

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



**PROGRESS REPORT FOR**

**July 2008 through June 2009**

**Submitted by**

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

**As Amended JUNE 2009**

**CRMC Progress Report on Public Rights-of-Way Designations  
July 2008 through June 2009**

**SUMMARY**

During the report period of July 2008 through June 2009, and in accordance with its legislative mandate at GLRI 46-23-17, the Coastal Resources Management Council (CRMC) has continued to discover and designate public rights-of-ways to the tidal areas of the state.

Beginning in 1978, the CRMC has been tasked by the legislature to carry-out the continued discovery and designation of all public rights-of-ways to the shore. To meet this charge, the CRMC created its Subcommittee on Rights-of-Ways.

Significant actions of the Subcommittee during the report period July 2008 through June 2009 include the continued tracking of legal cases that have resulted from its activities and the subsequent actions of the full CRMC Council. Relative to this, the subcommittee's legal counsel was asked to investigate news reports regarding threatened or pending litigation between the Town of Bristol and abutters to the CRMC designated ROW at Clipper Way (CRMC Designation # S-25). The abutters were reportedly attempting to extinguish the ROW. No court actions regarding this matter have been reported at this time. In addition, legal counsel reported that an assent modification was in process to permanently designate Marine Avenue in Newport as a public ROW. The assent would be recorded in land evidence records. Correspondence between the CRMC and the Town of Barrington solicitor also continues with regards to the ongoing dispute at the "Daunis" ROW in Barrington. Finally, Legal counsel briefed the Subcommittee on the notice of claim that was filed by the abutters to the CRMC ROW at Tuckerman Avenue (Y-1) in Middletown. Legal counsel noted that he had spoken with the Town solicitor and would monitor the lawsuit.

**Riesman v. CRMC P.C. No. 93-5078**

This case was resolved during the 2007-2008 report period and is retained in this report due to its significance. The case had been in and out of the Courts since the 1980's. The main issue was whether or not the grantor intended to dedicate this right-of-way located off Tuckerman Avenue in Middletown, RI for public access. The abutting property owners have objected to the CRMC designation as a public-right-of-way under the theory that the original grantor in the 1870's dedicated another right-of-way in the vicinity and used different dedicatory language which they argued meant the grantor did not intend this parcel as a public right-of-way. In November 2006, the Superior Court affirmed the CRMC decision designating the parcel a public right-of-way. A petition for a writ of certiorari was subsequently filed to the RI Supreme Court; briefs and reply briefs were filed with the Court in May, 2006. The Court's not accepting the petition exhausted the Riesman's legal challenges to the CRMC's designation of the right-of-way "Y-1" at Tuckerman Avenue.

**Glassie v. CRMC CA No. NC03-576**

This case involves an appeal of a CRMC designated public right-of-way in Jamestown, RI. An abutting property owner has been attempting to block the right-of-way with a swing-set and has

appealed CRMC's decision. The case is being litigated in the Superior Court. The Plaintiff's brief being overdue during the 2007-2008 report period, the CRMC had to seek a Court order compelling the applicant to file its brief which was subsequently received by the court. No further action has been reported on this case at this time.

**Other legal activities**

The CRMC through legal counsel continued to investigate an ongoing ROW violation in East Greenwich. At this point no law suits have been filed but notices of violation were issued during the 2007-2008 report period, and discussions between the abutters and CRMC were held in an effort to resolve a ROW encroachment issue.

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:

|   |     |
|---|-----|
| Total Number of Potential ROWs Reviewed:          | 365 |
| Sites Designated as Public ROWs:                  | 224 |
| Sites with Insufficient Evidence for Designation: | 81  |
| Sites that are Not Resolved:                      | 35  |
| New Sites Under Review:                           | 24  |
| Sites that are On Appeal:                         | 15  |

*(see page 6 for a comprehensive discussion of the above terms)*

**GOAL**

The goal of the CRMC is to designate at least one (1) public right-of-way for each mile of shoreline. With 223 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**

Activities of the CRMC and its ROW Subcommittee during this report period included:

- 1) Six (6) regularly scheduled ROW Subcommittee meetings were held during the report period, July 1, 2008 - June 30, 2009. One (1) ROW Subcommittee meeting was not scheduled due to the Christmas holiday season, and five (5) others were cancelled.
- 2) The CRMC continues its cooperative efforts with the municipalities to promote the continual process of discovery and designation of new ROWs. During the report period there was one recommendation by the ROW Subcommittee to designate a new ROW at Overlook Drive in

Warwick. The full Council concurred with this recommendation and voted to designate a ROW at the seaward end of Overlook Drive. 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.

- 3) 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.
- 4) 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. Several municipalities continue to undertake this process, where the CRMC will utilize the HMPs in a complimentary manner for its work toward designating ROWs.
- 5) The CRMC continues to distribute its *Rights-of-Way Designation Process Fact Sheet* which describes the legal 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 on CRMC's website [www.crmc.state.ri.us](http://www.crmc.state.ri.us)
- 6) The CRMC continues to complete and update an annual rights-of-way report which is available to the public. 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.
- 7) 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 to the public at the CRMC's offices.
- 8) East Transit Street ROW, Providence, RI – CRMC staff has maintained correspondence with the City of Providence Department of Parks and Recreation and the Rhode Island Department of Environmental Management regarding the City's progress toward constructing a boat launching ramp at the East Transit Street ROW. CRMC staff was recently informed by DEM that an agreement has been reached between the agency and the City of Providence to provide the City with funds needed to pay for site remediation prior to constructing the boat ramp facility; it was also reported that the funds needed to construct the facility have been made available. Under an agreement with the USFWS, the federal funding agency, the boat

ramp facility shall be constructed by November 2010. In the meantime, despite CRMC legal counsel’s pursuit of enforcement actions against individuals blocking public access to this ROW, obstructions (large pickup trucks) are often present.

9) Tuckerman Avenue ROW (Y-1) Middletown, RI – The Rhode Island Supreme Court’s denial of an abutters petition for a writ of certiorari objecting to the CRMC’s designation of a public right-of-way to the shore at Tuckerman Avenue (CRMC designation # Y-1) in Middletown brought a more than 20 year legal conflict to a close. The CRMC held an on-site press conference following this outcome to celebrate the CRMC’s original 1981 designation of this ROW and its 2008 adoption by Clean Ocean Access and the Milne Family under the CRMC’s Adopt-An-Access program.

10) 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 list shows “section 335” public access opportunities which include boardwalks, parking facilities, and others:

| <b>Project with Section 335 Stipulated Public Access Plan</b> | <b>City/Town</b> |
|---|------------------|
| Stone Harbour Condominiums                                    | Bristol          |
| Thames Street Landing   | Bristol          |
| Weetamoe Farms  | Bristol          |
| Wharf Tavern  | Bristol          |
| 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      |
| Collier Point Park (Narragansett Electric)            | Providence      |
| Providence Place Mall                                 | Providence      |
| Shooters (Currently RIDOT property )                  | Providence      |
| Village at Mt. Hope Bay (Starwood)                    | Tiverton        |
| Sakonnet River Bridge (RIDOT)                         | Tiverton        |
| Dickerson's Marina                                    | Warwick         |
| Greenwich Bay Marina                                  | Warwick         |
| Harbor Light Marina                                   | Warwick         |

- 11) 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’s office at no charge.
  
- 12) The CRMC serves on the Public Access Panel of the Governor’s Narragansett Bay and Watershed Planning Commission. Through its activities on the Panel the CRMC and the RI Salt Water Anglers Association (RISAA) partnered to establish an Adopt-An-Access program to coordinate the responsibilities of the CRMC, municipalities, and adopting entities such as RISAA toward maintaining and improving public access to the shore at CRMC designated rights-of-ways.
  
- 13) 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.
  
- 14) 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.

- 15)** 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.   |

- 16)** The CRMC has established an Adopt-An-Access Program (Program) to form partnerships between the CRMC, municipalities, and private groups or individuals to improve CRMC designated ROWs. The Program is implemented through a Memorandum of Understanding that

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establishes each partner's role toward providing public access to the shore at an adopted CRMC ROW. To date the following ROWs have been adopted under the Program:

| CRMC ROW (Designation #)   | Municipality | Adopting Entity                          |
|----------------------------|--------------|--|
| "Daunis"/Nyatt Road (P-2)  | Barrington   | RI Saltwater Anglers Assoc.              |
| 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 and the Milnes Family |
| Tuckerman Avenue (Y-11)    | Middletown   | RI Salt Water Anglers Assoc.             |
| Bass Rock Road (C-6)       | Narragansett | Coastal Society – URI Chapter            |
| Conant Avenue (C-7)        | Narragansett | Narragansett Surfcasters                 |
| Knowlesway Extension (C-1) | Narragansett | Narragansett Conservation Commission     |
| Ruggles Avenue (Z-4)       | Newport      | Clean Ocean Access                       |

### FUNDING

Funding remains a chronic problem for the rights-of-way program. Current federal and state appropriations specifically earmarked for this task were level-funded in response to state budget problems in past fiscal years. Original funding for the CRMC ROW program was designated at \$30,000. For the past 11 years the CRMC's ROW program has been funded at \$5,000.

The reduced monies must still cover legal, stenographer, hearing officer, 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 decreased program funding.

Therefore, it is likely that due to further decreases in state 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 continue to lobby for additional state appropriations, especially those appropriations earmarked for public shoreline access.

## **FUTURE ACTIONS**

Again, one of the prime objectives of the right-of-ways subcommittee for the next year is the acquisition of state funds to support these needs.

Additional state funding will also 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  
W. Michael Sullivan, RIDEM, Vice Chair  
Bruce Dawson  
Robert G. Driscoll

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**

| <b><u>Street Designation</u></b> | <b><u>R-O-W Designation No.</u></b> |
|----------------------------------|-------------------------------------|
| Avondale Road                    | A-14                                |
| Avondale Road (2)                | Insufficient Evidence               |
| Colonel Willie Cove              | Insufficient Evidence               |
| Wapan Road                       | Not Resolved                        |
| Meadow Lane                      | Not Resolved                        |
| Bluff Avenue                     | A-2*                                |
| Bluff Avenue (2)                 | Not Resolved                        |
| Niantic Avenue                   | Not Resolved                        |
| Manatuck Avenue                  | A-3*                                |
| Winnapaug Road                   | Not Resolved                        |
| Atlantic Avenue (1)              | A-6                                 |
| Atlantic Avenue (2)              | A-7                                 |
| Atlantic Avenue (3)              | Insufficient Evidence (#12)         |
| 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                                |

**Summary**

|                       |          |
|-----------------------|----------|
| Public                | 11       |
| Insufficient Evidence | 3        |
| <u>Not Resolved</u>   | <u>5</u> |
| Total                 | 19       |

\* On Appeal

**CHARLESTOWN**

| <b><u>Street Designation</u></b> | <b><u>R-O-W Designation No.</u></b>   |
|----------------------------------|---------------------------------------|
| Breachway                        | B-1                                   |
| East Beach Road                  | B-2                                   |
| Ext. of Quonochontaug Pt.        | Insufficient Evidence (Not Resolved)* |
| Meadow Lane                      | Insufficient Evidence                 |
| Powaget Avenue                   | Under Review                          |

**Summary**

|                              |          |
|------------------------------|----------|
| Public                       | 2        |
| Under Review                 | 1        |
| <u>Insufficient Evidence</u> | <u>2</u> |
| Total                        | 5        |

**SOUTH KINGSTOWN**

| <b><u>Street Designation</u></b> | <b><u>R-O-W Designation No.</u></b> |
|----------------------------------|-------------------------------------|
| Matunuck Beach Road              | Insufficient Evidence               |
| 11 Parcels off Salt Pond Road    | Insufficient Evidence               |
| Stalice Drive                    | D-1                                 |
| Dawn Drive                       | D-2                                 |
| Daybreak Drive                   | D-3                                 |
| Shadberry Knoll                  | Insufficient Evidence               |
| Ocean Avenue                     | D-4                                 |

**Summary**

|                              |          |
|------------------------------|----------|
| Public                       | 4        |
| <u>Insufficient Evidence</u> | <u>3</u> |
| Total                        | 7        |

\*On Appeal

**NARRAGANSETT**

| <b><u>Street Designation</u></b> | <b><u>R-O-W Designation No.</u></b>  |
|----------------------------------|--------------------------------------|
| Cedar Island Road                | Insufficient Evidence                |
| Sand Hill Cove - southerly side  | Insufficient Evidence                |
| Knowlesway Extension             | C-1                                  |
| Extension of Pilgrim Avenue      | C-2                                  |
| Calef Avenue                     | C-3                                  |
| Bassrock Avenue                  | Insufficient Evidence                |
| Hazard Avenue                    | Insufficient Evidence                |
| Newton Avenue                    | Insufficient Evidence (Not Resolved) |
| Ocean Road <sup>1</sup>          | Insufficient Evidence                |
| Boston Neck Road                 | Insufficient Evidence                |
| Joseph's Ramble                  | Insufficient Evidence                |
| Black Point                      | C-5 *                                |
| Bass Rock Road                   | C-6                                  |
| Conanicus Road                   | C-11                                 |
| Conant Avenue Road End           | C-7                                  |
| Foddering Farm Road Extension    | C-12                                 |
| Hazard Avenue Road End           | C-9                                  |
| Newton Avenue Road End           | C-13                                 |
| Pettaquamscutt Avenue            | C-10                                 |
| South Ferry Road                 | C-8                                  |
| Wandsworth Street Extension      | C-14                                 |
| Anawan Drive                     | Insufficient Evidence                |
| North Cliff Drive Extension      | Insufficient Evidence                |
| Glenwood Avenue                  | Under Review                         |
| Succotash Road                   | Under Review                         |
| 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                         |

**Summary**

|                       |          |
|-----------------------|----------|
| Public                | 13       |
| Insufficient Evidence | 10       |
| <u>Under Review</u>   | <u>8</u> |
| Total                 | 31       |

\* On Appeal

<sup>1</sup> The term "Ocean Road" replaced "Ocean Avenue" in the 2005-06 annual ROW report as a technical correction.

**NEW SHOREHAM (BLOCK ISLAND)**

| <b><u>Street Designation</u></b>       | <b><u>R-O-W Designation No.</u></b> |
|--|-------------------------------------|
| Settlers Rock                          | E-1                                 |
| Scotch Beach Road                      | E-2                                 |
| Government property at Southeast Light | Not Resolved                        |
| Scup Rock property                     | E-3                                 |
| Snake Hole Road                        | Not Resolved                        |
| Conneymus Road                         | E-4                                 |
| Graces Cove Road                       | Not Resolved                        |
| Coast Guard Road                       | E-5                                 |
| Andy's Way                             | E-6                                 |
| West Beach Road                        | E-7                                 |

**Summary**

|                     |          |
|---------------------|----------|
| Public              | 7        |
| <u>Not Resolved</u> | <u>3</u> |
| Total               | 10       |

**NORTH KINGSTOWN**

| <b><u>Street Designation</u></b> | <b><u>R-O-W Designation No.</u></b> |
|----------------------------------|-------------------------------------|
| Cottrell Road                    | Not Resolved                        |
| 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               |

**NORTH KINGSTOWN (Cont.)**

|                      |                             |
|----------------------|-----------------------------|
| Steamboat Avenue     | Insufficient Evidence       |
| Phillips Street      | F-5                         |
| Loop Drive           | F-6                         |
| Loop Drive (2)       | F-7                         |
| Town Wharf           | Designation number pending* |
| Allen Harbor Complex | Designation number pending* |
| Wilson Park          | Designation number pending* |
| Duck Cove Road       | Insufficient Evidence       |
| Worsley Avenue       | Under Review                |

**Summary**

|                       |          |
|-----------------------|----------|
| Insufficient Evidence | 13       |
| Public                | 6        |
| Not Resolved          | 1        |
| <u>Under Review</u>   | <u>1</u> |
| Total                 | 24       |

\*The Town Wharf, Allen Harbor Complex, and Wilson Park have all been officially designated as public rights-of-ways to the shore by the full Council. Designation numbers for each ROW will be included in a forthcoming report on the Council's decision.

**JAMESTOWN**

| <b><u>Street Designation</u></b>  | <b><u>R-O-W Designation No.</u></b> |
|---|-------------------------------------|
| 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                                 |
| Capstan Street  | G-12                                |
| Garboard Street   | G-11                                |
| 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<br>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                        |
| Champlin Way  | G-8                                 |
| Bucaneer Way  | G-9                                 |
| High Street   | Designation number pending*         |
| Decatur Avenue  | G-13                                |
| Hull Cove   | Under Review/Not Resolved           |
| Carr Lane   | G-10                                |

**Summary**

|                     |          |
|---------------------|----------|
| Public              | 14       |
| Not Resolved        | 13       |
| <u>Under Review</u> | <u>1</u> |
| Total               | 28       |

\*High Street has been officially designated as a public right-of-way to the shore by the full Council. A designation number for the High Street ROW will be included in a forthcoming report on the Council's decision.



**EAST GREENWICH**

| <b><u>Street Designation</u></b> | <b><u>R-O-W Designation No.</u></b> |
|----------------------------------|-------------------------------------|
| 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                                 |
| Queen Street                     | Under Review/Not Resolved           |

**Summary**

|                     |          |
|---------------------|----------|
| Public              | 6        |
| <u>Under Review</u> | <u>1</u> |
| Total               | 7        |

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                          |
| Intersection of Grand View Drive<br>and Midget Avenue | Insufficient Evidence        |
| Sylvia Drive  | J-9                          |
| Sheffield Street                                      | J-10                         |
| Logan Street  | Insufficient Evidence        |
| Reynolds Avenue                                       | J-11                         |
| North Shore Street                                    | J-12                         |
| Waterfront Drive                                      | J-13                         |
| Cooney Street   | J-14                         |
| Progress Street                                       | J-15                         |
| Broadview Avenue                                      | Insufficient Evidence        |
| 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)             |
| Butler Court  | J-23                         |
| Peck Lane (north side) #1                             | Insufficient Evidence        |
| Peck Lane (north side) #2                             | Insufficient Evidence        |
| Nausauket Road  | J-24                         |
| Ives Road   | J-25                         |
| Tiffany Avenue/Progress Street                        | J-26                         |
| Capron Farm Drive                                     | J-27*                        |
| Narragansett Bay Avenue                               | J-28                         |

**WARWICK (con't)**

|   |                              |
|---|------------------------------|
| Off Shawomet Avenue                         | J-29                         |
| Off Ship Street (Ship Court)                | J-30                         |
| 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                         |
| Aldrich Avenue                              | Insufficient Evidence        |
| Wampanoag Road                              | Under Review                 |
| 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        |
| Alger Avenue & John Wickes Avenue           | Designation number pending** |
| Capen Street                                | Insufficient Evidence        |
| Bradford Avenue                             | Designation number pending** |
| Overlook Drive                              | Designation number pending** |

**Summary**

|                              |   |
|------------------------------|---|
| Public                       | 41  |
| Insufficient Evidence        | 13  |
| Under Review                 | 1   |
| <u>Abandoned (relocated)</u> | 1 [not included in the total below as it would be redundant to do so] |
| Total                        | 55  |

\* On Appeal

\*\* Alger Avenue & John Wickes Avenue, Bradford Avenue, and Overlook Drive have been officially designated as public rights-of-way to the shore by the full Council. Designation numbers for these three ROWs will be included in a forthcoming report on the Council's decisions.

CRANSTON

| <u>Street Designation</u>    | <u>R-O-W Designation No.</u> |
|------------------------------|------------------------------|
| Aborn Street (south side)    | K-1                          |
| Aborn Street (westerly side) | K-2                          |
| Off Fort Avenue              | Insufficient Evidence        |
| Off Seaview Avenue           | Insufficient Evidence        |
| Seaview Avenue (west side)   | K-3                          |
| Seaview Avenue (east side)   | Insufficient Evidence        |

Summary

|                              |          |
|------------------------------|----------|
| Public                       | 3        |
| <u>Insufficient Evidence</u> | <u>3</u> |
| Total                        | 6        |

**PROVIDENCE**

| <b><u>Street Designation</u></b> | <b><u>R-O-W Designation No.</u></b> |
|----------------------------------|-------------------------------------|
| Irving Avenue                    | L-1                                 |
| Butler Avenue                    | L-2                                 |
| East Transit Street              | Designation number pending*         |
| <b><u>Summary</u></b>            |                                     |
| <u>Public</u>                    | 3                                   |
| Total                            | 3                                   |

**PAWTUCKET**

| <b><u>Street Designation</u></b> | <b><u>R-O-W Designation No.</u></b> |
|----------------------------------|-------------------------------------|
| Bishop Street                    | M-1                                 |
| <b><u>Summary</u></b>            |                                     |
| <u>Public</u>                    | 1                                   |
| Total                            | 1                                   |

**EAST PROVIDENCE**

| <b><u>Street Designation</u></b> | <b><u>R-O-W Designation No.</u></b> |
|----------------------------------|-------------------------------------|
| Third Beachway                   | N-4                                 |
| Fourth Beachway                  | N-5                                 |
| Fifth Beachway                   | N-6                                 |
| Narragansett Beachway            | N-1                                 |
| First Beachway                   | N-2                                 |
| Second Beachway                  | N-3                                 |
| Sixth Beachway                   | N-7                                 |
| Seventh Beachway                 | N-8                                 |
| Eighth Beachway                  | N-9                                 |
| Ninth Beachway                   | N-10                                |
| Tenth Beachway                   | N-11                                |
| Eleventh Beachway                | N-12                                |
| Riverside Drive                  | N-13                                |
| <b><u>Summary</u></b>            |                                     |
| <u>Public</u>                    | 13                                  |
| Total                            | 13                                  |

\*East Transit Street has been officially designated as a public right-of-way to the shore by the full Council. A designation number for the East Transit Street ROW will be included in a forthcoming report on the Council's decision.

**BARRINGTON**

| <b><u>Street Designation</u></b> | <b><u>R-O-W Designation No.</u></b> |
|----------------------------------|-------------------------------------|
| Teed Avenue                      | Insufficient Evidence               |
| Shore Road                       | P-1                                 |
| Hampden Street                   | Insufficient Evidence               |
| Daunis R-O-W                     | P-2                                 |
| “Fish Ditch”                     | Insufficient Evidence               |
| <b><u>Summary</u></b>            |                                     |
| Public                           | 2                                   |
| <u>Insufficient Evidence</u>     | <u>3</u>                            |
| Total                            | 5                                   |

**WARREN**

| <b><u>Street Designation</u></b> | <b><u>R-O-W Designation No.</u></b> |
|----------------------------------|-------------------------------------|
| Maple Street                     | R-1                                 |
| Barker Avenue                    | Insufficient Evidence               |
| River View Street                | Not Resolved                        |
| Parker Avenue                    | R-2                                 |
| Patterson Avenue                 | R-3                                 |
| Read Avenue                      | Not Resolved                        |
| Harris Avenue                    | R-4                                 |
| Shore Drive (1)                  | Insufficient Evidence               |
| Shore Drive (2)                  | Insufficient Evidence               |
| Shore Drive (3)                  | R-6                                 |
| Shore Drive (4)                  | Insufficient Evidence               |
| Shore Drive (5)                  | R-7                                 |
| Shore Drive (6)                  | R-8                                 |
| Shore Drive (7)                  | R-9                                 |
| Road to Town Landing             | R-10                                |
| Emery Road (1)                   | Insufficient Evidence               |
| Emery Road (2)                   | Not Resolved                        |
| Brownell Street                  | Insufficient Evidence               |
| Cedar Street                     | Insufficient Evidence               |
| Bay View Street                  | Insufficient Evidence               |
| <b><u>Summary</u></b>            |                                     |
| Public                           | 9                                   |
| Insufficient Evidence            | 8                                   |
| <u>Not Resolved</u>              | <u>3</u>                            |
| Total                            | 20                                  |

**BRISTOL**

| <b><u>Street Designation</u></b> | <b><u>R-O-W Designation No.</u></b> |
|----------------------------------|-------------------------------------|
| Beach Road                       | S-1                                 |
| Gibson Road                      | S-2                                 |
| Fales Road                       | S-3                                 |
| Constitution Street              | S-4                                 |
| Union Street                     | S-5                                 |
| Walley Street                    | S-6                                 |
| Low Lane                         | S-18                                |
| 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                                |
| Smith Avenue                     | S-13                                |
| Kickemuit Avenue                 | S-14                                |
| Narrows Road                     | S-15                                |
| Sunrise Drive                    | S-16                                |
| Anawamscott Drive                | S-17                                |
| Poppasquash Road (beach lot)     | S-19                                |
| Burton Street                    | S-23                                |
| State Street                     | S-20                                |
| Franklin Street                  | S-21                                |
| Oliver Street                    | S-22                                |
| Bradford Street                  | Insufficient Evidence               |
| Church Street                    | Not Resolved                        |
| Bayview (Clipper Way)            | S-25                                |
| Narrows Peninsula                | S-26                                |
| Platt Street                     | S-27                                |
| Aaron Avenue                     | S-29                                |
| Peck Avenue                      | S-24                                |
| King Philip                      | S-28                                |

**Summary**

|                       |          |
|-----------------------|----------|
| Public                | 29       |
| Insufficient Evidence | 1        |
| <u>Not Resolved</u>   | <u>1</u> |
| Total                 | 31       |

**TIVERTON**

| <b><u>Street Designation</u></b> | <b><u>R-O-W Designation No.</u></b> |
|----------------------------------|-------------------------------------|
| Hooper Street                    | Insufficient Evidence               |
| State Avenue                     | T-2                                 |
| Carey Lane                       | T-1                                 |
| Riverside Drive                  | Insufficient Evidence               |
| Ext. of North Court              | Insufficient Evidence               |
| Winnisimmet Drive                | Insufficient Evidence               |
| Seapowet Road                    | Insufficient Evidence               |
| Seapowet Avenue                  | Insufficient Evidence               |
| 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                                 |

**Summary**

|                              |          |
|------------------------------|----------|
| Public                       | 7        |
| <u>Insufficient Evidence</u> | <u>6</u> |
| Total                        | 13       |



**PORTSMOUTH**

| <b><u>Street Designation</u></b>                                     | <b><u>R-O-W Designation No.</u></b> |
|--|-------------------------------------|
| 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. (northeasterly<br>corner of land of Wm. Herbert)     | V-7                                 |
| Seaconnet Blvd.  | V-8*                                |
| Seaconnet Blvd. (northeasterly<br>corner of land of Don Ibbotson)    | V-9                                 |
| Seaconnet Blvd. (northeasterly<br>corner of land of Virginia Arruda) | V-10                                |
| Ruth Avenue  | V-11                                |
| Fountain Street  | V-12                                |
| Aquidneck Avenue   | V-13                                |
| Atlantic Avenue (easterly end<br>of East Corys land)                 | V-14                                |
| Atlantic Avenue (easterly end<br>of Tallman Avenue)                  | V-15                                |
| Child Street   | V-16                                |
| Morningside Lane   | V-17                                |
| 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                        |

**Summary**

Public 17

Under Review 11

Total 28

\* On Appeal

**LITTLE COMPTON**

| <b><u>Street Designation</u></b> | <b><u>R-O-W Designation No.</u></b> |
|----------------------------------|-------------------------------------|
| Almy Creek                       | Insufficient Evidence               |
| Continuation of Taylor's Lane    | W-1                                 |
| Town Way Road                    | W-2                                 |
| Sakonnet Harbor - Boat ramp      | W-3                                 |

**Summary**

|                       |   |
|-----------------------|---|
| Insufficient Evidence | 1 |
| Public                | 3 |
| Total                 | 4 |

**MIDDLETOWN**

| <b><u>Street Designation</u></b>         | <b><u>R-O-W Designation No.</u></b> |
|--|-------------------------------------|
| Tuckerman Avenue, btwn Lots 104/105      | Y-1                                 |
| Tuckerman Terrace                        | Insufficient Evidence               |
| 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*                               |

**Summary**

|                       |    |
|-----------------------|----|
| Public                | 10 |
| Insufficient Evidence | 1  |
| Total                 | 11 |

\* On Appeal

**NEWPORT**

| <b><u>Street Designation</u></b> | <b><u>R-O-W Designation No.</u></b> |
|----------------------------------|-------------------------------------|
| Webster Street                   | Z-1                                 |
| Narragansett Avenue              | Z-2                                 |
| Ledge Road                       | Z-3                                 |
| Ruggles Avenue                   | Z-4                                 |
| Seaview Avenue                   | Z-5                                 |
| Shepard Avenue                   | Not Resolved                        |
| Bellevue Avenue                  | Insufficient Evidence               |
| Ocean Drive                      | Insufficient Evidence               |
| 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                                |
| 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                        |

**Summary**

|                       |          |
|-----------------------|----------|
| Public                | 23       |
| Insufficient Evidence | 4        |
| <u>Not Resolved</u>   | <u>7</u> |
| Total                 | 34       |

\* On Appeal

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

**RICRMC: SUMMARY OF DESIGNATED PUBLIC RIGHT-OF-WAYS** (as of June 30, 2008)

| Community         | Sites Investigated | Row's Designated | Insufficient Evidence | Sites Not Resolved | Sites Under Review | On Appeal | Row Abandoned |
|-------------------|--------------------|------------------|-----------------------|--------------------|--------------------|-----------|---------------|
| A Westerly        | 19                 | 11               | 3                     | 5                  |                    | 5         | 0             |
| B Charlestown     | 5                  | 2                | 2                     | 0                  | 1                  | 1         | 0             |
| C Narragansett    | 31                 | 13               | 10                    | 0                  | 8                  | 1         | 0             |
| D South Kingstown | 17                 | 4                | 13                    | 0                  |                    | 0         | 0             |
| E New Shoreham    | 10                 | 7                | 0                     | 3                  |                    | 0         | 0             |
| F North Kingstown | 24                 | 6                | 13                    | 1                  | 1                  | 0         | 0             |
| G Jamestown       | 28                 | 14               | 0                     | 13                 | 1                  | 0         | 0             |
| H East Greenwich  | 7                  | 6                | 0                     | 0                  | 1                  | 0         | 0             |
| J Warwick         | 55                 | 41               | 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                  |                    | 2         | 0             |
| S Bristol         | 31                 | 29               | 1                     | 1                  |                    | 0         | 0             |
| T Tiverton        | 13                 | 7                | 6                     | 0                  |                    | 0         | 0             |
| V Portsmouth      | 28                 | 17               | 0                     | 0                  | 11                 | 1         | 0             |
| W Little Compton  | 4                  | 3                | 1                     | 0                  |                    | 0         | 0             |
| Y Middletown      | 11                 | 10               | 1                     | 0                  |                    | 4         | 0             |
| Z Newport         | 34                 | 23               | 4                     | 7                  |                    | 1         | 0             |
| <b>TOTALS</b>     | <b>365</b>         | <b>224</b>       | <b>81</b>             | <b>33</b>          | <b>24</b>          | <b>15</b> | <b>1</b>      |

