

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



PROGRESS REPORT FOR

July 2009 through June 2010

Submitted by

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

As Amended JUNE 2010

**CRMC Progress Report on Public Rights-of-Way Designations
July 2009 through June 2010**

SUMMARY

During the report period of July 2009 through June 2010, and in accordance with its legislative mandate at GLRI 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.

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 2009 through June 2010 include the continued tracking of legal cases that have resulted from its activities, and actions regarding the proposed construction of a public boat launching ramp and parking facility at a CRMC ROW

While no new ROWs were designated during this report period, at several regularly scheduled meetings, the Subcommittee was advised by Legal Counsel on the status and proceedings of issues pertinent to three currently designated ROWs: 1) Ongoing litigation between the City of Newport and the use of a portion of the ROW at Howard Wharf, Newport by a liquor licensee; 2) A proposed parking area and public boat launching ramp at the ROW at East Transit Street, Providence; and, 3). An apparent encroachment on the ROW at Rocky Hollow Road, East Greenwich. In addition, Legal Counsel has been working with the RI Attorney General’s office on legal research regarding public beach access and CRMC ROWs located along Atlantic Avenue in the Town of Westerly.

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 undergoing a legal review by CRMC to determine 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:	1*

(see page 9 for a comprehensive discussion of the above terms)

**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 224 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, 2009 - June 30, 2010. Two (2) ROW Subcommittee meetings were not scheduled due to the Christmas holiday season and a special semi-monthly meeting (5/27) to address the Champlain Marina issue, and five (5) others were cancelled. The minutes from meetings that were held by the ROW Subcommittee are available on the Secretary of State website http://sos.ri.gov/openmeetings//index.php?page=view_entity&id=5219.
- 2) 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.
- 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 <http://www.crmc.state.ri.us/publicaccess.html>

- 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) 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 includes various types of public access created under “Section 335” such as boardwalks, parking facilities, shoreline access paths, and others:

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
Collier Point Park (Narragansett Electric)	Providence
Providence Place Mall	Providence
Shooters (Currently RIDOT 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

- 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 and the pamphlets are available at the CRMC’s office at no charge.

- 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.

15) 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 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
“Dauis”/Nyatt Road (P-2)	Barrington	RI Saltwater Anglers Assoc.
Gibson Road	Bristol	Bristol H’lands Improv. 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

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

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

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.

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 13 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,

Jeffrey M. Willis, Deputy Director
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

Street Designation

Bluff Avenue

R-O-W Designation No.

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>
----------------------------------	-------------------------------------

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

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
Capron Farm Drive	J-27*
Narragansett Bay Avenue	J-28
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

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

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

*** On Appeal**

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
Eighth Beachway	N-9

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

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
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' east 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
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, 2010)

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	41	13	0	1	1	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
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	23	4	7			0
TOTALS	351	221	71	34	25	1	1

APPENDIX

The following list shows potential ROWs that were investigated by the CRMC ROW subcommittee during previous report periods, but were not designated as ROWs. They are undergoing a legal review by CRMC to determine their current status. Any changes in the status of these potential ROWs will be reflected in subsequent CRMC annual ROW report

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.

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

JAMESTOWN

2 Town Wharf, Allen Harbor Complex, and Wilson Park were listed as "Designation Number Pending" in previous ROW reports. They will be submitted to the full Council during 2011 for a final decision, upon which

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
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	

designation numbers shall be assigned as appropriate

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
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