



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

NOTICE OF PUBLIC HEARING

2021-03-046

2021-03-050 2021-03-048

CRMC File No.: 2021-03-073 2021-03-051 **Hearing Date:** April 21, 2022

In accordance with and pursuant to the provisions of the "Administrative Procedures Act", (Chapter 42-35 et. seq. of the General Laws of Rhode Island), and the Rules and Regulations 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 ways to the tidal waters of the State relative to Title 46, Chapter 23, of Section 6E, of the Rhode Island General Laws of 1956, as amended.

Said Right-of-Ways are described as follows:

- 2021-03-046 Beach Street at Cedar Avenue -- approximately 6' wide path that leads from Beach Street at Cedar Avenue to the water's edge dividing lot s33 and 34 of plat 21.
- 2021-03-048 Cedar Avenue – Approximately 20' wide path that leads from Cedar Avenue to the water's edge dividing lots 47 and 48 of plat 21.
- 2021-03-050 Fountain Avenue – Approximately 30' wide path that leads from Fountain Avenue to the water's edge dividing lots 168 and 169 of plat 21.
- 2021-03-051 East Power Street – Paved street bordered by plat 31 lot 54; plat 34, lot 56 and plat 31, lot 53 and leading to the water's edge.
- 2021-03-073 Cory's Lane ROW – Approximately 12' wide paved asphalt path that leads from Cory's Lane to the water's edge dividing 32/1/A and 32/1/B

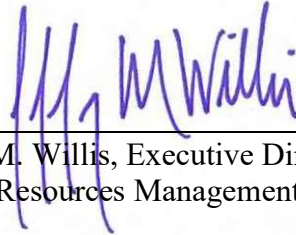
The hearing will be held at 6:00 p.m. on Thursday, April 21, 2022 at the Portsmouth Town Hall, 2200 East Main Road, Portsmouth, RI.

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. This meeting place is accessible to individuals with disabilities. The meeting location is accessible to handicapped persons. Any individual requiring a reasonable accommodation in order to participate in this meeting should contact CRMC offices at 401-783-3370 at least 72 hours prior to the meeting.

Plans of the proposed work may be seen in the office of the Coastal Resources Management Council, Oliver H. Stedman Government Center, 4808 Tower Hill Road, Wakefield, Rhode Island, between the hours of 8:30 a.m. and 3:30 p.m., Monday through Friday.

Oral statements will be heard and recorded and statements may be submitted to the hearing officers at the time of hearing.

Signed this April 1, 2022.



Jeffrey M. Willis, Executive Director
Coastal Resources Management Council

/lat

Mailing List for Associated Portsmouth ROW files
Public Hearing – April 21, 2022

File Number 2021-03-046 – Beach Street @ Cedar Avenue

Plat 21 lot 33
Steven and Carol Peckham
1 Beach Street
Portsmouth, RI 02871

Plat 21, lot 34
Noelle Claveloux
P O Box 678
Portsmouth, RI 02871-0678

Plat 21, lot 25
Irene and Jeff Tokarski
60 Cedar Avenue
Portsmouth, RI 02871

Plat 20, lot 177
Sharon MacFarlane
21 Beach Street
Portsmouth, RI 02871-4801

File Number 2021-03-048 – Cedar Avenue

Plat 21, lot 47
Scott McCue
25 Cedar Avenue
Portsmouth, RI 02871-4501

Plat 21, Lot 48
Ross Hutchens
15 Cedar Avenue
Portsmouth, RI 02871-4501

Plat 21, lot 16A
Joseph LaFleur, Jr.
24 Cedar Avenue
Portsmouth, RI 02871

Plat 21, lot 16
Marjorie M. Perry Trustee
13 Garfield Steet
Newport, RI 02840-1304

File Number 2021-03-050 – Fountain Avenue

Plat 21, Lot 168
Michelle S Russo Trustee
107 Prospect Street
Providence, RI 02906

Plat 21, Lot 169
Richard and Carol Guimond
37 Neck Road
Tiverton, RI 02878-4009

Plat 21, Lot 170A
Jose & Maria Luz
62 River Street
Hudson, MA 01749

Plat 21, Lot 171
Francesco Salamone
P O Box 20675
Cranston, RI 02910

File Number 2021-03-051 – East Power Street

Plat 31, Lot 53
Miscellaneous Land

Plat 31, Lot 52
Debra Young and Deanne Church
25 Chardon Drive
Portsmouth, RI 02871

Plat 31, lot 54
Raul & Marina Braga Life Estate
143 Power Street
Portsmouth, RI 02871-4118

Plat 34, Lot 56
Peter & Rebecca Capodilupo
30 Forest Street
Somerville, MA 02143-3516

Plat 31, Lot 42
Sakonnet Oceanview Apartments LLC
123 Power Street
Portsmouth, RI 02871-4118

File Number 2021-03-073 – Cory's Lane

Plat 32, Lot 1A
Order of St. Benedict
285 Cory's Lane
Portsmouth 02871

Plat 31, Lot 1B
Preservation Society of Newport
424 Bellevue Avenue
Newport, RI 02840

Plat 37
St. Philomena School
324 Cory's Lane
Portsmouth, RI 02871

CRMC Application Review Sheet

File Number: 2021-03-051
Owner Name: Town of Portsmouth
Site Address: East Power Street, Portsmouth
 Plat: 31; Lot: 53,54,56

Administrative Review

<p> Reviewer: LAT Completed on _____ <input type="checkbox"/> Application Complete <input type="checkbox"/> Application Deficient <input type="checkbox"/> FONSI <input type="checkbox"/> Enforcement compliance _____ </p>	<table style="width: 100%;"> <tr> <td style="width: 33%;">Missing</td> <td style="width: 33%;">As Applicable:</td> </tr> <tr> <td>_____ Application</td> <td>_____ CHA Worksheet</td> </tr> <tr> <td>_____ Fee</td> <td>_____ Stormwater Calcs</td> </tr> <tr> <td>_____ ISDS</td> <td>_____ Structural Lot Calcs</td> </tr> <tr> <td>_____ Proof of Ownership</td> <td></td> </tr> <tr> <td>_____ Building Permit</td> <td></td> </tr> <tr> <td>_____ Site Plans</td> <td></td> </tr> </table>	Missing	As Applicable:	_____ Application	_____ CHA Worksheet	_____ Fee	_____ Stormwater Calcs	_____ ISDS	_____ Structural Lot Calcs	_____ Proof of Ownership		_____ Building Permit		_____ Site Plans	
Missing	As Applicable:														
_____ Application	_____ CHA Worksheet														
_____ Fee	_____ Stormwater Calcs														
_____ ISDS	_____ Structural Lot Calcs														
_____ Proof of Ownership															
_____ Building Permit															
_____ Site Plans															
<input type="checkbox"/> EXTENSION (Enforcement review)	<p>Notes: _____</p> <p>_____</p> <p>_____</p>														

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: R _____
Project Type: 76 _____
Water Type: _____
Water Area: _____
PGP Category: SV PCN IP Public Access 355 Public Access Easement

Project Description:

TOWN OF
PORTSMOUTH, RI

EVALUATION OF PROPOSED RIGHT OF WAY
FOR EAST POWER STREET

PREPARED BY: LOGAN PEARCE AND KEVIN KANE
RHODE ISLAND SEA GRANT LAW FELLOWS
ROGER WILLIAMS UNIVERSITY SCHOOL OF LAW, CANDIDATES FOR J.D., 2017

EVALUATION OF PROPOSED RIGHT OF WAY EAST POWER STREET, PORTSMOUTH, COUNTY OF NEWPROT

Site Location:

East Power Street branches off of Power Street, in an easterly direction towards the Sakonnet River, where Power Street transitions into Johnny Cake Lane. East Power Street runs directly into the shoreline of the Sakonnet River. East Power Street is located in a residential area and is somewhat hard to find.

Description:

Three parcels of land border East Power Street. The first, Parcel 31/54, owned by Raul & Maria Braga, borders the western portion of the southern side of East Power Street. The second, Parcel 34/56, owned by Stephen M. Nicholas, borders the eastern portion of the southern side of East Power Street (from lot 31/54 to the shoreline of the Sakonnet River). The Town of Portsmouth owns the third parcel, Parcel 31/53, which makes up the entire northern border of East Power Street (from Power Street to the shoreline of the Sakonnet River).

East Power Street is paved and seems to be maintained as any other street belonging to the Town of Portsmouth would be. Down either side of East Power Street are “no parking” signs, erected by the Town of Portsmouth, and along the right-hand side is a row of electrical poles. Beneath Parcel 31/53, which is owned by the town, is part of the city drainage system. This is evident by the large culvert emerging at the end of the street. Moreover, there seems to be some evidence that East Power Street has seen its fair share of public access. Where the street meets the shoreline, the adjacent landowners, on either side, have constructed makeshift property lines to confine the public to a specific area.

Parking:

As mentioned before, the street is lined with “no parking” signs. This street is in a residential area and parking would likely be a big issue for nearby homeowners. There is a small parking pad, which probably accommodates two vehicles, near the end of the street, however, this parking pad seems to have been created for a nearby summer residency. The parking pad belongs to Parcel 31/52; however, the grant for this parking pad was never located even though it appears to be on Parcel 31/53.



Figure 1: East Power Street



Figure 2: Facing up East Power Street

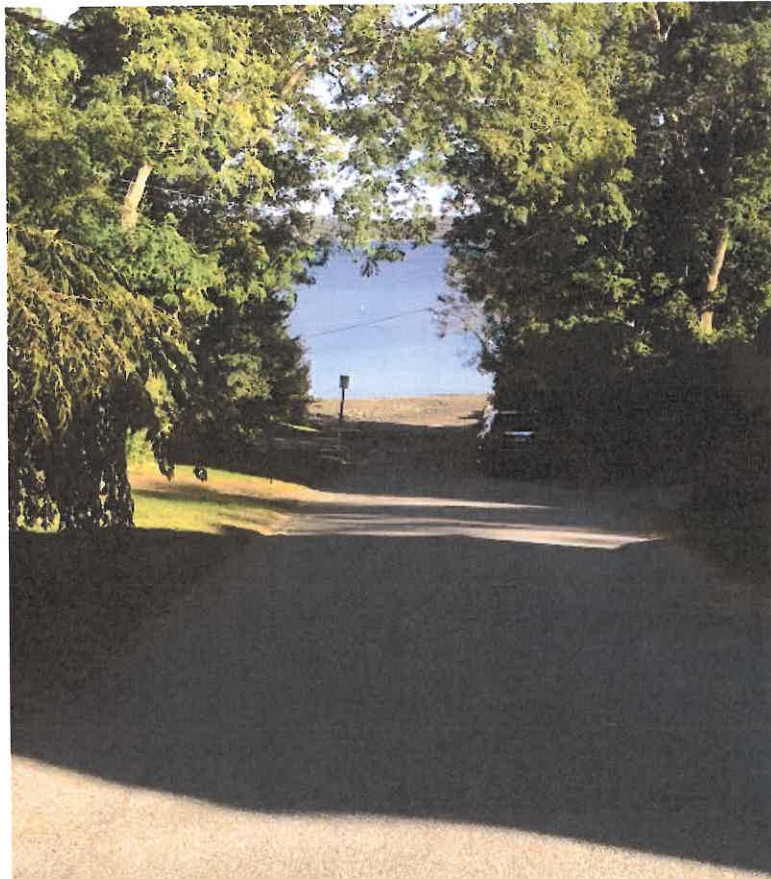


Figure 3: Facing down East Power Street towards the Sakonnet River





Figure 4: Residential parking pad off East Power Street



Figure 5: One of the no parking signs along East Power Street



Figure 6: One of the power poles along East Power Street