



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

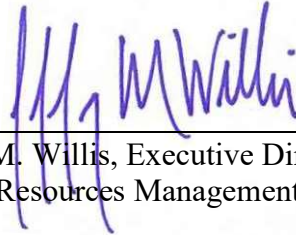
The hearing will be held at 6:00 p.m. on Thursday, April 21, 2022 at the Portsmouth Town Hall, 2200 East Main Road, Portsmouth, RI.

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: 2021-03-073 (ROW)
Owner Name: Town of Portsmouth
Site Address: Coreys Lane, Portsmouth

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>	<p> Missing _____ Application _____ Fee _____ ISDS _____ Proof of Ownership _____ Building Permit _____ Site Plans </p>	<p> As Applicable: _____ CHA Worksheet _____ Stormwater Calcs _____ Structural Lot Calcs </p>
<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	Assigned To		Date Completed	Denial Recommendation	Management Sign-off
Date: _____	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: Corey's Lane ROW

TOWN OF PORTSMOUTH,
COUNTY OF NEWPORT, RI

EVALUATION OF PROPOSED RIGHT OF WAY
FOR COREY’S LANE

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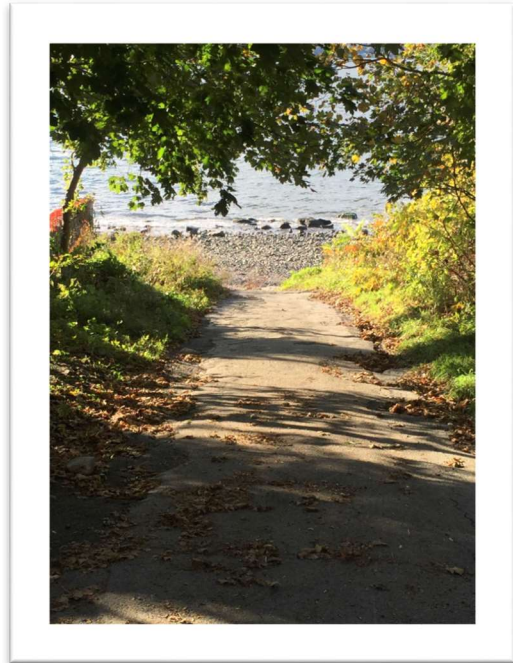
PREPARED BY: KEVIN KANE
RHODE ISLAND SEA GRANT LAW FELLOW
ROGER WILLIAMS UNIVERSITY SCHOOL OF
LAW, CANDIDATE FOR J.D., 2017

EVALUATION OF PROPOSED RIGHT OF WAY

CORY'S LANE, PORTSMOUTH,
COUNTY OF NEWPORT

SITE BACKGROUND

The Cory's Lane right of way ("ROW") is clearly established. There is a paved asphalt path where the ROW is located that leads from Cory's Lane to the water's edge. Indeed, the ROW is part of the Aquidneck Island Planning Commission's ("AIPC") West Side Master Plan, known as the "Blue Trail." The Blue Trail is also part of a statewide paddling system called Rhode Island Blueways, a network of recreational paddling routes on rivers, ponds, and the Narragansett Bay. The site was dedicated as a kayak "put-in" or launch site by the AIPC in August 2008.



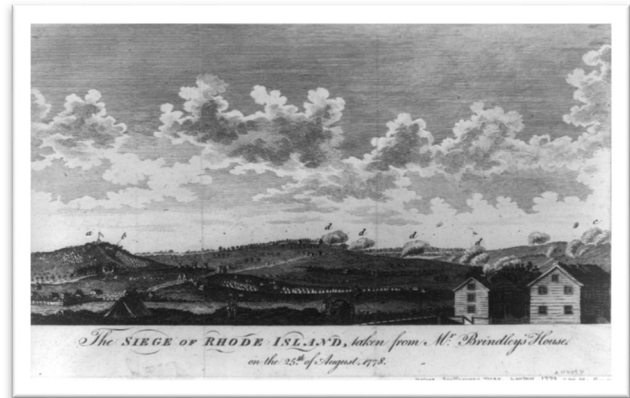
Location: Directly North of the Northern most point of Cory's Lane, dividing Tax Parcels 32/1/A on the East and 32/1/B on the West (approximately 12 feet in width) on Tax Assessor's Map #32. The ROW extends approximately 65 feet to the water's edge along Parcel 32/1/A, and extends approximately 70 feet to the water's edge along Parcel 32/1/B. The ROW is located on the Northern side (water side) of a rail line owned by Conrail (North to Tiverton) and the State of Rhode Island (South to Middletown). See Map Appendix A1, A2, and A3.

Description: The purposed site is bounded by private property on both sides. Parcel 32/1/A, owned by the Order of St. Benedict, is a vacant lot, while Parcel 32/1/B, owned by the Preservation Society of Newport, is improved with what appears to be a former fishing shack (the structure is partially torn down). According to the Tax Assessment records, Parcel 32/1/A was conveyed to the Order of St. Benedict by deed dated January 1, 1925, although no deed or conveyance of this date could be found on record with the County. (A true and correct copy of the official historical Tax Assessment record card for this parcel is attached as Appendix B1.)

Likewise, the Tax Assessment records indicate that Parcel 32/1/B was conveyed to the Preservation Society of Newport by deed dated December 1, 1972, although no deed or conveyance could be found on record with the County. All the same, no deed or conveyance could be found to the supposed prior owner that conveyed out the parcel, Alice Brayton. (A true and correct copy of the official historical Tax Assessment record card for this parcel is attached as Appendix B2.) According to the Tax Assessor, the best available descriptions for both parcel 32/1/A and 32/1/B can be found on the official Tax Assessment Map #32. (See attached Appendix A1 and A2.)

The Tax Assessor's Map #32 shows that the ROW acts as a dividing line between both adjacent parcels. Parcel 32/1/A is described by the Tax Assessor's Map #32 as being a triangular-shaped piece of land beginning at a point along the rail line extending 170 feet in a Southeasterly direction to the Southwestern most point of the ROW, then extending in a Northerly direction 70 feet along the ROW to the water's edge, and then extending in a Southwesterly direction 185 feet to the point of beginning. Similarly, Parcel 32/1/B is described by the Tax Assessor's Map #32 as being a triangular-shaped piece of land beginning at a point along the rail line extending 250 feet in a Southwesterly direction to the Southeastern most point of the ROW, then extending in a Northerly direction 65 feet along the ROW to the water's edge, and then extending in a Southeasterly direction 250 feet to the point of beginning.

Historic Significance: Near the site put-in was some of the fiercest fighting in the Revolutionary War Battle of Rhode Island, on August 20, 1778. Hessian troops service with the British engaged members of Rhode Island's Black Regiment in hand-to-hand combat. Members of the Black Regiment were made up of slaves who were promised their freedom in exchange for serving in the Continental Army.

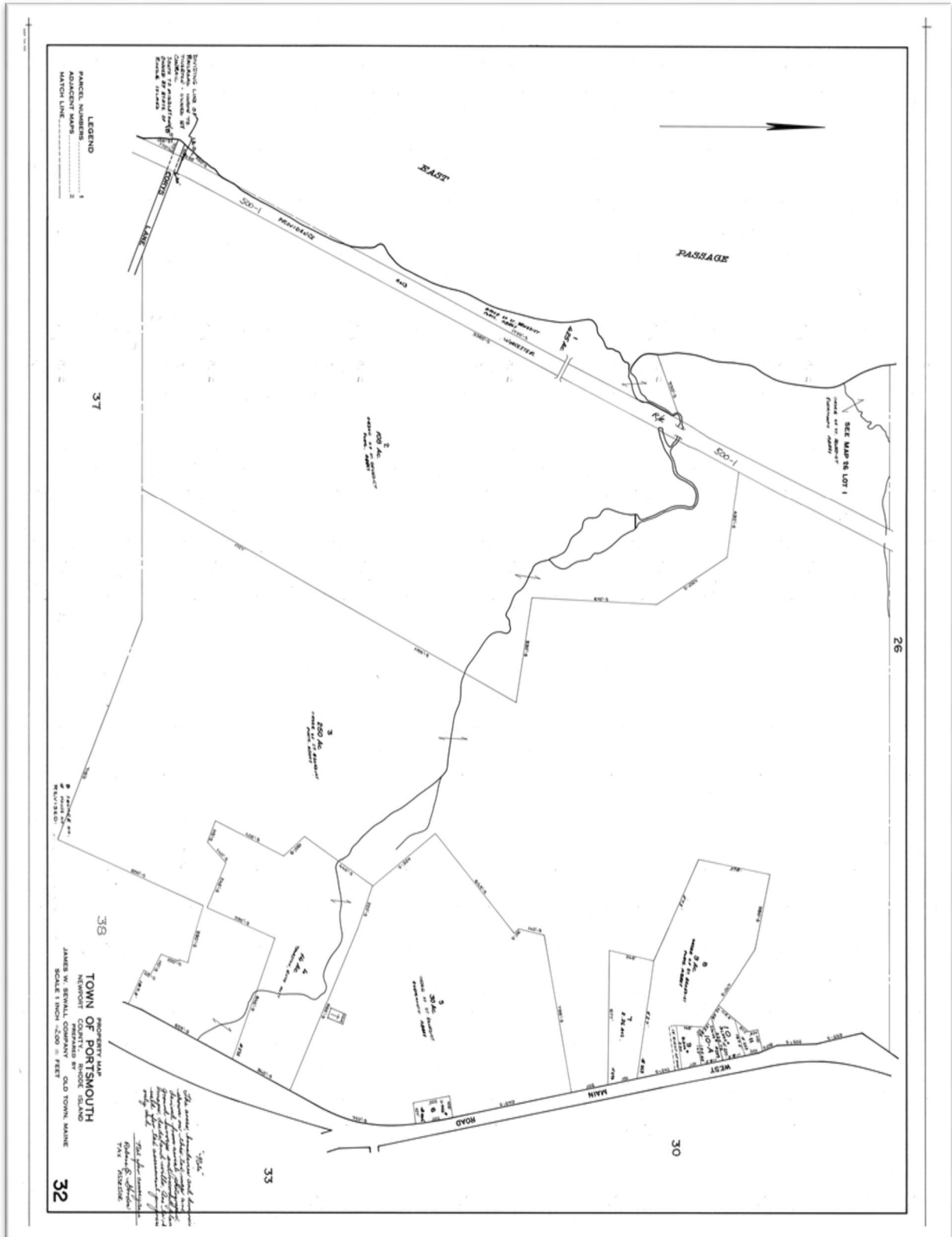


A 1779 print depicting the battle

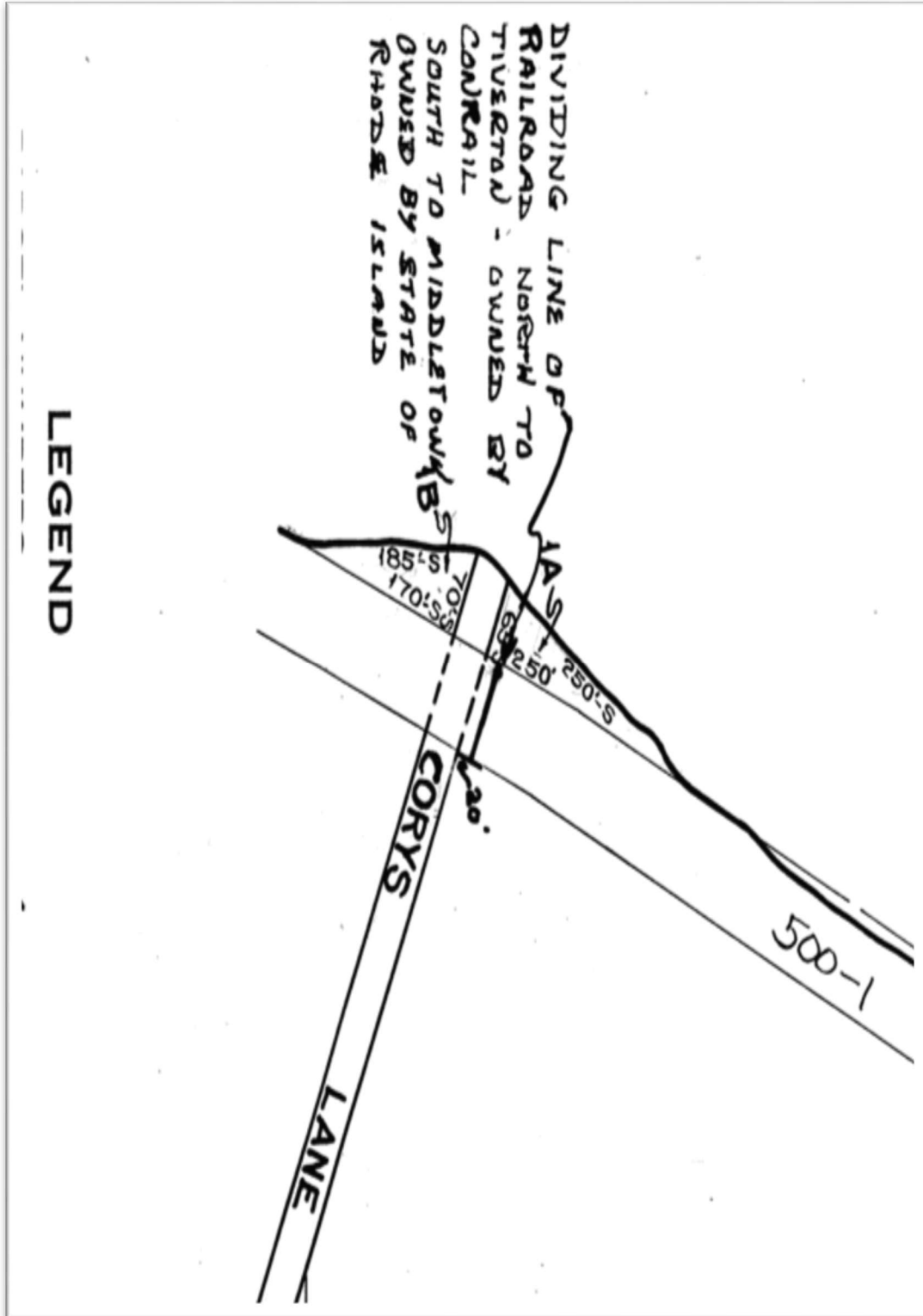
Parking: This right of way is at the end of Cory's Lane and has parking available at its access point for approximately five vehicles. Additional parking exists on the eastern side of Cory's Lane leading up to the ROW access point that probably likely can accommodate two or three more vehicles. A physical inspection of the site did not reveal any parking restriction signs.

Evaluation: It appears the site is being used as a right of way. Besides the site being designated as a Blue Trail launch site by the AIPC, there is a paved asphalt path on the site leading to the water's edge. Although the asphalt path has some minor surface damage, overall it appears to be in good condition. There is a moderate slope at the top of the path that could make traversing the path difficult for some. All the same, there is an active rail line at the top of the path. A "Caution Active Rail Line" sign is posted at the site. The asphalt path is wide enough for a trailer to have direct access to the water, although AIPC has a posted sign limiting use of the site to kayaks, canoes, and non-motorized craft. There is a "No Dumping, Violators Will Be Prosecuted" sign at the top of the ROW. There is also a trash receptacle located next to the allocated parking spaces at the top of the ROW.

Appendix A1: Tax Assessor's Plat Map #32



Appendix A2: Tax Assessor's Plat Map #32



Appendix A3: Bing.com Bird's Eye View



Appendix B1: Tax Assessor Card, Parcel 31/1/A

Property Location: 0 CORVUS LN
 Vision ID: 5609
 Account #
 MAP ID: 32/ 1/A // Bldg #: 1 of 1 Sec #: 1 of 1 Card 1 of 1 State Use: 1320 Print Date: 11/17/2015 14:44

TOPO	UTILITIES	START/ROAD	LOCATION	DESCRIPTION	APPROX. VALUE	ASSESSED VALUE
1 Level	1 Paved	3 Rural	RES LAND		3,200	3,200
5 Steep	7 Waterfront					

5305
 PORTSMOUTH, RI
VISION

Yr.	Code	Assessed Value	Yr.	Code	Assessed Value
2015	1320	3,200	2014	1320	3,200
Total:		3,200	Total:		3,200

This signature acknowledges a visit by a Data Collector or Assessor

EXEMPTIONS	Amount	Code	Description	Number	Amount	Comm. Int.
OTHER ASSESSMENTS						
APPRaised VALUE SUMMARY						
Appraised Bldg. Value (Card)					0	
Appraised XF (B) Value (Bldg)					0	
Appraised OB (L) Value (Bldg)					3,200	
Appraised Land Value (Bldg)					0	
Special Land Value					3,200	
Total Appraised Parcel Value					3,200	
Valuation Method:					C	
Adjustment:					0	
Net Total Appraised Parcel Value					3,200	

Permit ID	Issue Date	Type	Description	Amount	Insp. Date	% Comp.	Date Comp.	Comments
	11/15/2013	DD	10 reviewed					
	11/23/2010	MM	10 reviewed					
	01/21/2008	DM	10 reviewed					
	06/25/2007	JB	00 Measur- Listed					
	03/15/2002	DT	46 Change Value Chang					

B Use #	Code	Description	Zone	D	Front	Depth	Units	Unit Price	ST	Acres	Disc	Factor	Idx	Adj.	Notes-Adj	Land Value
1	1320	VAC NOT DV	R60				8,100	SF		8.67	1.0000	5	1.0000	0.030082	1.50 WF-99% NOTES	3,200

Total Card Land Units: 0.19 AC Parcel Total Land Area: 0.19 AC Total Land Value: 3,200

Appendix B1 cont'd: Tax Assessor Card, Parcel 31/1/A

Property Location: 0 CORYS LN
 Vision ID: 5609

Account #

MAP ID: 32/ 1/A / /
 Bldg #: 1 of 1

State Use: 1320
 Print Date: 11/17/2015 14:44

Bldg Name:
 Sec #: 1 of 1

Card 1 of 1

CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)										
Element	Description	Element	Description									
00	Vacant											
MIXED USE												
Code	Description	Percentage										
1320	VAC NOT DV	100										
COST/MARKET VALUATION												
Adj. Base Rate:		0.00										
Net Other Adj:		0.00										
Replace Cost		0										
AYB												
Dep Code												
Remodel Rating												
Year Remodeled												
Dep %												
Functional Obslinc												
External Obslinc												
Cost Trend Factor												
Status												
% Complete												
Overall % Cond												
Apprais Val												
Dep % Ovr												
Dep Ovr Comment												
Misc Imp Ovr												
Misc Imp Ovr Comment												
Cost to Cure Ovr												
Cost to Cure Ovr Comment												
OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)												
Code	Description	Sub	Yr	Units	Unit Price	Gld	Dp	Rt	Cnd	%	nd	Apr Value
BUILDING SUB-AREA SUMMARY SECTION												
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost							Undeprac. Value
												Ttl. Gross Liv/Lease Area:
												0 0 0 0 0

No Photo On Record

Appendix B2: Tax Assessor Card, Parcel 31/1/B

Property Location: 0 CORVUS LN
 Vision ID: 143282
 Account # 143282
 MAP ID: 32/1/B // Bldg #: 1 of 1
 State Use: 9101
 Print Date: 11/17/2015 14:43

Current Assessment: 5305
 PORTSMOUTH, RI

VISION

EXM LAND
 7300
 Assessed Value: 5,700
 Appraised Value: 5,700

UTILITIES
 TOPO: Steep 6 Low
 SUPPLEMENTAL DATA
 FARM BECA
 H.T.P.W.W

RECORD OF OWNERSHIP
 PRESERVATION SOCIETY OF NEWPORT
 BRANTON ALICE
 PRESERVATION SOCIETY OF NEWPORT

SALE PRICE V.C.
 0
 0

OTHER ASSESSMENTS

EXEMPTIONS

ASSESSING NEIGHBORHOOD

NOTES

STONE BLDG (OVERGROWN) 15X22
 BLDG VALUED ON LOT 32/1/1
 TRIANGLE LOT
 WF

PREVIOUS ASSESSMENTS (HISTORY)

Yr.	Code	Assessed Value	Yr.	Code	Assessed Value
2015	7300	5,700	2014	7300	5,700
Total:		5,700	Total:		5,700

APPRaised VALUE SUMMARY

Appraised Bldg. Value (Card)	0
Appraised XF (B) Value (Bldg)	0
Appraised OB (L) Value (Bldg)	0
Appraised Land Value (Bldg)	5,700
Special Land Value	0
Total Appraised Parcel Value	5,700
Valuation Method:	C
Adjustment:	0
Net Total Appraised Parcel Value	5,700

NET Total Appraised Parcel Value: 5,700

Building Permit Record

Permit ID	Issue Date	Type	Description	Amount	Insp. Date	% Comp.	Date Comp.	Comments

LAND LINE VALUATION SECTION

Unit Price	Units	Depth	Front	Zone	Use Description	Factor I	Factor S.A	Acres	Disc	Factor Idx	ST.	Notes-Adj
10.61	5,950	SF		R60	EX-CHARTER MDL-01	1.0000	5	1.0000	0.06	0082	1.50	-98% ACCESS/TOPO

Special Pricing

Spec Use	Spec Calc.	Unit Price	Land Value
		0.95	5,700

Total Card Land Units: 0.14 AC Parcel Total Land Area: 0.14 AC Total Land Value: 5,700

Appendix B2 cont'd: Tax Assessor Card, Parcel 31/1/B

Property Location: 0 CORYS LN
Account # MAP ID: 32/1/B // Bldg #: 1 of 1 Card 1 of 1
State Use: 9101
Print Date: 11/17/2015 14:43
Sec #: 1 of 1

CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)									
Element	Description	Element	Description								
00	Vacant										
MIXED USE											
Code	Description	Percentage									
9101	EX-CHARTER MDL-00	100									
COST/MARKET VALUATION											
Adj. Base Rate:		0.00									
Net Other Adj:		0									
Replace Cost		0.00									
AYB		0									
Dep Code											
Remodel Rating											
Year Remodeled											
Dep %											
Functional Obslinc											
External Obslinc											
Cost Trend Factor											
Status											
% Complete											
Overall % Cond											
Apprais Val		0									
Dep % Ovr		0									
Dep Ovr Comment											
Misc Imp Ovr		0									
Misc Imp Ovr Comment											
Cost to Cure Ovr		0									
Cost to Cure Ovr Comment											
OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)											
Code	Sub	Descrpt	Units	Unit Price	Yr	Gld	Dp	Rt	Cnd	%Cnd	Apr Value
BUILDING SUB-AREA SUMMARY SECTION											
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprcc. Value					
		0	0	0	0	0					
		Ttl. Gross Liv/Lease Area:		0	0	0					

No Photo On Record

Appendix C: Site Photos

