

**Designation of
Public Rights-of-Way
to The Tidal Areas of The State**



PROGRESS REPORT FOR

July 2014 through June 2015

Submitted by

**THE COASTAL RESOURCES MANAGEMENT COUNCIL
Subcommittee on Rights-of-Ways**

As Amended JUNE 2015

**CRMC Progress Report on Public Rights-of-Way Designations
July 2014 through June 2015**

SUMMARY

During the report period of July 2014 through June 2015 and in accordance with its legislative mandate at RIGL 46-23-17, the Coastal Resources Management Council (CRMC) has continued to address the discovery and designation of public rights-of-ways to the tidal areas of the state.

The General Assembly has mandated the CRMC with the continuing task of discovering and designating public rights-of-ways to the shore. In response CRMC established the ROW Subcommittee in 1978.

While no new ROWs were designated during this report period, the Subcommittee was advised by Legal Counsel that: 1) title work on one potential ROW in the Town of Bristol had been completed and was ready for public hearings; the subcommittee voted unanimously to request legal counsel and staff to schedule an initial public hearing which was scheduled and held on April 22, 2014. The potential ROW is located at Ferry Road in the Town of Bristol, and at the time of this writing its candidacy as a CRMC designated ROW continues to be investigated through the public hearing process. In addition, the Town of Portsmouth has requested the CRMC to investigate East Corey Lane and Power Street as potential ROWs. Documents pertaining to their candidacy as ROWs have been submitted to CRMC legal counsel who will conduct a title search to determine their eligibility for designation. Finally, the Town of Warren informed the CRMC that its Harbor Commission has identified thirteen potential ROWs and will submit title information and other documents for review by CRMC when the commission has completed its investigations of each site. The Commission is reviewing these sites as three separate groups and discussed the first group, consisting of five sites, with CRMC staff during a harbor commission meeting during the current report period. These sites will be submitted to CRMC for review when the Warren Town Solicitor deems them to be valid candidates for designation as ROWs by the CRMC ; 2) the CRMC designated ROW at High Street in the Town of Jamestown, for which no appeal had been received from the Superior Court decision affirming CRMC's designation of this ROW, is now properly advertised to the public by the installation of "Shoreline Public Access" signage provided by the CRMC to the Town of Jamestown. This action concludes a long-standing conflict with an adjacent property owner regarding the CRMC's designation decision.

Any decision resulting in a public right-of-way designation by the Council is permanently recorded with the Secretary of State. The cumulative efforts of the CRMC and its ROW subcommittee are as follows. Please note that the potential ROWs listed in this report are compiled in an appendix. They are subject to legal review by CRMC counsel should new information be discovered that might change their current status. Any changes in the status of these potential ROWs will be reflected in the next CRMC annual ROW report.

Total Number of Potential ROWs Reviewed:	351
Sites Designated as Public ROWs:	221
Sites with Insufficient Evidence for Designation:	71
Sites that are Not Resolved:	34
Sites Under Review:	25
*Sites that are On Appeal:	0

**Sites that are on Appeal are not included in the Total Number of Potential ROWs Reviewed*

GOAL

The goal of the CRMC is to designate at least one (1) public right-of-way for each mile of shoreline. With 221 sites designated as public, and with 420 miles of Rhode Island shoreline, the CRMC is better than half-way to reaching its goal.

ACTIVITIES OF THE CRMC

Significant previous accomplishments and activities conducted during this report period by the CRMC staff and ROW Subcommittee follow:

- 1) Seven (7) ROW Subcommittee meetings were scheduled during the report period, July 1, 2014 - June 30, 2015. Three meetings were cancelled, one due to winter storm Juno. The Subcommittee considered two major issues during its meetings; the potential designation of Ferry Road in Bristol as a CRMC ROW and the Rhode Island Superior Court case *Kilmartin v. Barbuto*. Subcommittee meeting agendas and minutes are available via the following link which connects to the Rhode Island Secretary of State's website: http://sos.ri.gov/openmeetings//index.php?page=view_entity&id=5219. The Subcommittee was advised by CRMC legal counsel that Ferry Road is considered a good candidate for designation as a CRMC ROW. As such the Subcommittee requested that CRMC staff schedule a public hearing in the Town of Bristol in order for the Subcommittee to gather pertinent public testimony. Please see the following item #2 which summarizes the current status of *Kilmartin v. Barbuto*.
- 2) In the RI Superior Court case of *Kilmartin v. Barbuto* the RI Attorney General Peter F. Kilmartin brought suit against certain homeowners at Misquamicut Beach in the Town of Westerly. At issue was an approximately two-mile long stretch of land bordering the shore of the Atlantic Ocean and extending landward from the sea (Disputed Area). The Attorney General claimed the original owners of the Disputed Area recorded a subdivision (1909 Plat) by which they offered an easement across the Disputed Area to the general public. The Attorney General sought declaratory judgment from the Court to forbid the present homeowners from interfering with the public's right to use the Disputed Area as a public easement to the shore. The Court's task was to determine whether the 1909 Plat effectively offered the Disputed Area to the public through dedication as an easement. The Court denied the Attorney General's request for declaratory judgement, concluding that the 1909 Plat did not create an incipient dedication of an easement across the Disputed Area to the shore. At the time of this writing the Attorney General's office had announced that will appeal the Court's judgment. (Adapted in part from RI Superior Court case C.A. No. WB-12-0579, filed 9/4/14).
- 3) The CRMC served in an advisory capacity to City Walk, a public-private consortium led by the Providence Plan and the Jewelry District Association. City Walk's goal is to establish a network of pedestrian-bicycle pathways that link core neighborhoods in Providence to India Point Park, the city's premiere coastal waterfront park. CRMC shall continue to attend meetings, conduct research on shoreline public access, and provide technical assistance to City Walk regarding the relationship between its proposed activities and the RI Coastal Resources Management Program.
- 4) The CRMC served in an advisory capacity to the Blackstone Park Conservancy and the Narragansett Boat Club regarding the groups' proposed changes to the waterfront along a section of River Road in the City of Providence. The current two-way traffic pattern may be modified to one way traffic at certain portions of River Road, with a pedestrian-bicycle pathway established adjacent to the coastal feature. Increased

recreational fishing and kayaking opportunities are proposed as are additional rights-of-ways with attendant parking. Significant upgrades to the stormwater management infrastructure are also proposed. CRMC shall continue to attend meetings, conduct research on shoreline public access, and provide technical assistance to the Blackstone Park Conservancy and Narragansett Boat Club regarding the relationship between their proposed activities and the RI Coastal Resources Management Program.

- 5) The CRMC has created an ArcGIS Online map of all 221 ROWs to date that have been designated by the CRMC full Council. CRMC staff is currently adding new photographs to the map to provide up-to-date images showing the current conditions at every CRMC designated ROW in the state. The CRMC formed a partnership with Save The Bay during the report period 2014-15 to create a new GIS shapefile that will include information on current conditions and other attributes at every ROW. It is anticipated that the new shapefile will be added to the RIGIS database when completed. The map can be accessed via the following link: ArcGIS Online map of all CRMC-designated rights-of-way to the shore.
- 6) A new boat ramp along the Seekonk River in Providence was completed and opened to the public in 2014, creating a significant opportunity for the urban boating public to access coastal waters. The CRMC initially designated a new ROW at East Transit Street in Providence, which led to the discovery of City owned shoreline parcels that were improved and developed as the boat launching complex that exists today. The site was a Brownfield that was reclaimed for public use as a result of CRMC's initial investigation of East Transit Street as a potential ROW.
- 7) The CRMC created two public access opportunities in the Town of Narragansett via the permitting process. In one case a shoreline walking path and boardwalk were established under a Nature Conservancy permit application (file # 2012-08-005), and in the other a pedestrian easement providing lateral shoreline access near Pt. Judith was created in the (file# 2013-11-096).
- 8) During a previous report period, CRMC legal counsel reported that the title work for three potential ROWs in North Kingstown, (Allen Harbor Complex, Wilson Park, and Town Wharf) had been concluded and is ready for a public hearing. The Committee voted unanimously to request legal counsel to schedule public hearings so the full Council could consider their designation.
- 9) The CRMC continues its cooperative program with the municipalities to accelerate the discovery process of potential rights-of-way to the shore through the Harbor Management Planning process. The proposed ROWs mentioned above in the Towns of North Kingstown, Portsmouth, and Warren were all identified via this process. In addition, the CRMC continues to work with the City of Providence Harbor Commission toward developing the City's first HMP; at the time of this writing the HMP is in effect under an interim approval from the CRMC. Public access was the first topic addressed by the commission and it continues to investigate potential ROWs that may be submitted to CRMC for possible designation.
- 10) The CRMC created further public shoreline access opportunities when it developed and approved the Aquidneck Island SAMP. A stated purpose of the SAMP is that through its implementation, the CRMC will apply, where appropriate, the US Environmental Protection Agency and National Oceanic and Atmospheric Administration's adopted Waterfront and Coastal Smart Growth Elements, which among other goals includes the creation of walkable waterfronts and shoreline communities with visual and physical access to and along the waterfront for public use. Similar to the Metro Bay SAMP, the Aquidneck Island SAMP creates shoreline public access through regulatory processes. As such, the Aquidneck Island SAMP provides permit applicants the option to create shoreline public access that is, a "coastal greenway" on their property and avoid the more restrictive setback and buffer requirements as

specified in Sections 140 and 150 of the RICRMP. To date, the first Coastal Greenway via the Aquidneck Island SAMP has been established in the Town of Portsmouth through a permit to Northern Waterfront Associates to establish a resort community. The public shoreline access amenities provided by the coastal greenway include a walking path to the shore, public parking, and a storage rack for small vessels such as kayaks.

- 11) The CRMC has created numerous public access opportunities via assent stipulations under section 335 of the RI Coastal Resources Management Program regulations. Section 335 stipulates that a public access plan must be prepared when the following activities are proposed: 1) Commercial and industrial development and redevelopment projects as defined in section 300.3; 2) New and significant expansions to marinas as defined in section 300.4; and, 3) Activities which involve the filling of tidal waters as defined in section 300.10, other than those considered as maintenance as defined in section 300.7. The following cumulative list (as shown in the table on page 6) includes various types of public access created under “Section 335” such as boardwalks, parking facilities, shoreline access paths, and others:

(SEE FOLLOWING PAGE)

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Project with Section 335 Stipulated Public Access Plan	City/Town
Stone Harbour Condominiums	Bristol
Thames Street Landing	Bristol
Weetamoe Farms	Bristol
Wharf Tavern	Bristol
Town of East Greenwich	East Greenwich
Sakonnet Point Club	Little Compton
Knowlesway Extension (at Pt. Judith Pond)	Narragansett
Casey's Marina	Newport
Newport Onshore	Newport
The Inn at Long Wharf (Marina)	Newport
West Wind Marina (Waite's Wharf)	Newport
Blue Beach (Economic Development Corporation)	North Kingstown
Compass Rose Beach (Economic Development Corporation)	North Kingstown
Jamestown Bridge (RI Department of Transportation)	North Kingstown
Keiffer Park (Economic Development Corporation)	North Kingstown
North Kingstown Town Marina	North Kingstown
Quonset Development Corporation	North Kingstown
Spink's Neck Beach (Economic Development Corporation)	North Kingstown
Wickford Shipyard	North Kingstown
Carnegie Abbey	Portsmouth
Melville Marina	Portsmouth
Mt. Hope Marine Terminal	Portsmouth
Carnegie Abbey/Willow Lane (additional public access parking area)	Portsmouth
Collier Point Park (Narragansett Electric)	Providence
Providence Place Mall	Providence
Shooters (Currently RIDEM property)	Providence
Matunuck Beach Trailer Association	South Kingstown
Village at Mt. Hope Bay (Starwood)	Tiverton
Sakonnet River Bridge (RIDOT)	Tiverton
City of Warwick	Warwick
Dickerson's Marina	Warwick
Greenwich Bay Marina	Warwick
Harbor Light Marina	Warwick

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12) The CRMC has established an Adopt-An-Access Program by which public/private partnerships preserve, protect, and enhance public access at CRMC ROWs. The Program is implemented via MOUs that stipulate each partner's role and responsibilities. The CRMC is a committed partner with Clean Ocean Access which adopted 18 ROWs in the City of Newport during the report period 2014-15; this placed every ROW in the city in the Adopt-An-Access Program. Whether officially adopted or not COA monitors every ROW on Aquidneck Island and hopes to adopt a new ROW at Marine Avenue (Z-24) in Newport in the near future. There are 36 adopted ROWs in the state as shown below:

CRMC ROW (Designation #)	Municipality	Adopting Entity
“Daunis”/Nyatt Road (P-2)	Barrington	RI Saltwater Anglers Assoc.
Gibson Road (S-2)	Bristol	Bristol Highlands Improvement. Ass'n.
Constitution Street (S-4)	Bristol	Save Bristol Harbor
Union Street (S-5)	Bristol	Save Bristol Harbor
Walley Street (S-6)	Bristol	Save Bristol Harbor
Poppasquash Road (S-19)	Bristol	Save Bristol Harbor
Oliver Street (S-22)	Bristol	Save Bristol Harbor
Tuckerman Avenue (Y-1)	Middletown	Clean Ocean Access/ Milnes Family
Tuckerman Avenue (Y-11)	Middletown	RI Salt Water Anglers Association
Bass Rock Road (C-6)	Narragansett	Coastal Society – URI Chapter
Conant Avenue (C-7)	Narragansett	Narragansett Surfcasters
Knowlesway Extension (C-1)	Narragansett	Narragansett Conservation Comm.
Webster Avenue (Z-1)	Newport	Clean Ocean Access
Narragansett Avenue (Z-2)	Newport	Clean Ocean Access
Ledge Road (Z-3)	Newport	Clean Ocean Access
Ruggles Avenue (Z-4)	Newport	Clean Ocean Access
Seaview Avenue (Z-5)	Newport	Clean Ocean Access
Cypress Street (Z-6)	Newport	Clean Ocean Access
Van Zandt Street (Z-7)	Newport	Clean Ocean Access
Battery Street (Z-8)	Newport	Clean Ocean Access
Pine Street (Z-9)	Newport	Clean Ocean Access
Cherry Street (Z-10)	Newport	Clean Ocean Access
Chestnut Street (Z-11)	Newport	Clean Ocean Access
Walnut Street (Z-12)	Newport	Clean Ocean Access
Willow Street (Z-13)	Newport	Clean Ocean Access
Poplar Street (Z-14)	Newport	Clean Ocean Access
Elm Street (Z-15)	Newport	Clean Ocean Access
Goat Island Connector 28-B (Z-16)	Newport	Clean Ocean Access
Goat Island Connector 28-A (Z-17)	Newport	Clean Ocean Access
Brown & Howard Wharf (Z-18)	Newport	Clean Ocean Access
Lee's Wharf (Z-19)	Newport	Clean Ocean Access
Howard's Wharf (Z-20)	Newport	Clean Ocean Access
Sisson's Wharf (Z-21)	Newport	Clean Ocean Access
Waites Wharf (Z-22)	Newport	Clean Ocean Access
Spring Wharf (Z-23)	Newport	Clean Ocean Access
Ruth Avenue (V-11)	Portsmouth	Melissa K. D'Ellena and Robert M. Surprenant, Jr.

13) Although the following did not occur during the current report period, it is included here due to its significance regarding parking at CRMC ROWs, the general lack of which is a significant detriment to their use by the public at large. The CRMC had a significant role in a RI Superior Court decision (C.A. No. 03-3985, filed August 4, 2004) which established that ROWs may be improved to allow for vehicular access and parking. The case arose when the Town of Barrington submitted an application to the CRMC which proposed to improve the Daunis ROW for parking. The application was the result of a cooperative effort between the CRMC, the Town of Barrington, and a salt water angler who had fished at the site as a young man, who now found his access to the ROW limited by a parking ban on the adjacent town road. The decision led directly to the improvement of the Daunis ROW to include two parking spaces. Although there have been occasional subsequent challenges to the public use of this ROW, the commitment of the Rhode Island Saltwater Angler's Association as the adopting entity at this ROW has played a significant role in keeping this ROW available for public use and enjoyment.

14) The CRMC uniquely addressed public access to the shore in Narragansett Bay's urban core when it promulgated the Urban Coastal Greenway regulations (UCG) under the Metro Bay SAMP. The UCG offers development projects the option to create an easement for public access to the shore as compensation for allowing a more compact vegetated coastal buffer zone than required by Section 150 (Coastal Buffer Zones) of the Red Book. The goal of the public access option is to create the Urban Coastal Greenway – a public access pathway along the shores of Cranston, Providence, Pawtucket, and East Providence – that includes vehicular parking and arterial public access from the street side of a coastal parcel to the shore. While the UCG clearly provides a significant public benefit, the allowance of a compact buffer zone increases the useable area of an urban coastal parcel; such parcels typically cannot meet the buffer zone requirements of Section 150 (which target more rural parts of the state) and remain economically viable. To date, the following projects have contributed to the establishment of the UCG by choosing the public access option:

Project	Municipality	UCG Easement
American Locomotive	Providence	Public path along the Woonasquatucket River, minimum of eight parking spaces, and public access signage.
Division Street Hotel	Pawtucket	Public path along the Seekonk River, minimum of eight parking spaces, and public access signage.
East Point Development Project	East Providence	Public path along the Seekonk River, public parking spaces and appropriate signage, perpendicular pathways with signage leading to the public path and, signage identifying rules for public use of the path.
Johnson and Wales University	Providence/Cranston	Public access path along Narragansett Bay, public parking spaces and a recreational public access ramp.
Kettle Point	East Providence	Public access pathway along the Providence River and public parking spaces.

- 15) The CRMC's commitment to create new shoreline public access opportunities at the former Rocky Point amusement park was rewarded when a new public park, including coastal hiking trails, was officially opened on June 24, 2011. Leading up to this event, the CRMC had worked closely with the National Oceanic and Atmospheric Administration to procure a \$2.2 million Coastal and Estuarine Land Conservation grant, which with additional state and municipal funds was used to purchase the site. In addition to assisting in the funding process, the CRMC worked with the City to develop permits to allow the demolition of derelict structures on the property to create the new open space needed to develop the park and shoreline public access paths
- 16) The CRMC has produced pamphlets and signs in seven languages (English, Spanish, Portuguese, Vietnamese, Hmong, Laotian, and Cambodian) which establish a code of conduct while using ROWs. The pamphlet discusses the public's constitutional privileges to the shore, but it also strongly emphasizes the importance of respecting private property rights in the vicinity of ROWs. The pamphlet identifies littering, trespassing onto private property, and blocking private driveways with illegally parked cars, as primary problems to be avoided by users of ROWs. The CRMC installs the multi-language signs at its Adopt-An-Access sites and the pamphlets are available at no charge in hard copy at the CRMC office in Wakefield.
- 17) The CRMC has published a public access guide as part of a Special Area Management Plan for Greenwich Bay. The public access guide lists CRMC designated ROWs that lead to Greenwich Bay. The inclusion of technical and physical descriptions, locus maps, aerial photographs, and GIS maps which pinpoint the locations of and directions to the ROWs, makes this the most comprehensive and "user-friendly" public access guide the CRMC has produced to date. The guide also identifies other public access sites along Greenwich Bay, including municipal rights-of-ways to the shore and publicly-owned open spaces. The guide is available at the CRMC office in Wakefield at no charge and via the CRMC website at: http://www.crmc.ri.gov/publicaccess/gb_row_guide.pdf
- 18) The CRMC continues to distribute its *Rights-of-Way Designation Process Fact Sheet* which describes the process for designating ROWs, and its *Citizen's Guide to Assisting in the Right-of-Way Designation Process* which was designed for municipal officials and the general public. The *Citizen's Guide* provides step-by-step information on how to conduct background research to identify potential ROWs. Both the *Fact Sheet* and *Citizen's Guide* are available via the CRMC website at: <http://www.crmc.state.ri.us/publicaccess.html>
- 19) The CRMC continues to complete and update this annual rights-of-way report which is available to the public at no charge at the CRMC office in Wakefield. As the CRMC designates new public rights-of-way, the report is updated to document the location of these right-of-ways. The report serves as an inventory and planning tool for coastal communities as well as serving a public interest. This report is also available via the CRMC website at: <http://www.crmc.ri.gov/publicaccess.html>
- 20) The publication *Public Access to the Rhode Island Coast* produced by the Coastal Resources Center of the University of Rhode and funded by the CRMC is available at cost in hard copy format at the CRMC office in Wakefield. It is also available via the following link to the CRMC website: http://www.crmc.ri.gov/publicaccess/ri_access_guide.pdf
- 21) The CRMC continues its cooperative efforts with the municipalities to promote the continual process of discovery and designation of new ROWs. CRMC staff continues to update a contact list of municipal officials in Rhode Island's coastal communities, and to initiate periodic contact with these individuals to

solicit information on potential new ROWs in each municipality, and to offer assistance regarding ROW issues.

- 22) To continue efforts of coordination between the RIDEM and the CRMC, the CRMC has remained an advisory member of the Recreation Resources Review Committee (RRRC). This provides a strong and coordinated mechanism to ensure that coastal right-of-ways are included in site development and funding requests and that projects proposed for funding under the auspices of the RRRC are consistent with the Council's goals and policies for access development. On request, the CRMC continues to assist the RRRC in its review of funding applications for coastal access improvement projects.
- 23) The CRMC continues to foster outreach and education opportunities to inform the public on the various methods by which the CRMC provides and improves public access to the shore in the state. To this end, the CRMC wrote an article for publication in the Narragansett Bay Journal on all facets of its Shoreline Public Access Program. (Winter Edition, 2012-13, Issue #25).
- 24) Technical changes to the CRMC ROW progress report for the period July 2014 through June 2015 include the deletion of the ROW at Capron Farm Drive (J-27) in Warwick and the inclusion of a new ROW at Marine Avenue (Z-24) in Newport. The CRMC's decision to designate the ROW at Capron Farm Drive was reversed in the Rhode Island Superior Court case *Buonomano v. CRMC* 95-1748, and Marine Avenue was designated as a ROW by the CRMC through its permitting process.

FUNDING

Funding remains a chronic problem for the rights-of-way program. Original federal funding for the task of discovering and designating ROWs was established at \$30,000 per fiscal year. However, in response to subsequent budget problems the appropriations specifically earmarked for this task were level funded at \$5,000 per fiscal year, until FY13 when the federal share was eliminated.

The reduced monies must still cover legal, stenographer, travel, advertising, and staff costs. The CRMC has continued to discover and designate new ROWs, though at a lower annual rate than when the ROW Program originated. This is primarily due to the current funding constraints, which, as noted above, includes comprehensive legal research, and time-consuming public hearings (the purpose of which is to exhaust evidence), resulting in site designations that span reporting periods. The CRMC has had to reduce funding to the ROW program due to overall decreases in program funding.

Therefore, it is likely that due to further decreases in appropriations, and the resulting decreases in federal monies (a 1:1 match is required with federal funding), it may be necessary for the CRMC to come close to zero-funding its rights-of-way program next fiscal year. As state appropriations have become non-existent for this task, the CRMC is faced with using federal funding to cover operational costs, thereby losing such programs as the ROW designation process. Further, if one were to take into consideration the monetary cost of trying to purchase those CRMC designated public access areas at current market value, it would easily amount in the millions of dollars. Thus the state has reaped a high rate of return for monies expended on this program.

By demonstrating how successful the CRMC's efforts vis-à-vis rights-of-way designations and its impact to the state's quality of life, the Council will attempt to foster partnerships that will allow ROW designations to go forward in spite of funding constraints

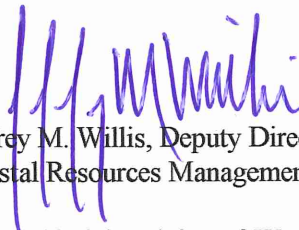
FUTURE ACTIONS

One of the prime objectives of the right-of-ways subcommittee is to continue to seek opportunities to foster partnerships that further the ROW discovery and designation.

Additional state funding will be sought, which will result in additional sites being reviewed, and therefore possibly being designated as public ROWs to the shore.

The subcommittee's task of designating public ROWs to the shore continues to be one of the CRMC's highest action items to ensure the public right-of-access to the coastal waters of Rhode Island.

Respectfully submitted by,



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Coastal Resources Management Council

on behalf of the Rights-of-Way Subcommittee:

Paul E. Lemont, Chair
Anne Maxwell Livingston
Janet Coit, DEM Director

TOWN-BY-TOWN ANALYSIS
OF THE COUNCIL'S ACTIONS REGARDING
SITE DESIGNATIONS AND PUBLIC RIGHTS-OF-WAY TO THE SHORE

The following represents a town-by-town analysis of the CRMC's actions regarding the review of various sites and their potential designations as public rights-of-way to the shore. This is the official listing of the Council's actions regarding its designation process for public rights-of-way.

Where applicable, the following terms mean:

- Insufficient Evidence:** The CRMC reviewed these sites and based on the evidence submitted into the record at the time of the hearing; found that insufficient evidence existed to designate these sites as public rights-of-way to the shore. However, further review may occur for these sites given new evidence.
- Not Resolved:** The CRMC previously investigated these sites and made no determination as to whether or not these sites are public rights-of-way to the shore. They are not currently being investigated by the CRMC, however further review may occur for these sites given additional evidence.
- Under Review:** Sites which are currently being considered by the subcommittee.
- On Appeal:** Decisions of the CRMC which are being challenged through the courts.

WESTERLY

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Bluff Avenue	A-2
Manatuck Avenue	A-3
Atlantic Avenue (1)	A-6
Atlantic Avenue (2)	A-7
Atlantic Avenue (4)	A-8
Atlantic Avenue (5)	A-9
Atlantic Avenue (6)	A-10
Atlantic Avenue (7)	A-11
Atlantic Avenue (8)	A-12
Atlantic Avenue (9)	A-13
Avondale Road	A-14
TOTAL DESIGNATED ROWs: 11	

CHARLESTOWN

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Breachway	B-1
East Beach Road	B-2
TOTAL DESIGNATED ROWs: 2	

SOUTH KINGSTOWN

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Statice Drive	D-1
Dawn Drive	D-2
Daybreak Drive	D-3
Ocean Avenue	D-4
TOTAL DESIGNATED ROWs: 4	

NARRAGANSETT

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Knowlesway Extension	C-1
Extension of Pilgrim Avenue	C-2
Calef Avenue	C-3
Black Point	C-5
Bass Rock Road	C-6
Conant Avenue Road End	C-7
South Ferry Road	C-8
Hazard Avenue Road End	C-9
Pettaquamscutt Avenue	C-10
Conanicus Road	C-11

Foddering Farm Road Extension	C-12
Newton Avenue Road End	C-13
Wandsworth Street Extension	C-14
TOTAL DESIGNATED ROWs: 13	

NEW SHOREHAM (BLOCK ISLAND)

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Settlers Rock	E-1
Scotch Beach Road	E-2
Scup Rock property	E-3
Conneymus Road	E-4
Coast Guard Road	E-5
Andy's Way	E-6
West Beach Road	E-7
TOTAL DESIGNATED ROWs: 7	

NORTH KINGSTOWN

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Phillips Street	F-5
Loop Drive	F-6
Loop Drive (2)	F-7
TOTAL DESIGNATED ROWs: 3	

JAMESTOWN

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Broad Street	G-1
Spirketing Street	G-2
Steamboat Street	G-3
Spindrift Street	G-4
Eldred Avenue	G-5
Mast Street	G-6
Hull Street	G-7
Champlin Way	G-8
Bucaneer Way	G-9
Carr Lane	G-10
Garboard Street	G-11
Capstan Street	G-12
Decatur Avenue	G-13
High Street	G-14
TOTAL DESIGNATED ROWs: 14	

EAST GREENWICH

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
London Street	H-1
Rocky Hollow Road	H-2
Long Street	H-3
King Street	H-4
Bridge Street	H-5
Division Street	H-6
TOTAL DESIGNATED ROWs: 6	

WARWICK

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Bradford Avenue	J-1
Elkins Avenue	J-2
Charlotte Drive (north side) #1	J-3
Charlotte Drive (north side) #2	J-4
Charlotte Drive (north side) #3	J-5
Charlotte Drive #4	J-6
Beachwood Drive (east side) #1	J-7
Beachwood Drive (east side) #2	J-8
Sylvia Drive	J-9
Sheffield Street	J-10
Reynolds Avenue	J-11
North Shore Street	J-12
Waterfront Drive	J-13
Cooney Street	J-14
Progress Street	J-15
Burnett Road (east side) #1	J-16
Burnett Road (east side) #2	J-17
Burnett Road (east side) #3	J-18
Shawomet Avenue (north side)	J-19
Shawomet Avenue (south side)	J-20
Bellman Avenue	J-21
Gaspee Point Drive	J-22 (Abandoned and Relocated)
Butler Court	J-23
Nausauket Road	J-24
Ives Road	J-25
Tiffany Avenue/Progress Street	J-26
Narragansett Bay Avenue	J-28
Off Shawomet Avenue	J-29
Off Ship Street (Ship Court)	J-30

CRMC Progress Report on Right-of-Ways to the Tidal Areas of the State

Suburban Parkway - Formerly Delaware Avenue	J-31
Peck Lane - Pawtuxet Village	J-32
Off Cooney Street/Extension of Lilac Street	J-33
Rock Avenue/Bromle Avenue	J-34
Off Reynolds Avenue	J-35
Priscilla Avenue	J-36
Masthead Drive - Old Courtland Lane	J-37
Ogden Avenue off Burnett Road	J-38
Alger Avenue & John Wickes Avenue	J-39
Bradford Avenue	J-40
Overlook Drive	J-41
TOTAL DESIGNATED ROWs: 41	

CRANSTON

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Aborn Street (south side)	K-1
Aborn Street (westerly side)	K-2
Seaview Avenue (west side)	K-3
TOTAL DESIGNATED ROWs: 3	

PROVIDENCE

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Irving Avenue	L-1
Butler Avenue	L-2
East Transit Street	L-3
TOTAL DESIGNATED ROWs: 3	

PAWTUCKET

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Bishop Street	M-1
TOTAL DESIGNATED ROWs: 1	

EAST PROVIDENCE

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Narragansett Beachway	N-1
First Beachway	N-2
Second Beachway	N-3
Third Beachway	N-4
Fourth Beachway	N-5
Fifth Beachway	N-6
Sixth Beachway	N-7
Seventh Beachway	N-8

CRMC Progress Report on Right-of-Ways to the Tidal Areas of the State

Eighth Beachway	N-9
Ninth Beachway	N-10
Tenth Beachway	N-11
Eleventh Beachway	N-12
Riverside Drive	N-13
TOTAL DESIGNATED ROWs: 13	

BARRINGTON

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Shore Road	P-1
Daunis R-O-W	P-2
TOTAL DESIGNATED ROWs: 2	

WARREN

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Maple Street	R-1
Parker Avenue	R-2
Patterson Avenue	R-3
Harris Avenue	R-4
Shore Drive (3)	R-6
Shore Drive (5)	R-7
Shore Drive (6)	R-8
Shore Drive (7)	R-9
Road to Town Landing	R-10
TOTAL DESIGNATED ROWs: 9	

BRISTOL

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Beach Road	S-1
Gibson Road	S-2
Fales Road	S-3
Constitution Street	S-4
Union Street	S-5
Walley Street	S-6
North Street	S-7
Butterworth Avenue	S-8
Azalea Drive	S-9
Fatima Drive	S-10
San Miquel Drive	S-11
Sherman Avenue	S-12

CRMC Progress Report on Right-of-Ways to the Tidal Areas of the State

Smith Avenue	S-13
Kickemuit Avenue	S-14
Narrows Road	S-15
Sunrise Drive	S-16
Anawamscott Drive	S-17
Low Lane	S-18
Poppasquash Road (beach lot)	S-19
State Street	S-20
Franklin Street	S-21
Oliver Street	S-22
Burton Street	S-23
Peck Avenue	S-24
Bayview (Clipper Way)	S-25
Narrows Peninsula	S-26
Platt Street	S-27
Aaron Avenue	S-29
King Philip	S-28
TOTAL DESIGNATED ROWs:	29

TIVERTON

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Carey Lane	T-1
State Avenue	T-2
Nannaquaket Bridge	T-3
Fogland Road	T-4
Land south of Sakonnet Bridge	T-5
Two Rod Way	T-6
South of Stone Bridge	T-7
TOTAL DESIGNATED ROWs:	7

PORTSMOUTH

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Mt. View Road	V-1
Anthony Road	V-2
Narragansett Road	V-3
Cedar Avenue	V-4
Point Street	V-5
Green Street	V-6
Seaconnet Blvd. (n' east corner of Wm. Herbert's land)	V-7
Seaconnet Blvd.	V-8
Seaconnet Blvd. (n' east corner of Don Ibbotson's land)	V-9

Seaconnet Blvd. (n ^e ast corner of Virginia Arruda's land)	V-10
Ruth Avenue	V-11
Fountain Street	V-12
Aquidneck Avenue	V-13
Atlantic Avenue (easterly end of East Cory's land)	V-14
Atlantic Avenue (easterly end of Tallman Avenue)	V-15
Child Street	V-16
Morningside Lane	V-17
TOTAL DESIGNATED ROWs: 17	

LITTLE COMPTON

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Continuation of Taylor's Lane	W-1
Town Way Road	W-2
Sakonnet Harbor - Boat ramp	W-3
TOTAL DESIGNATED ROWs: 3	

MIDDLETOWN

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Tuckerman Avenue, btwn Lots 104/105	Y-1
Shore Drive	Y-3
Third Beach Road	Y-4
Southeast end of Esplanade & Shore Drive	Y-5
Taggerts Ferry Road	Y-6
Kingfisher Avenue	Y-7
Northwest end of Esplanade	Y-8
Western end of Purgatory Road	Y-9
Shore Drive, opp Lot 107	Y-10
Tuckerman Ave, opp Wolcott Avenue	Y-11
TOTAL DESIGNATED ROWs: 10	

NEWPORT

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Webster Street	Z-1
Narragansett Avenue	Z-2
Ledge Road	Z-3
Ruggles Avenue	Z-4
Seaview Avenue	Z-5
Cypress Street	Z-6
VanZandt Street	Z-7
Battery Street	Z-8

Pine Street	Z-9
Cherry Street	Z-10
Chestnut Street	Z-11
Walnut Street	Z-12
Willow Street	Z-13
Poplar Street	Z-14
Elm Street	Z-15
Goat Island Connector (28-B)	Z-16
Goat Island Connector (28-A)	Z-17
Brown & Howard Wharf	Z-18
Lee's Wharf	Z-19
Howard's Wharf	Z-20
Sisson's Wharf	Z-21
Waites Wharf	Z-22
Spring Wharf	Z-23
Marine Avenue	Z-24
TOTAL DESIGNATED ROWs: 23	

CRMC Progress Report on Right-of-Ways to the Tidal Areas of the State

SUMMARY OF DESIGNATED AND POTENTIAL PUBLIC RIGHT-OF-WAYS (as of June 30, 2015)

Community	Sites Investigated	Row's Designated	Insufficient Evidence	Sites Not Resolved	Sites Under Review	On Appeal	Row Abandoned
A Westerly	19	11	3	5	0	0	0
B Charlestown	5	2	2	0	1	0	0
C Narragansett	31	13	10	0	8	0	0
D South Kingstown	7	4	3	0	0	0	0
E New Shoreham	10	7	0	3	0	0	0
F North Kingstown	21	3	13	1	4	0	0
G Jamestown	27	14	0	13	0	0	0
H East Greenwich	7	6	0	1	0	0	0
J Warwick	55	40	13	0	1	0	1 (relocated)
K Cranston	6	3	3	0		0	0
L Providence	3	3	0	0		0	0
M Pawtucket	1	1	0	0		0	0
N East Providence	13	13	0	0		0	0
P Barrington	5	2	3	0		0	0
R Warren	20	9	8	3		0	0
S Bristol	31	29	1	1		0	0
T Tiverton	13	7	6	0		0	0
V Portsmouth	28	17	0	0	11	0	0
W Little Compton	4	3	1	0		0	0
Y Middletown	11	10	1	0		0	0
Z Newport	34	24	4	7			0
TOTALS	351	221	71	34	25	0	1

APPENDIX

The following list shows potential ROWs that were investigated by the CRMC ROW subcommittee during previous report periods, but were not subsequently designated by the full Council as ROWs. Any changes in the status of these potential ROWs will be reflected in subsequent CRMC annual ROW reports.

WESTERLY

Avondale Road (2)	Insufficient Evidence
Colonel Willie Cove	Insufficient Evidence
Atlantic Avenue (3)	Insufficient Evidence (#12)
Bluff Avenue (2)	Not Resolved
Niantic Avenue	Not Resolved
Winnapaug Road	Not Resolved
Wapan Road	Not Resolved
Meadow Lane	Not Resolved

TOTALS

Insufficient Evidence: 3

Not Resolved: 5

CHARLESTOWN

Ext. of Quonochontaug Pt.	Insufficient Evidence
Meadow Lane	Insufficient Evidence
Powaget Avenue	Under Review

TOTALS

Insufficient Evidence: 2

Under Review: 1

SOUTH KINGSTOWN

Shadberry Knoll	Insufficient Evidence
Matunuck Beach Road	Insufficient Evidence
11 Parcels off Salt Pond Road	Insufficient Evidence

TOTALS

Insufficient Evidence: 3

NARRAGANSETT

Bassrock Avenue	Insufficient Evidence
Hazard Avenue	Insufficient Evidence
Newton Avenue	Insufficient Evidence
Cedar Island Road	Insufficient Evidence
Sand Hill Cove - southerly side	Insufficient Evidence
Ocean Road ¹	Insufficient Evidence
Boston Neck Road	Insufficient Evidence
Joseph's Ramble	Insufficient Evidence
Anawan Drive	Insufficient Evidence
North Cliff Drive Extension	Insufficient Evidence
Glenwood Avenue	Under Review
Succotash Road	Under Review

¹ "Ocean Road" replaced "Ocean Avenue" in the 2005-06 annual ROW report as a technical correction.

CRMC Progress Report on Right-of-Ways to the Tidal Areas of the State

Mollusk Road	Under Review
Island Road	Under Review
Ocean Avenue	Under Review
East Shore Road #1	Under Review
East Shore Road #2	Under Review
East Shore Road #3	Under Review

TOTALS

Insufficient Evidence: 10

Under Review: 8

NEW SHOREHAM

Graces Cove Road	Not Resolved
Snake Hole Road	Not Resolved
Gov't Property at Southeast Lighthouse	Not Resolved

TOTALS

Not Resolved: 3

NORTH KINGSTOWN

Duck Cove Road	Insufficient Evidence
Plum Beach Road	Insufficient Evidence
Clinton Drive (1)	Insufficient Evidence
Clinton Drive (2)	Insufficient Evidence
Buena Vista Drive	Insufficient Evidence
Buena Vista Drive (2)	Insufficient Evidence
Buena Vista Drive (3)	Insufficient Evidence
Buena Vista Drive (4)	Insufficient Evidence
Buena Vista Drive (5)	Insufficient Evidence
Elgin Avenue	Insufficient Evidence
Concord Avenue	Insufficient Evidence
Poplar Avenue	Insufficient Evidence
Steamboat Avenue	Insufficient Evidence
Cottrell Road	Not Resolved
Town Wharf	Under Review ²
Allen Harbor Complex	Under Review
Wilson Park	Under Review
Worsley Avenue	Under Review

TOTALS

Insufficient Evidence: 13

Not Resolved: 1 / Under Review: 4

2 It is planned to submit Town Wharf, Allen Harbor Complex, and Wilson Park to the ROW Subcommittee during 2016 for a recommendation, and if necessary to the full Council for a decision. Designation numbers shall be subsequently assigned to those potential ROWs, if any, that are designated as ROWs by the full Council.

JAMESTOWN

Fairview Street	Not Resolved
Middle Street	Not Resolved
Sunset Beach	Not Resolved
Park between lots 50 & 95	Not Resolved
Bonnet View Drive	Not Resolved
Clarkes Village Road	Not Resolved
Wickford Avenue	Not Resolved
Government Property, lot 226	Not Resolved
Beach Property/Former Road between Jamestown Boatyard and Fort Dumplings	Not Resolved
Gray Gull Lane	Not Resolved
Arnold Avenue at end of Bayberry Road	Not Resolved
Franklin Hollow Property	Not Resolved
Hull Cove	Not Resolved

TOTALS

Not Resolved: 13

EAST GREENWICH

Queen Street	Not Resolved
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TOTAL

Under Review: 1

WARWICK

Broadview Avenue	Insufficient Evidence
Logan Street	Insufficient Evidence
Intersection of Grand View Dr. and Midget Ave.	Insufficient Evidence
Peck Lane (north side) #1	Insufficient Evidence
Peck Lane (north side) #2	Insufficient Evidence
Capen Street	Insufficient Evidence
Aldrich Avenue	Insufficient Evidence
Sea View Avenue (1)	Insufficient Evidence
Sea View Avenue (2)	Insufficient Evidence
Powhatten Street (1)	Insufficient Evidence
Powhatten Street (2)	Insufficient Evidence
Millard Avenue	Insufficient Evidence
Midgley Avenue	Insufficient Evidence
Wampanoag Road	Under Review

TOTALS

Insufficient Evidence: 13

Under Review: 1

CRANSTON

Seaview Avenue (east side)	Insufficient Evidence
Off Fort Avenue	Insufficient Evidence
Off Seaview Avenue	Insufficient Evidence

TOTAL

Insufficient Evidence: 3

BARRINGTON

“Fish Ditch”	Insufficient Evidence
Hampden Street	Insufficient Evidence
Teed Avenue	Insufficient Evidence

TOTAL

Insufficient Evidence: 3

WARREN

Shore Drive (4)	Insufficient Evidence
Shore Drive (1)	Insufficient Evidence
Shore Drive (2)	Insufficient Evidence
Barker Avenue	Insufficient Evidence
Brownell Street	Insufficient Evidence
Cedar Street	Insufficient Evidence
Bay View Street	Insufficient Evidence
Emery Road (1)	Insufficient Evidence
Emery Road (2)	Not Resolved
River View Street	Not Resolved
Read Avenue	Not Resolved

TOTALS

Insufficient Evidence: 8

Not Resolved: 3

BRISTOL

Bradford Street	Insufficient Evidence
Church Street	Not Resolved

TOTALS

Insufficient Evidence: 1

Not Resolved: 1

TIVERTON

Hooper Street	Insufficient Evidence
Riverside Drive	Insufficient Evidence
Ext. of North Court	Insufficient Evidence
Winnisimet Drive	Insufficient Evidence
Seapowet Road	Insufficient Evidence

CRMC Progress Report on Right-of-Ways to the Tidal Areas of the State

Seapowet Avenue Insufficient Evidence

TOTAL

Insufficient Evidence: 6

PORTSMOUTH

Bristol Ferry Town Common Under Review

Cove Bridge Under Review

Common Fence Point Marina - North Under Review

Common Fence Point Marina - South Under Review

Black Point Farm Under Review

Willow Lane Under Review

Sunset Lane Under Review

Old Stone Bridge (by Teddy's Beach) Under Review

Porter's Lane Under Review

Public Boat Ramp - Tax Map 6 Under Review

East Power Street Under Review

TOTAL

Under Review: 11

LITTLE COMPTON

Almy Creek Insufficient Evidence

TOTAL

Insufficient Evidence: 1

MIDDLETOWN

Tuckerman Terrace Insufficient Evidence

TOTAL

Insufficient Evidence: 1

NEWPORT

Bellevue Avenue Insufficient Evidence

Ocean Drive Insufficient Evidence

Cottrell's Wharf Insufficient Evidence

Hammetts Wharf Insufficient Evidence

N. Commercial Wharf Not Resolved

S. Commercial Wharf Not Resolved

Scotts Wharf Not Resolved

Perry Mill Wharf Not Resolved

Ann Street Pier Not Resolved

Long Wharf Not Resolved

Shepard Avenue Not Resolved

TOTALS

Insufficient Evidence: 4

Not Resolved: 7