated and seeps seawater at very high tides; this contributes to the flooding for the local businesses and along the Napatree access route. The repair is relatively simple, we will grind down the existing asphalt and, with additional stone fill, regrade and pack the base. The slope of the roadway will flow toward the drain scuppers along the seawall, but we will raise the asphalt surface six inches at the seawall and taper the new asphalt to existing grade at approximately 50 feet into the parking area. This will allow for stormwater runoff to a new filtered drain system running the length of the seawall before entering a series of drain scuppers that direct flow into Watch Hill Harbor. All scupper drains will be equipped with one-way duck-billed valves that allow for stormwater to flow into the Harbor but keep seawater from flowing into the roadbed. In addition to eliminating flooding from seepage through the roadbed, we are significantly improving the treatment of stormwater runoff from the parking area and roadbed entering into Watch Hill Harbor (Attachment 4, Other Supporting Materials). We are requesting $125,000 to complete this aspect of our project.

For the last two years, The Watch Hill Conservancy has led an initiative among 11 community organizations and their leadership to develop resiliency plans to accommodate a 3-foot SLR scenario that is expected by 2050 for Watch Hill Village. In 2019, the community leaders signed a Resolution (Attachment 6, Other Supporting Materials) to work as a group to adapt to anticipated climate change impacts to Watch Hill. The consortium of community leaders has been briefed on our proposed near-term solution and fully supports it (Attachment 7, Other Supporting Materials).

Management and Coordination

Management of this project will be done by the following individuals:

Randolph G. Abood & Elizabeth Bean - Fire District Moderator & Fire District Park Commissioner: overall project management. They will provide backoffice administrative support, project accounting, review construction proposals, purchasing, and coordinate with the others on the management team.

Deborah Lamm, Janice Sassi, & Jocelyn Lahey - The Watch Hill Conservancy; President and Chair, Napatree Manager, Executive Director: project oversight, Napatree logistics, and community outreach. They will provide access and logistic support to the project team, especially in terms of access to the site. They will serve as the communication/outreach coordinators and liaison with the 11-member Watch Hill climate change resiliency consortium (see preceding section). Through public meetings, email, and social media, they will inform and educate the Watch Hill community to the SLR Resiliency projects described here.

Dr. Peter August, Dr. Bryan Oakley - The Watch Hill Conservancy, University of Rhode Island, Eastern Connecticut State University: science advisors, mapping, geology.

Robert Fairbanks - Fairbanks Engineering, coastal engineer: Napatree entrance project engineering and construction management.

Scott Rabideau - Natural Resources Services, wetland ecologist: project permitting, planting.

Keith Neilson - Docko Engineering, civil engineer: seawall gap/roadbed repair construction management.

Purchasing, contracting and personnel management will be done through the Watch Hill Fire District. As a quasi-government agency, the WHFD already has procurement procedures that are compliant with State of Rhode Island purchasing guidelines. The WHFD has an annual budget of $1.3 million dollars and considerable experience in project management. The WHFD owns several real estate assets in the community, including the large parcels which provide public access to the Napatree Point Conservation Area and the businesses and residences in Larkin Square.

The Watch Hill Conservancy, a 501(c)(3) nonprofit conservation organization, has administered over $300,000 of grant funds in the past seven years, most recently (2020) a DEM Open Space Grant. The Conservancy has a strong record of success in overseeing complex projects. For example, it just celebrated the completion of a 10-year, $6 million dollar project to bury all utility lines on Bay Street for safety, environmental, and aesthetic purposes.

Maintenance

After storms and Nor'Easters, it may be necessary to supplement lost sand on the top dressing of the stone base at the Napatree entrance. We estimate that it would cost $4,000 to add another 6-12 inches of sand to the entrance. The WHFD will be responsible for this maintenance. We will monitor the condition of the improvements on an ongoing basis. Any Napatree entrance sections that become depleted of sand will be recovered with sand. Scupper drains in the seawall along the Napatree access route that allow stormwater runoff to leave the roadway are continually cleaned and maintained by the WHFD. The condition of the pavement will be assessed, and repairs will be addressed as needed.

Public Outreach

Prior to construction, we will develop and deploy a public display sign that explains the anticipated SLR impacts to the Napatree entrance. Since the majority of the 95,000 visitors/year enter the Conservation area at this one location, we will be able to inform a large segment of the Napatree community of our RI DEM-funded SLR mitigation efforts. We will also keep The Watch Hill Conservancy members abreast of the project through our successful Constant Contact email list as well as our social media sites.

Final Products

Our mitigation actions at the entrance to the Napatree Point Conservation Area and its access route will provide greater public safety, enhanced visitor accessibility, continued land stewardship, and unimpeded pedestrian and vehicle access to local businesses for the near-term of 15 years. In this period, we will be able to tolerate another 1 foot of sea level rise. We are currently exploring our options for a longer-term solution, the 3-foot SLR adaptation goal (2050 time-target) for all of Watch Hill Village. Whatever that solution is, it will be expensive and complex. The beauty of our current solution at the Napatree entrance is we can simply elevate the entrance path at the Conservation by adding

more sand with a stone underlayment and elevating the stone revetment to a new target elevation. In addition, we will close a gap in the seawall and improve the condition and grade of the paved access route which will leave that access route and the adjacent parking areas dry on all but the most challenging of weather days.

The benefactors of the project are the entire public - anyone that visits Watch Hill (Rhode Island residents and tourists alike), including the 95,000 visitors to Napatree each year, the businesses in Watch Hill Village whose prosperity depends on parking, pedestrian/vehicle transit along the Napatree access route and to the village, and the recipients of public safety services.

The work we are proposing here is fully consistent with the goals and vision of the Draft 2020-2040 Town of Westerly Comprehensive Plan. For example:

> From the Vision Statement - *The shoreline, Pawcatuck River, salt ponds and greenspace will remain Westerly's trademarks, carefully managed to sustain their uses while preserving their health and natural beauty for future generations to enjoy. - Westerly will have achieved a condition of economic and physical resilience to natural and man-made events.*
>
> The Mandate - *The local economy and government services need to prepare now for the challenges to come. Increasing rates of sea level rise, shorter winters and longer summers, and less snowfall and ice coverage will affect residents and visitors experience. Protection of the natural environment, and the health, welfare, and economic well-being is essential to the community's vitality*.

Our stewardship and management of the Napatree Point Conservation Area fully embraces the goal articulated in the Resilient Rhody Report (2018): *Preserve the dynamic nature of beaches and barriers in future management of these critical natural systems.* Stewardship to protect and enhance natural ecosystem processes in the Napatree Point Conservation Area is central to our mission.

As evidenced by the large number of visitors to Napatree in all seasons of the year, we strive to keep it a safe and accessible public resource. This too is highlighted in the Resilient Rhody report:

> *Policymakers and practitioners also need to consider how inequality and structural conditions affect Rhode Islanders' access to resources that transform vulnerability into resilience.*

Using local sand and stone at the Conservation Area entrance path we are committing to as nature-based a solution as possible. The low-profile stone revetment that will protect the Conservation Area entrance from wave energy will not interfere with the natural processes that are required to keep Napatree the pristine barrier spit ecosystem that it is. In fact, the complex structure of the revetment stone will increase the habitat quality of the short stretch of bayside shoreline. Redesigning the current infrastructure components along the paved access route will preserve access and parking for both the commercial village and the Conservation Area.

Project Schedule

April 2020:	Submit Resiliency grant proposal
June 2020:	Receive Notice of Award from RI DEM, submit permit applications to CRMC, ACOE, and RI DEM
July 2020:	Establish project administrative requirements with RI DEM
Nov. 2020:	Using a competitive process, select construction firm
Feb. 2021:	Receive permits
March 2021:	Initiate construction at Napatree entrance
April 2021:	Complete construction of Napatree entrance
Nov. 2021:	Initiate seawall gap and roadbed repair
January 2022:	Complete repair of seawall gap and roadbed
March 2022:	Prepare final accounting and reporting to RI DEM

Total anticipated timeline – 21 months

References

Resilient Rhody, 2018. Resilient Rhody: An Actionable Vision for Addressing the Impacts of Climate Change in Rhode Island. http://climatechange.ri.gov/documents/resilientrhody18.pdf

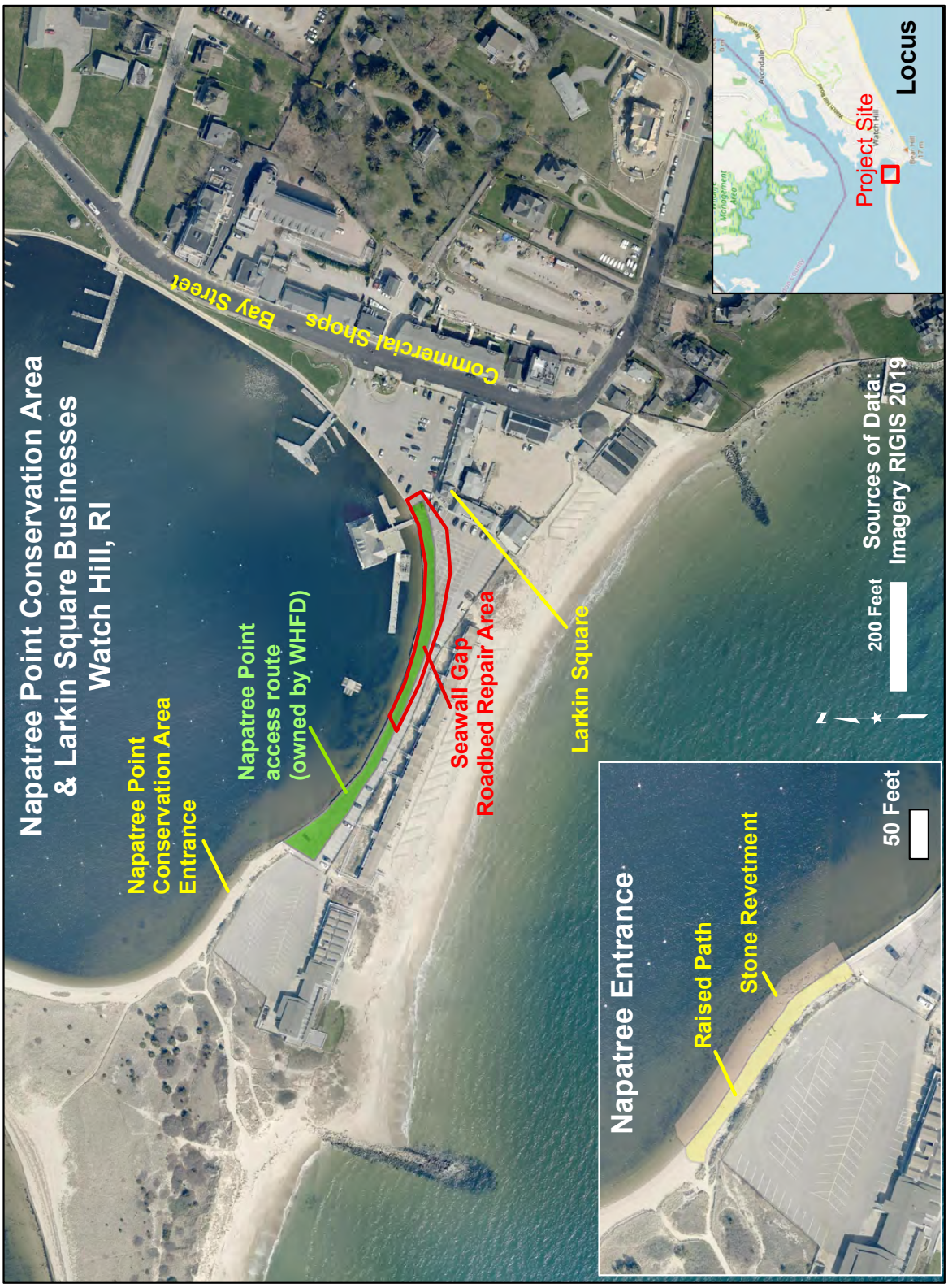
SAGE, 2020. Systems Approach to Geomorphic Engineering. http://www.sagecoast.org/

Sweet et al., 2014. Sea Level Rise and Nuisance Flood Frequency Changes Around the United States. NOAA Technical Report NOS CO-OPS 073

Westerly Comp Plan 2020-2040, 2020. Town of Westerly Comprehensive Community Plan: 2020-2040 (DRAFT). https://westerlyri.gov/710/Comprehensive-Community-Plan-2020-2040

Maps of the Project Area

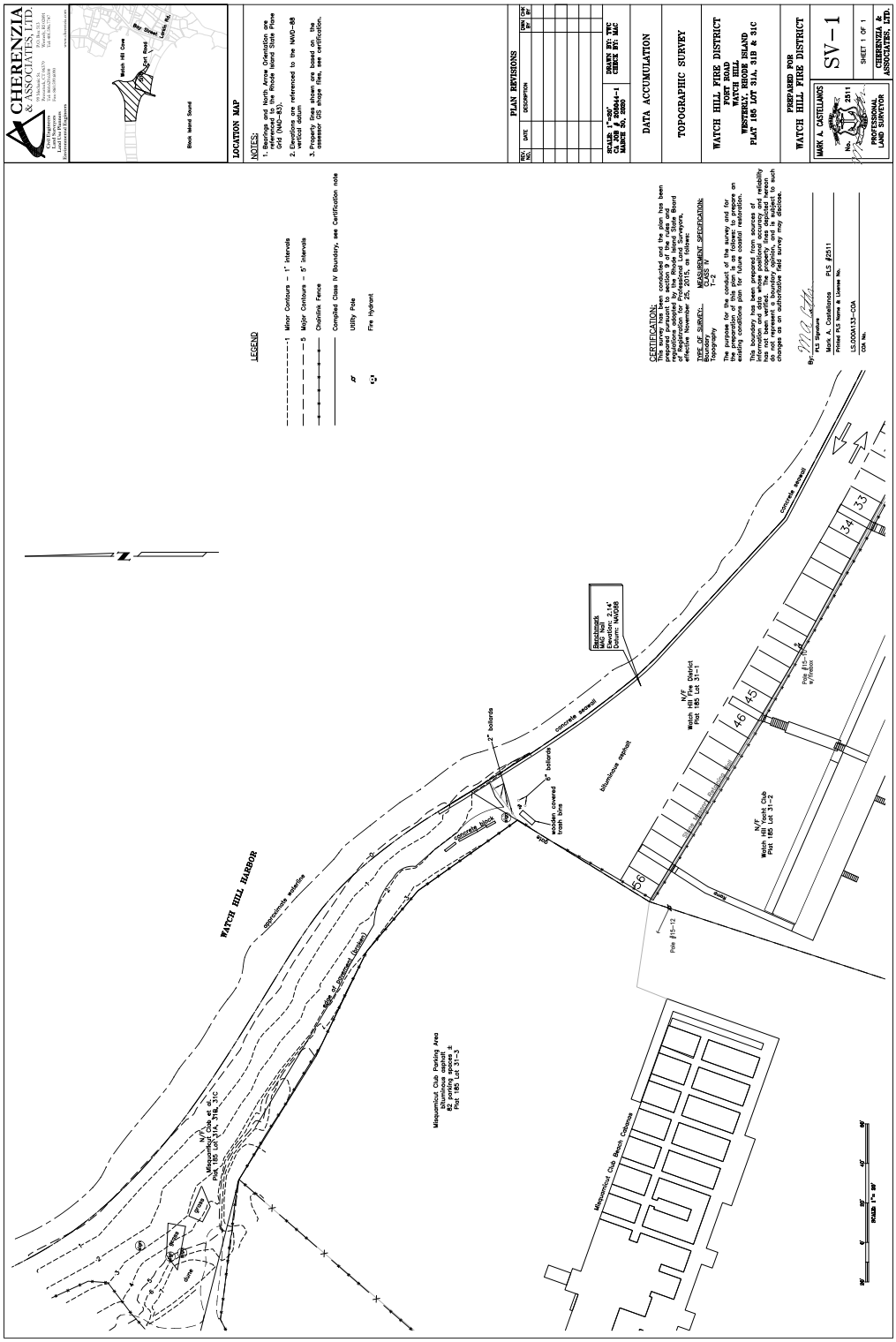
Map 1 - Site Map



Map 2 - StormTools Inundation Map

Other Supporting Materials

Attachment 1. Topography of the Site – Current Conditions



Attachment 2. Photographs of the Napatree Entrance in Different Tidal Conditions

Tide state is given above the photograph

1.24 Feet MHHW. No pedestrian access. This tidal condition is exceeded approximately 20 days a year

0.72 Feet MHHW. No ATV access. This tidal condition is exceeded approximately 70 days a year

0 Feet MHHW. The water line in this photo is approximately where the revetment and elevated path will meet.

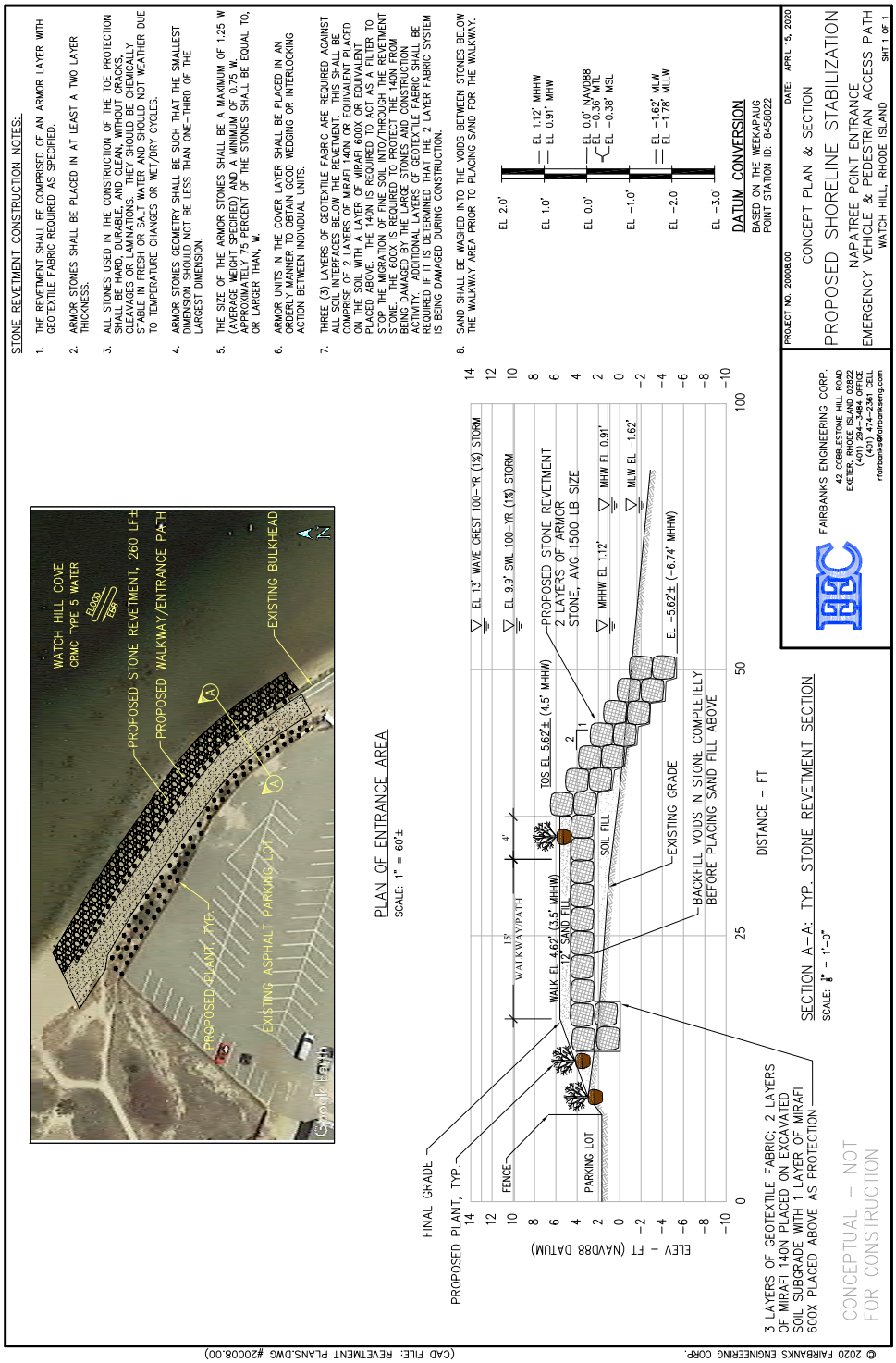
-3.2 Feet MHHW. The water line in this photo is approximately where the bayside edge of the revetment will be. Stones visible on the right are the remnants of an old revetment protecting the Napatree entrance.

Seawall Gap/Roadbed Flooding

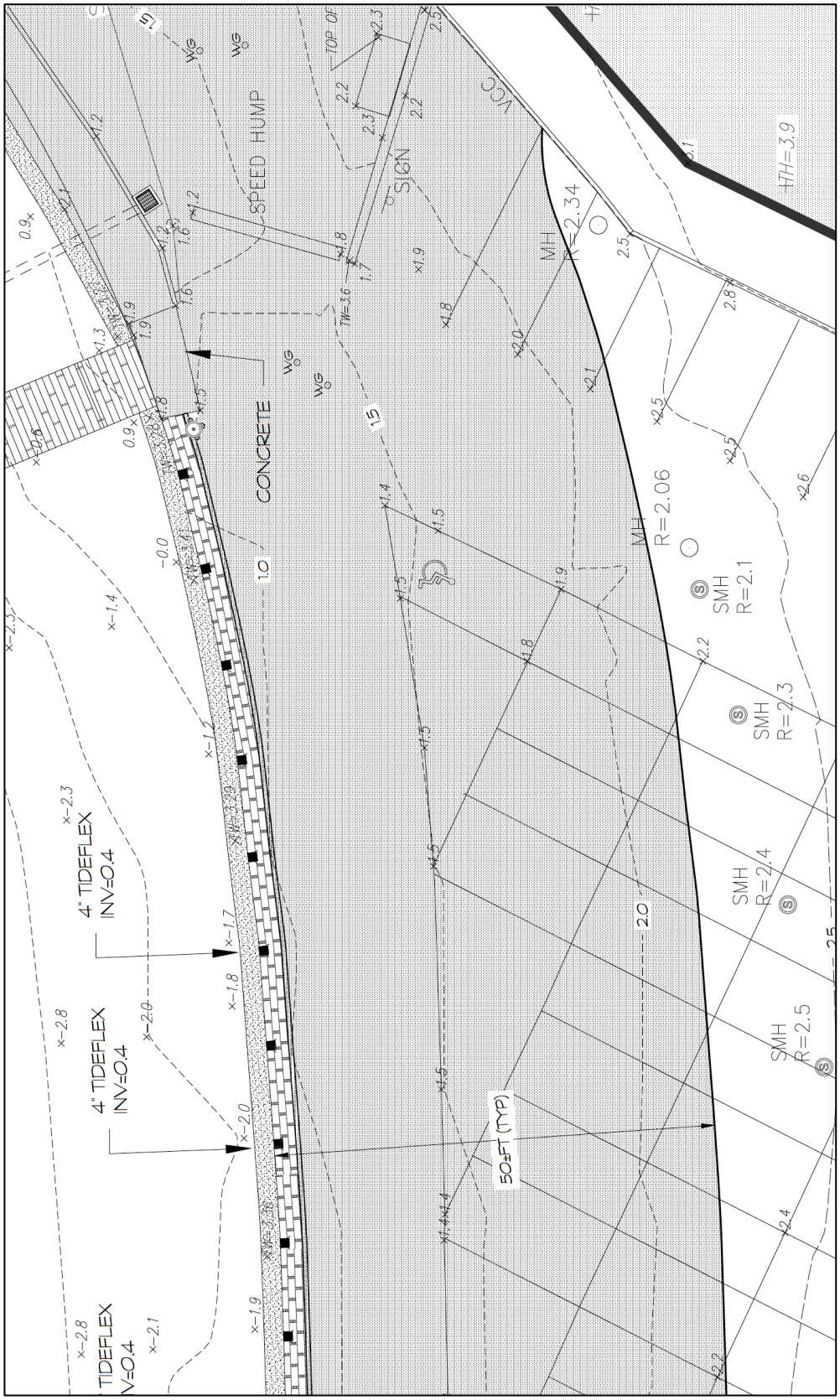
1.34 Feet MHHW. This tidal condition is exceeded approximately 25 days a year.

Point A Elevation 2.3 Feet MHHW
Point B Elevation 0.8 Feet MHHW

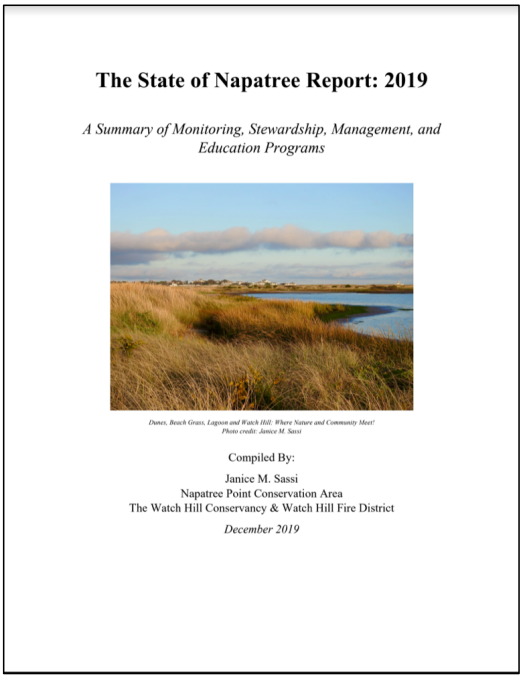
Attachment 3. Mitigation design of the Napatree Point Conservation Area entrance path. Note, elevations given in the engineering plan are based on NAVD88. This design uses a stone base to raise the entrance path to an elevation that will rarely be inundated during annual tidal cycles. It will remain above MHHW even with the additional 1 foot of sea level rise that is predicted in the next 10-15 years.



Attachment 4. Engineering plan to elevate seawall gap, and seal and elevate the roadbed at the beginning of the Napatree access route. Note, elevations given in the engineering plan are based on NAVD88.



Attachment 5. 2019 State of Napatree Report showing range of educational and stewardship activities in the Napatree Point Conservation Area. Available online at https://thewatchhillconservancy.org/napatree/napatree-resources/



The State of Napatree Report: 2019

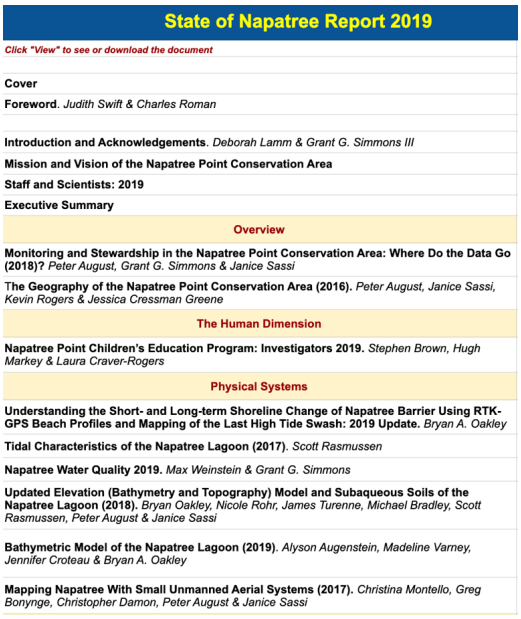
A Summary of Monitoring, Stewardship, Management, and Education Programs

Dunes, Beach Grass, Lagoon and Watch Hill: Where Nature and Community Meet!
Photo credit: Janice M. Sassi

Compiled By:

Janice M. Sassi
Napatree Point Conservation Area
The Watch Hill Conservancy & Watch Hill Fire District

December 2019



State of Napatree Report 2019

Click "View" to see or download the document

Cover

Foreword. *Judith Swift & Charles Roman*

Introduction and Acknowledgements. *Deborah Lamm & Grant G. Simmons III*

Mission and Vision of the Napatree Point Conservation Area

Staff and Scientists: 2019

Executive Summary

Overview

Monitoring and Stewardship in the Napatree Point Conservation Area: Where Do the Data Go (2018)? *Peter August, Grant G. Simmons & Janice Sassi*

The Geography of the Napatree Point Conservation Area (2016). *Peter August, Janice Sassi, Kevin Rogers & Jessica Cressman Greene*

The Human Dimension

Napatree Point Children's Education Program: Investigators 2019. *Stephen Brown, Hugh Markey & Laura Craver-Rogers*

Physical Systems

Understanding the Short- and Long-term Shoreline Change of Napatree Barrier Using RTK-GPS Beach Profiles and Mapping of the Last High Tide Swash: 2019 Update. *Bryan A. Oakley*

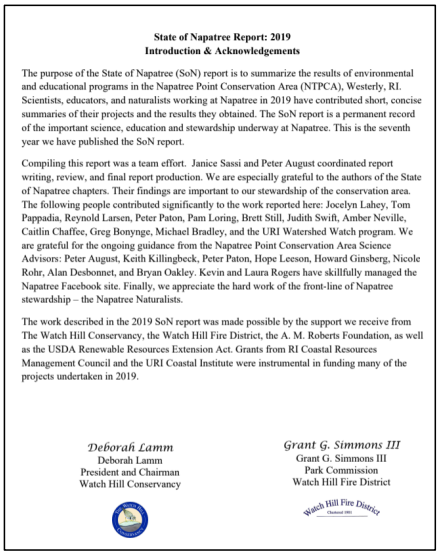
Tidal Characteristics of the Napatree Lagoon (2017). *Scott Rasmussen*

Napatree Water Quality 2019. *Max Weinstein & Grant G. Simmons*

Updated Elevation (Bathymetry and Topography) Model and Subaqueous Soils of the Napatree Lagoon (2018). *Bryan Oakley, Nicole Rohr, James Turenne, Michael Bradley, Scott Rasmussen, Peter August & Janice Sassi*

Bathymetric Model of the Napatree Lagoon (2019). *Alyson Augenstein, Madeline Varney, Jennifer Croteau & Bryan A. Oakley*

Mapping Napatree With Small Unmanned Aerial Systems (2017). *Christina Montello, Greg Bonynge, Christopher Damon, Peter August & Janice Sassi*



State of Napatree Report: 2019
Introduction & Acknowledgements

The purpose of the State of Napatree (SoN) report is to summarize the results of environmental and educational programs in the Napatree Point Conservation Area (NTPCA), Westerly, RI. Scientists, educators, and naturalists working at Napatree in 2019 have contributed short, concise summaries of their projects and the results they obtained. The SoN report is a permanent record of the important science, education and stewardship underway at Napatree. This is the seventh year we have published the SoN report.

Compiling this report was a team effort. Janice Sassi and Peter August coordinated report writing, review, and final report production. We are especially grateful to the authors of the State of Napatree chapters. Their findings are important to our stewardship of the conservation area. The following people contributed significantly to the work reported here: Jocelyn Lahey, Tom Pappadia, Reynold Larsen, Peter Paton, Pam Loring, Brett Still, Judith Swift, Amber Neville, Caitlin Chaffee, Greg Bonynge, Michael Bradley, and the URI Watershed Watch program. We are grateful for the ongoing guidance from the Napatree Point Conservation Area Science Advisors: Peter August, Keith Killingbeck, Peter Paton, Hope Leeson, Howard Ginsberg, Nicole Rohr, Alan Desbonnet, and Bryan Oakley. Kevin and Laura Rogers have skillfully managed the Napatree Facebook site. Finally, we appreciate the hard work of the front-line of Napatree stewardship – the Napatree Naturalists.

The work described in the 2019 SoN report was made possible by the support we receive from The Watch Hill Conservancy, the Watch Hill Fire District, the A. M. Roberts Foundation, as well as the USDA Renewable Resources Extension Act. Grants from RI Coastal Resources Management Council and the URI Coastal Institute were instrumental in funding many of the projects undertaken in 2019.

Deborah Lamm
Deborah Lamm
President and Chairman
Watch Hill Conservancy

Grant G. Simmons III
Grant G. Simmons III
Park Commission
Watch Hill Fire District

Animals

Shorebird Disturbance in the Napatree Lagoon (2015). *Thomas Mayo, Peter Paton & Peter August*

Piping Plover Monitoring at Napatree Point Conservation Area: 2019. *Kevin Rogers*

Bee Fauna of Napatree Point Conservation Area. *Aya Rothwell & Howard Ginsberg*

Camera Trap Reconnaissance of Wildlife in the Napatree Point Conservation Area: 2017-2018 Sampling. *Peter August, Janice Sassi & Melissa Cote*

Summertime Bat Activity on Napatree Point (2019). *Peter August & Janice Sassi*

An Ecological Reconnaissance of the Napatree Lagoon: Fish and Water Quality in 2018. *Nicole Rohr, Peter August & Janice Sassi*

Project Limulus on Napatree Point: Horseshoe Crab Surveys (2019). *Laura Craver-Rogers & Kevin Rogers*

Crab Abundance in the Napatree Lagoon. *Jennifer Croteau, Bryan Oakley & Nicole Rohr*

The Juvenile Fish Assemblage of Little Narragansett Bay (2019). *Katherine Rodrigue, Conor McManus, Peter August, Alan Desbonnet & Janice Sassi*

Plants

Monitoring Seaweed Abundance and Species Composition at Napatree Lagoon: 2015-2018. *Lindsay Green-Gavrielidis, Alec Mauk & Carol Thornber*

The Plants of the Napatree Point Conservation Area (2018). *Keith Killingbeck, Lisa Gould, Hope Leeson, Melissa Cote, Janice Sassi & Peter August*

Assessing Shrub Island Dynamics on Napatree Point: 2019 Update. *Jessica Cressman-Greene, Keith Killingbeck, Peter August & Janice Sassi*

Native Vegetation Restoration and Invasive Plant Control in the Napatree Point Conservation Area: 2017. *Hope Leeson, Peter August & Janice Sassi*

Invasive Plant Control in the Napatree Point Conservation Area: 2019. *Melissa Cote, Hope Leeson, Janice Sassi & Kevin Rogers*

Eelgrass or Macroalgae: An Assessment of Submerged Aquatic Vegetation Mapping Technologies (2018). *Peter August, Michael Bradley, Christopher Damon, Bryan Oakley, Grant Simmons, Melissa Cote, Nicole Rohr, Caitlin Chaffee & Lindsay Green-Gavrielidis*

News

Notable News and Sightings of Fauna and Flora at Napatree Point in 2019. *Janice Sassi & Peter August*

Attachment 6. Resolution to develop resiliency plans by the leadership community of Watch Hill

RESOLUTION BY THE COMMUNITY OF WATCH HILL, RHODE ISLAND

ON ADAPTING TO SEA LEVEL RISE AND STORM SURGE

APPROVED APRIL 9, 2019

WHEREAS, the village of Watch Hill, by nature of its low elevation and proximity to the sea is extremely vulnerable to rising seas and surge caused by storms, and

WHEREAS, sea level rise is an undeniable fact in Rhode Island as evidenced by long-term trends recorded by NOAA tide gauge stations in the region, and

WHEREAS, NOAA predicts sea levels to rise approximately 3 feet by 2050 and possibly over 9 feet by 2100, and

WHEREAS, even a modest storm that has a 10% chance of occurring at any time will bring a surge of 6 to 9 feet and will be devastating to Watch Hill; and

WHEREAS, nuisance tides now occur on a regular basis and cause flooding of our streets, businesses, and utilities; they are our new normal, and

WHEREAS, we lose access to recreational destinations such as the Napatree Point Conservation Area, Beach Club, Beach Cabanas, and Yacht Club many times a year due to flooding by nuisance tides and Nor'Easters, and

WHEREAS, adaptation to sea level rise and storm surge must be a community effort that addresses transportation challenges, protecting property and utilities, yet maintains the character of the community, and

WHEREAS, as we develop measures to adapt to sea level rise and storm surge, we must plan for the long term and consider future conditions of transportation and commerce that are far different than today,

THEREFORE, NOW BE IT RESOLVED that the undersigned organizations embrace a community-wide effort to adapt the village of Watch Hill to sea level rise and storm surge in a holistic, comprehensive, and timely manner that maintains the historic and aesthetic character of Watch Hill, protects our commercial endeavors and infrastructure, assures the safety of our residents and visitors, and ensures that the public has reliable access to recreational destinations along our shores.

PARTIES TO THIS RESOLUTION

The Watch Hill Conservancy

The Watch Hill Fire District

Watch Hill Park Commission

Napatree Point Conservation Area

East Beach Association

Watch Hill Lighthouse Keepers Association

Watch Hill Improvement Society

Misquamicut Club

The Watch Hill Yacht Club

The Watch Hill Merchants Association

The Ocean House Hotel

Attachment 7. Letters of support

THE WATCH HILL CONSERVANCY
WATCH HILL, RHODE ISLAND

Directors and Officers

Frederick B. Whittemore
Chairman Emeritus
Deborah Lamm
President and Chairman
Peter Gummeson
Treasurer
Jane B. O'Connell
Secretary
Grant G. Simmons, III.
Vice President
Laurence Whittemore
Vice President

Hon. Dennis Algiere
Peter August, Ph.D.
Joan Beth Brown
Lydia Cottrell
T. Wilson Eglin, Jr.
Georgia Felber Jones
Donald R. Kelly, MD
Thomas F. McWilliams
Melissa Merrill
William Miller
Robert Murray
Joan Patton
Richard Sayre
Jill Scola
Cynthia Sculco
H. Brian Thompson

Staff
Jocelyn Lahey
Executive Director

Janice M. Sassi
Napatree Point Conservation Area Manager

Science Advisors
Peter August, Ph.D.
University of Rhode Island
Bryan Oakley, Ph.D.
Eastern Connecticut State University
Peter Paton, Ph.D.
University of Rhode Island
Hope Leeson, M.S.
Rhode Island Natural History Survey
Alan Desbonnet, M.S.
Rhode Island Sea Grant

April 20, 2020

Randolph Abood
Elizabeth Bean
The Watch Hill Fire District
222 Watch Hill Road
Westerly, RI 02891

Dear Moderator Abood and Commissioner Bean,

I fully support the RI Resiliency Fund grant proposal.

Thousands of people visit Napatree Point Conservation Area year round.

The sea level rise induced flooding at the Napatree entrance is increasing in frequency and extent. This has significantly impeded public access to this special place and makes it difficult, or impossible, for me to perform public safety, education, and stewardship activities on Napatree.

Elevating the entrance path will provide us reliable passage to Napatree for the next decade and beyond. The solution you have adopted retains the natural aesthetic of Napatree and will provide a welcoming – and dry – access to the Conservation Area.

Sincerely,

Janice M. Sassi
Napatree Manager

One Bay Street · Watch Hill · RI · 02891 · 401-315-5399
Janice@thewatchhillconservancy.org

Town of Westerly

Town Hall • 45 Broad Street • Westerly, Rhode Island 02891
TEL: (401) 348-2530 • www.WesterlyRI.gov

Office of the
Town Manager

April 20, 2020

Randolph Abood, Moderator
Elizabeth Bean, Parks Commissioner
Watch Hill Fire District
222 Watch Hill Road
Westerly, RI 02891

RE: Watch Hill Fire District - Climate Resilience Fund Grant Proposal
Retaining Public Access to Napatree Point Conservation Area in SLR Nuisance Tides

Dear Moderator Abood and Commissioner Bean,

The Town of Westerly is supportive of your efforts to seek grant funding on behalf of the Watch Hill Fire District to address the nuisance tide and severe weather flooding that increasingly inhibit access to the spectacular Napatree Point Conservation Area and other local attractions, and regularly renders useless some of the valuable parking available to the patrons of the many businesses and attractions in the Village of Watch Hill. Watch Hill is a special and important destination in our Town, for residents and tourists alike. We applaud your efforts to adapt to rising sea levels in order to keep these attractions and businesses accessible to the public.

The two-component response you propose to manage flooding and keep the area accessible makes good sense. Using natural materials to raise the elevation of the sandy path at the Conservation Area entrance is a fitting and appropriate adaptation response at this environmentally sensitive location. And a modest redesign of the current infrastructure along the paved access route; including closing the gap in the seawall, improving the drainage system along the seawall, and regrading and repaving where the pavement meets the seawall should go a long way to address flooding while keeping the character of the Village familiar.

Your efforts and proposed solutions are in keeping with our DRAFT 2020-2040 Town of Westerly Comprehensive Plan.

From the Vision Statement: "*The shoreline, Pawcatuck River, salt ponds and greenspace will remain in Westerly's trademarks, carefully managed to sustain their use while preserving their health and natural beauty for future generations to enjoy- Westerly will have achieved a condition of economic and physical resilience to natural and man-made events.*"

And from The Mandate: "*The local economy and government services need to prepare now for the challenges to come. Increasing rates of sea level rise, shorter winters and longer summers, and less snowfall and ice coverage will affect residents and visitors experience. Protection of the natural environment and the health, welfare and economic well-being is essential to the community's vitality.*"

Thank you for your initiative in this arena, we wish you success with your funding proposal.
Sincerely –

J. Mark Rooney, Town Manager

THE WATCH HILL CONSERVANCY
WATCH HILL, RHODE ISLAND

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Chairman Emeritus
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Rhode Island Natural History Survey
Alan Desbonnet, M.S.
Rhode Island Sea Grant

Randolph G. Abood & Elizabeth Bean
The Watch Hill Fire District, Inc.
222 Watch Hill Road
Westerly, Rhode Island 02891

April 20, 2020

Dear Moderator Abood and Park Commissioner Bean:

The Watch Hill Conservancy stewards the Napatree Point Conservation Area under a Conservation Easement. We take this responsibility very seriously. Napatree is heavily used by the public (95,000 visitors each year) and is a biodiversity hotspot. The Conservancy prides itself in our stewardship and monitoring activities which are detailed in our annual State of Napatree report. We also provide free youth education programs on Napatree.

All of this requires that visitors and our staff be able to access Napatree. This is becoming harder and harder for us as the frequency of nuisance high tides increase. Your plan to elevate the entrance to Napatree above flood tides is excellent. It will be durable to stormy weather, yet it retains the natural aesthetic of the site.

The Watch Hill Conservancy supports your proposal and wishes you every success in getting it funded. And please accept our gratitude for crafting such a clear and compelling grant request.

Sincerely,

Deborah Lamm
President

Jocelyn Lahey
Executive Director

One Bay Street · Watch Hill · Rhode Island · 02891 · 401-315-5399
WHC@thewatchhillconservancy.org

Planning for a Resilient Future for Watch Hill, RI
A Community Initiative

thewatchhillconservancy.org/initiatives/planning-for-a-resilient-future/

MEMORANDUM

TO: Randolph Abood, Moderator, Watch Hill Fire District
Elizabeth Bean, Parks Commissioner, Watch Hill Fire District

FROM: Deborah Lamm & Jocelyn Lahey, The Watch Hill Conservancy
Janice Sassi, Napatree Point Conservation Area
Grant Simmons, The Watch Hill Fire District Parks Commission
Joan Beth Brown, The Watch Hill Fire District Council
Robert Peacock, Watch Hill Fire Department
Peter Brockmann, East Beach Association
Dennis Algiere & Darryl Forrestor, The Watch Hill Yacht Club
Georgia Felber, Olympia Tea Room
Richard H. Sayre, Resident of the Community
Richard C. Holliday, Resident of the Community

DATE: April 20, 2020

RE: Support for RI DEM Climate Resilience Fund Grant Proposal

As participants in the Watch Hill Resilient Future initiative, we enthusiastically support your proposal to seek grant funding to address nuisance tide flooding that increasingly inhibits access to the Napatree Point Conservation Area, and regularly renders useless some of the valuable parking spaces available to the patrons of many local businesses and attractions in the Village of Watch Hill.

We applaud your foresight to construct solutions to accommodate an additional 1-foot of sea level rise that is expected over the 15 year design life of the project. We are pleased you have adopted a natural shoreline design to raise the elevation of the sandy walkway to the Conservation Area. The modest stone revetment proposed at that location is needed to protect the entrance from significant wave activity and will protect the elevation capital we need. In addition, the modest redesign of the current infrastructure along the paved access route; including partially closing the gap in the seawall, improving the drainage system along the seawall and regrading and repaving where the pavement meets the seawall will ensure that the area does not become inundated from nuisance tides that occur with increasing frequency.

The Napatree Point Conservation Area is a critical natural open space resource in our community and State. It is a tremendous resource for residents and tourists alike. On behalf of the nearly 100,000 visitors to Napatree each year, we thank you for keeping this special place accessible for all to enjoy. We also thank you for ensuring that valuable parking available to the patrons of local business will not be compromised by rising seas. We wish you success with your funding request.

COASTAL INSTITUTE

The Coastal Institute
Narragansett Bay Campus
University of Rhode Island
Narragansett, RI 02882

Phone (401) 874-6513
Fax (401 874-6869
Email jswift@uri.edu
www.ci.uri.edu

April 10, 2020

Randolph Abood
Elizabeth Bean
Park Commissioner
Watch Hill Fire District
222 Watch Hill Road
Westerly, RI 02891

Dear Moderator Abood and Commissioner Bean:

The URI Coastal Institute has designated the Napatree Point Conservation Area a Climate Change Demonstration Site. Our Demonstration Sites represent coastscapes where land use planning and stewardship are done to promote ecosystem—and human—resilience to climate change impacts. The Watch Hill Conservancy and Watch Hill Fire District do an exemplary job of managing this important barrier spit to be as resilient as possible to sea level rise and other climate change impacts. Napatree is an exceptionally important habitat for plants and animals as well as a special and unique resource for the public.

The Coastal Institute applauds your work to keep Napatree accessible to the public as sea levels rise and nuisance tides increase in frequency. The semi-natural living shoreline solution you have proposed will provide access to Napatree for the next 15 years and is most appropriate in its sole use of natural materials. It is innovative thinking like this that the Coastal Institute is eager to share with the broader coastal management community.

We wish you success with your DEM Resiliency Grant proposal.

Sincerely,

Professor Judith Swift
Director

CC: Deborah Lamm, President, The Watch Hill Conservancy
Janice Sassi, Manager, Napatree Point Conservation Area
Dr. Peter August, Professor Emeritus & Napatree Science Advisor

Click to view the entire meeting or click any video icon below to jump to that section of the meeting.

REGULAR MEETING	WESTERLY TOWN COUNCIL	COUNCIL CHAMBERS
MONDAY	NOVEMBER 9, 2020	6:00 P.M.

THIS MEETING WAS CONDUCTED VIA ZOOM

The public was able to view and participate in this meeting.

1. 6:08 P.M. CALL TO ORDER

Present: Pres. Duhamel, Vice Pres. Giorno
Councilors Aiello, Cooke, Ahern, McCuin
T. Mgr. Rooney, Co. Clk. Pro Tem LeBlanc

In Attendance Remotely: Councilor Cioffi
T. Sol. Conley

Also Present: Shawn Lacey, Chief of Police

Absent: Co. Clk. Giordano
T. Sgt. Falcone

INVOCATION – Councilor Giorno

SALUTE TO THE FLAG – Council President Duhamel

2. RECOGNITIONS, AWARDS & MEMORIALS

Motion by Ms. Giorno, Seconded by Mr. McCuin, that the following resolutions be adopted: (Voted Unanimously)

a. Appreciation – Dan LaPointe, Chairman of the Westerly-Pawcatuck Veterans' Board of Control

Dan LaPointe were present to accept the resolution, read aloud by Councilor Aiello.

b. Appreciation – Joe and Jennifer Iorlano, Owners of Midway Pizza, and Their Employees

Joe and Jennifer Iorlano were present to accept the resolution, read aloud by Councilor Cooke.

c. Appreciation – The Greater North End Community Development, Inc.

Carla White was present to accept the resolution, read aloud by Councilor Ahern.

d. Appreciation – Westerly Board of Recreation, Recreation Department and Maintenance Crew

Julia Beasley, Interim Recreation Director, was present to accept the resolution, read aloud by Councilor Aiello.

e. Appreciation – Josiah Broadfoot Chapter 6 Disabled American Veterans

David Lowe was present to accept the resolution, read aloud by Councilor McCuin.

f. Congratulations – The Westerly National Little League

Art Burton was present to accept the resolution, read aloud by Council President Duhamel.

g. Celebration – Veterans' Day 2020

Ray Capalbo, a Marine veteran, was present to accept the resolution, read aloud by Councilor Giorno.

3. PRESENTATIONS

a. COVID-19 Update

Report from J. Mark Rooney, Town Manager

Town Manager Rooney stated that it is hopeful that there will be more than one vaccine available for distribution in December.

Report from Shawn Lacey, Chief of Police

Chief Lacey reported the number of COVID cases are increasing. He reported that the positivity rate is 3.3%, up from 2.9% the prior week; that there are 160 new patients hospitalized in Rhode Island, up from 145 patients last week; and that there are 278 cases per 100,000, up from 244 cases per 100,000 the prior week. He stated that 3,975 people were tested yesterday with 266 positive cases, which is a 6.7% positivity rate. He stated that Westerly is remaining steady; that there have been 203 positive cases since the inception of COVID; and that 30% of the population has been tested. He reported that there have been no new hospitalizations. He addressed the new restrictions put in place, which include a reduction in social gatherings to 10 people, a curfew of 10:00 p.m. on weekdays and 10:30 p.m. on weekends for bars and restaurants with take-out service only after these times, and a stay-at-home advisory from 10:00 p.m. to 5:00 a.m. from Sunday through Thursday and 10:30 p.m. to 5:00 a.m. on Friday and Saturday. He noted that fines are not being issued because it is an advisory only. He reported that catered event numbers have been reduced to 75 people; that venues of assembly have been reduced to 125 people maximum; and that large retailers are restricted to 1 person per 150 square feet. He reported that the Governor is encouraging all business travel be cancelled and that masks be worn. He explained the

requirements before one can return to work, including having 24-hour pass after one's last fever followed by a 10-day waiting period or a 10-day waiting period after a positive test. He stated that the Governor is encouraging no travel for the Thanksgiving holiday; that there be no large family gatherings beyond immediate family members; and that there be no buffet-style dinner service. He stated that Pfizer developed a drug that is 90% effective and it is hoped that it can start to be distributed next month.

Report from Lisa Konicki, President, Ocean Community Chamber of Commerce

Ms. Konicki participated remotely. She stated that local businesses pay the price from enhanced restrictions; therefore, the wearing of masks and social distancing is encouraged. She reported that there is additional help to support small businesses; that any business with 2 to 100 employees who is creatively adapting to the challenges can apply for State monies; and that details are available on commerceri.com. She stated that everyone is relying on shoppers to shop locally and that a Facebook live shopping program will be provided on the Chamber's website on December 5th, 7th and 12th, 2020.

Motion by Mr. Aiello, Seconded by Mr. Cooke, to move to Item #7b at this time. (Voted Unanimously)

4. CITIZENS COMMENTS

Sign-Up Sheets will be available at the Council Meeting for any citizens wishing to be heard. Citizens who do not sign up to speak will have an opportunity to be heard following the individuals listed on the sign-up sheet.

When addressing the Council, please state your name and address; please conduct yourself in an orderly and respectful fashion. The comments of citizens accessing this portion of our meeting are neither adopted nor endorsed by this body, but heard as requested. ***If the matter is scheduled for a public hearing, the comments shall be deferred to that agenda item.***

Any citizen wishing to be heard can access the meeting using the Zoom app or via phone. Please note:

If accessing the meeting via phone, Press *9, to be recognized or
if using the Zoom app, press the "raise hand" button to be recognized

a. Benjamin Weber, 3 Blossom Ct - re: Expressed gratitude for Council diligence for public access issue and sending rights-of-way to CRMC for review; re: need to address parking for public access, especially on Spring Ave; only 10 public parking spots on Spring Ave; handicapped parking sign on Spring Ave was removed; Weekapaug Inn employees have been accessing these parking spaces; re: APRA request for maps and survey regarding Spring Ave – would appreciate a response as soon as possible

b. Ken Burton, 83 Potter Hill Rd - re: Flags on poles throughout Town; WBLQ supports the veterans; thanked the Town for its support of veterans; thanked the Department of Public Works for new flag locations on 250 poles

c. Anthony Palazzolo, Esq., 285 Pendleton Hill Rd, Stonington, CT - re: Thanked Council for sending rights-of-way to CRMC for review

d. James Malardo, 104 South Woody Hill Rd - re: Thanked Council for work it has done with rights-of-way; re: access enforcement of sand trail - would like RIMS to be involved in the process

e. Gwenn Whitham, 3 Carriage Ln, East Granby, CT - re: Thanked Council for taking vote to send rights-of -way to CRMC for review

COUNCILORS' RESPONSE

Councilor Giorno thanked Ken Burton for his time and dedication in making the Downtown area so patriotic through the installation of flags. She reported that the veterans' hour on WBLQ radio tomorrow was initially cancelled because the veterans are unable to attend; however, she volunteered to host the hour from 10:00 a.m. to 11:00 a.m. and encouraged everyone to tune in.

Councilor Ahern asked the Town Manager to contact the Weekapaug Inn to ensure that its employees are not using the 10 public parking spaces on Spring Avenue.

Councilor Cioffi stated that she would be more than happy to assist Mr. Weber in obtaining answers to his questions regarding Spring Avenue.

Town Manager Rooney reported that Public Works Superintendent Chiaradio and staff have begun to mark the Town rights-of-way from Maple Avenue to the breachway using the granite bollards and decorative signage. With regards to enforcement of access of the sand trail, he stated that he will ask stakeholders to participate in the discussions.

5. CONSENT CALENDAR

a. Approval of Minutes
Regular – 10/19/20, 10/26/20
Executive – 10/26/20 (Sealed)

Motion by Mr. McCuin, Seconded by Mr. Aiello, that the aforesaid minutes be accepted and approved as printed and that the Executive Session minutes be sealed. (Voted Unanimously)

b. Fiscal Matters

Motion by Mr. Aiello, Seconded by Ms. Giorno, that the following resolution be adopted with the stipulation that $775,650.00 is funded by the Water Department. (Voted Unanimously)

1. 20/21-32 Resolution Awarding Contract For School Street Reconstruction Project (Ferreira Construction – Not to exceed $2,954,972.00)

c. Appointments and Resignations

1. Economic Development Commission – Full Member

No action taken on the aforesaid appointment.

2. Board of Recreation – Full Member

Councilor Giorno nominated Jono Seltzer, who currently serves as Auxiliary Member, for appointment as a full member to the Board of Recreation.

A vote was taken on the nomination of Jono Seltzer of 5 Nina Drive, Bradford, RI for appointment as a full member to the Board of Recreation to fill the unexpired term of Sherri Mello, term expiring April 2023 and the motion carried. (Voted Unanimously)

3. Board of Recreation – Auxiliary Member

Councilor Giorno nominated Michael Joyce for appointment as Auxiliary Member to the Board of Recreation.

A vote was taken on the nomination of Michael Joyce of 47 Babcock Road for appointment as Auxiliary Member to the Board of Recreation to fill the unexpired term of Jono Seltzer, term expiring April 2022 and the motion carried. (Voted Unanimously)

4. Housing Authority – Full Member

Councilor Giorno nominated Julie Ann Rofrano for appointment to the Housing Authority.

A vote was taken on the nomination of Julie Ann Rofrano of 9 State Street for appointment to the Housing Authority for a five-year term, expiring May 2025 and the motion carried. (Voted Unanimously)

5. Zoning Board – 2nd Alternate

Councilor Giorno nominated Dawn Robinson for appointment as 2nd Alternate to the Zoning Board.

A vote was taken on the nomination of Dawn Robinson of 5 Egret Lane for appointment as 2nd Alternate to the Zoning Board for a five-year term, expiring January September 2025 and the motion carried. (Voted Unanimously)

6. Board of Assessment Review – Auxiliary Member

Councilor Giorno nominated Kenneth F. Swain for re-appointment as Auxiliary Member to the Board of Assessment Review.

A vote was taken on the nomination of Kenneth F. Swain of 155 Watch Hill Road for re-appointment as Auxiliary Member to the Board of Assessment Review for a two-year term expiring August 2022 and the motion carried. (Voted Unanimously)

7. Planning Board – Full Member

Councilor Giorno nominated Elizabeth McGuire for appointment to the Planning Board.

A vote was taken on the nomination of Elizabeth McGuire of 49 Urso Drive for appointment to the Planning Board to fill the unexpired term of Jason Parker, term expiring August 2021 and the motion carried. (Voted Unanimously)

8. Public Works Committee – Full Member

Councilor Giorno nominated Joseph C. Manfredi for re-appointment to the Public Works Committee.

A vote was taken on the nomination of Joseph C. Manfredi of 34 Dunns Corners Road for re-appointment to the Public Works Committee for a three-year term expiring August 2023 and the motion carried. (Voted Unanimously)

6. PUBLIC HEARINGS (Adv. on 11/2/20 for this time)

a. Proposed Ordinance – "An Ordinance Authorizing The Transfer Of Funds to Support Animal Control Officer Staffing ($35,000.00)

Motion by Mr. Cooke, Seconded by Mr. McCuin, that the public hearing be opened. (Voted Unanimously)

No one appeared or spoke remotely in favor or in opposition.

Councilor McCuin stated that, due to COVID, he was opposed to the hiring of any new individuals at this time and would prefer to pay overtime instead. Council President Duhamel agreed.

Chief of Police Lacey explained that this is the first year that the Animal Shelter has fallen back under the Public Safety umbrella. He provided background on the past and current structure of the Animal Control Department. He explained the necessity of having a second animal control officer in order to provide more adequate coverage and oversight of the operation.

Councilors Ahern, Aiello, Giorno, Cooke and Cioffi spoke in favor of the new position.

Motion by Ms. Ahern, Seconded by Ms. Giorno, that the hearing be closed and the aforesaid ordinance be adopted. A poll vote was taken as follows and the motion carried: (So Voted 6 to 1 – Councilor McCuin dissented)

YES	NO
Cioffi	McCuin
Aiello	
Giorno	
Cooke	
Ahern	
Duhamel	

7. NEW BUSINESS

a. Petition from National Grid for New Pole Location at Margin Street (WR#29953422)

Motion by Mr. Aiello, Seconded by Mr. McCuin, that the aforesaid petition be granted. (Voted Unanimously)

b. Spring Avenue And All CRMC Rights-of-Way – Formal Adoption By The Town Council To Send To CRMC For Review

Motion by Mr. Aiello, Seconded by Ms. Giorno, that CRMC investigate Spring Avenue Ex. and Waters Edge Road for possible designation as public rights-of-way to the shore and to authorize the Town Council President to sign the request on behalf of the Town Council. (Voted Unanimously)

Council President Duhamel read, into the record, the list of e-mails received requesting that Spring Avenue Ex. and Waters Edge Road rights-of-way be referred to CRMC for investigation and review.

Motion by Mr. Cooke, Seconded by Ms. Giorno, to revert to Citizens' Comments. (Voted Unanimously)

Suspend Town Council Rules Of Procedure – Rule 9(8) – Committee of The Whole Requirement To Discuss And Consider The Following Items:

Motion by Ms. Giorno, Seconded by Mr. Aiello, that the Town Council Rules of Procedure be suspended as aforesaid. (Voted Unanimously)

c. Resolution Authorizing The Town Manager To Sign The Memorandum Of Understanding Between The Town Of North Stonington, Connecticut And The Town Of Westerly, Rhode Island, Regarding A Maintenance Plan, Future Inspection, Reviews And Repairs Of the Boombridge Bridge

Councilor Aiello requested that the aforesaid resolution be tabled to the next meeting so that he can forward his comments to the Council for review.

Motion by Mr. Aiello, Seconded by Ms. Giorno, that the aforesaid resolution be tabled to the next meeting. (Voted Unanimously)

d. Round Abouts – Possible Request From Town Council To RIDOT To Review
1. Intersections of Bradford Road (Rt 91)/Church Street (Rt 216)/South Main Street
2. Intersections of Westerly-Bradford Road (Rt 91)/Bradford Rd (Rt 91)/Dunns Corners Bradford Road (McGowan Corners)

Councilor Aiello stated that the locations of the two requested round abouts are located on State roads. He explained that RI DOT requires a request from the Town Council in order to start the procedure to evaluate the sites.

Responding to Council President Duhamel, Town Manager Rooney stated that the Chief of Police and Town Engineer support the aforesaid request.

Motion by Mr. Aiello, Seconded by Ms. Giorno, that a letter be send to RIDOT requesting review for possible round abouts at the two aforesaid intersections. (Voted Unanimously)

8. UNFINISHED BUSINESS

None

9. COMMUNICATIONS & REPORTS

a. Liaison Reports

1. Chamber of Commerce – Santa's arrival and holiday light trail scheduled for Friday, November 27, 2020, at 6:00 p.m. on 1 Chamber Way; free coloring books, crayons, individually wrapped cookies for the children; fee for those who make reservations for the 20 exclusive s'mores village seating – 6 people for $60; visit Chamber website for more information; Chamber is looking for volunteers to set up and break down the event (Councilor Giorno)

2. Westerly Public Library – Trustees Board meeting held; board agreed that there will be no signage for the Columbus statue; therefore, no hinderance of participants that want to contribute to protect the statue (Councilor Giorno)

3. Veterans' Day – Extended happy Veterans' Day to all veterans; no parade scheduled due to COVID; encouraged the public to thank veterans for their service and to tune in to WBLQ on Tuesday, November 10, 2020, at 10:00 a.m. for veterans hour (Councilor Giorno)

4. Board Liaison – Will be attending one more month of various board and committee meetings as liaison (Councilor Aiello)

5. 2020 General Election – Board of Elections informed the Town that the State has to certify the entire election first before any city or town can certify its election; the Board of Elections plans to certify the election on or around November 30, 2020 and then the Westerly Board of Canvassers can certify the Town's election; the new Council could possibly be sworn in on December 7, 2020 (Town Manager Rooney)

b. Town Council – 11/9/20

None

c. Town Manager

1. Boombridge Road Bridge – Town Manager Rooney reported that the contractor will have bridge open by the first of December and that the State of Connecticut Department of Transportation will schedule a day for the ribbon cutting.

d. Town Solicitor

None

e. Town Clerk

None

f. Agenda Referrals and Backlog Agenda ***(Items to be assigned to future agendas)***

1. House Bill regarding Airports and Landing Fields – Airport Zoning – Councilor Ahern requested that the Council consider a resolution asking Representative Azzinaro to vote against the proposal from RIAC. She stated that the Council voted to send a letter in opposition to the proposed legislation; however, the proposed legislation passed in the Senate but has not yet been before the House.

2. Left-Hand Turn Signals – Councilor Giorno requested that the Council consider sending a letter to RI DOT and Statewide Planning asking for an evaluation for the installation of left-hand turn signals at the intersections of Granite Street/Cross Street and Granite Street/John Street.

3. Road Bond Update – Responding to Councilor Aiello, Town Manager Rooney stated that Town Engineer Zalaski can provide the Council with an engineering road bond update.

g. Requests of Town Manager by Councilors

None

10. ADJOURNMENT

7:20 P.M. Voted Unanimously to adjourn.

ATTEST: Mary L LeBlanc, CMC

Mary L. LeBlanc, MMC
Council Clerk Pro Tem

Details of the aforesaid proceedings are available on video on the Town of Westerly website.

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