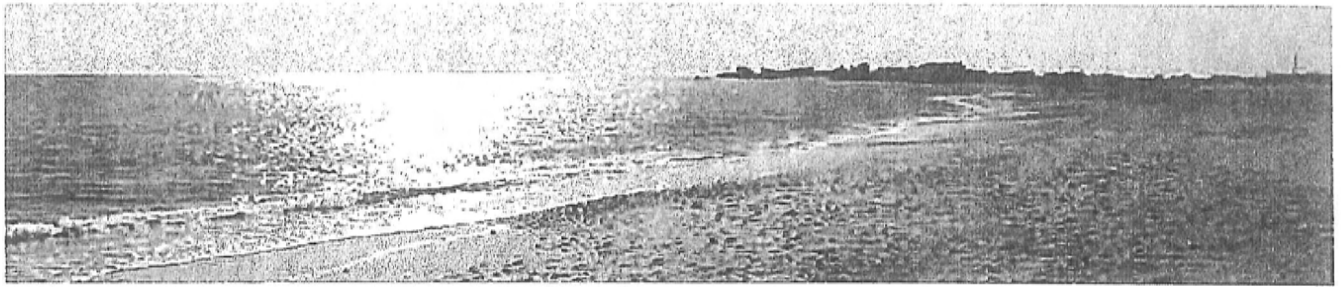


Appendix Section 15

RI Shore Access – Jerusalem



Jerusalem to Deep Hole Matunuck Walk

This coastal pilgrimage begins in the village of Jerusalem and ends at the Deep Hole DEM fishing access in Matunuck. This section of coast includes several places where development has occurred right on the edge of the water, and seawalls have been built to try to protect some properties from the sea's onslaught. This has introduced some interesting aspects to the stroll, which I'll get to in the description of the walk. The distance is approximately 1.2 miles, one way.

I parked my car at the state pier in Jerusalem, which is just past the commercial section along the water. Go past Skip's and Jim's Docks and you will see the pier. In the summer it is filled with people enjoying a day at the water, kids jumping off the side of the pier, and others fishing.

I walked back up the road towards the ocean, and followed the unpaved access way up and over the dune hill to the beach. Don't be dismayed by the signs trying to dissuade you from going through to the shore. This is an established pedestrian access way that has been used for decades. It is not, however, an official state right of way and therefore there is no designated parking. There may be a hired security person on duty to keep cars other than those of the cottage owners out, but you can walk on through. I received an e-mail from a fellow coast watcher in August relating his tale of being hassled by someone from the cottages, who told him he couldn't bring a cooler, and he couldn't stop along the beach...he could only pass through. Bunk!

✓ Our RI constitution guarantees that we citizens can stop and swim, fish, gather seaweed and shells, etc. We can stay all day if we choose. But in fact most people here don't. The state beach with lifeguards, full facilities and snack bar is just down the way, and most people are out for a walk.

When you break out onto the beach the view is spectacular. The harbor of refuge breakwater stretches out to sea, and the beach to your right curves westward in an impressive crescent for almost a third of a mile. You will see a small "pocket beach" beyond the first houses in that view, a beautiful little piece of shore to which you can get.

Scrambling out over the rocks of the breakwater is an adventure all by itself, but this day I was heading down the beach. The walk is a perfect sandy stroll along a smooth unblemished surface. I had a moment of serendipity, when a bright flash of light

startled me, appearing suddenly at my feet. It was a calm shell, filled by a recent wave, and sitting at just the perfect angle in the perfect location to be a mirror surface, which sent a bolt of sunlight to my unsuspecting eye [pix].

As you look far down the shore you will see a large set of stairs rising up from the shore to a bit of high land which is Matunuck. These are the William J. George memorial stairs, which give passage from the Matunuck neighborhoods to the state beach and to Jerusalem. They were wrecked a few years ago, and thankfully have been rebuilt for the public's use.

At the top of the stairs is a narrow strip of elevated land, which has a few houses on the right side, and a pleasant greenway on the left. It is protected by a seawall on the ocean side, and that makes it impossible to walk at the water's edge, though the water is only ten or so feet below you as you stand on this bluff. As you pass along the edge, you see pilings and other evidence of past structures, now only history, under the green veil of clear Atlantic seawater. These coastal ghosts constantly remind us that the shoreline location has in the past, and continues today, to shift northward as the sea level rises.

There are still two houses on the water side of this little road, at the end of the high ground and protected, so far, by the seawall. They are right on the wall's edge, and their patios and decks are actually integrated into the wall. This is a type of situation where our right as RI citizens to pass along the shore (as well as fish, swim, etc.) is often challenged, and high emotion can become a factor. There are several things to consider.

One is that our citizen's shore privileges go back hundreds of years; long before any current shorefront properties were developed. In fact, just a few hundred years ago the shoreline was far to the south, and this spot was a sandy hill with a distant water view! When the present owner bought the property, the people's easement along the shoreward edge of the property was in effect, and it remains in effect today. The state constitution was available for the buyer's inspection...caveat emptor would apply here.

Secondly, if it were a natural shoreline at this location, it would be a sandy beach across which passage would not be a problem. The seawall is an artifact of the property, built for the owner's benefit. I'm glad it is working for them, but it seems sensible that a property can't utilize a structure, which takes away the rights of other citizens, unless the property also includes an accommodation for the public's shore privileges. In this case, where the top of the wall is actually an uneven and dangerous walking surface, it seems clear that the shore-walking citizen can walk across the yard to go around the house to regain the shore on their travels.

Here there is an easy, reasonable solution. Just past the houses there is a mowed access path to the cute little isolated beach you saw as you came across the long state beach section. I judged it to be sensible to just walk a hundred feet or so down the dirt road and go down the path, rather than force the issue and walk across the patios on the wall's edge. Reasonable...sensible...words we might try to make sure are part of our discussions of how to defend our shore rights and demonstrate our sense of shore

responsibilities.

The little beach is protected, beautiful, and backed up by a tiny coastal pond. The view is back to the east along the beach crescent, across the Harbor of Refuge, the light at Pt. Judith, and a blue horizon.

At this point the parking lot at Deep Hole is a stone's throw away, but the beach ends at another section of seawall protecting two houses on the point, with a yellow "private property" sign at its beginning. Without belaboring the point, yes it is private property, and yes, our rights extend across the shoreward ten feet or so of it. But again there is a reasonable alternative to going across the hazardous wall top past the picture windows. The driveway for the two houses is the first thing you come to off of the beach, and walking down it to the parking lot seemed a sensible course of action to complete the adventure. In this case, the two owners have room to mow a separate path from the beach almost to the parking lot and thereby give the public a way to stay out of their view on their passage along the shore. That would be reasonable, sensible.

Deep Hole is a great place to watch the surfers, fish a little, or general chillin'. The little hamlet of Matunuck has its own charm and is just a short stroll away.

- As always, please feel free to contact me for more background on our RI constitutional "privileges of the shore", or to discuss any coastal issue that you would like to explore. (cell 401 499-1405; [jimbedell@cox.net])

So get up, get out, and cruise on down to the coast.