

CRMC File # 2025-10-075
Chrones Family Rev. Trust

Anthony Palazzolo
Addition to Objection

Submitted March 3rd, 2026

Oliver Allamby

From: Anthony Palazzolo [REDACTED]
Sent: Tuesday, March 3, 2026 6:18 PM
To: Cstaff
Cc: Anthony M. Palazzolo Jr. Esq.
Subject: Supplemental Information For Objection to CRMC Application 2025-10-075 (Niantic Ave Atrocity Revisited)
Attachments: 2008 Adopt A Right of Way RESOLUTION 07-08-2008.pdf; 2012 2014 AND 2016 Niantic Avenue ROW photos.pdf; 2012 2021 and 2025 BLUFF AVE ROW photos.pdf; 2025 EVERETT AVE ROW photos.pdf; 2016 Draft Westerly Harbor Management Plan - Niantic Ave Excerpt.pdf; 2009 EBA LETTER.pdf; 2019 WHMP - Niantic Avenue Excerpt - Adopted on 10.28.2019.pdf; 2018 WHMP - Niantic Avenue Excerpt - Adopted on 10.22.18.pdf; 1940 ROW REPORT From Lawsuits.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Oliver

Please append the attached information to my objection to CRMC application 2025-10-075 (25 Atlantic Avenue). Thank you.

PLEASE SEE BELOW AND ATTACHED.

Sincerely,

Anthony M. Palazzolo Jr

This email and any attached documents are solely for use by the RI CRMC in connection with a matter of public concern in Westerly, RI. Although I am licensed to practice law in California and Connecticut, I am not licensed to practice law in the State of Rhode Island; nothing herein should be construed to imply otherwise. I have no clients in Rhode Island. I represent no one with any interest in this matter and I am not receiving any financial benefit of any kind related to this matter. I opine solely for myself as a would-be user of the shoreline who is merely exercising his petition and free speech rights under the U.S. and Rhode Island Constitutions.

From: Anthony Palazzolo
Sent: Monday, October 20, 2025 1:49 PM
To: 'Dylan LaPietra' [REDACTED]; 'Bill Aiello' [REDACTED]; 'Mary Leblanc' <mleblanc@westerlyri.gov>; 'Mary Scialabba' [REDACTED]; 'Rose Van Dover' [REDACTED]
Subject: Niantic Avenue ROW and Related Signage

Ms. Leblanc,

Please forward this email to the Town Council, Mr. Conley, and Shawn Lacey as soon as you can. Thanks.

To the Council:

Please note that I have many grave concerns with Solicitor Conley's recent Niantic Avenue opinion. However, there is one concern I would like to bring to the Town Council's attention before the meeting this evening.

In particular, Shawn Lacey's claim that the Town of Westerly never signed/marked the Niantic Avenue ROW (see below) is demonstrably false for many reasons. From Conley's opinion:

"The Solicitor's Office has also been made aware that at one point, a sign was placed at the entrance to the Niantic Avenue pathway that depicted the seal of the Town of Westerly. According to Town Manager Shawn M. Lacey, the Town did not erect this sign or endorse the seal."

First, I have attached a Niantic Avenue excerpt from the 2016 draft Harbor Management Plan that specifically says that, "This right-of-way is posted with a town sign."

Second, I have attached a Niantic Avenue excerpt from the 2018 Harbor Management Plan (passed by unanimous Resolution vote of the Town Council) that specifically says that, "This right-of-way is posted with a town sign."

Third, I have attached a Niantic Avenue excerpt from the 2019 Harbor Management Plan (passed by unanimous Resolution vote of the Town Council) that specifically says that, " This right-of-way was once posted with a Town sign ..."

Fourth, I have attached 2012, 2014, and 2016, photos of the Town of Westerly "Welcome" sign posted at the Niantic Avenue ROW.

Fifth, I have attached 2012, 2021 and 2025 photos of the **exact same** Town of Westerly "Welcome" sign posted at the Bluff Avenue ROW and that **exact** sign is still there to this day.

Sixth, I have attached a 2025 photo of the **exact same** Town of Westerly "Welcome" sign posted at the Everett Avenue ROW and that **exact** sign is still there to this day.

Obviously, the presence of **three exact signs** on nearby ROWs for at least 13 years and described in three different versions of the Harbor Management Plan demonstrates that these signs were intentionally erected by the Town of Westerly. Frankly, the idea that rogue sign-counterfeiters conspired to forge the Town's insignia on illegally posted signs and no one noticed for 13 years is absurd. It is also worth noting that Shawn Lacey also recently claimed that the only sign at the Niantic Avenue ROW was an East Beach Association sign and he had to change his position when presented with the attached photos of the Town of Westerly "Welcome" sign at Niantic Avenue. He was wrong then and he still is.

Regarding the East Beach Association and their ROW signage. It is critical to understand that every single thing that that Association did with respect to the Niantic Avenue ROW (among others) was done on behalf of the Town of Westerly. As stated in the attached letter by the President of that Association a 2008 Resolution appointed that Association as the "adopting agency" for East Beach ROWs. Therefore, their ROW signs are also, in actuality, Town of Westerly signs and if you look carefully at the attached photos you will see the Town insignia on those as well. I have also attached a copy of that 2008 Resolution for your convenience.

In sum, it is blindingly obvious that the Niantic Avenue was designated by the Town of Westerly as a Town ROW many years ago and literally everyone knew it. And, since that ROW was never formally abandoned by the Town, it still is a Town ROW (even though the Comp Plan and the Harbor Management Plan contain errors to the contrary). The Town ROW sign needs to go up and the chain and posts blocking that ROW need to come down.

Sincerely,

Oliver Allamby

From: Anthony Palazzolo [REDACTED]
Sent: Tuesday, March 3, 2026 6:04 PM
To: Cstaff
Cc: Anthony M. Palazzolo Jr. Esq.
Subject: Supplemental Information For Objection to CRMC Application 2025-10-075 (The Ever-Evolving Fort Road Travesty)
Attachments: CRMC ROW Coastal Briefing - NO ABANDONMENTS.pdf; 1-25-21 Proposed Resolution WHMP Revisions and ROW Map .pdf; 1-25-2021 Transcription Petros' Comments Re Napatree Point.pdf; LACEY DENIES FORT ROAD IS A TOWN DESIGNATED PUBLIC ROW.pdf; WH CONSERVATION EASEMENT MAP.pdf; 5-5-2008 Fort Road 3 - See Gate.pdf; 2008 FORT ROAD RESOLUTION & CERTIFIED ASSESSOR MAPS OF ROW.pdf; GIS - Original Tax Map - 1980 - of Fort Road Watch Hill Rhode Island.pdf; Westerly 2020-2040 Comprehensive Community Plan Excerpts 5.5.2021.pdf; WESTERLY GIS - TOWN BASE MAP OF NAPATREE POINT.pdf; Westerly Harbor Management Plan Excerpts - 2016 - Revised on 10.28.2019.pdf; Assent B87-10-066 - CRMC Assent Excerpt Only.pdf; CRMC Special Exceptions.pdf; Fire-district-to-guarantee-beach-access-at-Providence-Journal-RI---May-26-1988--pD-03.pdf; Docket Sheet For RI Civil Action No. 73-77 Anderson vs Watch Hill Fire District.pdf; 11-11-1973 Providence Journal, Page C1 -Conservationists Win Napatree Battle.jpg; Docket Sheet For RI Civil Action No. 73-77 Anderson vs Watch Hill Fire District.pdf; 11-4-1973 WESTERLY SUN - Napatree Point access appeal denied by Superior Court.pdf; 11-11-1973 Providence Journal, Page C1 - Conservationists Win Napatree Battle.jpg; 12 Answer for TOW-1.pdf; 2024 -11-5 Westerly Charter - Amended - No Power to Abandon ROWs.pdf; Spring Letter 2024 - Watch Hill Fire District.pdf; TOW Responses to WHFD Interrogatories.pdf; 1906 Larkin House Property Map.pdf; Fort Rd Survey 4.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Oliver

Please append the attached information to my objection to CRMC application 2025-10-075 (25 Atlantic Avenue). Thank you.

Sincerely,

Anthony M. Palazzolo Jr

This email and any attached documents are solely for use by the RI CRMC in connection with a matter of public concern in Westerly, RI. Although I am licensed to practice law in California and Connecticut, I am not licensed to practice law in the State of Rhode Island; nothing herein should be construed to imply otherwise. I have no clients in Rhode Island. I represent no one with any interest in this matter and I am not receiving any financial benefit of any kind related to this matter. I opine solely for myself as a would-be user of the shoreline who is merely exercising his petition and free speech rights under the U.S. and Rhode Island Constitutions.

Oliver Allamby

From: Anthony Palazzolo [REDACTED]
Sent: Tuesday, March 3, 2026 5:24 PM
To: Cstaff
Cc: Anthony M. Palazzolo Jr. Esq.
Subject: Supplemental Information For Objection to CRMC Application 2025-10-075 (Press Coverage of the ROW Villains That Run Westerly)
Attachments: The Pubilcs Radio Coverage of Chris Duhamel's Attempt to Violate Town Charter.pdf; The Pubilcs Radio Coverage of Morrone Resignation1.pdf; The Pubilcs Radio Coverage of Morrone's \$30,000 1.pdf; The Pubilcs Radio Coverage of Morrone's \$30,000 2.pdf; The Pubilcs Radio Coverage of Morrone and Deauthorization of Watch Hill Cove.pdf; The Pubilcs Radio Coverage of Morrone's Mental Breakdown.pdf; The Pubilcs Radio Coverage of Watch Hill Lighthouse.pdf; The Pubilcs Radio Coverage of Westerly's Use of Parking Bans To Limit Shore Access.pdf; The Pubilcs Radio Coverage of Bill Conley 3.pdf; The Pubilcs Radio Coverage of Bill Conley and the Watch Hill Lighthouse1.pdf; The Pubilcs Radio Coverage of Bill Conley and the Watch Hill Lighthouse2.pdf; The Pubilcs Radio Coverage of Bill Conley and the Watch Hill Lighthouse3.pdf; The Pubilcs Radio Coverage of Bill Conley and the Watch Hill Lighthouse4.pdf; The Pubilcs Radio Coverage of David Roth's Everett Ave ROW Sign Vandalism Arrest.pdf; The Pubilcs Radio Coverage of Westerly Letting David Roth Get Away With Everett Ave ROW Sign Vandalism.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Oliver

Please append the attached information to my objection to CRMC application 2025-10-075 (25 Atlantic Avenue). Thank you.

Sincerely,

Anthony M. Palazzolo Jr

This email and any attached documents are solely for use by the RI CRMC in connection with a matter of public concern in Westerly, RI. Although I am licensed to practice law in California and Connecticut, I am not licensed to practice law in the State of Rhode Island; nothing herein should be construed to imply otherwise. I have no clients in Rhode Island. I represent no one with any interest in this matter and I am not receiving any financial benefit of any kind related to this matter. I opine solely for myself as a would-be user of the shoreline who is merely exercising his petition and free speech rights under the U.S. and Rhode Island Constitutions.

Oliver Allamby

From: Anthony Palazzolo [REDACTED]
Sent: Tuesday, March 3, 2026 4:24 PM
To: Cstaff
Subject: RE: Supplemental Information For Objection to CRMC Application 2025-10-075 (Manatuck 1 of 2)

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Oliver

Hi! Thanks for the question.

All of my emails today are for 2025-10-075 (Chrones Rev Trust).

I see why the question arose, but I only referenced Manatuck because there is some overlapping subject matter.

You'll see me do that a few more times today but all of my emails are intended for 2025-10-075.

Thanks!

Sincerely,

Anthony M. Palazzolo Jr., Esq.



THE PATENT SOURCE

285 Pendleton Hill Road
North Stonington, CT 06359
phone: (860) 599-8507
fax: (860) 599-8537
palazzolo@thepatentsource.com

This electronic message transmission is CONFIDENTIAL and contains information that may be PRIVILEGED. It is intended for the addressee(s) only. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this transmission is prohibited. If you have received this transmission in error, please notify me immediately by telephone ((860) 599-8507) or by email (palazzolo@thepatentsource.com) and destroy this email and all attachments.

From: Oliver Allamby **On Behalf Of** Cstaff
Sent: Tuesday, March 3, 2026 4:07 PM
To: Anthony Palazzolo <palazzolo@thepatentsource.com>; Cstaff <cstaff1@crmc.ri.gov>
Cc: Lisa Turner <lturner@crmc.ri.gov>
Subject: RE: Supplemental Information For Objection to CRMC Application 2025-10-075 (Manatuck 1 of 2)


Hello Anthony,

Can you clarify if you would like this information (in the 3 separate emails) added to 2025-10-075 (Chrones Rev Trust) or the Manatuck ROW file?

Thank you,

Oliver Allamby

Information Aide
Coastal Resources Management Council
Oliver Stedman Government Center
4808 Tower Hill Road, Suite 116
Wakefield, RI 02879

 (401) 783-3370

 oallamby@crmc.ri.gov

From: Anthony Palazzolo [REDACTED]
Sent: Tuesday, March 3, 2026 3:02 PM
To: Cstaff <cstaff1@crmc.ri.gov>
Cc: Anthony M. Palazzolo Jr. Esq. [REDACTED]
Subject: Supplemental Information For Objection to CRMC Application 2025-10-075 (Manatuck 1 of 2)

Please append the attached information to my objection to CRMC application 2025-10-075 (25 Atlantic Avenue). Thank you.

Sincerely,

Anthony M. Palazzolo Jr

This email and any attached documents are solely for use by the RI CRMC in connection with a matter of public concern in Westerly, RI. Although I am licensed to practice law in California and Connecticut, I am not licensed to practice law in the State of Rhode Island; nothing herein should be construed to imply otherwise. I have no clients in Rhode Island. I represent no one with any interest in this matter and I am not receiving any financial benefit of any kind related to this matter. I opine solely for myself as a would-be user of the shoreline who is merely exercising his petition and free speech rights under the U.S. and Rhode Island Constitutions.

Oliver Allamby

From: Anthony Palazzolo [REDACTED]
Sent: Tuesday, March 3, 2026 4:50 PM
To: Cstaff
Cc: Anthony M. Palazzolo Jr. Esq.
Subject: Supplemental Information For Objection to CRMC Application 2025-10-075 (Niantic Ave 1 of 1)
Attachments: NIAN TIC AVE ROW ATROCITY.pdf; NIAN TIC AVENUE MEMDORANDUM - CONLEY 10-16-2025.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Oliver

Please append the attached information to my objection to CRMC application 2025-10-075 (25 Atlantic Avenue). Thank you.

Sincerely,

Anthony M. Palazzolo Jr

This email and any attached documents are solely for use by the RI CRMC in connection with a matter of public concern in Westerly, RI. Although I am licensed to practice law in California and Connecticut, I am not licensed to practice law in the State of Rhode Island; nothing herein should be construed to imply otherwise. I have no clients in Rhode Island. I represent no one with any interest in this matter and I am not receiving any financial benefit of any kind related to this matter. I opine solely for myself as a would-be user of the shoreline who is merely exercising his petition and free speech rights under the U.S. and Rhode Island Constitutions.

Oliver Allamby

From: Anthony Palazzolo [REDACTED]
Sent: Tuesday, March 3, 2026 4:20 PM
To: Cstaff
Cc: Anthony M. Palazzolo Jr. Esq.
Subject: Supplemental Information For Objection to CRMC Application 2025-10-075 (Watch Hill Lighthouse 1 of 1)
Attachments: The Pubilcs Radio Coverage of Bill Conley and the Watch Hill Lighthouse2.pdf; The Pubilcs Radio Coverage of Bill Conley and the Watch Hill Lighthouse1.pdf
Follow Up Flag: Follow up
Flag Status: Flagged
Categories: Oliver

Please append the attached information to my objection to CRMC application 2025-10-075 (25 Atlantic Avenue). Thank you.

Sincerely,

Anthony M. Palazzolo Jr

This email and any attached documents are solely for use by the RI CRMC in connection with a matter of public concern in Westerly, RI. Although I am licensed to practice law in California and Connecticut, I am not licensed to practice law in the State of Rhode Island; nothing herein should be construed to imply otherwise. I have no clients in Rhode Island. I represent no one with any interest in this matter and I am not receiving any financial benefit of any kind related to this matter. I opine solely for myself as a would-be user of the shoreline who is merely exercising his petition and free speech rights under the U.S. and Rhode Island Constitutions.

Oliver Allamby

From: Anthony Palazzolo [REDACTED]
Sent: Tuesday, March 3, 2026 3:17 PM
To: Cstaff
Cc: Anthony M. Palazzolo Jr. Esq.
Subject: Supplemental Information For Objection to CRMC Application 2025-10-075 (Manatuck 3 of 3)
Attachments: Manatuck - Highlighted Parking Ordinance may23_2011.pdf; Manatuck - Highlighted Parking Ordinance may25_70tc.pdf; Manatuck - Highlighted Parking Ordinance may28_91tc.pdf; Manatuck - Highlighted Parking Ordinance may29_73tc.pdf; Manatuck - Highlighted Parking Ordinance nov18_2013.pdf; Manatuck - Highlighted Parking Ordinance nov26_84tc.pdf; Manatuck - Highlighted Parking Ordinance oct10_89tc.pdf; Manatuck - Highlighted Parking Ordinance sept27_2010.pdf; 1959 wh parking ordinance.jpg; Current Highlighted Obedience to stop signs Ordinance.pdf; Manatuck - Highlighted Current Parking Ordinance jul9_2018.pdf; Manatuck - Highlighted Parking Ordinance jun28_84tc.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Oliver

Please append the attached information to my objection to CRMC application 2025-10-075 (25 Atlantic Avenue). Thank you.

Sincerely,

Anthony M. Palazzolo Jr

This email and any attached documents are solely for use by the RI CRMC in connection with a matter of public concern in Westerly, RI. Although I am licensed to practice law in California and Connecticut, I am not licensed to practice law in the State of Rhode Island; nothing herein should be construed to imply otherwise. I have no clients in Rhode Island. I represent no one with any interest in this matter and I am not receiving any financial benefit of any kind related to this matter. I opine solely for myself as a would-be user of the shoreline who is merely exercising his petition and free speech rights under the U.S. and Rhode Island Constitutions.

Oliver Allamby

From: Anthony Palazzolo [REDACTED]
Sent: Tuesday, March 3, 2026 3:03 PM
To: Cstaff
Cc: Anthony M. Palazzolo Jr. Esq.
Subject: Supplemental Information For Objection to CRMC Application 2025-10-075 (Manatuck 2 of 2)
Attachments: Deed&Map - Lots 105, 106 & 108 1890-12-10 - Manatuck Frontage South and East.pdf; Deed&Map - Lot 107 - 1890-10-3 Manatuck Frontage 288 Feet.pdf; Deed&Map - Lot 94c - 1889-9-2 Manatuck Frontage 225 Feet.pdf; Deed&Map - Lot 94d 1890-4-22 - Manatuck Frontage 213 Feet.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Oliver

Please append the attached information to my objection to CRMC application 2025-10-075 (25 Atlantic Avenue). Thank you.

Sincerely,

Anthony M. Palazzolo Jr

This email and any attached documents are solely for use by the RI CRMC in connection with a matter of public concern in Westerly, RI. Although I am licensed to practice law in California and Connecticut, I am not licensed to practice law in the State of Rhode Island; nothing herein should be construed to imply otherwise. I have no clients in Rhode Island. I represent no one with any interest in this matter and I am not receiving any financial benefit of any kind related to this matter. I opine solely for myself as a would-be user of the shoreline who is merely exercising his petition and free speech rights under the U.S. and Rhode Island Constitutions.

Oliver Allamby

From: Anthony Palazzolo [REDACTED]
Sent: Tuesday, March 3, 2026 3:02 PM
To: Cstaff
Cc: Anthony M. Palazzolo Jr. Esq.
Subject: Supplemental Information For Objection to CRMC Application 2025-10-075 (Manatuck 1 of 2)
Attachments: 2009 East Beach Association LETTER.pdf; 2021-06-14_3a ZALASKY LETTER TO TOWN COUNCIL.pdf; Rubin Letter re Incipient Dedication Revocation Only By Agreement of All Lot Owners.pdf; CRMC Map of MANATUCK AVE ROW Neighborhood.pdf; Official CRMC Survey of MANATUCK AVE ROW A-3.pdf; 2024 -11-5 Amendment to Westerly Charter by Referendum 75% to 25% - No Power to Abandon ROWs.pdf; 2013 WESTERLY ROAD INVENTORY AND PLOW LIST.pdf; 2025 Town of Westerly Official Private Road List - MANATUCK NOW LISTED.pdf; 2021 jun 14 tc MEETING MINUTES.pdf; Pages from 2019 WHMP - Adopted on 10.28.2019-2.pdf; 1959 wh parking ordinance.jpg; Conley 11-23-22 Letter Re Spring And Waters Edge.pdf; 2022 Town of Westerly Official Private Road List - No Manatuck.pdf; Pages from 2018 WHMP - Westerly.HMP.FINAL_As.Adopted_10.22.18-2.pdf; MANATUCK IS A PUBLIC WAY 1996 - PLAT.pdf; MANATUCK IS A TOWN STREET 40 FEET WIDE 2003 - PLAT.pdf; 2020-11-16_2b ZALASKY LETTER TO TOWN COUNCIL.pdf; 2020 nov 16 tc MEETING MINUTES.pdf; O'REILLY v Town of Glocester, 621 A2d 697, 703 - RI Supreme Court 1993.pdf; HIGHLIGHTED MANATUCK MAP - TOWN ROAD CRMC APP 2026-01-030.pdf; 2024 Letter from Hinckley & Allen - Manatuck.pdf; 1916 Alleged Manatuck Agreement.pdf; 2008 & 2012 MANATUCK Avenue ROW - Google Street View.pdf; HIGHLIGHTED MANATUCK MAP - TOWN ROAD CRMC APP 2025-08-019.pdf; 2024 -11-5 Westerly Charter - Amended - No Power to Abandon ROWs.pdf; HIGHLIGHTED MANATUCK MAP - PUBLIC UNIMPROVED CRMC APP 2021-10-052.pdf; MANATUCK COMOLLI.pdf; 2019-9-11 Westerly Sun Article re 9 Private Roads Mislabeled as Public.pdf; 2016 Kennedy-Parker PROW Map.pdf; 1940 OR SO OLD TAX MAP 13.pdf; 1940 OR SO OLD TAX MAP 12.pdf; 2020 REC_M3 Map for COMP PLAN and Harbor Management Plan.pdf; 1887-8-1 Amended Plat of Part of Everett Farm.pdf; 1886 Everett Farm Map of Cottage Sites 2 of 2.pdf; 1887-12-21 Everett Farm Map of Cottage Sites 2 of 2.pdf; 1891 error Everett Farm Supplementary Plat 2 of 2.pdf; 1891 error Everett Farm Supplementary Plat 1 of 2.pdf; Town of Westerly Research Into 9 Private Roads Improperly Maintained by Town.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

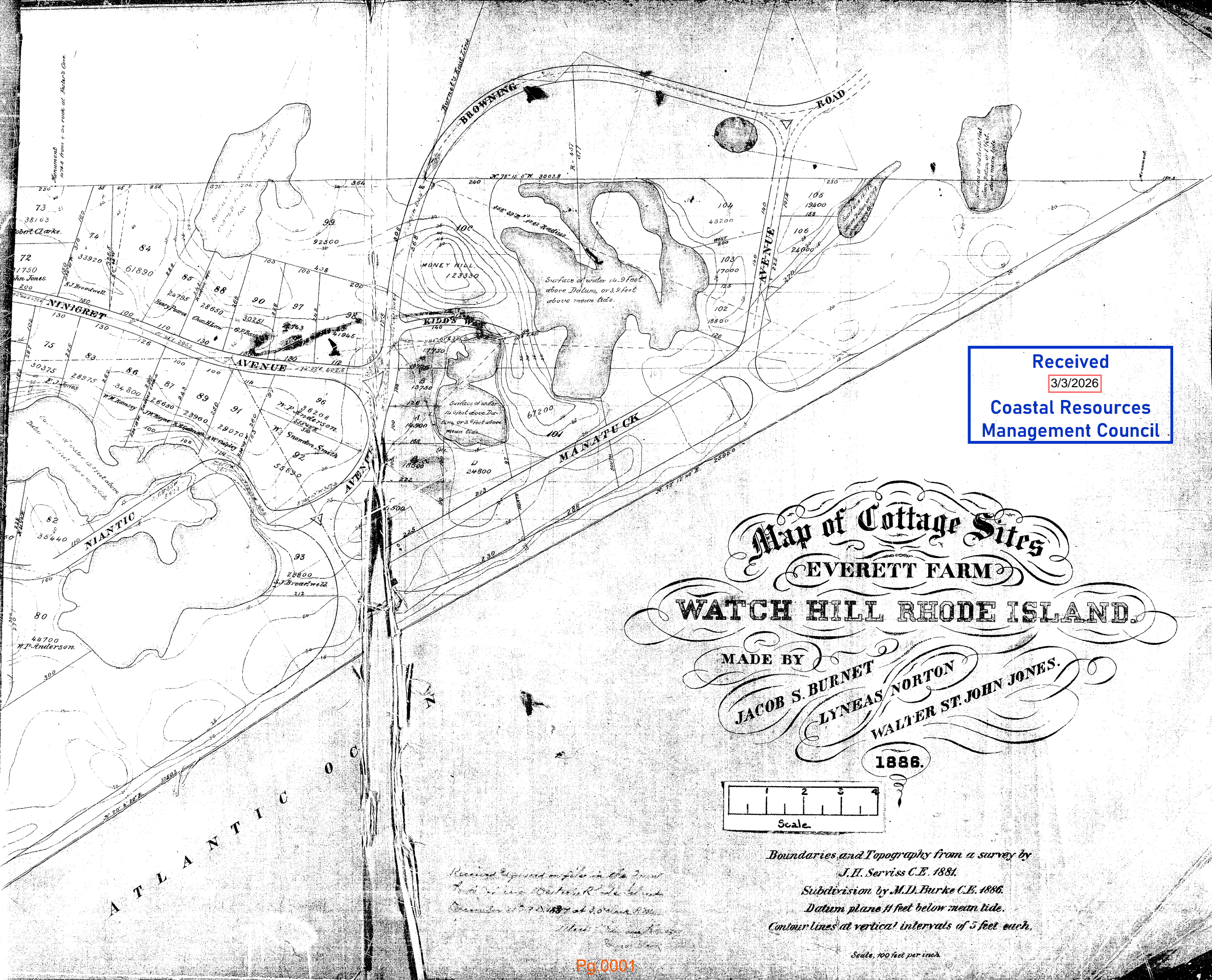
Categories: Oliver

Please append the attached information to my objection to CRMC application 2025-10-075 (25 Atlantic Avenue). Thank you.

Sincerely,

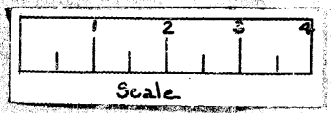
Anthony M. Palazzolo Jr

This email and any attached documents are solely for use by the RI CRMC in connection with a matter of public concern in Westerly, RI. Although I am licensed to practice law in California and Connecticut, I am not licensed to practice law in the State of Rhode Island; nothing herein should be construed to imply otherwise. I have no clients in Rhode Island. I represent no one with any interest in this matter and I am not receiving any financial benefit of any kind related to this matter. I opine solely for myself as a would-be user of the shoreline who is merely exercising his petition and free speech rights under the U.S. and Rhode Island Constitutions.



Received
 3/3/2026
 Coastal Resources
 Management Council

Map of Cottage Sites
 EVERETT FARM
 WATCH HILL RHODE ISLAND.
 MADE BY
 JACOB S. BURNET
 LYNEAS NORTON
 WALTER ST. JOHN JONES.
 1886.

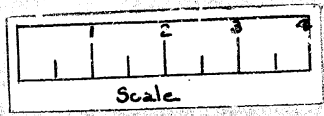
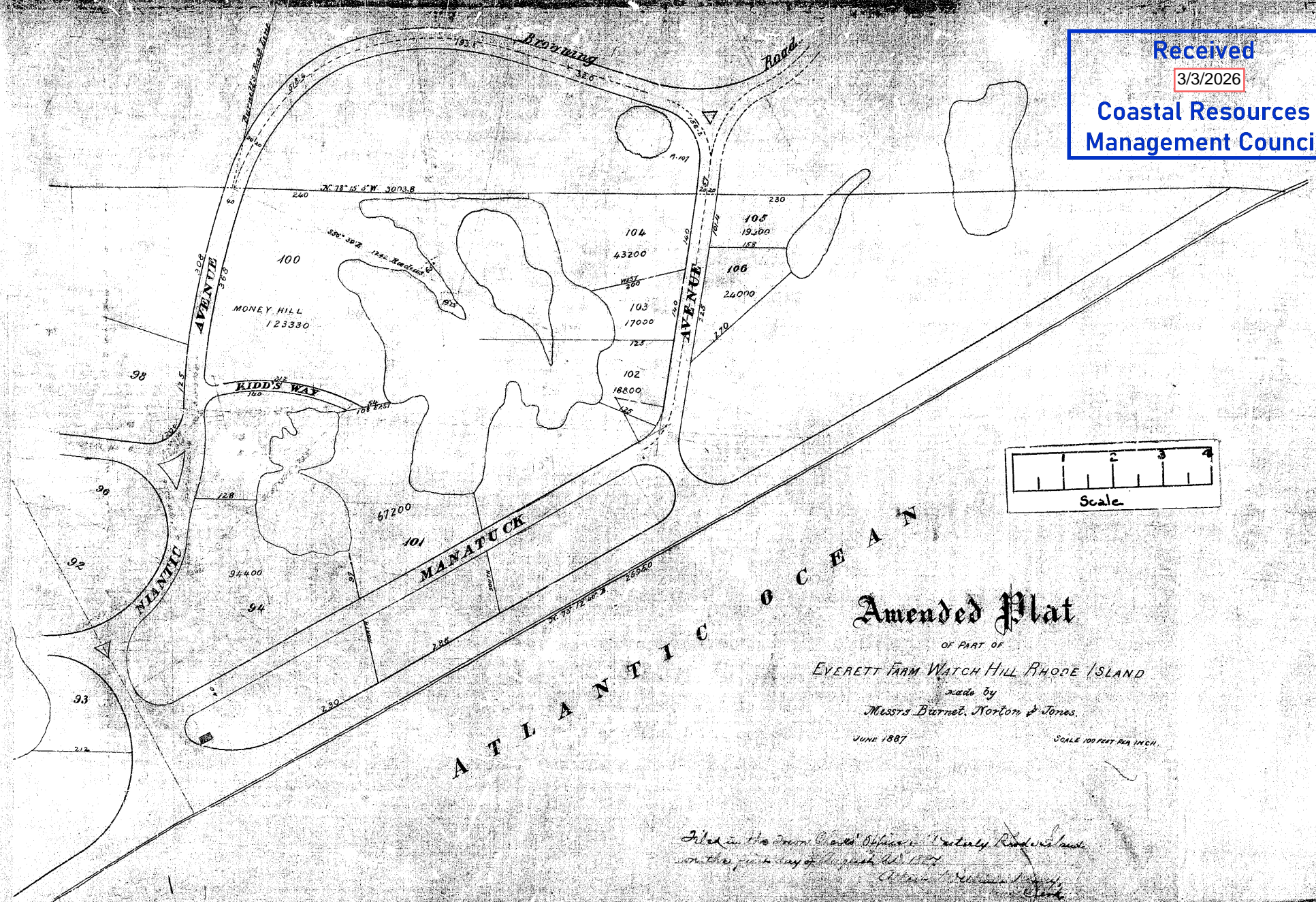


*Boundaries and Topography from a survey by
 J.H. Serviss C.E. 1881.
 Subdivision by M.D. Burke C.E. 1886.
 Datum plane 11 feet below mean tide.
 Contour lines at vertical intervals of 5 feet each.*

*Received Express on file in the Trust
 Land Office, Watch Hill, Rhode Island
 December 27th 1887 at 8 o'clock P.M.*

Scale, 100 feet per inch.

Received
 3/3/2026
 Coastal Resources
 Management Council



ATLANTIC OCEAN

Amended Plat

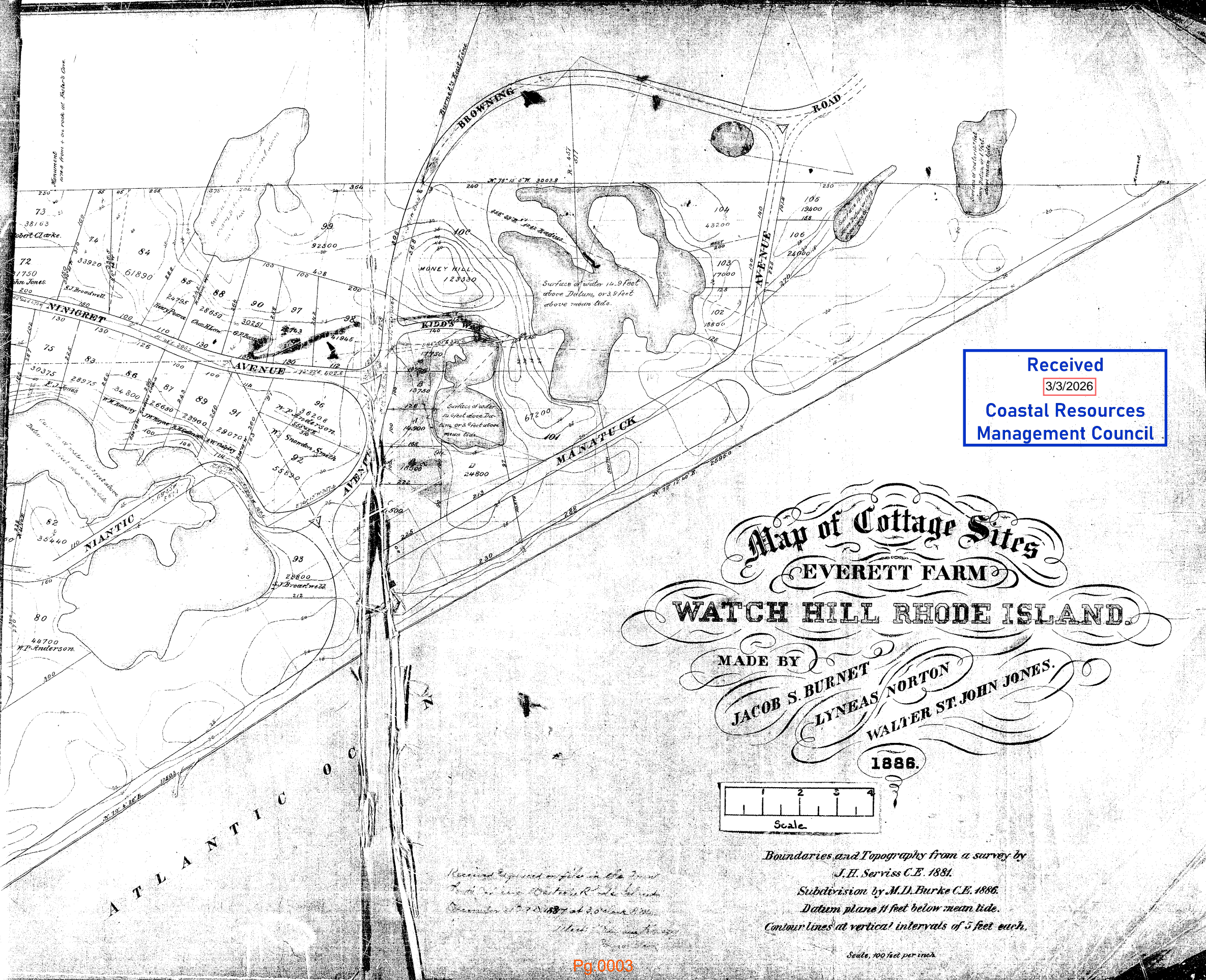
OF PART OF
 EVERETT FARM WATCH HILL RHODE ISLAND
 made by
 Messrs Burnet, Norton & Jones.

JUNE 1887

SCALE 100 FEET PER INCH.

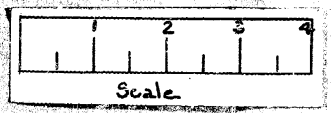
*Filed in the Town Clerk's Office in Westerly, Rhode Island
 on the first day of August A.D. 1887
 Attest: [Signature]*

223x



Received
 3/3/2026
 Coastal Resources
 Management Council

Map of Cottage Sites
 EVERETT FARM
 WATCH HILL RHODE ISLAND.
 MADE BY
 JACOB S. BURNET
 LYNEAS NORTON
 WALTER ST. JOHN JONES.
 1886.

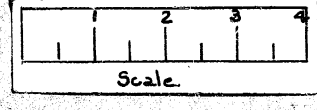
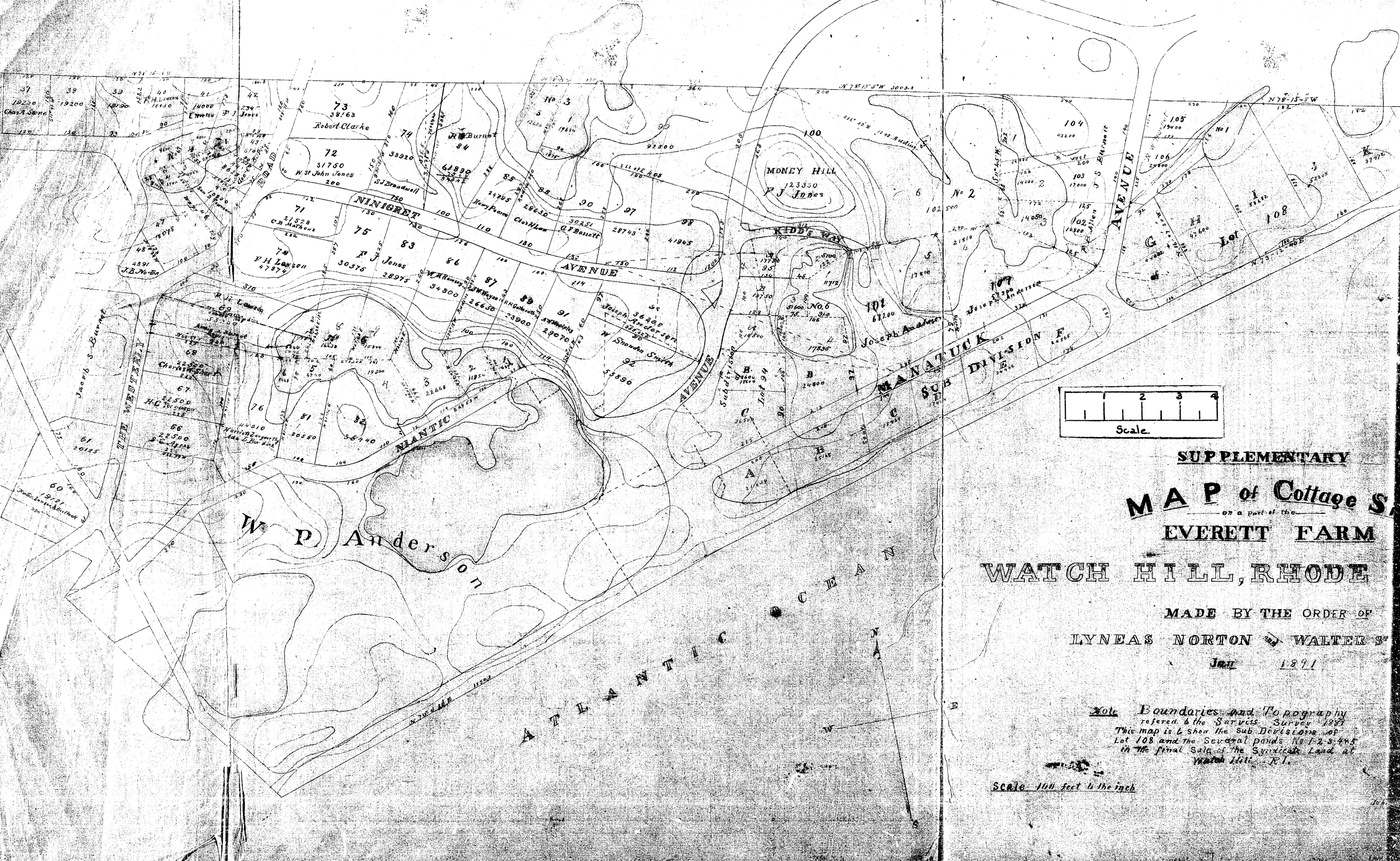


*Boundaries and Topography from a survey by
 J.H. Serviss C.E. 1881.
 Subdivision by M.D. Burke C.E. 1886.
 Datum plane 11 feet below mean tide.
 Contour lines at vertical intervals of 5 feet each.*

*Received Express on file in the Trust
 Land Office, Watch Hill, Rhode Island
 December 27th 1887 at 8 o'clock P.M.*

Scale, 100 feet per inch.

Received
3/3/2026
Coastal Resources
Management Council

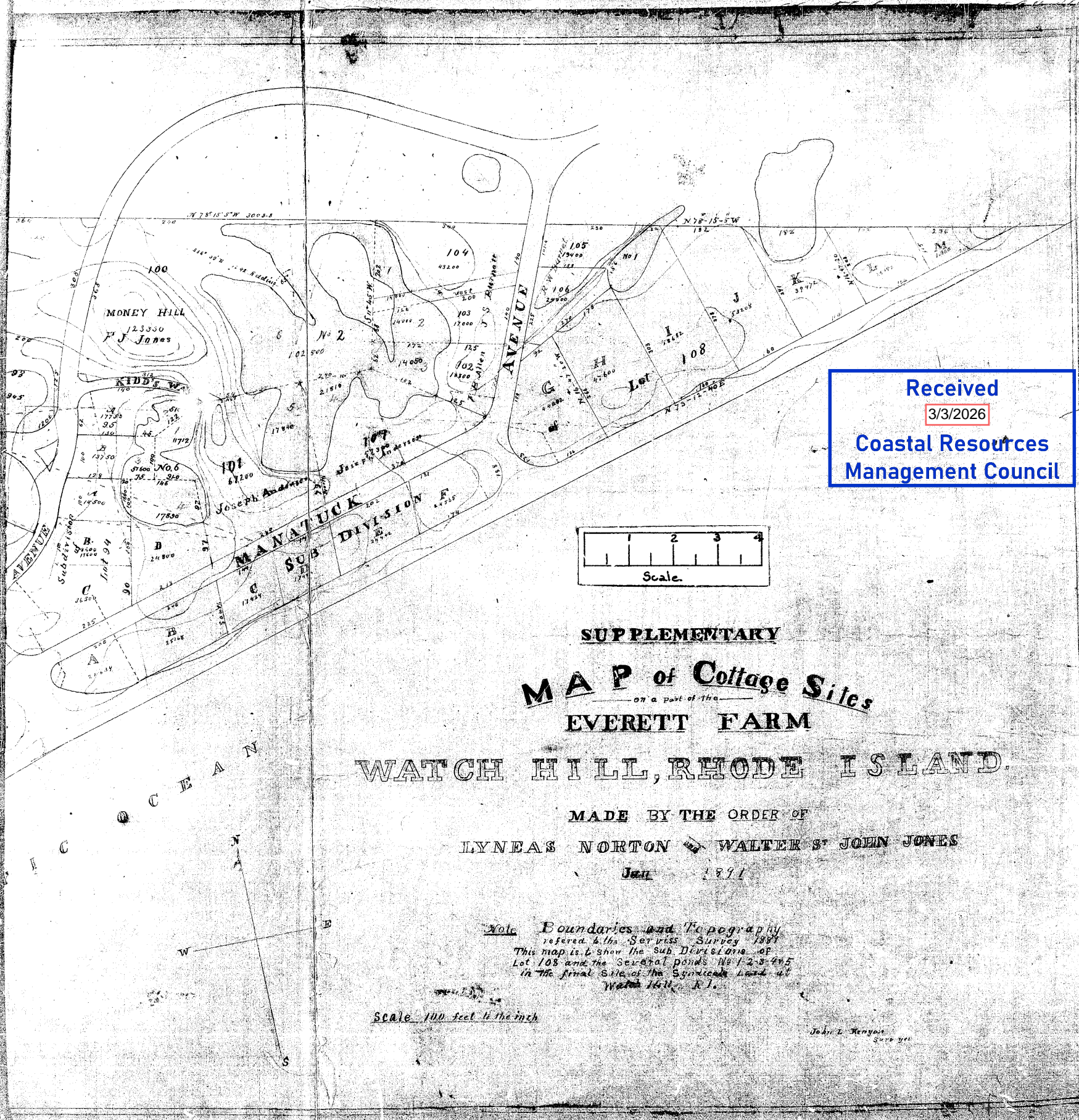


SUPPLEMENTARY
MAP of Cottage S
on a part of the
EVERETT FARM
WATCH HILL, RHODE

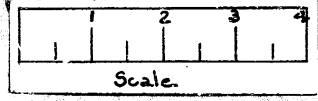
MADE BY THE ORDER OF
LYNEAS NORTON & WALTER S
Jan 1891

Note Boundaries and Topography
referred to the Service Survey 1887
This map is to show the Sub Divisions of
Lot 108 and the several ponds A, B, C, D, E
in the final Sale of the Syndicate Land at
Watch Hill, R.I.

Scale 100 feet to the inch



Received
 3/3/2026
 Coastal Resources
 Management Council



SUPPLEMENTARY
MAP of Cottage Sites
on a part of the
EVERETT FARM

WATCH HILL, RHODE ISLAND.

MADE BY THE ORDER OF
 LYNEAS NORTON & WALTER ST JOHN JONES
 Jan 1891

Note Boundaries and Topography
 referred to the Service Survey 1887
 This map is to show the sub divisions of
 Lot 108 and the several ponds No 1-2-3-4-5
 in the final Site of the Synagogue Land at
 Watch Hill, R.I.

Scale 100 feet to the inch

John L. Kenyon
 Surveyor

Instr #: 1916-504 Book/
Page: 43 / 487

Rec Date: 10/14/1916

Doc Grp/Desc: LR / NOT LISTED

OR Party:

ALLEN FRANCIS B
BRADFORD EDWARD S EST BY EXE
BURRALL MARY E
THACHER THOMAS
DRIGGS ANNE H
BURNET HAROLD
BURNET ETHEL
NIMICK ELEANOR H EST BY TR
BRADFORD H N S EXR
BRADFORD EDWARD S EXR
WASHBURN REGINALD EXR
NIMICK FRANK B TR

EE Party:

Description: AGREEMENT - WATCH HILL

Related:

Received
3/3/2026
Coastal Resources
Management Council

AGREEMENT, made this 7th day of August 1916, between

MARY E. BURRALL,

ESTATE OF EDWARD S. BRADFORD,

(by H. N. S. Bradford, Edward S. Bradford and Reginald Washburn, Executors of his will),

THOMAS THACHER,

ANNE H. DRIGGS,

FRANCIS B. ALLEN,

ETHEL BURNET, HAROLD BURNET and

FRANK B. NIMICK, Trustee

WHEREAS, LYNEAS NORTON and WALTER ST. JOHN JONES, Trustees of the Watch Hill Land Syndicate, in the year 1890, sold by reference to a plat of cottage sites of the Everett Farm made by Jacob S. Burnet, Lyneas Norton and Walter St. John Jones, Trustees, filed in the office of the Town Clerk of Westerly, Rhode Island, certain lots designated on said plat by the numbers 94, 95, 101, 102, 103, 104, 105, 106 and 107, and on said plat there was shown an avenue called Manatuck Avenue, in which all the purchasers, by the conveyances made in pursuance of such sales, acquired a right of way for themselves, their heirs and assigns, as owners of said lots respectively, for use in common, which right of way the parties hereto, being the present owners of said lots, desire permanently to abandon except as hereinafter reserved;

NOW, THIS AGREEMENT WITNESSETH: that, in consideration of the premises and each in consideration of the agreements of the others herein, the parties hereto agree, each with each other, that such right of way in said Manatuck Avenue, so far as they are concerned and as they have power to determine, shall hereafter be limited to the right to use as a way for passengers on foot only (not for horses or other animals nor for vehicles) the strip of land four feet wide, the middle line of which is the middle line of said Manatuck Avenue, as shown on said plat; provided, however, that this agreement shall not impair any now existing rights of any of the parties hereto in, to or with respect to any part of Manatuck Avenue lying within what was formerly known as the Browning Farm. The parties hereto agree that the Town of Westerly had the right to lay the water main and place the hydrant as now laid and placed in Manatuck Avenue, and has the right to maintain and use the same and hereby confirm such rights. This agreement shall bind and enure to the benefit of the parties hereto, their heirs and assigns, owners of the lots aforesaid.

WITNESS the seals and signatures of the parties hereto the day and year first herein written.

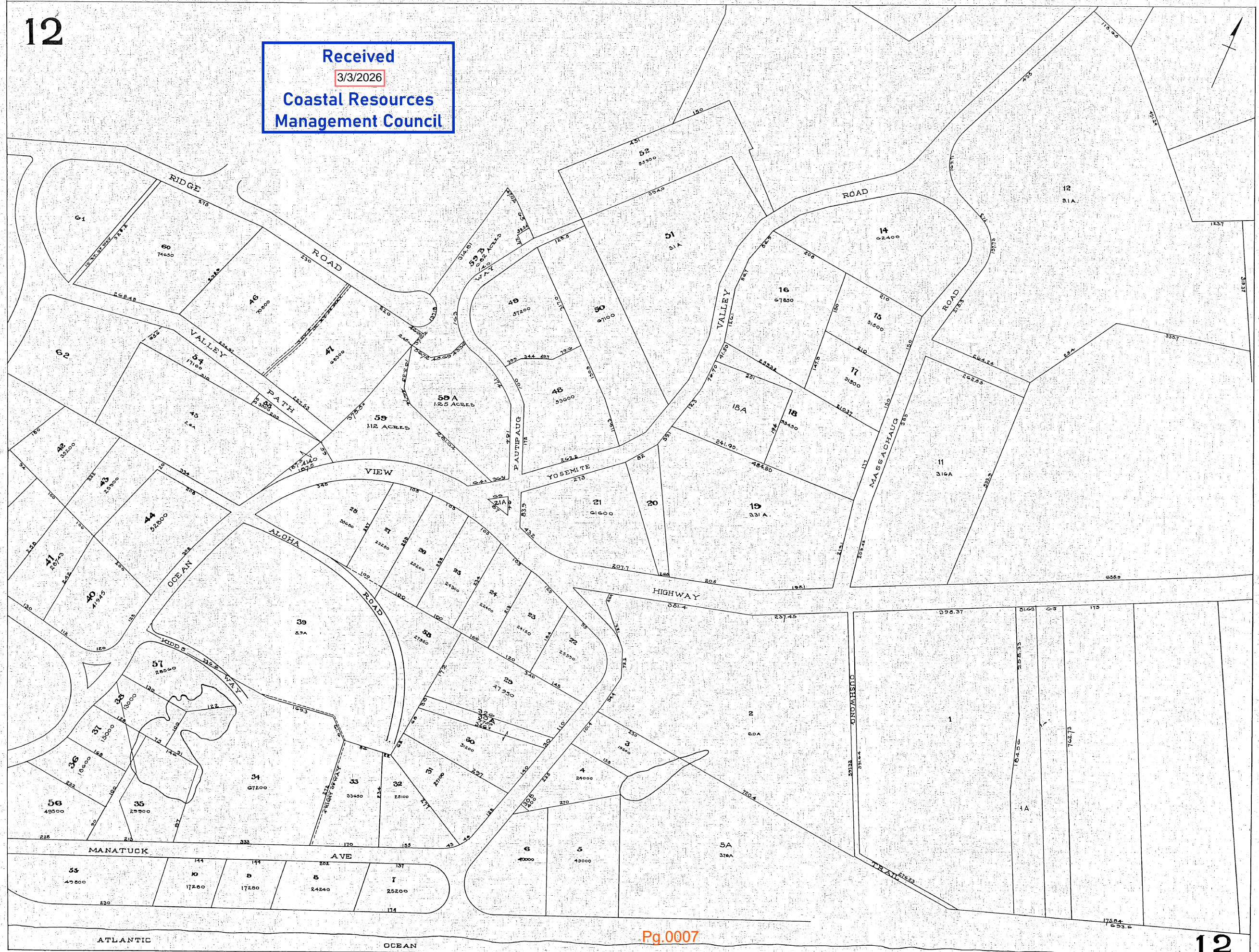
Mary E. Burrall L.S.

Estate of Edward S. Bradford L.S.
by H.N.S. Bradford) L.S.

Edw. S. Bradford : Executors L.S.
Reginald Washburn) L.S.

Thomas Thacher L.S.

Received
3/3/2026
Coastal Resources
Management Council

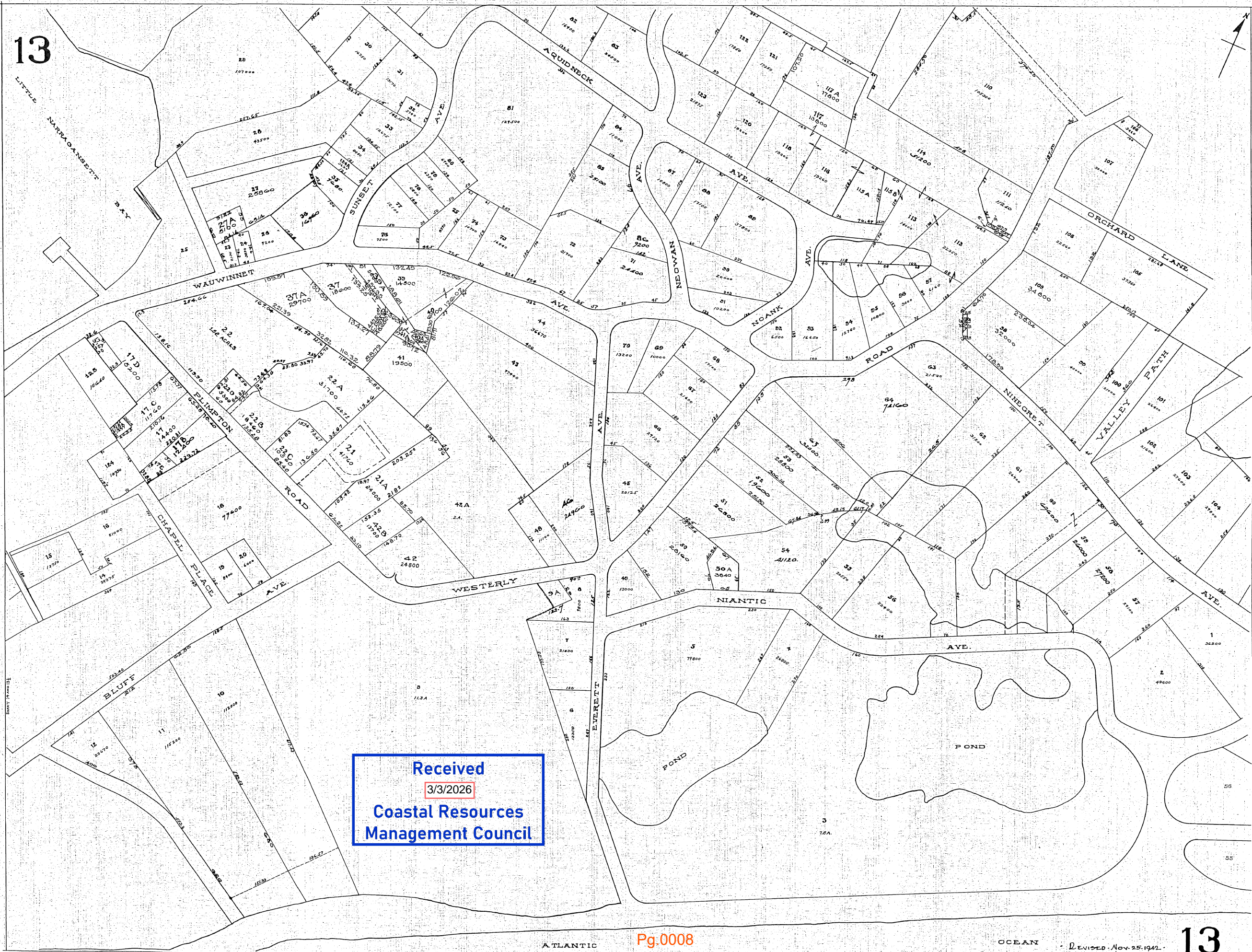


A TRUE COPY DATED: FEB 12 2025

ATTEST: *Mary L. LeBlanc, MMC*

Mary L. LeBlanc, MMC
Westerly Town/Probate Clerk

13



Received
3/3/2026
Coastal Resources
Management Council

FEB 12 2025

A TRUE COPY DATED: *Mary L. LeBlanc, MMC*
ATTEST: *Mary L. LeBlanc, MMC*

Mary L. LeBlanc, MMC
Westerly Town/Probate Clerk

"EXHIBIT B" (Page 1)

To The Honorable Town Council, Town of Westerly
State of Rhode Island And Providence Plantations

- G R E E T I N G -

Your Committee Appointed Tuesday January 2, 1940 For
The Purpose of Probing Of The Matter Of Claimed Right
Of Ways (Public) To The Atlantic Ocean And Tidal Waters
Within The Town, Respectfully Submit This Their Report
Of Their Findings, And Attached Hereto As A Part Of Same
A Complete Record Of Each And Every Meeting Held.

- R E P O R T -

In Submitting this Report it is suggested that you
first peruse the record of meetings held in order
that you may more readily sense the ultimate finding
of your committee, relative to a situation that has
been somewhat beclouded, from the viewpoint of the
citizens of the town in general. These Records greatly
minimize the length of this Report, and are an import-
ant part thereof.

There are, or seem to be, several "openings" or passageways
that may or may not be Public Right of Ways to the Atlantic
Ocean and Tidal Waters within the Town. These of course
have not been touched upon, but are left open by reason
that your committee had no power in the premises in this
regard. Following is a list of duly found "Public Right
Of Ways" to the Tidal Waters within the Town and to the
Sea, vouched for by the Assessors Plats in conjunction
with Plat Books and Land Evidence Books, a matter of public
record.

Assessors Plat No. 4 - Breach Drive, leads to Winnapaug Pond
from Atlantic Ave. Northerly.
" " " " A 12 foot way between Lots No. 14 & 15
Atlantic Ave. to the Sea.

Assessors Plats Nos. 5-6 & 7 - 10 "Public Right of Ways"
from Atlantic Ave. to the Sea.
(Sustaining evidence can be found in Land Evidence Book
No. 39 Page 419. Plat Book No. 2, Pages 12 to 14)

Assessors Plat No. 8 - Winnapaug Road, bordering Winnapaug
Pond.

Assessors Plat No. 13 - shows Road from Ocean View Highwa.
to Shore, South of Lot No. 2.
" " " " Everett Ave.
" " " " Road from Bluff Ave. to shore West
of Lots Nos. 11 & 12.

Assessors Plat No. 16 - Meadow Lane, from Watch Hill Cove to
Fosters Cove.

(OVER)

STATE OF RHODE ISLAND
SUPREME COURT
JUDICIAL RECORDS CENTER
I hereby certify that this document
is an exact photographic reproduction
of the original document on file in the
R.I. Supreme Court Records Center

Signature

Date

Maugus 1-29-25

Received
3/3/2026
Coastal Resources
Management Council

"EXHIBIT B" (Page 2)

Assessors Plat No. 16 - Wapan Road, From Misquamicut Road to Pawcatuck River.

Assessors Plat No. 18 - Avondale Road borders so called Col. Willies Cove off Pawcatuck River.

Assessors Plat No. 19 - Public Way & Wharf opposite Lot No. 8.

The above constitutes the finding of your committee as far as they had power to act and represents a thorough and painstaking effort to clarify as far as may be, the situation relative to claimed Public Right of Ways to the Atlantic Ocean and Tidal Waters within the Town. As evidence in proof of your committees findings is a matter of record on file in the office of the Town Clerk Dept. of Public Records, your committee recommends as follows.

That the within list as above noted be properly posted as "Public Right of Ways" and so marked that all reasonable precaution will have been taken to guide the public to the shore of the Sea and Tidal Waters within the Town, and also to eliminate as far as possible any trespassing upon private property. And after so being posted and marked to be properly maintained indefinitely.

Respectfully submitted,

Conant Taylor

Louis J. Rossi

A. Fred Roberts

Committee.

Westerly, Rhode Island

August 5, 1940

A true copy of a report on file in the Town Clerk's Office.

Attest:

Drew L. Leonard
Deputy Town Clerk.

4/24/61

Coastal Resources
Management Council

Received

3/3/2026

"EXHIBIT C"

At a Regular Meeting of the Town Council of Westerly, R. I. held August 5th, A.D. 1940 at 9:30 o'clock A. M.

Arthur M. Cottrell, Jr., Charles J. Butler, Patsy Watz, Nelson W. Himes, J. Howard Ferguson and Conant Taylor, a quorum members present.

* * * * *

A written report was received from the Committee appointed by the Town Council January 2, 1940 for the purpose of investigating public rights-of-way to the Atlantic Ocean and Tidal Waters within the Town. Said report was read and upon consideration thereof, it was

VOTED: That said report be received and placed on file and that the recommendations of the Committee contained in said report be carried out by the Highway Department. It was also

VOTED: That this Council extend a vote of thanks to said Committee. Upon the request of A. Fred Roberts, it was

FURTHER VOTED: That said Committee be discharged.

* * * * *

VOTED: To adjourn to the call of the President of the Council.

Attest: W. Russell Dower
Council Clerk

I, Florence L. Soloveitzik, Deputy Town Clerk of the Town of Westerly, County of Washington and State of Rhode Island, do hereby certify that the foregoing is a true copy from the Council Records of the Town of Westerly recorded in Council Record Book 18 at page 92.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town of Westerly, this 20th day of April A.D. 1961.


DEPUTY TOWN CLERK



elimination of parking on Watch Hill streets

VOTED: that ordinances be drawn to prohibit bathing and picnicing by nonresidents/non-property owners in areas that do not have sanitary facilities or lifeguards.

Section 1. Section 1 of Chapter 193 of ordinances as amended by Chapter 202 and 210 is further amended to read as follows: It shall be unlawful for any person, to cause, allow, permit or suffer any vehicle registered in the name of, or operated by such person to be parked at any time between the hours of 9:00 A. M. and 7:00 P. M., on any of the following streets or parts thereof:

- Niantic Avenue, on either side.
- Ocean View Highway, on either side.
- Minigret Avenue, on either side.
- Everett Avenue, on either side.
- Shinkle Drive, so-called, on either side.
- Plympton Road, on either side.
- Westerly Road, from Nepun Road to Bluff Avenue and Plympton Road, on either side.
- Bluff Avenue, on either side.
- Larkin Road, on either side.
- Yosemite Valley Road, on either side.
- Pautipaug Way, on either side.
- Manatuck Avenue, on either side.
- Sunset Avenue, on either side.
- Wauwinnet Avenue, on either side.
- Massachauge Road, on either side.
- Neowam Avenue, on either side.
- Noank Avenue, on either side.
- Pawcatuck Avenue, on either side.
- Aquidneck Avenue, on either side.
- Browning Road, on either side.
- Misquamicut Road, on either side.
- Ridge Road, on either side.
- Chapel Place, on either side.

Section 2. This ordinance shall take effect upon its passage.

VOTED: That ordinances be drawn to prohibit bathing and picnicing by non-residents/in areas that do not have sanitary facilities or lifeguards.

VOTED: To refer to the Police Committee and the Superintendent of Health the matter of burning of refuse and garbage in back yards.

VOTED: To adjourn to the call of the President of the Council.

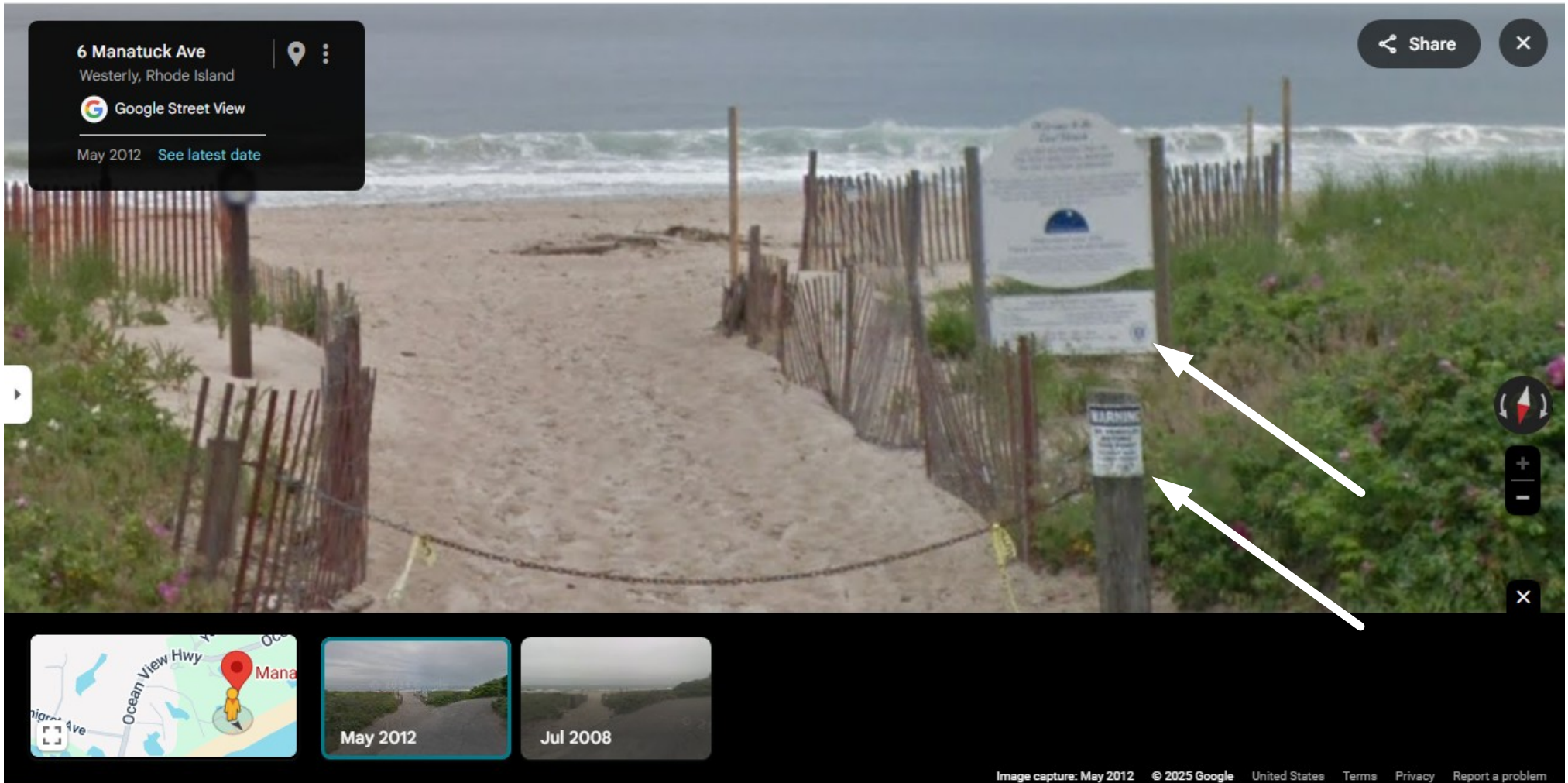
Attest: *Arthur J. Gorman*
Council Clerk.

Received
3/3/2026
Coastal Resources
Management Council



Received
3/3/2026
Coastal Resources
Management Council

Received
3/3/2026
Coastal Resources
Management Council





RESOLUTION AUTHORIZING THE TOWN
TO PARTICIPATE IN THE CRMC ADOPT-AN-ACCESS PROGRAM

WHEREAS, the Town Council of the Town of Westerly has determined that the preservation and maintenance of the public rights-of-way for public access to the shore is a top priority; and

WHEREAS, the CRMC has established a statewide Adopt-an-Access Program to be administered by various cities and towns; and

WHEREAS, various public interest groups have expressed an interest in participating in the Adopt-an-Access Program with CRMC; and

WHEREAS, the Town Council will select the appropriate entities to adopt various rights-of-way pursuant to the program on a case-by-case basis; and

WHEREAS, the selection and continuation of the various groups shall be in the sole discretion of the Town Council based on the needs of the particular site and the ability of the adopting organization; and

WHEREAS, certain rights-of-way which have been traditionally monitored and maintained by public interest groups who do not wish to participate in the CRMC's Adopt-an-Access Program may be exempted from the program contingent upon their continued preservation and maintenance of said rights-of-way; and

WHEREAS, the involvement and work of these various local groups will be vital to the preservation of the rights-of-way; now therefore, be it hereby

RESOLVED: That the Westerly Town Council hereby authorizes the Town to participate in the CRMC Adopt-an-Access Program subject to the Town Council's approval of each entity and right-of-way on a case-by-case basis and the term of the model agreement.

ADOPTED: May 12, 2008



RESOLUTION AUTHORIZING
THE TOWN TO PARTICIPATE IN THE CRMC
ADOPT-AN-ACCESS PROGRAM

WHEREAS, the Town Council of the Town of Westerly has determined that the preservation and maintenance of the public Rights-of-Way for public access to the shore is a top priority and

WHEREAS, the CRMC has established a statewide Adopt-an-Access program to be administered by various Cities and Towns and

WHEREAS, various public interest groups have expressed an interest in participating in the Adopt-an-Access program with CRMC and

WHEREAS, the Town Council will select the appropriate agencies to adopt various rights-of-way, pursuant to the program on a case by case basis and

WHEREAS, the selection and continuation of the various groups shall be in the sole discretion of the Town Council based on the needs of the particular site and the ability of the adopting organization and

WHEREAS, certain rights of way which have been traditionally monitored and maintained by public interest groups who do not wish to participate in the CRMC's Adopt-an-Access Program may be exempted from the program contingent upon their continued preservation and maintenance of said Rights-of-Way and

WHEREAS, the involvement and work of these various local groups will be vital to the preservation of the Rights-of-Way now therefore be it hereby

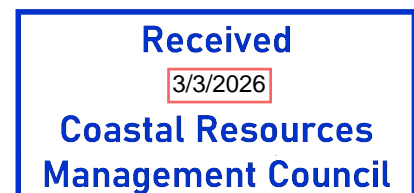
RESOLVED: That this Town Council hereby authorizes the Town to participate in the CRMC Adopt-an-Access Program subject to the Town Council's approval of each agency and Right-of-Way on a case by case basis and the terms of the model agreement.

ADOPTED:

A true copy dated:

ATTEST:

Donna L. Giordano, MMC
Council Clerk



**MEMORANDUM OF UNDERSTANDING
BETWEEN
RHODE ISLAND COASTAL RESOURCES MANAGEMENT COUNCIL
THE TOWN OF WESTERLY
AND
(The Adopting Entity)**

SECTION I

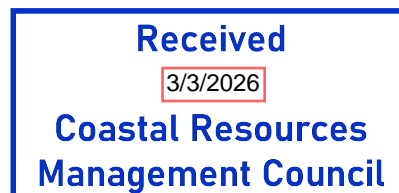
The Rhode Island Coastal Resources Management Council (CRMC), The Town of Westerly, and The (Adopting Entity) (the “Parties) agree to cooperate in the implementation of the CRMC Adopt-An-Access Program (“Program). The Program shall be implemented in accordance with RI General Law Chapter 46-23 and the Rhode Island Coastal Resources Management Program (RICRMP). The Parties agree to fulfill their responsibilities under this MOU to the Adopt-An-Access site(s) (“Site”) indicated herein: (specify site information)

SECTION II

The CRMC agrees to assume primary responsibility for the implementation and operation of the Program, including but not limited to serving as the Program Administrator. As per RIGL Chapter 46-23-7.4 the CRMC has primary responsibility to prosecute violations related to blocking or posting at CRMC designated rights-of-way. The Town of Westerly agrees to assume primary responsibility for Site maintenance, including designating tasks necessary to ensure continuous and safe public access to the shore to the (Adopting Entity), according to Site conditions. The Town of Westerly shall assume primary responsibility for installing signage as specified under the CRMC Letter of Permission associated with this MOU. In the case of replacing damaged or lost signage, the Parties shall only be responsible to replace signage as specified with the Letter of Permission associated with this MOU. The Town of Westerly and the (Adopting Entity) shall be covered by the limited liability protections of the RIGL, Chapter 32-6-5(b) regarding public use of private lands. The (Adopting Entity) agrees to monitor the site and maintain a written record concurrent with each monitoring event that at a minimum describes the conditions, problems and activities at the Site. The (Adopting Entity) also agrees to perform the following tasks as designated by the Town of Westerly related to the continuous and safe public use of the Site: (pursuant to Exhibit A attached hereto and made a part hereof.)

SECTION III

It is the understanding of all parties that this Memorandum of Understanding may be amended or modified at any time if mutually agreed to by all parties in writing. Such written amendments or modifications shall be deemed to be incorporated in this Memorandum of Understanding and shall be executed by the Parties in the same manner as set forth below. Notwithstanding anything herein to the contrary, this Agreement may be terminated by any Party upon 30 days notice to the other Parties hereto. Notwithstanding anything herein to the contrary, this Memorandum of Understanding may be terminated by any Party upon 30 days notice to the other Parties hereto.



**Grover J. Fugate, Executive Director
RI Coastal Resources Management Council**

Date

**Joseph T. Turo, Esq.
Town Manager
Town of Westerly**

Date

**Director
Adopting Entity**

Date

Received
3/3/2026
**Coastal Resources
Management Council**

The Town of Westerly
Adopt an Access

Monitor Responsibilities

1. The Monitor will visit the adopted access a minimum of once a week from May 15 thru September 15. During the off-season not less than once a month. Monitors must advise the Adopt-an- Access Committee if they cannot fulfill their obligations.
2. The Monitor will record his/her activities and observations on the log sheet provided by the Adopt-an- Access Committee. Activities include, but are not limited to, bagging trash, observing the physical condition of the access, and observing the public's use of the access. If the Monitor encounters any situation that he/she cannot handle, the Monitor should immediately inform a committee member and/or the proper authority. Log sheets should be turned in to the committee at least once a month.
3. The Monitor should introduce him/herself to neighboring property owners when applicable, to let the neighbors know the purpose of the Monitor's activities.
4. The Monitor will avoid a direct conflict with any individual at the public access at all times. Any conflict, incident, or violation should be recorded on the log sheet.
5. If a violation is observed, the Monitor should gather relevant information and phone the proper authority. Relevant information would include a description of the violator(s), if applicable, the vehicle and license plate number, the nature of the violation and the time and date of the violation. In no instance should the Monitor or nearby neighbors put themselves "in harms way" to gather information on a violation.
6. The Monitor will make note of improvements that are needed at the access on the log sheet. Anything of an "urgent nature" is to be reported to the committee immediately.

Access Location: _____

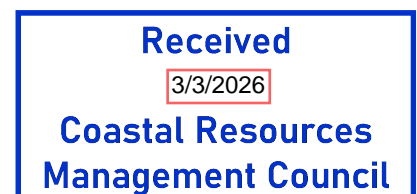
Monitor Name: _____

Monitor Contact Information: _____

Phone/E-mail : _____

Start Date: _____

Committee Member Signature: _____



Office of the Town Clerk
Town of Westerly
45 Broad St.
Westerly, RI 02891

Adopt-an-Access Program Application

(This form is to be used by persons or organizations interested in Adopting a CRMC Designated ROW in The Town of Westerly, RI)

RIGHT OF WAY # _____ STREET LOCATION _____

APPLICANT OR ORGANIZATION NAME _____

STREET ADDRESS _____

MAILING ADDRESS _____

CONTACT PHONE: (HOME) _____ (BUSINESS) _____ (CELL) _____

PLEASE LIST ANY RELEVANT QUALIFICATIONS, EXPERTISE, EXPERIENCE, AND EDUCATIONAL BACKGROUND YOU OR YOUR ORGANIZATION WOULD BRING TO THIS PROGRAM:

PLEASE PROVIDE A BRIEF EXPLANATION OF YOUR INTEREST IN THIS PROGRAM:

I, THE UNDERSIGNED HAVE REVIEWED BOTH THE MEMORANDUM OF UNDERSTANDING AND THE MONITOR RESPONSIBILITIES FOR THE ADOPT-AN-ACCESS PROGRAM AND AGREE TO UNDERTAKE THE DUTIES SET FORTH IN THESE DOCUMENTS.

SIGNATURE OF APPLICANT

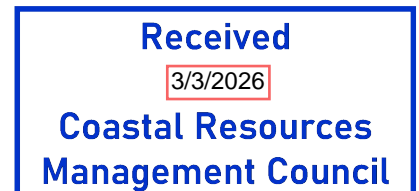
DATE

NAME OF ADOPTING ORGANIZATION

FOR OFFICE USE ONLY

RECEIVED DATE: _____

REPLACING: _____



Town of Westerly
Adopt an Access
Monitor Checklist

Date/Time _____

Monitor Name _____

Access Location _____

PHYSICAL CONDITIONS:

PROBLEMS:

ACTIVITIES:

Received
3/3/2026
Coastal Resources
Management Council

Town of Westerly CRMC Designated Rights-of-Way

A2-Bluff Avenue – Located in Watch Hill at the top of Bluff Avenue

A3-Manatuck Avenue – Located in Watch Hill at the off Ocean View Highway.

A6-Atlantic Ave (1) – Located at the far west end of Atlantic Ave (Utility Pole 154)

A7-Atlantic Ave (2) – Located at Utility Pole 46-47

A8-Atlantic Ave (4) – Located at Utility Pole 54

A10-Atlantic Ave (6) – Located at Utility Pole 62-63

A11-Atlantic Ave (7) – Located at Utility Pole 72

A12-Atlantic Ave (8) – Located at the Westerly Town Beach

A13-Atlantic Ave (9) – Located Next to the Windjammer Lounge Utility Pole 91

*To date we have been unable to physically locate **ROW A9 – Atlantic Avenue**

Received

3/3/2026

Coastal Resources
Management Council



9cc

July 12th, 2009

Dear Town Council

Per a resolution passed in 2008 by the Town Council, the East Beach Association was deemed, in essence, the adopting agency for any and all custodial matters related to the following rights-of way (access points) along Westerly's shoreline.

Bluff Avenue, Everett Avenue, Niantic Avenue, Manatuck Avenue, Atlantic Avenue (extreme western end).

The Town Council has recognized that the EBA has, in essence, adopted these access points in 1970 when the organization was formed for the very purpose to clean and protect the beach and the access to the beach.

Sincerely,

George Markham,
President

The East Beach Association
Founded 1970

Board of Directors

- George Markham , President
- Peter Brockmann, Vice President
- Shelly Weier, Secretary
- Anne White, Treasurer
- Rebecca Allardyce
- Patrick Callahan
- Andrew Griscom, MD
- Evy Lynch
- Lori Musser
- Donna Barnes
- Walter Tomenson
- Lee Westerfield
- Marilyn White

*Dedicated to the Preserving
the Ecological and
Recreational
Values of East Beach*

TOWN OF WESTERLY, RI
OFFICE OF TOWN CLERK
JUL 13 2009
RECEIVED
DONNA L. GIORDANO, MMC, TOWN CLERK

Received
3/3/2026
Coastal Resources
Management Council



9cc

July 12th, 2009

Dear Town Council

Per a resolution passed in 2008 by the Town Council, the East Beach Association was deemed, in essence, the adopting agency for any and all custodial matters related to the following rights-of way (access points) along Westerly's shoreline.

Bluff Avenue, Everett Avenue, Niantic Avenue, Manatuck Avenue, Atlantic Avenue (extreme western end).

The Town Council has recognized that the EBA has, in essence, adopted these access points in 1970 when the organization was formed for the very purpose to clean and protect the beach and the access to the beach.

Sincerely,

George Markham,
President

The East Beach Association
Founded 1970

Board of Directors

- George Markham , President
- Peter Brockmann, Vice President
- Shelly Weier, Secretary
- Anne White, Treasurer
- Rebecca Allardyce
- Patrick Callahan
- Andrew Griscom, MD
- Evy Lynch
- Lori Musser
- Donna Barnes
- Walter Tomenson
- Lee Westerfield
- Marilyn White

*Dedicated to the Preserving
the Ecological and
Recreational
Values of East Beach*

TOWN OF WESTERLY, RI
OFFICE OF TOWN CLERK
JUL 13 2009
RECEIVED
DONNA L. GIORDANO, MMC, TOWN CLERK

Received
3/3/2026
Coastal Resources
Management Council

GOOGLE STREET VIEW PHOTO OF NIANTIC AVE ROW TAKEN MAY 2012



Received
3/3/2026
Coastal Resources
Management Council

PHOTO OF NIANTIC AVE RIGHT OF WAY CIRCA 2014



PHOTO OF NIANTIC AVE RIGHT OF WAY CIRCA 2016

Received

3/3/2026

Coastal Resources
Management Council



90 Bluff Ave

Westerly, Rhode Island

Google Street View

Sep 2019

Received

3/3/2026

Coastal Resources
Management Council

Share

X



Google Maps

Image capture: Sep 2019 © 2025 Google United States Terms Privacy Report a problem

BLUFF AVENUE ROW 2012

Pg.0029

Received
3/3/2026
Coastal Resources
Management Council



2021 PHOTO BY LISA PELLIGRINI

Bluff Ave.
Right of Way



BLUFF AVENUE ROW 2025

Received
3/3/2026
Coastal Resources
Management Council

Received
3/3/2026
**Coastal Resources
 Management Council**

Microsoft Excel - Westerly Street Inventory.xls [Last saved by user] [Compatibility Mode]

1	A	B	C	D	E	F	G	H	I
		Questionable Data- need departmental	State Road		Street Name Change			Private Roads	
STREET INVENTORY January 2013									
2	Current Street Name	Plat #	Comments	Town	Private	Paper	State	Plow List	Renamed Street FKA:
3	Measured in Linear Feet								
370	Manatuck Avenue	180		1800				#11	
371	Manfredi Drive	102		350				#20	
372	Maple Avenue	nf		260				#17	
373	Maplewood Avenue	164-175		2660				#10	
374	Margaret Street	33	paper	320					
375	Margin Street	76-86		4880				#12	
376	Marichris Drive	48-58	cul-de-sac	750				#3	
377	Marie Street	132	cul-de-sac	250				#20	
378	Mariner Heights	76	paper cul-de-sac?	530				#12	Greenman Heights
379	Marion Street	48		490					
380	Marriott Avenue	46		500				#2	
381	Marylou Avenue	107	cul-de-sac	1130				#12	
382	Massachaug Avenue	141		1750					Nantucket Avenue
383	Massachaug Road	173-180		1110				#11	
384	Mastuxet Avenue	127/18A	Steven Ahern		600				
385	Mastuxet Terrace	185			470				Olympia Way
386	Matarese Hills	133	check this w/123 Quannicut?	720				#7	
387	Matson Lane	97-98	private? Narrow way	1430					
388	May Drive	27		450				#1	
389	Maybrey Drive	58		1340				#3	
390	Mayer Street	48	cul-de-sac	570					
391	Meadow Avenue	144-157-169		3850		160			
392	Meadow Lane	179		970				#11	Water's Edge Road
393	Meadow Ridge Road	123-133	cul-de-sac	840				#7	
394	Meadowlark Drive	86-96		1810				#12	
395	Meadowview Terrace	18-27		1200				#4	
396	Medical Arts Lane (tc list)	not found	off crestview drive						
397	Memory Lane	111		670				#16	Barberry Lane
398	Michael's Way	29 & 39-7	town row	690	1750				
399	Midland Avenue	not found						#5	
400	Midland Road	78	private?		950				
401	Midway Avenue	20-29		1370				#4	
402	Milrose Avenue	not found							
403	Milrose Drive	28-29	cul-de-sac	3420				#21	
404	Miner Street	17-26		1500				#1	
405	Mistak Road	172		380					

Taskbar: Windows Start, Search, File Explorer, Edge, Chrome, H9, Office, Outlook, Word, PowerPoint, OneDrive, 73°F, 11:52 AM 8/26/2025

TOWN OF WESTERLY, RI
OFFICE OF TOWN CLERK
MAR 29 2016
RECEIVED
DONNA L. GIORDANO, MMC TOWN CLERK

Town of Westerly

Harbor Management Plan

2016



Received
3/3/2026
Coastal Resources
Management Council

past. **This ROW should be kept clear and upgraded; it is heavily used in summer, moderately used off-season.*

Site #5- Everett Avenue, Watch Hill- (Town-designated) Located just north of the Ocean House, this ROW is a path 30 feet wide and 260 feet long. There are private homes on both sides of the right-of-way. There is a sign posted at the right-of-way itself, designating this as a beach entry point, but no sign at the entry to Everett Avenue. This access-point is heavily used in the summer season and has been utilized as a vehicular beach-entry point by fishermen during the off-season.

Site #6- Niantic Avenue, Watch Hill (one-way street/ town-designated)- This is a wide path leading from this one-way street. The right-of-way covers 35, 520 square feet, according to the town list, but there are no linear dimensions listed. This right-of-way is posted with a town sign. It is heavily used in the summer season.

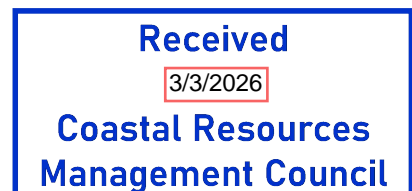
Site #7- Manatuck Avenue, Watch Hill—(State-designated ROW—CRMC #A-3). Located at the beach-end of Manatuck Avenue, this is a wide sandy path leading to the beachfront. It is posted with a RI CRMC right-of-way sign. It is heavily used during the summer months as a beach-access and used as a vehicular entry-point during the off season.

Site #8- Atlantic Avenue, Misquamicut- (Town-designated) This right-of-way is located at the very end of Atlantic Avenue, going west. It is, technically, the hurricane-eroded extension of Atlantic Avenue that once led to several summer cottages. There is a town sign posted, and a chained-and-posted entry-point. It has been historically utilized as a pedestrian and vehicular right-of-way, used heavily by the public both during the summer and in the off-season.

Site #9- Atlantic Ave, Misquamicut- (Town-designated). Located on the western end of Atlantic Avenue near pole #154, this is a ten-foot wide path to the shore, marked by a town ROW sign. It is bordered by a wooden fence and a thick growth of beach roses. There are private homes on both sides. This ROW is used moderately in the summer months as a beach-entrance.

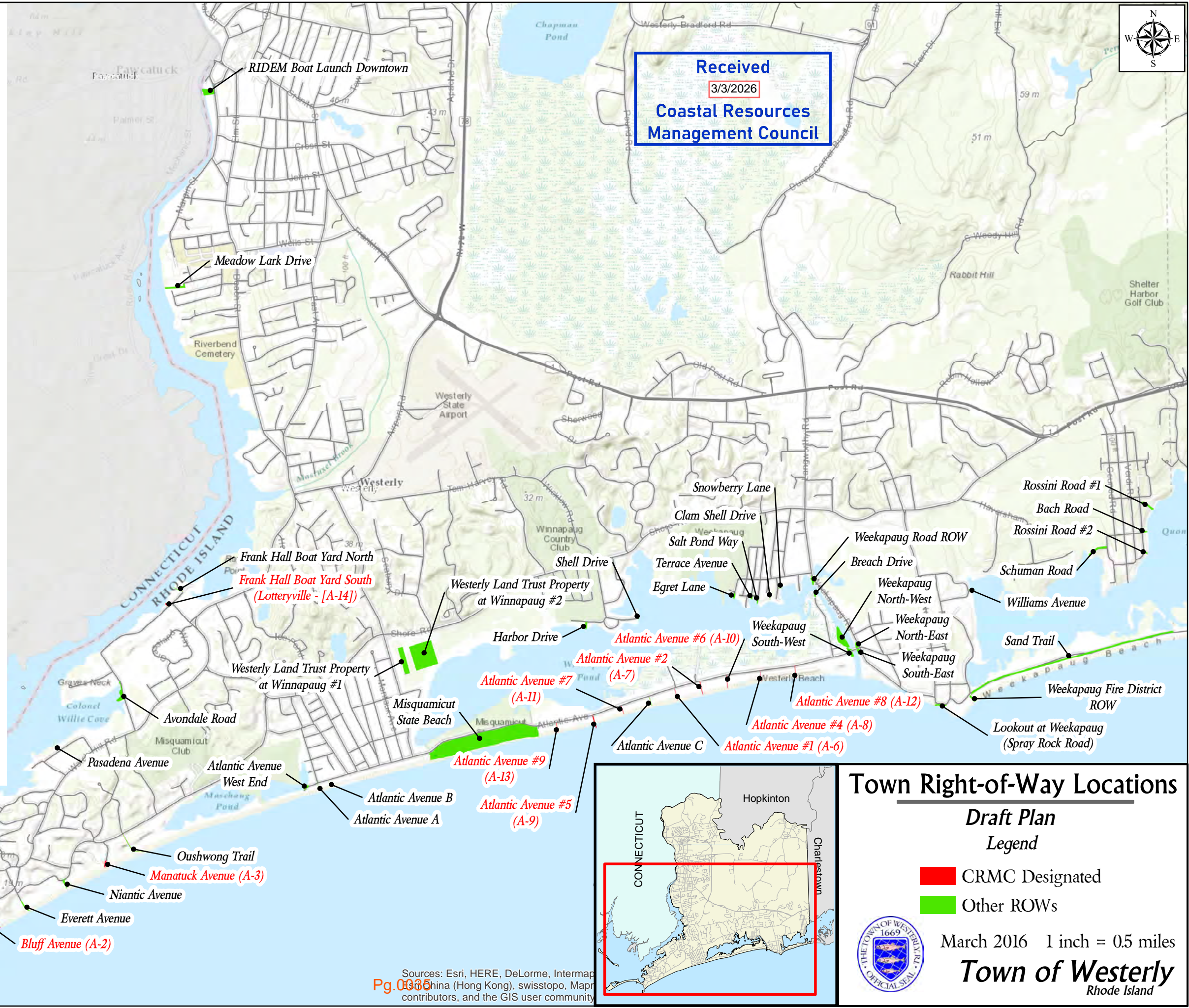
Site #10- Atlantic Avenue, Misquamicut—(State-designated ROW, RI CRMC #A-13) Located near pole #91 near Atlantic Beach Park on the north side of the State Beach, between two buildings (Windjammer Lounge and a 3-story residential condominium). This right-of-way appears to coincide with a private parking-lot entrance. It is marked with a state shoreline access sign and appears to be utilized at least moderately in the summer season. It has also been used as a vehicular entry-point in the off-season.

Site #11 Atlantic Avenue, Misquamicut—(State-designated ROW, RI CRMC #A-11) Located near pole #72 on the east end of Atlantic Avenue, this right-of-way is marked and posted with a sign. It is well-marked and heavily-used in the summer season.



Name	CRMC Designated
Atlantic Avenue #1 (A-6)	Yes
Atlantic Avenue #2 (A-7)	Yes
Atlantic Avenue #4 (A-8)	Yes
Atlantic Avenue #5 (A-9)	Yes
Atlantic Avenue #6 (A-10)	Yes
Atlantic Avenue #7 (A-11)	Yes
Atlantic Avenue #8 (A-12)	Yes
Atlantic Avenue #9 (A-13)	Yes
Bluff Avenue (A-2)	Yes
Frank Hall Boat Yard South (Lotteryville - [A-14])	Yes
Manatuck Avenue (A-3)	Yes

Name	CRMC Designated
Atlantic Avenue - West End	No
Atlantic Avenue A	No
Atlantic Avenue B	No
Atlantic Avenue C	No
Avondale Road	No
Bach Road	No
Breach Drive	No
Clam Shell Drive	No
Egret Lane	No
Everett Avenue	No
Frank Hall Boat Yard North	No
Harbor Drive	No
Lookout at Weekapaug (Spray Rock Road)	No
Meadow Lark Drive	No
Niantic Avenue	No
Oushwong Trail	No
Pasadena Avenue	No
RIDEM Boat Launch Downtown	No
RIDEM Misquamicut State Beach	No
RIDEM Weekapaug North-East	No
RIDEM Weekapaug North-West	No
RIDEM Weekapaug South-East	No
RIDEM Weekapaug South-West	No
Rossini Road #1	No
Rossini Road #2	No
Salt Pond Way	No
Sand Trail	No
Schuman Road	No
Shell Drive	No
Snowberry Lane	No
Terrace Avenue	No
Waters Edge North	No
Waters Edge South	No
Weekapaug Fire District ROW	No
Weekapaug Road ROW	No
Westerly Land Trust Property at Winnapaug #1	No
Westerly Land Trust Property at Winnapaug #2	No
Williams Avenue	No



Received
3/3/2026
Coastal Resources
Management Council

1
2
3
4
5

Town of Westerly Harbor Management Plan 2016



6
7
8
9
10

As Adopted by the Westerly Town Council, October 22, 2018

1 Site #5- Everett Avenue, Watch Hill- (Town-designated) Located just north of the Ocean
2 House, this ROW is a path 30 feet wide and 260 feet long. There are private homes on
3 both sides of the right-of-way. There is a sign posted at the right-of-way itself,
4 designating this as a beach entry point, but no sign at the entry to Everett Avenue. This
5 access-point is heavily used in the summer season and has been utilized as a vehicular
6 beach-entry point by fishermen during the off-season.

7
8 Site #6- Niantic Avenue, Watch Hill (one-way street/ town-designated)- This is a wide
9 path leading from this one-way street. The right-of-way covers 35, 520 square feet,
10 according to the town list, but there are no linear dimensions listed. This right-of-way is
11 posted with a town sign. It is heavily used in the summer season.

12
13 Site #7- Manatuck Avenue, Watch Hill—(State-designated ROW—CRMC #A-3). Located
14 at the beach-end of Manatuck Avenue, this is a wide sandy path leading to the
15 beachfront. It is posted with a RI CRMC right-of-way sign. It is heavily used during the
16 summer months as a beach-access and used as a vehicular entry-point during the off
17 season.

18
19 Site #8- Atlantic Avenue, Misquamicut- (Town-designated) This right-of-way is located
20 at the very end of Atlantic Avenue, going west. It is, technically, the hurricane-eroded
21 extension of Atlantic Avenue that once led to several summer cottages. There is a town
22 sign posted, and a chained-and-posted entry-point. It has been historically utilized as a
23 pedestrian and vehicular right-of-way, used heavily by the public both during the summer
24 and in the off-season.

25
26 Site #9- Atlantic Ave, Misquamicut- (Town-designated). Located on the western end of
27 Atlantic Avenue near pole #154, this is a ten-foot wide path to the shore, marked by a
28 town ROW sign. It is bordered by a wooden fence and a thick growth of beach roses.
29 There are private homes on both sides. This ROW is used moderately in the summer
30 months as a beach-entrance.

31
32 Site #10- Atlantic Avenue, Misquamicut—(State-designated ROW, RI CRMC #A-13)
33 Located near pole #91 near Atlantic Beach Park on the north side of the State Beach,
34 between two buildings (Windjammer Lounge and a 3-story residential condominium).
35 This right-of-way appears to coincide with a private parking-lot entrance. It is marked
36 with a state shoreline access sign and appears to be utilized at least moderately in the
37 summer season. It has also been used as a vehicular entry-point in the off-season.

38
39 Site #11 Atlantic Avenue, Misquamicut—(State-designated ROW, RI CRMC #A-11)
40 Located near pole #72 on the east end of Atlantic Avenue, this right-of-way is marked
41 and posted with a sign. It is well-marked and heavily-used in the summer season.

42
43 Site #12 Atlantic Avenue, Misquamicut—(Town-designated, State-designated, RI CRMC
44 #A-6)- Located on the east end of Atlantic Avenue near pole #54, this right-of-way is a
45 long sandy path to the beachfront. It is marked with a CRMC access sign and bordered



Received
3/3/2026
Coastal Resources
Management Council

**Town of Westbury
Harbor Renovation
2016 Revised 10/28/19**



As Adopted by the Westbury Town Council October 28, 2019

access-point is heavily used in the summer season and has been utilized as a vehicular beach-entry point by fishermen during the off-season.

Site □6- Niantic Avenue, Watch Hill (Determined to be Private ROW)

This right-of-way was once posted with a Town sign, however a title search has revealed that the pathway is privately owned.

Site □7- Manatuck Avenue, Watch Hill—(State-designated ROW—CRMC #A-3). Located at the beach-end of Manatuck Avenue, this is a wide sandy path leading to the beachfront. It is posted with a RI CRMC right-of-way sign. It is heavily used during the summer months as a beach-access and used as a vehicular entry-point during the off season.

Site □8- Atlantic Avenue, Misquamicut- (Town-designated) This right-of-way is located at the very end of Atlantic Avenue, going west. It is, technically, the hurricane-eroded extension of Atlantic Avenue that once led to several summer cottages. There is a town sign posted, and a chained-and-posted entry-point. It has been historically utilized as a pedestrian and vehicular right-of-way, used heavily by the public both during the summer and in the off-season.

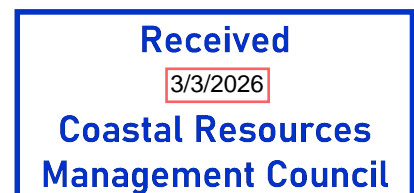
Site □9- Atlantic Ave, Misquamicut- (Town-designated). Located on the western end of Atlantic Avenue near pole □54, this is a ten-foot wide path to the shore, marked by a town ROW sign. It is bordered by a wooden fence and a thick growth of beach roses. There are private homes on both sides. This ROW is used moderately in the summer months as a beach-entrance.

Site □10- Atlantic Avenue, Misquamicut—(State-designated ROW, RI CRMC #A-13) Located near pole □91 near Atlantic Beach Park on the north side of the State Beach, between two buildings (Windjammer Lounge and a 3-story residential condominium). This right-of-way appears to coincide with a private parking-lot entrance. It is marked with a state shoreline access sign and appears to be utilized at least moderately in the summer season. It has also been used as a vehicular entry-point in the off-season.

Site □11 Atlantic Avenue, Misquamicut—(State-designated ROW, RI CRMC #A-11) Located near pole □72 on the east end of Atlantic Avenue, this right-of-way is marked and posted with a sign. It is well-marked and heavily-used in the summer season.

Site □12 Atlantic Avenue, Misquamicut—(Town-designated, State-designated, RI CRMC □A-6)- Located on the east end of Atlantic Avenue near pole □54, this right-of-way is a long sandy path to the beachfront. It is marked with a CRMC access sign and bordered with a snow-fence. This right-of-way has been used historically. It is used moderately in the summer season.

Site □13 Atlantic Avenue, Misquamicut—(Town-designated, State-designated, RI CRMC □A-7) Located on the east end of Atlantic Avenue (near pole □46), this right-of-way is



https://www.thewesterlysun.com/news/westerly/westerly-town-council-debates-new-policy-on-private-roads/article_ddeb84da-d403-11e9-ac46-b37e6eadb532.html

Westerly Town Council debates new policy on private roads

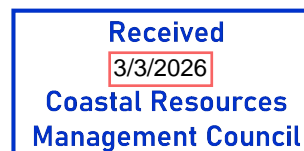
By Dale P. Faulkner Sun staff writer
Sep 11, 2019

Received
3/3/2026
Coastal Resources
Management Council



WESTERLY — The town will soon stop providing plowing and other services to roads that were never officially accepted as public. The decision follows months of study of more than 80 private roads by the town's engineering

and legal staff.



The issue came into focus last fall when Town Manager J. Mark Rooney learned that town services such as plowing, resurfacing and pothole repairs were being provided to some private roads. Rooney wrote to property owners on the roads to inform them that services would no longer be provided but the Town Council asked him to continue plowing to give residents more time to line up services for their roads.

The private road issue was then referred to the Town Council's Public Works Subcommittee and was reviewed by Town Attorney William J. Conley Jr. and his staff. According to Rooney, residents on nine of the roads who received his letter raised questions or concerns about the decision to stop providing services.

On Monday residents of Michaels Way and Lanphere Road, two of the roads affected by the new policy, pleaded with the Town Council, asking that the services they had come to expect for years be continued.

Rooney and Conley said spending town resources on property not owned by the town raises legal problems for the town. Rooney explained that he learned about the situation as the town staff was working to develop a list of roads to be repaired with funds from the \$15 million road bond approved by voters in 2018.

"We had \$15 million of bond proceeds. If we spend bond money or even taxpayer money I could not in good legal, ethical conscience let the town do that because it's not proper or legal to spend town taxpayer money, especially bond money, on property the town does not own," Rooney said.

Conley said the town also assumes responsibility when it provides services on private roads.

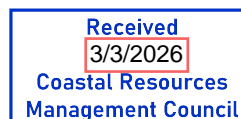
"When you engage in maintenance, even though it's on private property, we have a duty to do so with due care so we assume the liability for doing that correctly, which means that we take on the liability of it being done correctly and if damage or injury results, it's still our responsibility even though we've done it on private property," Conley said.

Conley also explained the state law that outlines how a road becomes a public road. In short, all roads are private, he said, until officially accepted by the town as public. His firm reviewed the land records and other documents to determine whether any of the roads on a list provided by the town staff had ever been accepted as public.

Susan Bookataub, a Michaels Way resident, said her road was erroneously placed on the list of private roads. She said the road has received town services for years and said that a survey stamped by the town's Public Works Department showed the original owner's intent to dedicate the road to the town. Two nearby roads, Boy Scout Drive and Schilke Drive, are considered public roads, she said.

"It is our hope that the town will continue to provide the services it has continuously provided in the past to Michaels Way and as it has to the other roads that are depicted on the approved survey," Bookataub said.

Philip Gately of Lanphere Road said the town has plowed the road and provided other services for the 55 years he has lived there. He asked for the Town Council's assistance. "Now I have a problem as a citizen. You are here



to help citizens ... how do you resolve it and help the people who are being hurt?"

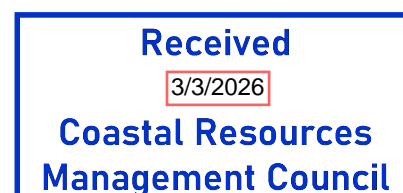
Councilor Caswell Cooke Jr. said the town should continue to provide services on the few private roads that have received services in the past. "We're talking about 10 roads in dispute out of hundreds of roads," he said. "These are our neighbors, it's in the budget to plow their road. I don't think it's going to kill the town of Westerly to get some waivers from them and do it."

Town Councilor Sharon Ahern took the opposite position. "It isn't fair to the rest of the citizens," Ahern said, to provide services to residents on private roads.

Rooney and Conley both said they would review and consider additional documentation from residents in the future showing that their roads were accepted by the town.

dfaulkner@thewesterlysun.com

dfaulkner@thewesterlysun.com



THIS MEETING WAS CONDUCTED VIA ZOOM

The public was able to view and participate in this meeting.

1. 6:00 P.M. CALL TO ORDER 

Present: Pres. Duhamel, Vice Pres. Giorno
Councilors Aiello, Cooke, Ahern, McCuin
T. Mgr. Rooney
Co. Clk. Giordano

In Attendance Remotely: Councilor Cioffi
T. Sol. Conley

Absent: T. Sgt. Falcone

Also Present: Chief of Police Shawn Lacey


INVOCATION – Councilor Giorno 

SALUTE TO THE FLAG – Council President Duhamel 

Councilor Giorno extended birthday wishes to councilor Aiello's mother who is celebrating her 89th birthday.



2. PRESENTATIONS

a. COVID-19 Update 

Report from Shawn Lacey, Chief of Police

Chief Lacey reported that statewide the average positivity rate increased from 3.3% to 3.9% for the week; that new hospitalizations increased from 163 last week to 228 this week; and that the number of new cases is at 362, which puts the state in the red zone. He stated that yesterday there were 481 positive test cases. He further stated that there is a minimum amount of cases in school system with three of the schools with less than five cases; that in Westerly, there are 224 confirmed positive cases, being one of the eight towns in the state that has 3% positivity rate or less; and that last week 722 people from Town received tests resulting in a 2.4% positivity rate. He reported that the Governor will announce new restrictions this week; that people are being asked not to travel or have large family gatherings for Thanksgiving. He stated that meetings are being held weekly regarding the distribution of vaccines to the townspeople and he will keep everyone apprised.

Report from Lisa Konicki, President, Ocean Community Chamber of Commerce

Ms. Konicki reported that final eighteen heat lamps have been ordered and will be distributed this week as well as catering tents that were provided through the Restore RI grant; that all but \$47 was spent out of the \$55,000 grant; that there are other grants available for businesses, which are posted on Facebook, one being the Hart Recovery Program grant for \$10,000,000 for hotels, arts and tourism, with an application deadline of November 19th, and the other being a Division of Taxation grant of between \$2,000 and \$10,000 for bars and restaurants that were affected by the Governor's Executive Order issued on November 5th scaling back the hours of service, with an application deadline of December 15th. She explained the requirements of each grant and offered the assistance of the Chamber in navigating the application process.

b. Road Bond Project Update – Town Engineer Zalaski 

Present: Kyle Zalaski, Town Engineer

Town Engineer Zalaski gave recap of last yrs \$15 million road bond as to what was completed last year, where the Town is currently with the road projects, and what projects are scheduled to be completed. He stated that the bond included the resurfacing of 58 roads, the reconstruction of School Street and the Town's contribution for the reconstruction of the Boombridge Road bridge. He reported that last year 44 roads were resurfaced; that a consultant was procured for the reconstruction design of School Street; and that this year 42 roads were resurfaced, noting the several remaining roads to be completed this week. He noted that sidewalk reconstruction will be completed along Atlantic Avenue and Peal Street; that the reconstruction of Pearl Street will completed in the Spring; that 28 additional roads, based on staff recommendations, were able to be completed; and that Boombridge Road bridge on schedule to be finished by end of November. He reported that a low bid of \$2.95 million was received from Ferreira Construction for the reconstruction of School Street and of that amount \$750,000 will be funded by the Utilities Division for water line reconstruction and \$2.2 million will be funded by the road bond. He stated that the total cost of the project will be \$3 million, which includes a 25% contingency and engineering construction oversight, after which it is anticipated that there will be remaining funds in the bond of approximately \$2.175 million. He noted the list of committed projects for next year, which includes reconstruction of Pasadena Avenue and Breen Road, drainage repair on Riverview Avenue, and Bowling Lane culvert replacement. He further noted several projects that are being evaluated for next year, such as Church Street sidewalk repair, Atlantic Avenue resurfacing, and maintenance of Manatuck and Waters Edge rights-of-way and Uzzi Avenue.

The Councilors commended Mr. Zalaski on a job well done in completing projects on time and on budget. Councilor Aiello expressed concern with the cost of the School Street reconstruction project and questioned the timeline for resurfacing other roads in the Westerly and Bradford areas.

3. CITIZENS COMMENTS 

Sign-Up Sheets will be available at the Council Meeting for any citizens wishing to be heard. Citizens who do not sign up to speak will have an opportunity to be heard following the individuals listed on the sign-up sheet.

When addressing the Council, please state your name and address; please conduct yourself in an orderly and respectful fashion. The comments of citizens accessing this portion of our meeting are neither adopted nor endorsed by this body, but heard as requested. If the matter is scheduled for a public hearing, the comments shall be deferred to that agenda item.

Any citizen wishing to be heard can access the meeting using the Zoom app or via phone. Please note:


If accessing the meeting via phone, Press *9, to be recognized or if using the Zoom app, press the "raise hand" button to be recognized

The following individual appeared remotely:

- a. John Goodman, Director of Media and Public Relations, RI Airport Corporation - re: Airport Legislation; submitted [statement for the record](#); provided background on how legislation came about; asked Council to render decision as to whether or not to support airport

COUNCILORS' RESPONSE

Councilors McCuin and Aiello responded regarding RI Airport Corporation stating that they would like to see the bill that is before the House and the bill that was passed by the Senate.


4. [Resolution](#) Authorizing The Town Manager To Sign The Memorandum Of Understanding Between The Town Of North Stonington, Connecticut And The Town Of Westerly, Rhode Island, Regarding A Maintenance Plan, Future Inspection, Reviews And Repairs Of the Boombridge Bridge – Discussion and Possible Action 

In response to Councilor Ahern's concern as to whether the aforesaid resolution and be addressed since neither the Memorandum of Understanding nor the edits made to it by Councilor Aiello have been discussed, Town Solicitor Conley stated that the resolution can be discussed, but the contents of the Memorandum of Understanding with the edits needs to be addressed prior to the resolution so that whatever is approved by the resolution is the Memorandum of Understanding that is agreed to by the Council.

Councilors reviewed the Memorandum of Understanding. Each of Councilor Aiello's edits was agreed to, except the edit in paragraph six. It was the consensus of the Council to leave paragraph six as previously written and that the highlighted language be removed.

Motion by Mr. Cooke, Seconded by Ms. Giorno, that the Memorandum of Understanding be placed on the November 23, 2020 Regular Meeting for consideration. (So Voted 6 to 1 – Councilor McCuin dissented)

Motion by Ms. Ahern, Seconded by Mr. Cooke, that the aforesaid resolution, as amended, be placed on the November 23, 2020 Regular Meeting agenda for consideration. (So Voted 6 to 1 – Councilor McCuin dissented)

5. [Resolution](#) Of The Town Of Westerly Opposing House Bill 7900 "An Act Relating To Aeronautics – Airports And Land Fields – Airport Zoning" – Discussion and Possible Action 


Councilor Ahern explained that, if this bill passes, the Town is sacrificing local control. She stated that both Middletown and Warwick have sent resolutions of opposition to the House of Representatives, and she felt it appropriate for Westerly to do the same.

Councilors McCuin and Aiello stated that they would like to have before them both the Senate and House of Representative bills.

Motion by Mr. Cooke, Seconded by Ms. Giorno, that the aforesaid resolution be placed on the November 23, 2020 Regular Meeting agenda for consideration. (Voted Unanimously)

6. [Resolution](#) Accepting Fallon Trail Into The Town Of Westerly Road System – Discussion and Possible Action 

Motion by Mr. Aiello, Seconded by Mr. McCuin, that the aforesaid resolution be placed on the November 23, 2020 Regular Meeting agenda for consideration. (Voted Unanimously)

7. [Request For Letter](#) To RI Department Of Transportation (RI DOT) For Review Of A Green Arrow Light For Left-Hand Turn At Intersections Of Granite Street/Cross Street and Granite Street/John Street – Discussion and Possible Action 

Motion by Mr. Cooke, Seconded by Mr. Aiello, that a letter be prepared and placed on the November 23, 2020 Regular Meeting agenda for consideration. (Voted Unanimously)

8. ADJOURNMENT 

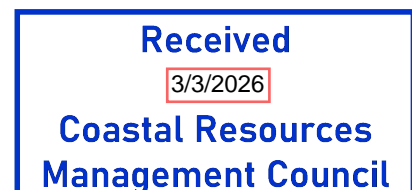
7:30 P.M. Voted Unanimously to adjourn.

ATTEST:



Donna L. Giordano, MMC
Council Clerk

Details of the aforesaid proceedings are available on video on the Town of Westerly website.



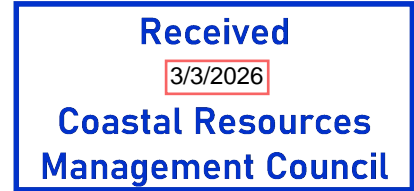
Town of Westerly

Rhode Island

ENGINEERING DEPARTMENT

KYLE T. ZALASKI, P.E.
TOWN ENGINEER

68 White Rock Road
Westerly, RI 02891
TEL: (401) 348-2562
FAX: (401) 596-9512



The Honorable Westerly Town Council
 Kyle Zalaski, P.E. (Town Engineer)
 Mark Rooney (Town Manager), Donna Giordano (Town Clerk)
 November 16, 2020
 Road Bond Project Update

2019

- Road Resurfacing
 - 44 Roads – Approx. 11.5 miles
- School Street Reconstruction Design

2020

- Road Resurfacing
 - 42 Roads – Approx. 8.2 miles
 - Paving to be completed by 11/20
 - Old Hopkinton Rd and Kent Ave, Niles St, Benjamin St, Doreen Dr, and Ashel St, Seabury Dr, Wadchu Rd
 - Pearl Street to be completed in Spring 2021 with sidewalk reconstruction
- Sidewalks
 - Atlantic Ave (State Beach to Maplewood Ave: curb ramps & sidewalk sections)
 - Pearl Street (complete reconstruction with granite curbing – Spring 2021)
- Boombridge Road Bridge
 - Construction to be completed by end of November 2020

2021

- School Street Reconstruction
 - ~\$2.95M bid by Ferreira Construction
 - ~\$750K funded by Utilities Dept; \$2.2M funded by Road Bond
 - Road Bond Contribution: ~3.0M (construction oversight & 25% contingency)

Estimated Remaining Road Bond Funds	\$2,175,000
--	--------------------

Committed Future Projects	Estimated Cost
Breen Road & Pasadena Avenue Reconstruction (includes consultant design/permitting)	~\$900,000
Riverview Ave Drainage Repair & Road Resurfacing	\$450,000 - \$550,000
Bowling Lane Culvert Replacement (includes incidental road & sidewalk repairs)	\$1,000,000 - \$2,000,000 (?)
Committed Future Projects Subtotal	\$2,350,00 - \$3,450,000

Pending Future Projects	Estimated Cost
Church Street Sidewalks (Bradford Rd to Quarry Road; south side only w/ crosswalks)	\$587,587 - \$708,957
Atlantic Ave Resurfacing (State Beach to Breachway)	\$1,250,000 - \$1,500,000
Manatuck Ave Overlay	\$15,000 - \$20,000
Waters Edge Maintenance	\$10,000 - \$25,000
Uzzi Ave Reconstruction (Bayberry Rd to Shore Rd)	\$200,000 - \$400,000
Pending Future Projects Subtotal	\$2,062,587 - \$2,653,957

This map is not the product of a Professional Land Survey. It was created by the Town of Westerly for general reference, informational, planning or guidance use, and is not a legally authoritative source as to location of natural or manmade features. Proper interpretation of this map may require the assistance of appropriate professional services. The Town of Westerly makes no warranty, express or implied, related to the spatial accuracy, reliability, completeness, or currentness of this map.



2020 Comprehensive Plan

Westerly Harbor Management Plan Rights of Way to the Shore REC-M3

STONINGTON

NORTH
STONINGTON

HOPKINTON

CHARLESTOWN

Town-Designated Rights-of-Way (Some of which may be under investigation)

- 1 - Avondale Road
- 2 - Waters Edge Road North
- 2A - Waters Edge Road South
- 3 - Fort Road
- 4 - Bluff Avenue
- 5 - Everett Avenue
- 6 - Niantic Avenue*
- 7 - Manatuck Ave
- 8 - Atlantic Avenue
- 9 - Atlantic Avenue
- 10 - Atlantic Avenue
- 11 - Atlantic Avenue
- 12 - Atlantic Avenue
- 13 - Atlantic Avenue
- 14 - Atlantic Avenue West
- 14A - Atlantic Avenue East
- 15 - Spray Rock Road
- 16 - Ninigret Ave/Sand Trail

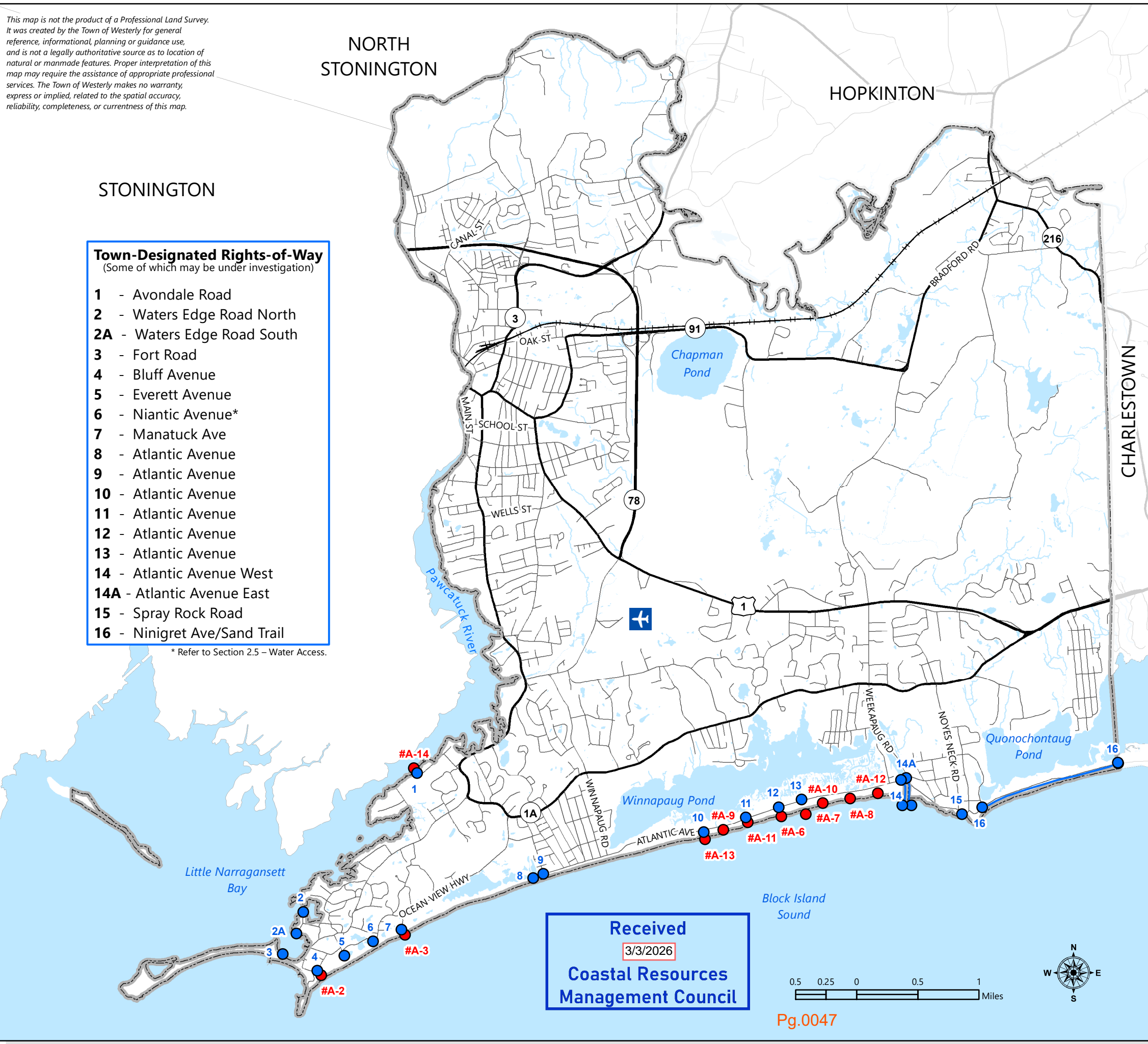
* Refer to Section 2.5 – Water Access.

Legend

- Town-Designated Right-of-Way
- RI CRMC-Designated Right-of-Way
- River or Stream
- Water
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

RI CRMC-Designated Rights-of-Way

- #A-2 - Bluff Avenue
- #A-3 - Manatuck Avenue
- #A-6 - Atlantic Avenue #1
- #A-7 - Atlantic Avenue #2
- #A-8 - Atlantic Avenue #4
- #A-9 - Atlantic Avenue #5
- #A-10 - Atlantic Avenue #6
- #A-11 - Atlantic Avenue #7
- #A-12 - Atlantic Avenue #8
- #A-13 - Atlantic Avenue #9
- #A-14 - Lotteryville Marina



Received
 3/3/2026
**Coastal Resources
 Management Council**

Town of Westerly
Rhode Island
ENGINEERING DEPARTMENT

KYLE T. ZALASKI, P.E.
 TOWN ENGINEER

68 White Rock Road
 Westerly, RI 02891
 TEL: (401) 348-2562
 FAX: (401) 596-9512



T The Honorable Westerly Town Council
 Kyle Zalaski, P.E. (Town Engineer)
CC Mark Rooney (Town Manager), Donna Giordano (Town Clerk)
AT November 16, 2020
 Road Bond Project Update

2019

- Road Resurfacing
 - 44 Roads – Approx. 11.5 miles
- School Street Reconstruction Design

2020

- Road Resurfacing
 - 42 Roads – Approx. 8.2 miles
 - Paving to be completed by 11/20
 - Old Hopkinton Rd and Kent Ave, Niles St, Benjamin St, Doreen Dr, and Ashel St, Seabury Dr, Wadchu Rd
 - Pearl Street to be completed in Spring 2021 with sidewalk reconstruction
- Sidewalks
 - Atlantic Ave (State Beach to Maplewood Ave: curb ramps & sidewalk sections)
 - Pearl Street (complete reconstruction with granite curbing – Spring 2021)
- Boombridge Road Bridge
 - Construction to be completed by end of November 2020

2021

- School Street Reconstruction
 - ~\$2.95M bid by Ferreira Construction
 - ~\$750K funded by Utilities Dept; \$2.2M funded by Road Bond
 - Road Bond Contribution: ~3.0M (construction oversight & 25% contingency)

Received
3/3/2026
**Coastal Resources
 Management Council**

Estimated Remaining Road Bond Funds	\$2,175,000
--	--------------------

Committed Future Projects	Estimated Cost
Breen Road & Pasadena Avenue Reconstruction (includes consultant design/permitting)	~\$900,000
Riverview Ave Drainage Repair & Road Resurfacing	\$450,000 - \$550,000
Bowling Lane Culvert Replacement (includes incidental road & sidewalk repairs)	\$1,000,000 - \$2,000,000 (?)
Committed Future Projects Subtotal	\$2,350,00 - \$3,450,000

Pending Future Projects	Estimated Cost
Church Street Sidewalks (Bradford Rd to Quarry Road; south side only w/ crosswalks)	\$587,587 - \$708,957
Atlantic Ave Resurfacing (State Beach to Breachway)	\$1,250,000 - \$1,500,000
Manatuck Ave Overlay	\$15,000 - \$20,000
Waters Edge Maintenance	\$10,000 - \$25,000
Uzzi Ave Reconstruction (Bayberry Rd to Shore Rd)	\$200,000 - \$400,000
Pending Future Projects Subtotal	\$2,062,587 - \$2,653,957

REGULAR MEETING

WESTERLY TOWN COUNCIL

COUNCIL CHAMBERS

MONDAY

JUNE 14, 2021

5:30 P.M.

THIS MEETING WAS CONDUCTED VIA ZOOM

The public was able to view and participate in this meeting.


1. 5:30 P.M. CALL TO ORDER 

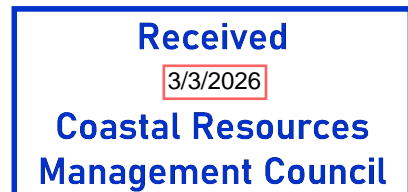
Present: Pres. Ahern, Vice Pres. Giorno
Councilors Cioffi, Duhamel, Cooke, Overton
T. Mgr. Rooney, T. Sgt. Falcone

Absent: Councilor McCuin
Co. Clk. Giordano

Present Remotely: T. Sol. Conley

INVOCATION – Council President Ahern 


SALUTE TO THE FLAG – Council President Ahern 



2. RECOGNITIONS, AWARDS & MEMORIALS

None

3. PRESENTATIONS

a. Road Paving and Drainage – Kyle Zalaski, Town Engineer 

Present: Kyle Zalaski, Town Engineer

Town Engineer Zalaski provided an overview on completed, ongoing and upcoming road and drainage improvement projects. Said report is attached hereto and made a part of the record of these proceedings. He reported that completed and ongoing projects include road resurfacing, sidewalks and drainage improvements on Atlantic Avenue, road resurfacing and sidewalk reconstruction on Pearl Street, drainage improvements on Manatuck Avenue, noting that road resurfacing will be postponed until the fall, completion of watermain replacement, design and permitting for road resurfacing on Breen and Pasadena Avenues, and the reconstruction of School Street. He further reported that the Engineering Department has been working with the Planning Department on Community Development Block Grant projects, which include road resurfacing and sidewalk improvements on Highland Avenue and sidewalk accessibility improvements on Granite Hill. He stated that the 2021 Road Bond, which was approved in May, includes inspections for drainage improvements, water main replacement, and resurfacing of roads that do not include water line or drainage improvements. He reported that additional upcoming improvements include drainage and road resurfacing of Riverview Avenue, resurfacing of Atlantic Avenue, and the bike path grant project on Atlantic Avenue. He addressed the Church Street sidewalks, stating that the project has been put out to public bid again and that the Town is in discussions with RIDOT for alternative approaches as a maintenance project. He explained the culvert reconstruction project on Bowling Lane, which is essential in order to resurface the road. He noted that the Town is looking into whether this project would be eligible under the Community Development Block Grant. He stated that he will appear before the Council again on July 19, 2021 to discuss the ongoing projects.

Town Engineer Zalaski and Town Manager Rooney responded to questions from the Council regarding road and drainage improvements on Atlantic Avenue and Riverview Avenue, Church Street sidewalks, ADA sidewalk requirements, and water discoloration that affected residents located near the School Street project.

b. [2020 Community Development Block Grant](#) – Alyse Oziolor 

Present: Alyse Oziolor, Principal Planner
Kyle Zalaski, Town Engineer

Town Planner Oziolor addressed the memorandum from her and Lisa Pellegrini, Director of Development Services, dated June 10, 2021, regarding the Community Development Block Grant Program Year 2020 Application. She stated that the Department of Development Services is seeking guidance from the Town Council on the projects, the prioritizing of same, and the scheduling of a public hearing on July 19, 2021. She explained the CDBG program, which is a competitive grant and requires no Town match. She stated that the program's highest priority objective is to meet low- and moderate-income benefits and that the other objectives are the prevention or elimination of slums or blight and any urgent need or threat to public health or welfare of the community. She reported that there are a number of ongoing projects, which include Granite Hill and North End sidewalk accessibility improvements as well as Highland Avenue improvements, Senior Center improvements, job training opportunities through the Westerly Education and WARM Centers, and Fairfield Drive group home bathroom renovations. She explained that this year's program proposes the reconstruction of Bowling Lane, noting that surveys of the area were required and completed, and that it is believed that this area will be eligible for the CDBG funding based on the data collected. She stated that there is \$5 million available state-wide in CDBG funding.

Town Manager Rooney and Town Planner Oziolor responded to questions from the Council regarding Bowling Lane reconstruction, the Senior Center improvements to correct deficiencies cited by the State Fire Marshal, bookkeeping and accounting clerk training, and timeline for grant approval.

The Council was in agreement with the five projects listed and the priorities of same.

c. [Potential For Increased Security At Public Meetings](#) – Chief of Police Lacey 


Present Remotely: Shawn Lacey, Chief of Police

Council President Ahern stated that she had requested Chief of Police Lacey to address the potential for increased security at public meeting and that it would be in addition to, not the replacement of, the presence of the Town Sergeant at public meetings. She noted that the School Committee Chair is in agreement with the request.

Chief of Police Lacey explained that he researched the matter, that he spoke with other Chiefs of Police regarding meeting staffing, and that the Town Charter and ordinance state that the Town Sergeant shall attend all Council meetings. He stated that he agrees with the request for increased security at public meetings based on current trends. He explained that he would increase staffing levels on the dates of the Town Council and School Committee meetings and that an officer would provide a security measure at the meetings. He stated that, if another board feels that its scheduled meeting will be controversial, then an officer can be assigned to that meeting as well to provide a level of security. He reported that the Westerly Police Department is very close to being an accredited police department and stated that part of the State accreditation process is to have security measures in place for all meetings conducting Town business and at courts within the Town. He stated that the cost for increased security at Town Council and School Committee meetings is approximately \$10,000 annually.

Each Councilor presented his/her opinion regarding increased security at public meetings.

It was the consensus of the Council that increased security at public meetings be determined on a case-by-case basis by the Council President.

d. 911 Remembrance – Chief of Police Lacey 

Present Remotely: Shawn Lacey, Chief of Police

Chief of Police Lacey reported that tentatively the Remembrance has been scheduled for September 11, 2021. He stated that the event will begin at 10:00 a.m. with a parade that will start at the high school, march down Granite Street to the Town Hall reviewing stand, then through town up High Street ending at the YMCA. He further stated that he has reached out to all the town fire departments who have agreed to participate; that he plans to reach out to the veterans' boards to see if they will participate; that he will also reach out to Ken Burton who he believes will display the flags throughout town; and that he will contact the Westerly Band and the high school band to see if they wish to participate.

It was suggested that, since the Summer Pops is scheduled to perform in the part that evening, the event could be held in conjunction with the Pops and have the police and first responders, along with public officials, honored on stage before 20,000 people.

Council President Ahern will reach out to the Chorus of Westerly to see if they would consider a joint commemorative event.

4. CITIZENS COMMENTS 

If accessing the meeting via phone, press *9, to be recognized or if using the Zoom app, press the “raise hand” button to be recognized.

When addressing the Council, please state your name and address; please conduct yourself in an orderly and respectful fashion. Citizens will have up to ten (10) minutes and one opportunity to speak. The comments of citizens accessing this portion of our meeting are neither adopted nor endorsed by this body, but heard as requested. If the matter is scheduled for a public hearing, the comments shall be deferred to that agenda item.

None

COUNCILORS' RESPONSE

None



5. CONSENT CALENDAR 

a. Approval of Minutes

Council Workshop – 5/17/21
Regular – 5/24/21
Executive – 5/24/21 (Sealed)

Motion by Mr. Cooke, Seconded by Ms. Giorno, that the aforesaid minutes be accepted and approved as printed and that the Executive Session minutes be sealed. (Voted Unanimously)

b. Fiscal Matters

Motion by Ms. Giorno, Seconded by Mr. Cooke, that the following resolutions be adopted: (Voted Unanimously)

1. [20/21-91](#) Resolution Authorizing The Addition To The Tax Rolls (\$5,431.36)
2. [20/21-92](#) Resolution Authorizing Deletion To Tax Rolls (\$5,367.82)
3. [20/21-93](#) Resolution Authorizing The Waiver Of Penalty For Late Payments (\$605.73)
4. [20/21-94](#) Resolution Awarding Contract For the Riverview Avenue Drainage Project (Boyle & Fogarty - \$337,011.50)
5. [20/21-95](#) Resolution Authorizing Change Order 12 To The Contract For 2021 Town-wide Road Resurfacing Project (J.H. Lynch - \$1,950,000)
6. [20/21-96](#) Resolution Authorizing The Town Manager To Enter Into A Contract With Pare Engineering Services for Atlantic Avenue Road and Bike Path Design (\$27,040.00)

c. Appointments and Resignations

1. Appointments: 
 - a. [Zoning Board](#)

Councilor Giorno nominated Lawrence Cioppa for re-appointment to the Zoning Board.

A vote was taken on the nomination of Lawrence Cioppa of 32 Pound Road for re-appointment to the Zoning Board for a five-year term, expiring June 2026 and the nomination carried. (Voted Unanimously)

b. [Architectural Review Board](#)

Councilor Giorno nominated Katherine Boll for re-appointment as 1st Auxiliary Member to the Architectural Review Board.

A vote was taken on the nomination of Katherine Boll of 74 Noyes Neck Road for re-appointment as 1st Auxiliary Member to the Architectural Review Board for a three-year term, expiring July 2024 and the nomination carried. (Voted Unanimously)


Councilor Giorno nominated James O. Frink, Jr. for re-appointment to the Architectural Review Board.

A vote was taken on the nomination of James O. Frink, Jr. of 4 Canton Street, Bradford, RI 02808 for re-appointment to the Architectural Review Board for a three-year term, expiring July 1, 2024, and the nomination carried. (Voted Unanimously)

6. PUBLIC HEARINGS

None

7. NEW BUSINESS

a. [Petition](#) from National Grid and Verizon New England Inc. for Joint Pole Location at School Street (WR#30352179) 

Motion by Ms. Cioffi, Seconded by Ms. Giorno, that the aforesaid petition be granted. (Voted Unanimously)

b. [2020 Community Development Block Grant](#) 

(Order Advertised for Public Hearing 7/19/21)

Motion by Mr. Cooke, Seconded by Ms. Cioffi, that the aforesaid 2020 Community Development Block Grant be ordered advertised for public hearing on July 19, 2021. (Voted Unanimously)

8. UNFINISHED BUSINESS

None

9. COMMUNICATIONS & REPORTS

a. [Liaison Reports](#) 

1. Westerly High School Graduation – Thanked School Committee for a wonderful graduation ceremony; speeches very inspiring (Councilor Duhamel)
2. School Building Committee – Scheduling four presentations describing different options for public to attend between the end of June and the end of August; will keep Council updated (Councilor Duhamel)
3. Recreation Board – Meeting scheduled for Tuesday, June 22, 2021 (Councilor Duhamel)
4. Veterans – Wished everyone a happy Flag Day; recognized local veterans and organizations that held ceremonies in tribute to our fallen heroes on Memorial Day; VFW 8955 will be assembling poppies for distribution for Poppy Days – looking for volunteers to help assemble them (Councilor Giorno)
5. Chamber of Commerce – Annual Dinner rescheduled to Wednesday, June 16, 2021, at Paddy's at 6:00 p.m. (Councilor Giorno)
6. Westerly Public Library & Wilcox Park – Juneteenth Story Walk scheduled for Saturday, June 19th at 12:00 p.m. to 2:00 p.m. (Councilor Giorno)
7. Concerts on the Beach – Tee-shirts will be available soon; line-up of entertainers very impressive; thanked committee for its hard work (Councilor Giorno)
8. Senior Citizens Center – Getting back to normal; meal site opening on July 19, 2021; Bingo held every Wednesday and Sunday (Councilor Cioffi)

b. [Town Council](#) – 6/14/21

c. [Town Manager](#) – 6/14/21

d. [Town Solicitor](#) - None

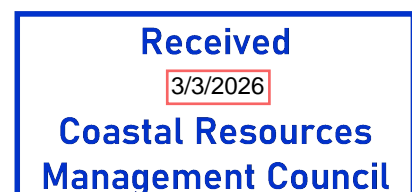
e. [Town Clerk](#) - None

f. [Agenda Referrals and Backlog Agenda](#) (*Items to be assigned to future agendas*)

None

g. [Requests of Town Manager by Councilors](#) 

1. Left-Turn Traffic Signals at Intersections of John and Cross Streets with Granite Street – Responding to Councilor Giorno, Town Manager Rooney reported that the Town has not heard from the State as to the status of the Town's request for left-turn traffic signals, but that he



will follow up on the request.

- 2. Skateboard Park – Councilor Overton reported that he informed the Town Manager and the Chief of Police that the Skateboard Committee Chair notified him that the “no bikes allowed” in the skateboard park ordinance is not being enforced.

10. POSSIBLE EXECUTIVE SESSION 

Motion by Ms. Giorno, Seconded by Ms. Cioffi, to go into executive session for discussion and/or action regarding those items of business exempt from open meetings under Rhode Island General Laws §42-46-4 and §42-46-5(a)(5) Land Disposition – Tower Street School; §42-46-5(a)(2) Litigation – Nancy Markey v. Town of Westerly C.A. No: 20-cv-533-WES-LDA; §42-46-5(a)(2) Litigation – Cawley v. Town of Westerly, et al, PMA File No. L001978955; §42-46-5(a)(2) Litigation – Roger Hall v. Town of Westerly – Case No.: WC-2017-0109; and §42-46-5(a)(1) Personnel – Job Performance – Town Manager Evaluation. (Voted Unanimously by poll vote; Councilor Duhamel recused on the matter of Tower Street School due to a possible conflict of interest being that his employer may have a client interested in the property)

Council President Ahern announced that such person has been notified in writing and advised that they may require that such discussion be held at an open meeting.

7:00 P.M. EXECUTIVE SESSION

The purpose of this Executive Session was to discuss Land Disposition, Litigation and Personnel.

* * * * *

7:36 P.M. Voted Unanimously to adjourn and seal the minutes of this Executive Session.

7:38 P.M. Reconvened Open Session. (Councilors Duhamel and McCuin absent)

Executive Session Report

Council President Ahern announced that the Council discussed, under Land Disposition, the Tower Street School and that no action was taken; under Litigation, the matters of Nancy Markey v. Town of Westerly, Cawley v. Town of Westerly and Roger Hall v. Town of Westerly and that no action was taken; and, under Personnel, the Town’s Manager’s evaluation and that no action was taken.

Motion by Mr. Cooke, Seconded by Ms. Giorno, that the Executive Session minutes be sealed. (So Voted 5 to 2 – Councilors Duhamel and McCuin absent)

11. ADJOURNMENT 

7:39 P.M. Voted Unanimously to adjourn.

ATTEST:



Donna L. Giordano, MMC
Council Clerk

Details of the aforesaid proceedings are available on video on the Town of Westerly website.

Received
3/3/2026
**Coastal Resources
Management Council**

Town of Westerly
Rhode Island

KYLE T. ZALASKI, P.E.
TOWN ENGINEER

ENGINEERING DEPARTMENT



68 White Rock Road
Westerly, RI 02891
TEL: (401) 348-2562
FAX: (401) 348-2562
TOWN OF WESTERLY, RI
OFFICE OF TOWN CLERK

JUN 10 2021

2021 Road & Drainage Improvements

RECEIVED
DONNA L. GIORDANO, MMC TOWN CLERK

Completed & Ongoing Projects

- Atlantic Ave – Road Resurfacing, Sidewalks, and Drainage
- Pearl Street – Road Resurfacing & Sidewalks
- **Manatuck Ave – Road Resurfacing & Drainage**
- Breen & Pasadena – Watermain Replacement, Road Resurfacing & Drainage
- School Street Reconstruction

Upcoming Projects

- CDBG Projects
 - Highland Ave – Road Resurfacing & Sidewalk Improvements
 - Granite Hill / North End [Sidewalk] Accessibility Improvements
- 2021 Road Bond
 - Drainage Maintenance & Inspections – Out to Public Bid
 - Water Main Replacement – To be put out for Public Bid
 - Road Resurfacing – Starting this year
- Riverview Avenue – Drainage & Road Resurfacing
- Atlantic Ave – Road Resurfacing & Bike Path Grant Project
- Church Street Sidewalks
- Bowling Lane – Culvert Reconstruction

Town of Westerly
Rhode Island
ENGINEERING DEPARTMENT

KYLE T. ZALASKI, P.E.
TOWN ENGINEER



68 White Rock Road
Westerly, RI 02891
TEL: (401) 348-2562

TOWN OF WESTERLY, RI
OFFICE OF TOWN CLERK

JUN 10 2021

2021 Road & Drainage Improvements

RECEIVED

DONNA L. GIORDANO, MMC TOWN CLERK

Completed & Ongoing Projects

- Atlantic Ave – Road Resurfacing, Sidewalks, and Drainage
- Pearl Street – Road Resurfacing & Sidewalks
- Manatuck Ave – Road Resurfacing & Drainage
- Breen & Pasadena – Watermain Replacement, Road Resurfacing & Drainage
- School Street Reconstruction

Upcoming Projects

- CDBG Projects
 - Highland Ave – Road Resurfacing & Sidewalk Improvements
 - Granite Hill / North End [Sidewalk] Accessibility Improvements
- 2021 Road Bond
 - Drainage Maintenance & Inspections – Out to Public Bid
 - Water Main Replacement – To be put out for Public Bid
 - Road Resurfacing – Starting this year
- Riverview Avenue – Drainage & Road Resurfacing
- Atlantic Ave – Road Resurfacing & Bike Path Grant Project
- Church Street Sidewalks
- Bowling Lane – Culvert Reconstruction

Received

3/3/2026

Coastal Resources
Management Council

ALOHA ROAD
AYERS ROAD
ARROW DRIVE
BACH ROAD
BELLA VISTA TERRACE
BRAHMS ROAD
BLOSSOM COURT
CALABRIA COURT
CAMELOT COURT
CHAPMAN ROAD
COASTWINDS DRIVE*
COLLINS AVENUE
COLONEL WILLIE LANE
COMPASS WAY
COURTYARD CIRCLE
COVINGTON COURT
DONIZETTI ROAD
EAST HILLS ROAD
EQUITY LANE
FALCO CIRCLE
FALLON TRAIL*
FOUNTAIN DRIVE
GAVITT AVENUE
GERSHWIN ROAD
GOUNOD ROAD
GRIEG ROAD
GUARINO AVENUE
HANDEL ROAD
HAVENS ROAD
HAYDEN ROAD
HYDRO DRIVE
ICE POND ROAD
INDIA POINT ROAD
INWOOD LANE
INWOOD LANE SOUTH
JUNIPER LANE
KETTLE CLOSE
KIDDS WAY
LANPHERE ROAD
LIGHTHOUSE ROAD
LISZT ROAD
MACDOWELL ROAD
MAGGIO AVENUE
MASTUXET DRIVE
MEADOW AVENUE

MICHAEL'S WAY
MITCHELL LANE
MONTEGO ROAD
MOORHOUSE ROAD
MYRTLE AVENUE
NATCHAUG ROAD
NEWBURY DRIVE
NEWELL TERRACE
NIPMUC TRAIL
NOONATCH ROAD
NO BOTTOM RIDGE
OLD CARRIAGE ROAD
OLD INDIAN TRAIL
OLIVE GROVE LANE
OYSTER COVE LOOP
PIRATE'S ISLAND DRIVE
QUARTZ DRIVE
ROSSINI ROAD
ROUND HILL ROAD
SAND TRAIL
SARAH LANE
SCHUBERT ROAD
SCHUMANN ROAD
SETTLER'S LANDING
SHADY LANE
SHARON DRIVE
SHAWMUTT AVENUE
SHORE GARDENS ROAD
TAILWINDS LANE*
TIDEWINDS LANE*
THOMAS LANE
TRACKSIDE DRIVE
TRISTAM TRACE
UPLAND ROAD
VALLEY PATH
VERDI ROAD
VIOLET LANE
WARREN ROAD
WILLIAMS AVENUE
YARMOUTH DRIVE EXT.*

RECEIVED
FEBRUARY 2022

Received
3/3/2026
Coastal Resources
Management Council

*This road was added to the list on June 2, 2020 per request of Ellie Derrig and Town Manager Rooney. It is a portion of Yarmouth Drive from Cohasset Way to Tom Harvey Road.

*Fallon Trail was removed from the list on December 15, 2020 per the request of Ellie Derrig and Town Manager Rooney, and supported by the passage of Council Resolution 20/21-40 at the December 14, 2020 Council Meeting.

*The spellings of "Handel Road" and "Schumann Road" were amended from "Hannel" and "Schuman" upon email request of Ellie Derrig on August 10, 2021.

*Coastwinds Drive, Tailwinds Lane and Tidewinds Lane were removed from this list per Council Resolution 21/22-46 dated 12/6/2021 accepting these roads into the Town's roadway system.

Westerly, Rhode Island
March 3, 2022

Received
3/3/2026
**Coastal Resources
Management Council**

Chapter C. Charter

ARTICLE I. BASIC PROVISIONS

Chapter III. Powers of the Town

§ 1-3-1. Powers of the Town.

[Amended 11-5-2024]

The Town shall have all the powers now or hereafter granted to the Town by the home rule and other provisions of the Constitution and General Laws of the State and shall have complete powers of legislation and administration in relation to its municipal functions together with all powers implied in or incident to the powers expressly granted. The Town shall have power to enact ordinances and to make rules and regulations necessary and proper for carrying into execution the powers and such ordinances may be made enforceable by the imposition of fines, forfeitures and penalties. The Town may acquire property within or without its corporate limits for any public purpose, in fee simple or any lesser interest or estate, by purchase, gift, lease, devise or condemnation, and may sell, lease, mortgage, hold, manage and control such property as its interests may require, except that the town shall not convey or abandon any of its interests in the rights of way to the shoreline and, except as prohibited by the Constitution of this State, or restricted by this Charter, the Town shall have and may exercise all municipal powers, rights, privileges and immunities of every name and nature whatsoever. The enumeration of particular powers by this Charter shall not be deemed to be exclusive, and in addition to the powers enumerated therein or implied thereby, or appropriate to the exercise of such power, it is intended that the Town shall have and may exercise all powers which under the Constitution of this State are permissible expressly or impliedly for this Charter to specifically enumerate.



A TRUE COPY DATED: JAN 21 2025
ATTEST: Mary L. LeBlanc, MMC
Mary L. LeBlanc, MMC
Westerly Town/Probate Clerk

Received
3/3/2026
Coastal Resources
Management Council

Chapter C. Charter

ARTICLE I. BASIC PROVISIONS

Chapter III. Powers of the Town

§ 1-3-1. Powers of the Town.

[Amended 11-5-2024]

The Town shall have all the powers now or hereafter granted to the Town by the home rule and other provisions of the Constitution and General Laws of the State and shall have complete powers of legislation and administration in relation to its municipal functions together with all powers implied in or incident to the powers expressly granted. The Town shall have power to enact ordinances and to make rules and regulations necessary and proper for carrying into execution the powers and such ordinances may be made enforceable by the imposition of fines, forfeitures and penalties. The Town may acquire property within or without its corporate limits for any public purpose, in fee simple or any lesser interest or estate, by purchase, gift, lease, devise or condemnation, and may sell, lease, mortgage, hold, manage and control such property as its interests may require, except that the town shall not convey or abandon any of its interests in the rights of way to the shoreline and, except as prohibited by the Constitution of this State, or restricted by this Charter, the Town shall have and may exercise all municipal powers, rights, privileges and immunities of every name and nature whatsoever. The enumeration of particular powers by this Charter shall not be deemed to be exclusive, and in addition to the powers enumerated therein or implied thereby, or appropriate to the exercise of such power, it is intended that the Town shall have and may exercise all powers which under the Constitution of this State are permissible expressly or impliedly for this Charter to specifically enumerate.



A TRUE COPY DATED: JAN 21 2025
ATTEST: Mary L. LeBlanc, MMC
Mary L. LeBlanc, MMC
Westerly Town/Probate Clerk

Received
3/3/2026
Coastal Resources
Management Council



100 Westminster Street, Suite 1500
Providence, RI 02903
p: 401-274-2000 f: 401-277-9600
hinckleyallen.com

Gerald J. Petros
gpetros@hinckleyallen.com
Direct Dial: 401-457-5212

March 13, 2024

VIA EMAIL and FIRST CLASS MAIL

Shawn Lacey
Westerly Town Manager
45 Broad Street
Westerly, RI 02891
slacey@westerlyri.gov

Attorney William J. Conley, Jr.
Law offices of William J. Conley, Jr.
123 Dyer Street, Unit 2B
Providence, RI 02903
wconley@wjclaw.com

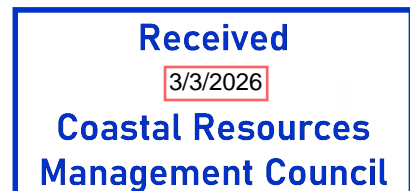
RE: The Town of Westerly's Application to the Coastal Resources Management Council (CRMC) (**File No. 2024-02-053**) to resurface road and modify dead end for turn around on Manatuck Avenue in Westerly, Rhode Island; and the Town of Westerly's Application to CRMC for extension of the assent relating to (**File No. 2020-12-032**).

Dear Mr. Lacey and Attorney Conley:

We represent (1) William C. Reed II and Kathleen A. Campbell who own 3 Manatuck Avenue; (2) Laurence F. Whittemore III and Kathleen M. Whittemore who own 5 Manatuck Avenue; (3) Stephen J. Sills as trustee for the Stephen J. Sills 2013 Irrevocable Family Trust Agreement, which owns 7 Manatuck Avenue; (4), Paul J. Daqui and Camille Daqui who own 8 Manatuck Avenue; and (5) The Watch Hill Conservancy, which owns three lots running off Manatuck Avenue (collectively referred to as the "Manatuck Owners").

The Town recently filed Application 2024-02-053 with CRMC seeking an assent to develop and pave the lower portion of Manatuck Avenue leading to the sand and the beach dunes, including the creation of a turnaround. The Town also filed Application 2020-12-032 with CRMC to extend an existing assent, never acted upon, relating to Manatuck Avenue. The lower portion of Manatuck Avenue begins at the southerly border of lot 25 and the northerly border of lot 26, and runs westerly to the beach, and is identified on the map attached as **Exhibit A** (further references to Manatuck Avenue in this letter refer to this lower section).

The Town should withdraw Applications because the Town does not own the land at issue in the Applications. The Manatuck Owners own the land, and they have not granted Westerly permission to proceed with the Applications. As a result, the Applications seek to take private land in violation of the Manatuck Owners constitutional rights, and to dramatically alter and increase the use of this area.



Shawn Lacey
Attorney William J. Conley, Jr.
Page 2
March 13, 2024

Three years ago, the Town proposed the same work on Manatuck Avenue and the Manatuck Owners objected to that work and noted that this portion of Manatuck Avenue is a private road not owned by the Town. Following an exchange with the Town Solicitor and Town Manager, the Town did not move forward with that work. The Manatuck Owners were surprised to learn recently that the Town has resurrected its proposal to develop Manatuck Avenue. The Town should immediately withdraw Applications 2024-02-053 and 2020-12-032 because it has no right to perform that work.

The historical documents in the land evidence records demonstrate that Manatuck Avenue was never conveyed to the Town as a public road. In 1886, Charles J. Everett conveyed 120 acres of land known as the Everett Farm in Watch Hill to a group of men who referred to themselves as the Syndicate (“1886 Deed”). Later in 1886, the Syndicate recorded an Original Plat that laid out eleven roads—this Plat did not include Manatuck Avenue as a road. Manatuck Avenue first appears on the 1887 Amended Plat recorded on August 1, 1887.

On October 27, 1890, the Syndicate executed a Quitclaim Deed to the Town of Westerly later recorded on September 29, 1891. The Syndicate conveyed eleven roads to the Town. Significantly, the Syndicate specifically **did not** convey to the Town either Manatuck Avenue or Kidd’s Way, which were both first set out in the Amended Plat.

In 1916, the owners of all the lots created by the Amended Plat, executed an Agreement dated August 7, 1916 and recorded on October 14, 1916. This 1916 Agreement expressly reserved the owners’ rights to use Manatuck Avenue as their own private right of way. The 1916 Agreement declared that the Syndicate sold and recorded a plat in 1890, and “on this plat was Manatuck Avenue, in which the purchasers, by the conveyances made in pursuance of such sales, acquired a right of way for themselves, their heirs and assigns, as owners of said lots respectively, for use in common...” The 1916 Agreement concludes by acknowledging the right of the Town to lay the water main and place the hydrant on Manatuck and the right to maintain the water main. This language confirms the owners never deeded or gave this area of Manatuck to the Town, and therefore the Town required the owners’ permission to lay and maintain the water main and hydrant on this private road.

Both individually and considered together, these title documents demonstrate that the Town does not own this lower portion of Manatuck Avenue. Therefore, the Town has no right to improve Manatuck, install parking or a loading zone, or build a turn around.

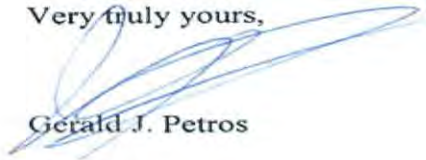
Finally, the proposed turn around extends beyond the current paved roadbed and falls on a number of private lots owned by several of the Manatuck Owners, including The Conservancy. The Manatuck Owners’ object to these proposed improvements on private property, but do not take issue with pedestrians using Manatuck Avenue to access the beach.

Received
3/3/2026
Coastal Resources
Management Council

Shawn Lacey
Attorney William J. Conley, Jr.
Page 3
March 13, 2024

Please confirm that the Town and its departments will halt efforts to develop Manatuck Avenue and will withdraw its Applications 2024-02-053 and 2020-12-032 filed with CRMC.

Very truly yours,



Gerald J. Petros

GJP:amg

Enclosure

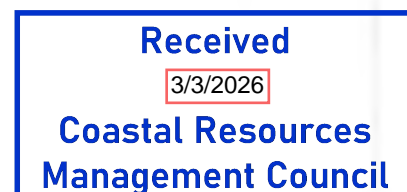
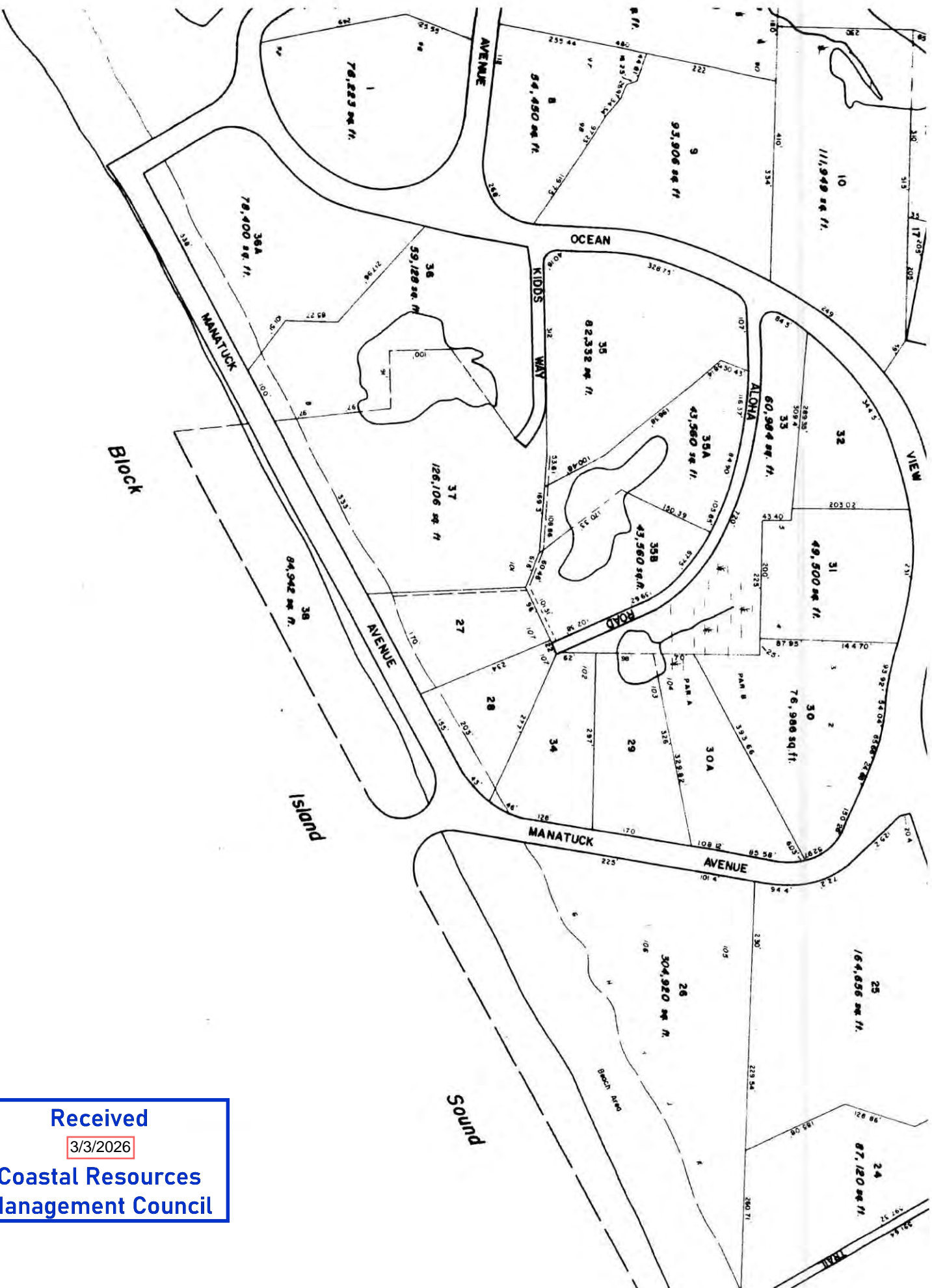


EXHIBIT A

Received
3/3/2026
Coastal Resources
Management Council



Received
 3/3/2026
 Coastal Resources
 Management Council



EVERETT AVENUE ROW 2025

Received
3/3/2026
Coastal Resources
Management Council



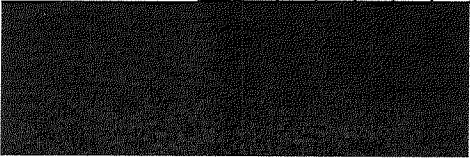
Received
3/3/2026
Coastal Resources
Management Council

EVERETT AVENUE ROW 2025

PRIVATE ROADS	PRIVATE ROADS	STATE ROADS	LOCATION OF STATE PART
Aloha Road	Manatuck Avenue	Airport Road	
Arrow Drive	Mastuxet Avenue	Ashaway Road	
Ayers Road	Meadow Avenue	Beach Street	State to Watch Hill 62-184
Bach Road	Michael's Way	Bradford Road	
Blossom Court	Mitchell Lane	Broad Street	
Brahms Road	Montego Road	Church Street	
Calabria Court	Moorhouse Road	Dunns Corner Rd	
Camelot Court	Myrtle Avenue	East Avenue	
Chapman Road	Natchaug Road	Franklin Street	
Collins Avenue	Newall Terrace	Granite Street	
Colonel Willie Lane	Newbury Drive	High Street	Oak to Potter Hill 127-315
Compass Way	Nipmuc Trail	Langworthy Road	
Courtyard Circle	No Bottom Ridge	North Main Street	
Covington Court	Noonatch Road	Oak Street	Tower to Westerly Brad 87-138
Donizetti Road	Old Carriage Rd	Post Road	
East Hills Road	Old Indian Trail	Potter Hill	
Equity Lane	Olive Grove Lane	Route 78	
Falco Circle	Oyster Cove Loop	Shore Road	
Fountain Drive	Pirates Island Dr	South Main Street	
Gavitt Avenue	Quartz Drive	Tower Street	
Gershwin Road	Rossini Road	Village Road	
Gounod Road	Round Hill Road	Watch Hill Road	
Grieg Road	Sand Trail	Westerly Bradford Rd	
Guarino Ave	Sarah Lane	Winnapaug Road	Watch Hill to Shore 26-98
Handel Road	Schubert Road		
Havens Road	Schuman Road		
Hayden Road	Settlers Landing		
Hydro Drive	Shady Lane		
Ice Pond Road	Sharon Drive		
India Point Road	Shawmutt Ave		
Inwood Lane	Shore Gardens Rd		
Inwood Lane South	Trackside Drive		



Juniper Lane	Tristram Trace
Kettle Close	Upland Road
Kidds Way	Valley Path
Lanphere Road	Verdi Road
Lighthouse Road	Violet Lane
Liszt Road	Warren Road
Macdowell Road	Williams Avenue
Maggio Avenue	



Received
3/3/2026
**Coastal Resources
Management Council**

A TRUE COPY DATED: 10 **MAR 10 2025**
ATTEST: Mary L. LeBlanc
Mary L. LeBlanc, MMC
Westerly Town/Probate Clerk

Town of Westerly
Rhode Island

OFFICE OF THE TOWN SOLICITOR
William J. Conley, Jr., Esq.



Town Hall
45 Broad Street
Westerly, RI 02891
TEL: (401) 348-2317
FAX: (401) 348-0340

November 23, 2022

Via Electronic and Regular Mail (jwillis@crmc.ri.gov)

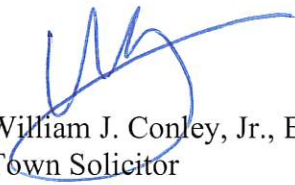
Mr. Jeffrey Willis
Executive Director
RI Coastal Resource Management Council
Stedman Government Center
Suite 116, 4808 Tower Hill Road
Wakefield, RI 02879

Re: Town of Westerly- Spring Avenue Extension and Waters Edge Road

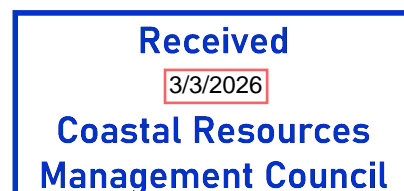
Dear Executive Director Willis,

The purpose of this letter is to correct correspondence sent to you by this office on November 20, 2020 on behalf of the Town of Westerly. That correspondence incorrectly identified the Weekapaug Sand Trail instead of the Waters Edge Road for designation as a possible right-of-way to the shore. Although I had thought the record had already been corrected it has been brought to my attention that is not the case. Therefore, please accept this as the Town of Westerly's request to review Waters Edge Road as well as the Spring Avenue Extension for possible designation as public right-of- ways to the shore.

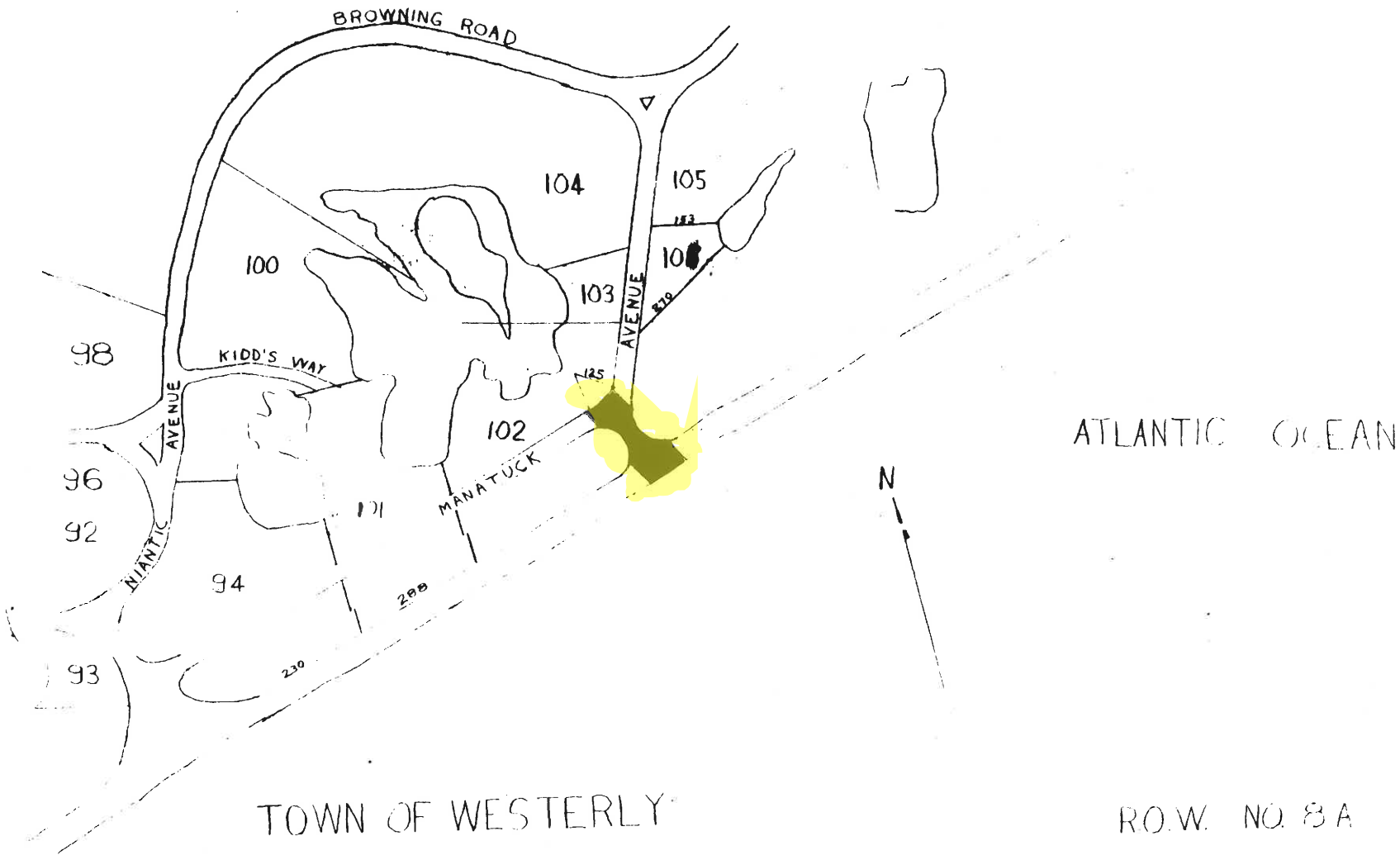
Sincerely,


William J. Conley, Jr., Esq.
Town Solicitor
Town of Westerly

Cc: Shawn Lacey, Town Manager
Anthony DeSisto, Esq. (tony@adlawlle.net)



Received
3/3/2026
Coastal Resources
Management Council



TOWN OF WESTERLY
AMENDED PLAT
OF PART OF
EVERETT FARM, WATCH HILL, R.I.

R.O.W. NO. 8A

§ 238-50. Obedience to stop signs.

- A. Duty of motorists to stop. Every driver of a vehicle approaching a stop sign shall stop before entering the crosswalk on the side of the intersection or, in the event there is no crosswalk, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting highway where the driver has a view of approaching traffic on the intersecting highway before entering the intersection. This section shall not apply when directed to proceed by a police officer or traffic control signal.
- B. Violations and penalties. Violations of this section shall be under the jurisdiction of the Westerly Municipal Court. Any person violating a provision of this section shall, upon conviction, be fined the sum as prescribed by RIGL. **[Amended 5-23-2011 by Ch. No. 1750]**
- C. Stop intersections enumerated.
 - (1) In accordance with this section, the erection and maintenance of an official stop sign (or signs) is authorized so as to face:

Tree Code	Direction of Tree	Adjacent Intersection with
A Street	Northwest	Clark Street
A Street	South	Cobblestone Lane
Abruzzese Lane	East	Wilgis Drive
Acorn Drive	South	Meadowview Terrace
Acorn Drive	Northeast	High Street
Albert Street	South	Ann Street
Althea Court	North	John Street
Andersen Court	Northeast	Route 1
Angus Terrace	Northwest	Redbarn Drive
Ann Street	North	Ann Street
Ann Street	West	Perkins Avenue
Ann Street	East	South Joseph Street
Ann Street	East	Elizabeth Street
Ann Street [Tree Code] Time of Installation Code See Ch. 1 General Provisions Article		
Ann Street [Tree Code] Time of Installation Code See Ch. 1 General Provisions Article		

Received
3/3/2026
**Coastal Resources
 Management Council**

Street Name	Direction of Travel	Adjacent Intersection with
Ann Street	East	South Joseph Street
Ann Street [Added 9-8-2003 by Ch. No. 1465] Time of Day of Code See Ch. 1 General Provisions Article 1]		
Aquidneck Road	East	Neowam Road
Argyle Drive	North	Route 1
Argyle Drive	South	Wildflower Drive
Arlington Street	North	Fairview Avenue
Arraquat Road	Southeast	Foster Cove Road
Arrow Drive	North	Narragansett Avenue
Ashel Street	South	Ann Street Extension
Atlantic Avenue	East	Weekapaug Road
Atlantic Avenue [Added 9-8-2003 by Ch. No. 1465]	East	Maplewood Avenue
Atlantic Avenue [Added 9-8-2003 by Ch. No. 1465]	West	Maplewood Avenue
Atlas Street	North	Boiling Spring Avenue
Autumn Lane	South	Potter Hill Road
Ava Street	South	Columbus Circle
Ava Street	North	Ann Street
Avondale Road	Southeast	Watch Hill Road
Avondale Road	Northeast	Watch Hill Road
Avondale Road	South	Watch Hill Road
Azalea Drive	Northeast	Daisy Avenue
Azalea Drive	Southwest	Hazel Street
B Street	Northwest	Clark Street
B Street	South	Cobblestone Lane
Babcock Road	West	East Avenue
Bach Road	East	Wagner Road
Bach Road	West	Wagner Road
Batterson Avenue	West	Tower Street
Bayberry Road	West	Oceanview Highway

Received
3/3/2026
Coastal Resources Management Council

Street Name	Direction of Travel	Adjacent Intersection with
Bayview Drive	South	Sosoa Lane
Beach Street	Southeast	Elm Street
Beacon Street	North	John Street
Beatrice Street	North	Miner Street
Beatrice Street	South	Miner Street
Beatrice Street	Northwest	Saundra Drive
Beatrice Street	Northeast	Saundra Drive
Bellaire Street	Northeast	Route 1
Bellevue Avenue	North	Narragansett Avenue
Bellevue Avenue [See Code Section 238-50 for provisions Applying]		
Bellevue Avenue [See Code Section 238-50 for provisions Applying]		
Bellevue Avenue	West	Terrace Avenue
Belrose Drive	South	Shore Road
Benefit Street	North	School Street
Benefit Street	South	Cross Street
Benjamin Street	East	South Joseph Street
Benjamin Street	West	Ashel Street
Benny Road	East	Stone Hill Drive
Benny Drive	West	Stone Hill Drive
Benson Avenue	South	Atlantic Avenue
Benson Avenue	North	Shore Road
Birch Drive	South	Cedarcrest Drive
Boiling Spring Avenue	Northwest	Lee Street
Boiling Spring Avenue	West	Woodlund Avenue
Boiling Spring Avenue	West	Midland Avenue
Boiling Spring Avenue	East	Midland Avenue

Received
3/3/2026
**Coastal Resources
 Management Council**

Street Name	Direction of Travel	Adjacent Intersection with
Boombridge Road	Southeast	Upper Canal Street
Bowling Lane	East	NorthMain Street, Bradford
Boxwood Avenue [Repealed 7-15-2024 by Ch. No. 2063]		
Boxwood Avenue	West	Maplewood Avenue
Boy Scout Drive	North	Old Hopkinton Road
Boylston Street	North	Fairview Avenue
Brahms Road	East	Wagner Road
Brahms Road	West	Wagner Road
Branberry Drive	West	Laurel Hill Drive
Branberry Drive	East	Hickory Lane
Brandywine Drive	South	Upper Canal Street
Brandywine Drive	Northeast	Upper High Street
Brass Ring Road	West	East Avenue
Breach Drive	South	Atlantic Avenue
Breen Road	South	Watch Hill Road
Brendon Street	West	Columbus Circle
Brian Street	South	Batterson Avenue
Bridge Street	East	White Rock Road
Bridgette Lane	East	Milrose Avenue
Bridgette Lane	West	Danielle Avenue
Brightman Way	North	Shore Road
Brightman Way	West	Nantucket Avenue
Brookside Road	West	South Joseph Street
Brookside Road	East	High Street
Brookview Court	Northeast	Boombridge Road
Brown Drive	West	Stone Hill Drive
Brown Drive	East	Stone Hill Drive
Browning Road	North	Watch Hill Road
Browning Road	South	Oceanview Highway

Received
3/3/2026
**Coastal Resources
 Management Council**

Tree Added	Direction of Tree	Adjacent Intersection
Buckeyebrook Road	West	Ross Hill Road (Rt. 216)
Burns Avenue	South	Oak Street
Butterfly Drive [Added 4-27-2015 by Ch. No. 1835]	East	Pickering Drive
Butterfly Drive	Southeast	East Avenue
Byron Drive	North	Miner Street
Byron Drive	South	Miner Street
Byron Drive	South	Beatrice Street
Byron Drive	Northeast	Saundra Drive
Byron Drive	Southwest	Saundra Drive
C Street	Northwest	Clark Street
C Street	South	Cobblestone Lane
Cabin Court	North	John Street
Cabin Court	South	Fairview Avenue
Cadbury Lane	East	Crandall Avenue
Camelback Road	Southwest	Turtleback Road
Canal Street	North	Canal Street
Canal Street	Northeast	Boombridge Road
Canal Street	South	Canal Street
Canal Street [Added 9-13-2010 by Ch. No. 1722]	South	Industrial Drive
Canterbury Drive	Southeast	Woody Hill Road
Canton Street	East	Woody Hill Road
Canyon Drive	South	Wildflower Drive
Castle Way	South	Robin Hollow Lane
Castle Way	Southeast	Robin Hollow Lane
Cattail Drive	South	Shore Road
Cedarcrest Drive	North	Babcock Road
Cedarcrest Drive	West	Watch Hill Road
Center Street	West	High Street

Received
3/3/2026
**Coastal Resources
 Management Council**

Street Name	Direction of Travel	Adjacent Intersection
Champion Street	North	State Street
Champion Street	South	Wells Street
Champlin Drive	Northeast	Avondale Road
Chapel Road	Southeast	Bluff Avenue
Charlene Drive	South	Cove Road
Charlene Drive	East	Clifford Drive
Charles Avenue	Northeast	Franklin Street
Chester Avenue	North	Granite Street
Chester Avenue [Added at the time of adoption of Code see Ch. 1 amendments provisions Article]		
Chester Avenue [Added at the time of adoption of Code see Ch. 1 amendments provisions Article]		
Chester Avenue	South	Cross Street
Chestnut Street	North	Granite Street
Chestnut Street	Southwest	School Street
Chickadee Lane	West	East Avenue
Chin Hill Road	Northeast	Trolley Lane
Chin Hill Road	Northeast	Trolley Lane
Chord Street	North	Boiling Spring Avenue
Christian Hill Road	Easterly	Potter Hill Road
Circle Drive	North	Canterbury Drive
Clam Shell Drive	North	Cove Road
Clark Street	East	Beach Street
Clark Street	West	Margin Street
Clay Street	South	Boiling Spring Avenue
Clifford Drive	South	Cove Road
Clifford Drive	North	Shore Road
Coastwind Drive [Added 6-10-2013 by Ch. No. 1788]	South	Thompson Avenue

Received
3/3/2026
**Coastal Resources
 Management Council**

Street Name	Direction of Travel	Adjacent Intersection with
Cobblestone Lane	Northeast	Beach Street
Collins Road	North	Elmwood Avenue
Colonial Drive	North	Gardner Drive
Colonial Drive	South	Gallup Street
Columbus Avenue	East	Pond Street
Columbus Park	East	Columbus Circle
Commanche Court	East	Apache Drive
Concord Court	West	Colonial Drive
Concord Court	East	Colonial Drive
Connors Street	North	North Drive
Connors Street	South	South Drive
Cottage Street	West	White Rock Road
Cove Road	East	Weekapaug Road
Crandall Avenue	South	Atlantic Avenue
Crandall Avenue	North	Shore Road
Crescent Street	East	Elm Street
Crescent Street	Southwest	Beach Street
Crestview Drive	West	Beach Street
Crestview Drive [Added 8-12-2003 by Ch. No. 1459]	East	Crestview Drive
Cross Street [see Code section 1-10-10] (see Ch. 1-10-10) (see Ch. 1-10-10)		
Cross Street [see Code section 1-10-10] (see Ch. 1-10-10) (see Ch. 1-10-10)		
Cross Street	Northwest	Main Street, Westerly
Crown Street	South	Boiling Spring Avenue
Daisy Avenue	South	Riverview Avenue
Daisy Avenue	Northwest	Edgewood Avenue
D'Amato Drive ¹	South	Shore Road

Received
3/3/2026
**Coastal Resources
 Management Council**

Tree Code	Direction of Tree	Adjacent Intersection
Danielle Avenue	Southeast	Route 3
Davenport Street	Northeast	Yankee Drive
Davenport Street	Southwest	Walton Street
Davenport Street	Southeast	Walton Street
Davenport Street	Northwest	Walton Street
David Avenue	South	Babcock Road
David Avenue	Southwest	Babcock Road
Dayton Street	North	Pierce Street
Dayton Street	South	Pleasant Street
Deer Run	East	Trolley Lane
Deer Run	West	Happy Valley Road
Dixon Street	Northwest	Railroad Avenue
Dixon Street	Southeast	High Street
Doreen Drive	South	Ann Street Extension
East Avenue	South	Watch Hill Road
East Fairway Avenue	North	Shore Road
Eddy Drive	West	Stone Hill Drive
Eddy Drive	East	Red Brook Drive
Edgewood Avenue	East	East Avenue
Elisa Avenue	North	Polly Lane
Elizabeth Street	South	Lewis Lane
Elizabeth Street	North	Henry Street
Ella Street	West	Ava Street
Ella Street	East	South Joseph Street
Elm Street [Tree Code] Time of Day Code See Ch. 1 Section Provisions Article		
Elm Street [Tree Code] Time of Day Code See Ch. 1 Section Provisions Article		

Received
3/3/2026
**Coastal Resources
 Management Council**

1. This section is hereby amended to read as follows: § 238-50 as amended by Ch. No. 1567.

Tree Code	Direction of Tree	Adjacent Intersection
Elm Street [Tree Code] Time of Day Code [see Ch. 1 General Provisions Article]		<div style="border: 2px solid blue; padding: 5px; text-align: center;"> <p>Received 3/3/2026 Coastal Resources Management Council</p> </div>
Elm Street [Tree Code] Time of Day Code [see Ch. 1 General Provisions Article]		
Elm Street	North	Granite Street
Elmwood Avenue	East	Uzzi Avenue
Elmwood Avenue	West	Maplewood Avenue
Emerald Street	North	State Street
Emerald Street	South	Wells Street
Essex Drive	South	Seacrest Drive
Essex Drive	Northwest	Nob Court
Everett Avenue	Southeast	Westerly Road
Everett Avenue	Northwest	Westerly Road
Everett Avenue	North	Wauwinnet Road
Fairfield Drive	North	Cedarcrest Drive
Fairview Avenue	West	Westminster Avenue
Fairview Avenue	East	Westminster Avenue
Fairview Avenue	East	Hobart Street
Fairview Avenue	West	Hobart Street
Fallon Trail [Added 4-27-2015 by Ch. No. 1835]	South	South Woody Hill Road
Family Lane	South	Lewis Lane
Fenway Road	North	Knowles Avenue
Fenway Road	South	Knowles Avenue
Fenway Road	South	Wawaloam Drive
Fieldsview Road	South	Vars Road
Fieldsview Road	West	Woody Hill Road
First Street	East	Winnapaug Road

Tree Code	Direction of Tree	Adjacent Intersection
First Street [see Code Time of Day Code See Ch. 1 Provisions Ar]		
First Street [see Code Time of Day Code See Ch. 1 Provisions Ar]		
First Street	West	Lawton Avenue
First Street	East	Lawton Avenue
First Street [see Code Time of Day Code See Ch. 1 Provisions Ar]		
First Street [see Code Time of Day Code See Ch. 1 Provisions Ar]		
First Street [see Code Time of Day Code See Ch. 1 Provisions Ar]		
First Street [see Code Time of Day Code See Ch. 1 Provisions Ar]		
First Street [see Code Time of Day Code See Ch. 1 Provisions Ar]		
First Street [see Code Time of Day Code See Ch. 1 Provisions Ar]		
First Street [see Code Time of Day Code See Ch. 1 Provisions Ar]		
First Street [see Code Time of Day Code See Ch. 1 Provisions Ar]		
First Street [see Code Time of Day Code See Ch. 1 Provisions Ar]		
First Street	Southwest	Crandall Avenue
Fisherman's Avenue	South	Atlantic Avenue
Fisherman's Avenue	North	Shore Road

Received
3/3/2026
**Coastal Resources
 Management Council**

Tree Code	Direction of Tree	Adjacent Intersection
Fisherman's Avenue [Amended 01/01/01] [Adoption of Code See Ch. 1 General Provisions Article 1]		
Fisherman's Avenue [Amended 01/01/01] [Adoption of Code See Ch. 1 General Provisions Article 1]		
Fletcher Road	Northwest	District 6 Road
Fletcher Road	Southeast	Woody Hill Road
Forrestal Drive	North	Hiscox Road
Forrestal Drive	South	Route 3
Foster Cove Road	East	Watch Hill Road
Fox Run	Southwest	Shephards Run
Fox Run	Northeast	Quail Run
Francis Street	East	Weekapaug Road
Friendship Street	Southwest	Canal Street
Friendship Street [Amended 01/01/01] [Adoption of Code See Ch. 1 General Provisions Article 1]	South	West Street
Friendship Street [Amended 01/01/01] [Adoption of Code See Ch. 1 General Provisions Article 1]	North	West Street
Friendship Street	Southeast	High Street
Fusaro Avenue	East	Marichris Street
Gallup Street	Southeast	Lee Street
Gavitt Avenue	South	Oak Street
George Street	North	School Street

Received
3/3/2026
**Coastal Resources
 Management Council**

Tree Code	Direction of Tree	Adjacent Intersection
George Street [see Code Time of Day Code See Ch. 1 Provisions Ar]		
George Street	South	John Street
Geranium Lane	South	Pleasant Street
Glen Way	West	West Ridge Road
Governor Avenue	North	Cove Road
Governor Avenue	South	Cove Road
Gravity Court	West	Newton Avenue
Greenman Avenue	East	Beach Street
Greenman Avenue	West	Margin Street
Grove Avenue	South	Granite Street
Guarino Avenue	South	Oak Street
Gurnsey Avenue	Northwest	Weathervane Way
Gurnsey Avenue	Northeast	Shetland Drive
Happy Valley Road	Northeast	Trolley Lane
Happy Valley Road	North	Deer Run
Happy Valley Road	Northwest	Watch Hill Road
Hardwood Lane	East	Moriah Drive
Hardwood Lane	West	Boom Bridge Road
Harrison Avenue	North	Oak Street
Harrison Avenue	North	Batterson Avenue
Harrison Avenue	South	Batterson Avenue
Haswell Street	North	Oak Street
Haswell Street	South	Narragansett Avenue
Haversham Road	Northwest	Shore Road
Hazel Street	South	Riverview Avenue
Henry Street	East	South Joseph Street
Henry Street	West	South Joseph Street
Henry Street	West	Ashel Street
High Meadow Drive	Northwest	State Street

Received
3/3/2026
**Coastal Resources
Management Council**

Street	Direction of Travel	Adjacent Intersection with
High Street	Southwest	Canal Street
High Street	Northeast	Grove Avenue
Highland Avenue	North	Narragansett Avenue
Highland Avenue [See Code Section 238-50 for provisions Applying]		
Highland Avenue [See Code Section 238-50 for provisions Applying]		
Highland Avenue	South	Granite Street
Hillside Terrace	West	Argyle Drive
Hillview Drive	West	High Street
Hillview Drive	East	Laurel Hill Drive
Hiscox Road	West	Potter Hill Road
Hiscox Road	North	Potter Hill Road
Hiscox Road	South	Route 3
Hobart Street	North	Cross Street
Hobart Street	North	John Street
Hobart Street	South	John Street
Hobart Street	South	Hydrangea Drive
Hollis Street	South	State Street
Hollis Street	North	Fairview Avenue
Holly Drive	West	Laurel Hill Drive
Holly Drive	East	Hickory Lane
Holmes Street	Northwest	Boiling Spring Avenue
Horne Drive	West	Laurel Hill Drive
Hubbard Street	East	East Avenue
Hubbard Street	West	Beach Street
Hunter Terrace	North	Mountain Avenue
Hydrangea Drive	East	Arlington Street

Received
3/3/2026
**Coastal Resources
 Management Council**

Street Name	Direction of Travel	At Intersection with
Ice Pond Road [Added 9-23-2002 by Ch. No. 1422]	North	Watch Hill Road
Ichabod Lane [Added 10-28-2002 by Ch. No. 1425]	East and West	At crest of hill at the western most edge of the cul-de-sac
Ichabod Lane	Northeast	Sleepy Hollow Court
India Point Road	Southwest	Avondale Road
Industrial Drive	North	Pleasant Street
Industrial Drive	Southwest	Canal Street
Iroquois Avenue	East	Apache Drive
Island View Court	East	Langworthy Road
Ivanhoe Road [Added 3-10-2003 by Ch. No. 1435]	East	At intersection with Franklin Street
James Street	North	Ann Street
James Street	East	Pauline Street
Jay Street	South	Narragansett Avenue
Joan Road	Northeast	North Joseph Street
John Street [Added 9-18-2017 by Ch. No. 1900]	East	Hobart Street
John Street [Added 9-18-2017 by Ch. No. 1900]	West	Hobart Street
John Street Extension [Amended 11/11/2017 by Ch. No. 1900] See Code of Ordinances Article 1	South	Cross Street
Joseph Lane	South	Vars Lane
Joshua Street	West	Tower Street
Love Drive	East	Riverdale Road
Ludi Lane	East	Wilgis Drive
Kathleen Drive	North	Shore Road

Received
3/3/2026
**Coastal Resources
 Management Council**

Tree Number	Direction of Tree	Approximate Intersection
Kathleen Drive	East	Maplewood Avenue
Kimball Avenue	North	Shore Road
Kimball Avenue	South	Fisherman's Avenue
King Street	North	Lee Street
Knollwood Drive	West	Essex Drive
Knollwood Drive	Southwest	Essex Drive
Knowles Avenue	East	North Main Street, Bradford
Knowles Avenue	Northwest	Weekapaug Road
Knowles Avenue [Repealed 7-8-2019 by Ch. No. 1968]		
Lakeside Drive	Southeast	Pound Road
Langley Street	North	Potter Hill Road
Langley Street	South	Saratoga Avenue
Lanphere Road	East	Beach Street
Larkwood Lane	South	Meadowlark Drive
Laurel Avenue	South	Potter Hill Road
Laurel Hill Drive	North	Hillview Drive
Lawton Avenue	South	Atlantic Avenue
Lawton Avenue	North	Third Street
Ledgewood Drive	Northeast	Hickory Lane
Ledward Avenue	East	Colonial Drive
Ledward Avenue	Southwest	Tower Street
Lee Street	South	Boiling Spring Avenue
Leeward Drive	Southwest	Setting Sun Drive
Leeward Drive	West	Setting Sun Drive
Lewis Lane	West	Pauline Drive
Lewis Lane	East	High Street
Lilac Drive	Southeast	Pierce Street
Lima Drive	Westerly	Potter Hill Road
Linden Street	North	Narragansett Avenue

Received
3/3/2026
**Coastal Resources
 Management Council**

Tree Code	Direction of Tree	Adjacent Intersection
Linden Street [Amended 8-10-2004 by Ch. No. 1501]	South	Park Avenue
Links Passage	West	Wicklow Road
Linnate Street	Northwest	Walton Street
Linwood Avenue	East	Uzzi Avenue
Linwood Avenue	West	Maplewood Avenue
Little Brook Road	South	Shore Road
Lofty Heights	Southeast	Old Post Road
Longvue Avenue	South	Wilson Street
Longvue Avenue [Repealed Article of Ordinance Code See Ch. 1 General Provisions Article]		
Longvue Avenue [Repealed Article of Ordinance Code See Ch. 1 General Provisions Article]		
Longvue Avenue	Northwest	Cross Street Extension
Lorraine Road	Southwest	North Joseph Street
Lorraine Road	Northeast	North Joseph Street
Madison Court	West	Colonial Drive
Maggio Street	East	Guarino Avenue
Manatuck Avenue	Northwest	Oceanview Highway
Manfredi Road	Southwest	District 6 Road
Maple Avenue	South	School Street
Maplewood Avenue	South	Atlantic Avenue
Maplewood Avenue [Repealed Article of Ordinance Code See Ch. 1 General Provisions Article]		

Received
3/3/2026
**Coastal Resources
 Management Council**

Tree Number	Direction of Tree	Adjacent Intersection
Maplewood Avenue [Deleted] Time of Deletion of Code [See Ch. 1 General Provisions Article]		
Maplewood Avenue	North	Shore Road
Margin Street	North	Main Street, Westerly
Margin Street [Added 9-23-2002 by Ch. No. 1422]	North	Clark Street
Margin Street [Added 9-23-2002 by Ch. No. 1422]	South	Clark Street
Marichris Street	South	Narragansett Avenue Extension
Marie Street	East	Weekapaug Road
Mariner Heights	North	Greenman Avenue
Mariner Heights	South	Greenman Avenue
Marion Avenue	South	Oak Street
Marriott Avenue	North	Pleasant Street
Mary Lou Avenue	Southwest	Beach Street
Massachaug Road	South	Oceanview Highway
Massachaug Road	West	Yosemite Valley Road
Matarese Hills	Southeast	Shore Road
May Drive	Southeast	Lorraine Road
May Drive	Northwest	Loan Road
Maybrey Drive	South	Sunrise Drive
Meadow Ridge Road	South	Shore Road
Meadowlark Drive	East	Riverdale Road
Meadowview Terrace	Southwest	Brandywine Drive
Meadowview Terrace	East	Acorn Drive
Memory Lane	North	Old Post Road
Memory Lane	South	Route 1
Midland Road	South	Boiling Spring Avenue

Received
3/3/2026
**Coastal Resources
 Management Council**

Street Name	Direction of Travel	At Intersection with
Midland Road	North	Cross Street Extension
Midway Avenue	North	Saratoga Avenue
Midway Avenue	West	Forrestal Drive
Milrose Avenue	Southeast	Route 3
Miner Street	Southwest	Upper Canal Street
Miner Street [Added 11/1/2011 by Ch. No. 1435]		
Miner Street [Added 11/1/2011 by Ch. No. 1435]		
Miner Street	Northwest	Sandra Drive
Misquamicut Hills Road	Southwest	Shore Road
Misty Way [Added 3-10-2003 by Ch. No. 1435]	North	At intersection with Tum-A-Lum Circle
Misty Way [Added 3-10-2003 by Ch. No. 1435]	South	At intersection with Tum-A-Lum Circle
Mockingbird Lane	West	East Avenue
Mockingbird Lane	East	Lovat Lane
Mohawk Court	West	Pequot Avenue
Montauk Avenue	South	Atlantic Avenue
Moonlight Drive	South	Shore Road
Moriah Drive	East	Old Boom Bridge Road
Moriah Drive [Added 12-13-2021 by Ch. No. 2012]	North	Hardwood Lane
Moriah Drive [Added 12-13-2021 by Ch. No. 2012]	South	Hardwood Lane
Morris Road	Northwest	Urso Drive
Morris Road	North	Morris Road

Received
3/3/2026
**Coastal Resources
 Management Council**

Street Name	Direction of Travel	Adjacent Intersection
Morris Road	Northeast	Stuart Street
Mountain Avenue	West	High Street
Mowrey Road	North	Old Post Road
Narragansett Avenue	West	High Street
Narragansett Avenue	West	Tower Street
Narragansett Avenue	East	Tower Street
Neowam Avenue	South	Wauwinnet Avenue
Nepun Road	Northwest	Foster Cove Road
Nepun Road	Southeast	Watch Hill Road
Netherwoods Street	Northeast	Yankee Drive
Netherwoods Street	Southwest	Walton Street
Nevis Court	West	Essex Drive
Newall Terrace	South	Shore Road
Newton Avenue	North	Narragansett Avenue
Newton Avenue	South	Granite Street
Nichols Lane	North	Potter Hill Road
Noank Avenue	South	Wauwinnet Avenue
Noank Avenue	West	Neowam Road
Nob Court	Southwest	Trolley Lane
North Capalbo Drive	Southeast	Route 91
North Capalbo Drive	Southeast	Route 91
North Drive	East	East Avenue
North Granite Avenue	East	Old Hopkinton Road
North Joseph Street	North	Upper Canal Street
North Stuart Street	North	Route 1
North Stuart Street	South	Urso Drive
Noyes Neck Road	North	Chapman Road
Noyes Neck Road [Repealed 7-8-2019 by Ch. No. 1968]		
Noyes Neck Road	North	Shore Road
Noyes Neck Road	South	Chapman Road

Received
3/3/2026
**Coastal Resources
 Management Council**

Street	Direction of Travel	Adjacent Intersection
Noyes Neck Road [Added 7-8-2019 by Ch. No. 1968]		
Noyes Neck Road	South	Wawaloam Drive
Nutmeg Drive	North	Potter Hill Road
Nutmeg Drive	South	Surry Drive
Oaklawn Terrace	East	Tower Street
Oakwood Road	Northwest	Watch Hill Road
Oakwood Road	South	Browning Road
Oceanrise Drive	Southwest	Shore Road
Oceanview Highway	North	Shore Road
Old Hopkinton Road	Northwest	Route 3
Old Hopkinton Road	Northwest	Route 3
Old Hopkinton Road	South	Old Hopkinton Road
Old Hopkinton Road	Southwest	Oak Street
Old Post Road	Southeast	Route 1
Old Post Road	Southwest	Route 1
Overlook Drive	South	Oceanview Highway
Oxford Street	East	Clifford Drive
Oxford Street	West	Charlene Drive
Painter Road	East	Langworthy Road
Park Avenue [Added 8-10-2004 by Ch. No. 1501]	East	Linden Street
Park Avenue	East	Tower Street
Park Avenue	West	Newton Avenue
Park Avenue [Added 8-10-2004 by Ch. No. 1501]	West	Ward Avenue
Pasadena Avenue	South	Watch Hill Road
Passpataug Road	South	Winona Drive
Pauline Street [Amended 4-25-2005 by Ch. No. 1531]	Both	Henry Street

Received
3/3/2026
**Coastal Resources
 Management Council**

Street	Direction of Travel	Adjacent Intersection
Pauline Street	South	Lewis Lane
Paupock Run	East	Tonkawa Avenue
Pawcatuck Avenue	East	Sunset Avenue
Pawcatuck Avenue	West	Waters Edge Road
Pearl Street	East	High Street
Pearl Street	South	Pierce Street
Peepoad Road	Southwest	Quail Run
Pendleton Lane [Added 2-22-2016 by Ch. No. 1850]	West	Mowrey Road
Penston Avenue	East	Westminster Street
Penston Avenue	South	State Street
Pequot Avenue	East	Apache Drive
Perkins Avenue	Northwest	Canal Street
Perkins Avenue	South	Columbus Circle
Pickering Drive [Added 4-27-2015 by Ch. No. 1835]	North	Butterfly Drive
Pickering Drive	Southeast	East Avenue
Pierce Street	East	High Street
Pierce Street	South	Pleasant Street
Pierce Street	West	Pond Street
Pine Wood Court	West	Langworthy Road
Pleasant Street	Southeast	High Street
Pleasant Street	West	Canal Street
Plympton Road	East	Westerly Road
Plympton Road	West	Bay Street
Pond Street	South	Pierce Street
Pond Street	North	Turano Avenue (Columbus Circle)
Popon Road	Northwest	Foster Cove Road
Popon Road	Southeast	Nepun Road

Received
3/3/2026
**Coastal Resources
 Management Council**

Tree Added	Direction of Tree	Adjacent Intersection with
Potter Hill Road [Added 6-10-2013 by Ch. No. 1788]	South	Hiscox Road
Pound Road	Northeast	Route 91
Pound Road	East	District 6 Road
Pound Road [Added 6-9-2003 by Ch. No. 1451]	North	Lakeside Drive
Pound Road [Added 6-9-2003 by Ch. No. 1451]	South	Lakeside Drive
Quail Run	South	Watch Hill Road
Quannacut Road [Added 2-22-2016 by Ch. No. 1850]	East	Post Road/Pendleton Lane
Quannacut Road	East	Wompag Road
Quannacut Road [Added 9-23-2002 by Ch. No. 1422]	Northwest	Wompag Road
Quannacut Road	South	Quannacut Road
Quarry Road	North	Church Street
Rabbit Run	West	Winnapaug Road
Railroad Avenue	Southwest	Canal Street
Railroad Avenue	West	North Main Street, Bradford
Ranger Street	East	Langley Street
Raymond Street	South	Boiling Spring Avenue
Raymond Street	North	John Street Extension
Raymond Street	South	John Street Extension
Raymond Street	Northeast	Cross Street Extension
Reading Street	South	Ledward Avenue
Redbarn Drive	North	Gurnsey Avenue
Redbarn Drive	Northwest	Church Street
Rhody Drive	South	South Drive
Ricci Road	North	Cove Road

Received
3/3/2026
**Coastal Resources
 Management Council**

Tree Code	Direction of Tree	Adjacent Intersection
Richard Circle	South	Spencer Drive
Ridge Road	Southwest	Watch Hill Road
Rip Tide Way	East	Winnapaug Road
Rip Tide Way	West	Montauk Avenue
Riverdale Road	North	West Beach Street
Riverdale Road	South	West Beach Street
Riverview Avenue	East	East Avenue
Riverview Avenue	West	Beach Street
Robin Hollow Lane [Added 1-22-2024 by Ch. No. 2053]	Northeast	Castle Way
Robin Hollow Lane [Added 1-22-2024 by Ch. No. 2053]	Southwest	Castle Way
Robin Way	Northeast	Treetop Lane
Rocket Street	North	Granite Street
Rossini Road	East	Wagner Road
Rossini Road	North	Handel Road
Rossini Road	West	Wagner Road
Salem Street	South	Ledward Avenue
Salt Pond Way	North	Cove Road
Salt Pond Way	South	Cove Road
Sand Trail	North	Noyes Neck Road
Sand Trail	Northwest	Watch Hill Road
Sandy Hill Road [Added Time of Adoption Code See Ch. 1 General Provisions Article]	North	Post Road
Saratoga Avenue [Added Time of Adoption Code See Ch. 1 General Provisions Article]		

Received
3/3/2026
**Coastal Resources
Management Council**

Tree Code	Direction of Travel	Adjacent Intersection
Saratoga Avenue [Tree Code] Time of Day [Code] See Ch. 1 [Provisions]		
Saratoga Avenue	East	Hiscox Road
Scenic Heights	South	Shore Road
Schilke Drive	West	Old Hopkinton Road
School Street [Tree Code] Time of Day Code See Ch. 1 Provisions		
School Street [Tree Code] Time of Day Code See Ch. 1 Provisions		
School Street	West	Main Street, Westerly
School Street	East	Granite Street
Seacrest Drive	West	Trolley Lane
Seacrest Drive	Northeast	Winnapaug Road
Second Street	East	Winnapaug Road
Second Street	West	Winnapaug Road
Second Street [Tree Code] Time of Day Code See Ch. 1 Provisions		
Second Street [Tree Code] Time of Day Code See Ch. 1 Provisions		
Second Street [Tree Code] Time of Day Code See Ch. 1 Provisions		
Second Street [Tree Code] Time of Day Code See Ch. 1 Provisions		<div style="border: 2px solid blue; padding: 5px; text-align: center;"> <p>Received 3/3/2026 Coastal Resources Management Council</p> </div>

Tree Code	Direction of Tree	Adjacent Intersection
Second Street [Tree Code] Time of Day Code See Ch. 1 Ar		<div style="border: 2px solid blue; padding: 5px; text-align: center;"> <p>Received 3/3/2026 Coastal Resources Management Council</p> </div>
Second Street [Tree Code] Time of Day Code See Ch. 1 Ar		
Second Street	East	Kimball Avenue
Second Street	East	Benson Avenue
Second Street	West	Crandall Avenue
Sequan Road	Southwest	Foster Cove Road
Sequan Road	North	Nepun Road
Service Street	East	Pearl Street
Service Street	North	Brendon Street
Setting Sun Drive	Northwest	Watch Hill Road
Setting Sun Drive	South	Winward Drive
Setting Sun Drive	Northeast	Winward Drive
Setting Sun Drive	South	Shore Road
Sharon Drive	North	Shore Road
Shephards Run	South	Watch Hill Road
Sherwood Drive	North	Route 1
Sherwood Drive	East	Sherwood Drive
Shirley Drive	East	Crandall Avenue
Simms Street	North	Route 1
Simms Street	South	Stuart Street
Sleepy Hollow Court	North	Canal Street
Snowberry Lane	North	Cove Road
Solar Drive	Southeast	Wildflower Drive
Sosoa Lane	West	Beach Street
Sosoa Lane	East	East Avenue
South Drive	East	East Avenue

Street Name	Direction of Travel	Adjacent Intersection
Spencer Drive [Added 7-8-2019 by Ch. No. 1968]		
Spencer Drive [Added 7-8-2019 by Ch. No. 1968]		
Spencer Drive	South	Beatrice Street
Spencer Drive	Northeast	Sandra Drive
Spencer Drive	Southwest	Sandra Drive
Spray Rock Road [Added 7-8-2019 by Ch. No. 1968]	North	Shawmut Avenue
Spray Rock Road [Added 7-8-2019 by Ch. No. 1968]	South	Shawmut Avenue
Spring Pond Road	Northwest	Watch Hill Road
Spring Street	North	School Street
Spring Street	North	Cross Street
Spring Street	South	John Street
Spring Street	North	Cross Street
Springbrook Road	Northeast	Boom Bridge Road
Springbrook Road	Southwest	White Rock Road
Spruce Street	North	Oak Street
Spruce Street [Added 9-21-2020 by Ch. No. 1995]		
Spruce Street [Added 9-21-2020 by Ch. No. 1995]		
Spruce Street [Added 9-21-2020 by Ch. No. 1995]		
Spruce Street [Added 9-21-2020 by Ch. No. 1995]		
Spruce Street	South	Granite Street

Received
3/3/2026
**Coastal Resources
 Management Council**

Tree Road	Direction of Tree	Adjacent Intersection
Spuchy Drive	North	Oak Street
Spuchy Drive	South	Maybrey Drive
State Street	West	Beach Street
State Street [Repealed 9-21-2020 by Ch. No. 1995]		
State Street [Repealed 9-21-2020 by Ch. No. 1995]		
State Street	Southeast	East Avenue
St. Clares Way	East	Crandall Avenue
St. Clares Way [Repealed 7-15-2024 by Ch. No. 2063]		
Stenton Avenue	Southeast	Route 1
Stuart Street	East	Beach Street
Stuart Street	North	Stuart Street
Summer Street	North	Narragansett Avenue
Summer Street	South	Park Avenue
Summer Street	North	Park Avenue
Summer Street	South	Granite Street
Summer Street	North	Granite Street
Summer Street	South	School Street
Sunnyside Drive	North	Old Post Road
Sunrise Drive	East	Maybrey Drive
Sunrise Drive	West	Marichris Street
Sunset Avenue	South	Wauwinnet Avenue
Surry Drive	West	Nichols Lane
Surry Drive	East	Nutmeg Drive
Taylor Court	North	Brookside Drive
Terrace Avenue	North	Narragansett Avenue
Terrace Avenue	North	Park Avenue
Terrace Avenue	South	Park Avenue

Received
3/3/2026
**Coastal Resources
 Management Council**

Tree Number	Direction of Tree	Approximate Intersection
Terrace Avenue	North	Cove Road
Terrace Avenue	South	Cove Road
Terrace Avenue	South	Utter Street
Thomas Lane	Southeast	Old Post Road
Thompson Avenue	West	Tower Street
Timothy Drive	Northeast	Watch Hill Road
Timothy Drive	Northeast	Watch Hill Road
Tom Harvey Road	North	Airport Road
Tom Harvey Road	South	Shore Road
Tom Harvey Road	East	Wicklow Road
Tonkawa Avenue	North	Old Post Road
Top Street	North	Narragansett Avenue
Top Street	South	Park Avenue
Treetop Lane	West	Robin Hollow Lane
Trolley Lane	North	Deer Run
Tum-A-Lum Circle [Added 3-10-2003 by Ch. No. 1435]	South	At intersection(s) with Ivanhoe Road
Turano Avenue	South	Pierce Street
Turano Avenue	Northwest	Columbus Circle
Turtleback Road	North	Shore Road
Turtleback Road	North	Oenoke Lane
Turtleback Road	West	Oenoke Lane
Twig Road	South	Treetop Road
Urso Drive	West	Stuart Street
Urso Drive	South	Valley Drive
Utter Street	East	Salt Pond Way
Uzzi Avenue	South	Atlantic Avenue
Uzzi Avenue	Northwest	Bayberry Road
Uzzi Avenue [Added 7-15-2024 by Ch. No. 2063]	South	Bayberry Road

Received
3/3/2026
**Coastal Resources
 Management Council**

Tree Number	Direction of Tree	Adjacent Intersection
Vars Lane	East	North Main Street, Bradford
Verdi Road	South	Handel Road
Verdi Road	North	Brahms Road
Verdi Road	North	Grieg Road
Verdi Road	South	Grieg Road
Village Road	North	Oceanview Highway
Vose Street	South	Granite Street
Wadchu Road	Northeast	Quannacut Road
Wagner Road	North	Route 1
Wall Street	Northwest	Springbrook Road
Wall Street	Southeast	Cottage Street
Wampanoag Avenue	East	Apache Drive
Wampanoag Avenue	West	Pequot Avenue
Wapan Road	Southeast	Foster Cove Road
Ward Avenue [Added 8-10-2004 by Ch. No. 1501]	South	Park Avenue
Washington Avenue	East	Beach Street
Wauwinnet Avenue [Added 5-23-2011 by Ch. No. 1750]	East	Westerly Road
Wawaloam Drive	East	Noyes Neck Road
Waxcadowa Avenue	South	Winona Drive
Waxcadowa Avenue	North	Knowles Avenue
Wayland Street	Northwest	Route 91
Weathervane Way	South	Church Street
Wells Street	West	Beach Street
West Beach Street	East	Beach Street
Westerly Road [Amended 5-23-2011 by Ch. No. 1750]	Northeast	Wauwinnet Avenue



Tree Number	Direction of Tree	Adjacent Intersection
Westerly Road [Added 5-23-2011 by Ch. No. 1750]	West	Wauwinnet Avenue
West Ridge Road	West	Watch Hill Road
West Ridge Road	South	Ridge Road
West Street	North	Pleasant Street
West Street	North	Friendship Street
West Street [See Code Section Code see Ch. 1 General Provisions Article]		
West Street	South	Railroad Avenue
West Street	North	Railroad Avenue
West Street	South	Dixon Street
Westminster Street [See Code Section Code see Ch. 1 General Provisions Article]		
Westminster Street [See Code Section Code see Ch. 1 General Provisions Article]		
Westminster Street	North	Cross Street
Westminster Street	South	Wells Street
Westview Drive	North	Cedarcrest Drive
Wetomachick Avenue	Southeast	Wompag Road
Wetomachick Avenue	West	Quannacut Road
Whales View Drive	North	Valley Drive
Whipple Avenue	Northeast	Franklin Street
White Cap Road	West	Trolley Lane
White Cap Road	East	Essex Lane
White Road	South	Painter Road
White Rock Road	Southeast	Canal Street

Received
3/3/2026
Coastal Resources Management Council

Tree Trunk	Direction of Tree	Adjacent Intersection
Wicklow Road	West	Tom Harvey Road
Wicklow Road	Northwest	Links Passage
Wicklow Road	Southeast	Links Passage
Wicklow Road	South	Shore Road
Wilcox Avenue	West	Grove Avenue
Wilcox Avenue	East	Newton Avenue
Wildflower Drive	East	Ocean Ridge Drive
Wildflower Drive	Southeast	Urso Drive
Wildflower Drive [Added 2-13-2006 by Ch. No. 1565]	West	Ocean Ridge Drive
Wilgis Drive	South	Route 3
Wilson Street	West	Franklin Street
Windover Turn	Southeast	Shore Road
Winnapaug Road	South	Atlantic Avenue
Winnapaug Road	North	Shore Road
Winona Avenue	Southwest	Fenway Road
Winona Avenue	East	Noyes Neck Road
Winward Drive	West	Setting Sun Drive
Winward Drive	Southwest	Setting Sun Drive
Wompag Road [Added 9-23-2002 by Ch. No. 1422]	South	Quannacut Road
Woodlund Avenue	North	John Street Extension
Woodlund Avenue	Northwest	Cross Street Extension
Woodlund Avenue	South	Wilson Street
Woodlund Avenue	South	John Street Extension
Woody Hill Road	East	Church Street
Woody Hill Road	North	Church Street
Woody Hill Road	Northwest	District 6 Road
Woody Hill Road	North	Woody Hill Road
Woody Hill Road	Northwest	Route 91

Received
3/3/2026
**Coastal Resources
 Management Council**

Tree Number	Direction of Tree	Intersection with
Woody Hill Road	South	Route 1
Woody Hill Road	South	Woody Hill Road
Woody Hill Road	Southeast	Old Post Road
Yankee Drive	Southeast	Canal Street
York Avenue	North	Cross Street
Yosemite Valley Road	East	Browning Road
Yosemite Valley Road	South	Oceanview Highway
Yosemite Valley Road	South	Oceanview Highway

(2) Four-way intersections:

Tree Number	Direction of Tree	Intersection with
Bayberry Road	East and west	Maplewood Avenue
Bellevue Avenue [Added 8-10-2004 by Ch. No. 1501]	North and south	Park Avenue
Benson Avenue	North and south	First Street
Boxwood Avenue [Added 7-15-2024 by Ch. No. 2063]	East	Uzzi Avenue
Chester Avenue	North and south	School Street
Cohasset Way [Amended 9-21-2020 by Ch. No. 1995]	East and west	Yarmouth Drive
Cross Street	East and west	Elm Street
Cross Street	East and west	George Street
Elm Street	North and south	Cross Street
Elm Street	North and south	School Street
Fisherman's Avenue	north and south	First Street
First Street [Added 9-21-2020 by Ch. No. 1995]	East and west	Benson Avenue
First Street [Added 9-21-2020 by Ch. No. 1995]	East and west	Fisherman's Avenue

Received
3/3/2026
**Coastal Resources
 Management Council**

Street Name	Direction of Travel	Adjacent Intersection
First Street [Added 9-21-2020 by Ch. No. 1995]	East and west	Kimball Avenue
First Street [Added 9-21-2020 by Ch. No. 1995]	East and west	Montauk Avenue
Fisherman's Avenue [Added 9-21-2020 by Ch. No. 1995]	North and south	Second Street
Forrestal Street [Added 9-21-2020 by Ch. No. 1995]	East and west	Saratoga Avenue
Friendship Street [Added 9-21-2020 by Ch. No. 1995]		<div style="border: 2px solid blue; padding: 5px; text-align: center;"> <p>Received 3/3/2026 Coastal Resources Management Council</p> </div>
Friendship Street [Added 9-21-2020 by Ch. No. 1995]		
George Street	North and south	Cross Street
Grieg Road	East and west	Wagner Road
Handel Road	East and west	Wagner Road
Highland Avenue [Added 8-10-2004 by Ch. No. 1501]	North and south	Park Avenue
John Street	East and west	Westminster Street
John Street Extension	East and west	Longvue Avenue
John Street Extension [Added 9-21-2020 by Ch. No. 1995]		
Kimball Avenue	North and south	First Street
Knowles Avenue [Added 7-8-2019 by Ch. No. 1968]	East and west	Noyes Neck Road
Knowles Avenue [Added 7-8-2019 by Ch. No. 1968]	East and west	Passpataug Avenue
Lawton Avenue	North and south	Second Street
Longvue Avenue	North and south	John Street Ext.
Maplewood Avenue	North and south	Bayberry Road

Tree Added	Direction of Tree	Adjacent Intersection
Matarese Hills [Added 9-23-2002 by Ch. No. 1422]	North and south	Starview Lane
Miner Street [Added 9-21-2020 by Ch. No. 1995]	North and south	Spencer Drive
Montauk Avenue [Added 9-21-2020 by Ch. No. 1995]	North and south	First Street
Montauk Avenue [Added 9-21-2020 by Ch. No. 1995]	North and south	Second Street
Narragansett Avenue	North and south	Spruce Street
Noyes Neck Road [Added 7-8-2019 by Ch. No. 1968]	North and south	Knowles Avenue
Passpataug Avenue [Added 7-8-2019 by Ch. No. 1968]	North and south	Knowles Avenue
Park Avenue [Added 8-10-2004 by Ch. No. 1501]	East and west	Bellevue Avenue
Park Avenue [Added 8-10-2004 by Ch. No. 1501]	East and west	Highland Avenue
Park Avenue [Added 9-13-2010 by Ch. No. 1723]	East and west	Spruce Street
Sandy Hill Road [Amended 5-9-2005 by Ch. No. 1537; re-added 9-21-2020 by Ch. No. 1995]		
Saratoga Avenue	North and south	Forrestal Drive
School Street	East and west	Elm Street
School Street	East and west	Chester Avenue
Second Street [Added 9-21-2020 by Ch. No. 1995]	East and west	Fisherman's Avenue
Second Street	East and west	Lawton Avenue

Received
3/3/2026
**Coastal Resources
 Management Council**

Street Name	Direction of Travel	Adjacent Intersection
Second Street [Added 9-21-2020 by Ch. No. 1995]	East and west	Montauk Avenue
Spencer Drive [Added 9-21-2020 by Ch. No. 1995]	North and south	Miner Street
Spruce Street [Added 9-21-2020 by Ch. No. 1995]	East and west	Narragansett Avenue
Spruce Street [Added 9-13-2010 by Ch. No. 1723]	North and south	Park Avenue
Starview Lane [Added 9-23-2002 by Ch. No. 1422]	East and west	Matarese Hills
State Street [Added 9-21-2020 by Ch. No. 1995]	East and west	Westminster Street
St. Clare Way [Added 7-15-2024 by Ch. No. 2063]	West	Uzzi Avenue
Uzzi Avenue [Added 7-15-2024 by Ch. No. 2063]	North	St. Clare Way
Uzzi Avenue [Added 7-15-2024 by Ch. No. 2063]	South	Boxwood Avenue
Wagner Road	North and south	Grieg Road
Wagner Road	North and south	Handel Road
West Street [Added 9-21-2020 by Ch. No. 1995]		
Westminster Street [Added 9-21-2020 by Ch. No. 1995]	North and south	John Street
Westminster Street	North and south	State Street

Received
3/3/2026
**Coastal Resources
 Management Council**

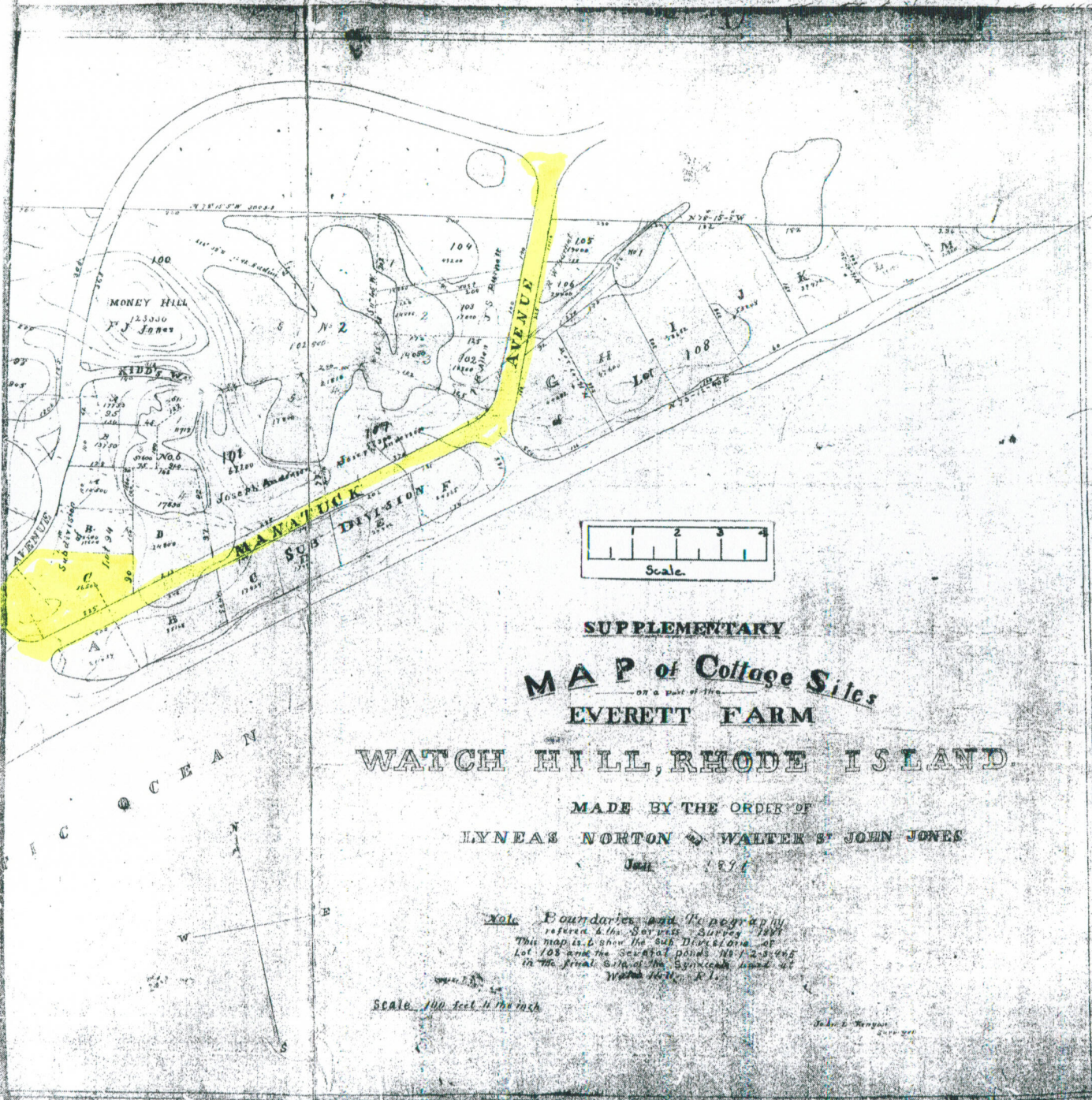
Tree located	Direction of Tree	Adjacent Intersection
Yarmouth Drive [Amended 9-21-2020 by Ch. No. 1995]	North and south	Cohasset Way

D. Yield intersection enumerated. In accordance with this section, the erection and maintenance of an official yield sign (or signs) is authorized so as to face:²

Tree located	Direction of Tree	Adjacent Intersection
Fisherman's Avenue	South	Kimball Avenue
Quannacut Road	South	Quannacut Road



2. Director's No. former sections through were repealed 10-1-2018 by Ch. No. 1936.



SUPPLEMENTARY
MAP of Cottage Sites
ON A PART OF THE
EVERETT FARM
WATCH HILL, RHODE ISLAND.

MADE BY THE ORDER OF
 LYNEAS NORTON & WALTER S. JOHN JONES
 June 1877

*Note: Boundaries and Topography
 referred to in the Survey Survey 1867
 This map is taken from the Division of
 Lot 103 and the several ponds, No. 2, 3, 4, 5
 in the final plan of the Synonish Land of
 Watch Hill, R.I.*

Scale 100 feet to the inch

John E. Renshaw
 Surveyor

Received
 3/3/2026
 Coastal Resources
 Management Council

unto the said party of the second part, his heirs & assigns, against the said parties of the first part & their successors, & against all, & every person, & persons, whomsoever, lawfully claiming or to claim the same, shall, & will warrant & by these presents forever defend.

Signed, sealed & acknowledged
in our presence
Louise A. Hovey
William Hovey,
Ben. B. Dale,
J. H. Woodward.

Lynnas Horton, Justice
of the Watch Hill
Land Syndicate,
Walter St. John Jones,
Justice of the Watch
Hill Land Syndicate.

L.S.

L.S.

State of Ohio

County of Hamilton S. S. Be it remembered that on this 5th day of September A. D. 1889, before me, Ben B. Dale, a Notary Public in & for said County, & State personally appeared Walter St. John Jones one of the Trustees of the Watch Hill Land Syndicate, & the said granters in the foregoing instrument by him signed, & acknowledged it personally, & as Justice aforesaid, to be his free & voluntary act, & deed. In witness whereof, I have set my hand & seal the day, & year above written.

L.S.

Ben B. Dale

Notary Public, Hamilton County, Ohio.

State of Rhode Island

County of Washington, S. C. Be it remembered that on this 9th day of September A. D. 1889, before me, William Hovey a Notary Public in & for said State, personally appeared Lynnas Horton, one of the Trustees of the Watch Hill Land Syndicate, & the said grantor in the foregoing instrument by him signed, & acknowledged it personally, & as Justice aforesaid, to be his free & voluntary act, & deed. In witness whereof, I have set my hand, & Notarial seal the day, & year above written.

L.S.

William Hovey,
Notary Public.

Received for Record September 10th A. D. 1889 at 1.0 clock P.M. & Recorded.

Attest: William Hovey,
Town Clerk.

Received
3/3/2026
Coastal Resources
Management Council

This indenture made the 2nd day of September in the year one thousand eight hundred & eighty nine, between Lynnas Horton, Walter St. John Jones, Trustees of the Watch Hill Land Syndicate, of the City of Cincinnati, County of Hamilton & State of Ohio, parties of the first part, & William P. Anderson, Walter Smith & Joseph R. Anderson of the City of Cincinnati, County of Hamilton & State of Ohio, & Sherman W. Knowals of the City of New York, County of New York, & State of New York, parties

for, in consideration of the sum of three hundred (\$300.00) dollars money of the United States to them in hand paid by the said parties of the second part, at or before the executing & delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, remised, released, conveyed, & confirmed, & by these presents do grant, bargain, sell, alien, remise, release, convey, & confirm unto the said parties of the second part, & to their heirs & assigns forever, all certain piece or parcel of land & premises hereinafter particularly described, situate lying & being in the village of Watch Hill, Townships Westerly, county of Washington, State of Rhode Island, being part of certain tract of land deceded to Jacob D. Burnet, Lynceus Barton, & Walter St. Jus. Jones, by Charles J. Everett & wife, by deed dated June 12th 1882, & recorded in Deed Book 27, pages 304 etc. also part of certain tract of land deceded to Edward Warrington by Jacob D. Burnet, & Annie D. Burnet, wife, Lynceus Barton, & Emily L. his wife, & Walter St. Jus. Jones, by deed dated December 15, 1888, & recorded in Land Records of Westerly, Rhode Island, Deed Book 29, page 20, & by said Edward Warrington deceded to Lynceus Barton, & Walter St. Jus. Jones, Trustees, by deed dated December 15, 1888, & recorded in Land Records of Westerly, Rhode Island, Deed Book 29, pages 23, & also known as **Lot 94, C.** on a Plat of Cottage Sites of the "Ed. Farm", made by said Jacob D. Burnet, Lynceus Barton, & Walter St. Jus. Jones, & filed at the Town Clerks Office in said town of Westerly, Rhode Island, **Said Lot 4, ninety four C. (94-C)** is located on the southern side of Atlantic Ave. its northern & boundary line between 94, B, & 94, C, is two hundred & twenty two (222) feet long, its eastern & boundary line between 94, C, & 94, D, is ninety (90) feet long, it has a frontage on Manatuck Avenue of two hundred & twenty five (225) feet, & contains thirty six thousand five hundred (36500) square feet. Together with all, & singular the tenements, hereditaments, & appurtenances thereunto belonging or in any wise appertaining, the reversion, & reversions, remainder, & remainders, rents, issues, & profits thereof. And also, all the estate, right, title, interest, property, possession, claim, & demand whatsoever, as well in law as in equity of the said parties of the first part, of, in, & to the part, & every part, & parcel thereof, with the appurtenances, to have, & to hold the above granted, bargained, & described premises, with the appurtenances unto the said parties of the second part, their heirs, & assigns, to them or their own proper use, benefit, & behoof forever, together with a perpetual right to the use, & enjoyment of the east or Atlantic Beach, as a promenade & pleasure ground, without hindrance or obstruction, except as hereinafter stated; and the said beach for the purposes of this easement is hereby declared to be a strip of land bordering the Atlantic Ocean, 3850 feet in length, & fifty feet in width, bounded northwesterly by a line drawn parallel to the Ocean shore fifty feet above mean high water mark, as shown on a map filed in the Office for the Registry of Deeds for Washington County, at Westerly, Rhode Island, entitled "Map of property of Chas. J. Everett, at Watch Hill, N. H. 1882", but nothing herein contained shall be construed to give

or convey by implication or otherwise any right of way to the said beach across or upon the lands of the said parties of the first part, except by such roads or paths as now are or may hereafter be laid, & opened according to law; or to prevent the said Rymond Barton & Walter St. Jno. Jones, Trustees, their successors or assigns, from building a pier or quay or breakwaters, across or upon the said beach, with all necessary or convenient diiveways, approaches & other structures incidental thereto, or to construct works on or across said beach for the drainage or overflow, or other improvement of the adjacent ponds, marshes or lands, but no sewage shall be discharged upon said beach, or across or under it into the ocean. And the said Rymond Barton & Walter St. Jno. Jones, for themselves, their successors & assigns, do hereby covenant, grant & agree, to, with the said parties of the second part their heirs & assigns, that they the said Rymond Barton & Walter St. Jno. Jones, Trustees as aforesaid, at the time of the sealing & delivery of these presents, are lawfully seized of a good, absolute & indefeasible estate of inheritance, in fee simple, of & in all & singular the above granted & described premises, with the appurtenances thereof, & have good right full power, & lawful authority to grant, bargain, sell, & convey the same in manner aforesaid. And that the said parties of the second part, their heirs & assigns shall & may at all times hereafter, peaceably & quietly have, hold, use, occupy, possess & enjoy the above-granted premises & every part & parcel thereof, with the appurtenances, without any let, suit, trouble, molestation, eviction or disturbance of the said parties of the first part, their successors or assigns, or of any other person or persons lawfully claiming or to claim the same, And that the said premises are now free, clear, discharged, & unincumbered of & from all former & other grants, titles, charges, estates, judgments, taxes, assessments & incumbrances of what nature or kind soever, And also that the said parties of the first part, & their successors, & all & every person or persons whomsoever, lawfully or equitably deriving any estate, right, title, or interest, of, in or to the herein before granted premises, by, from, under or in trust for them, shall & will at any time or times hereafter, upon the reasonable request, & at the proper costs & charges in the law, of the said parties of the second part their heirs & assigns, make, do & execute, or cause to be made, done & executed, all & every such further & other lawful & reasonable acts, conveyances & assurances in the law, for the better & more effectually vesting & confirming the premises hereby granted, or intended so to be, in & to the said parties of the second part, their heirs & assigns forever; as by the said parties of the second part, their heirs or assigns, or by their counsel learned in the law, shall be reasonably advised or required. * * The parties of the second part hereby for themselves, their heirs, representatives & assigns, covenant & agree to, among themselves that neither they nor any person or persons holding under them, or either or any of them shall at any time without the consent of all the persons for the

estate therein, expressed in writing under seal, erect or cause or permit to be erected thereon any dwelling house, stable, or other permanent structure, and it is further agreed that this covenant runs with the land. And the said Lynceus Boston, & Walter St. John Jones, Trustees, & their successors or assigns the above described, & hereby granted, & released premises, every part, parcel thereof, with the appurtenances, unto the said parties of the second part, their heirs, & assigns, against the said part of the first part, & their successors, & against all, every person, & person, whomsoever lawfully claiming or to claim the same, shall, & well warrant, & by these presents forever defend.

Signed, sealed, & acknowledged in our presence.

all interlineations being duly made before signing.

William Hossey
Ben. B. Dale
John H. Woodward

Lynceus Boston
Trustee of the Watch Hill Land Syndicate.
Walter St. John Jones
Trustee of the Watch Hill Land Syndicate.
W. P. Anderson.
Joseph L. Anderson.
Walter Smith.
Sherman W. Knowals.

L. S.
L. S.
L. S.
L. S.
L. S.

Witness
Emily L. Boston.
William Hossey.

State of Ohio

County of Hamilton, S. S. Be it remembered that on this 2nd day of September, A. D. 1889, before me, Ben. B. Dale, a Notary Public in, & for said County, personally appeared Walter St. John Jones, one of the Trustees of the Watch Hill Land Syndicate, & the said grantor in the foregoing instrument by him signed, & acknowledged it personally, & as Trustees aforesaid, to be his free, & voluntary act, & deed. In witness whereof I have set my hand, & seal the day, & year above written.

L. S.

Ben. B. Dale
Notary Public, Hamilton County, Ohio.

State of Rhode Island

County of Washington, S. E. Be it remembered that on this 5th day of September, A. D. 1889, before me, Wm Hossey, a Notary Public in, & for said State personally appeared Lynceus Boston, one of the Trustees of the Watch Hill Land Syndicate, & the said grantor in the foregoing instrument by him signed, & acknowledged it personally, & as trustee aforesaid, to be his free, & voluntary act, & deed. In witness whereof I have set my hand, & Notarial seal the day, & year above written.

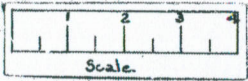
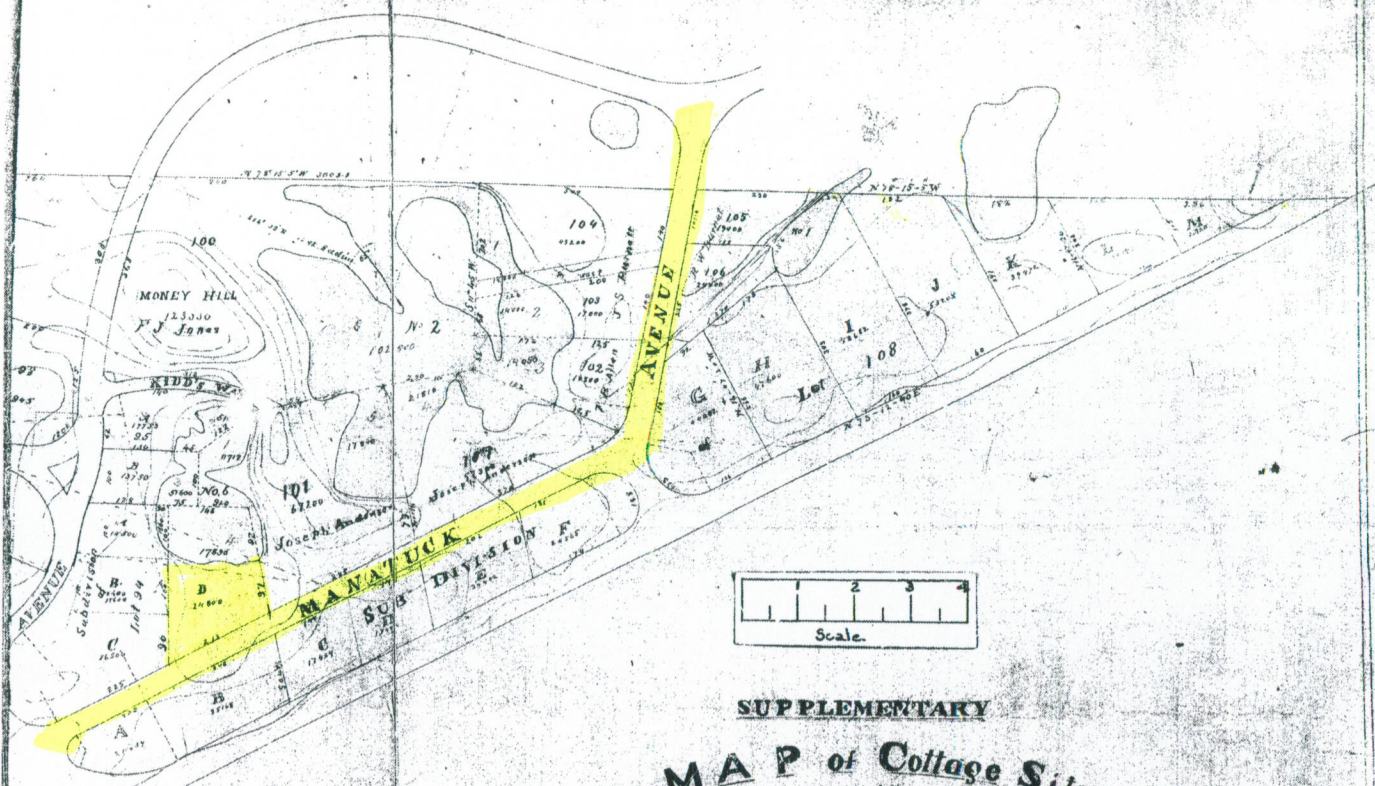
L. S.

William Hossey
Notary Public.

Received for Record Notary Public - 12th St. Providence, R. I. 1889 at 10 o'clock A. M.

Received 3/3/2026 Coastal Resources Management Council

ATTEST: OCT 24 2002 MARY G. GIBSON, M.M.C. Western Town, Providence Clerk



SUPPLEMENTARY

MAP of Cottage Sites
 on a part of the
EVERETT FARM

WATCH HILL, RHODE ISLAND

MADE BY THE ORDER OF
 LYNEAS NORTON & WALTER S. JOHN JONES

Jan. 1891

*Note: Boundaries and Topography
 refer to the Survey of 1881.
 This map is based on the Sub-Division of
 Lot 103 and the several ponds on 102 & 105
 in the final sites the boundary line of
 Watch Hill, R. I.*

Scale 100 feet to the inch

Wm. B. Morgan
 2-10-91

Received
 3/3/2026
 Coastal Resources
 Management Council

said Jonathan Masson, Jonathan J. Masson their heirs, assigns
forever. In witness whereof the said Lynnes Norton & Walter St.
Jno. Jones. Trustees as aforesaid, have hereunto set their hands,
& seals this 4th day of April in the year of our Lord one thousand
eight hundred & ninety.

Signed & acknowledged
in presence of us
John H. Woodward
Ben. B. Dale.

Lynnes Norton, Trustee.
Walter St. Jno. Jones, Trustee.

L.S.
L.S.

The State of Ohio. County of Hamilton. ss. Be it remembered
that on the 11th day of April in the year of our Lord
one thousand eight hundred & ninety (1890). before me
the subscriber, a Notary Public within & for said
county, personally came Lynnes Norton & Walter St.
John Jones. Trustees of the Watch Hill Land Syndicate the granters
in the foregoing deed, & acknowledged the signing thereof to be
their voluntary act, for the uses & purposes therein mentioned.
In testimony whereof I have hereunto subscribed my name, &
affixed my notarial seal on the day, year aforesaid.



Ben. B. Dale.

Notary Public, Hamilton County, Ohio.

Received for Record April 25th A.D. 1890 at 11 o'clock A.M. Recorded

Attest: William Hoxsey,
Iron Clerk.

This indenture made the nineteenth day of April in the year one
thousand eight hundred & ninety between Lynnes Norton & Walter
St. Jno. Jones, Trustees of the Watch Hill Land Syndicate, of the City of
Cincinnati, county of Hamilton & State of Ohio, parties of the first part,
& Sherman W. Knowals of the City of New York, county of & State of New York,
party of the second part. Witnesses, that the said parties of the first
part, for & in consideration of the sum of One hundred & sixty five ²⁵/₁₀₀
(165. ²⁵/₁₀₀) dollars, lawful money of the United States, to them in hand paid
by the said party of the second part, at or before the enrolling & delivery of
these presents, the receipt whereof is hereby acknowledged, have granted
bargained, sold, aliened, remise, released, conveyed & confirmed, & by
these presents do grant, bargain, sell alien, remise, release, convey &
confirm, unto the said party of the second part, & to his heirs, assigns
forever, all that certain piece or parcel of land & premises hereinafter
particularly described, situate, lying & being in the village of Watch Hill
Township of Westerly, county of Washington, State of Rhode Island, being
part of a certain tract of land deeded to Jacob S. Burnet, Lynnes
Norton & Walter St. Jno. Jones, by Charles J. Everett & wife, by deed dated
June 12, A.D. 1886, & recorded in Deed Book 27, pages 304 etc. also part of
certain tracts of land deeded to Edward Warthington by Jacob S.
Burnet & Annie S. his wife, Lynnes Norton & Emily L. his wife, Walter

27 St. Jno. Jones. by deed dated December 15. 1888. & recorded in Land
Records of Westerly, Rhode Island, Deed Book 29. page 20. & by said
Edward Warthington deeded to Lynnas Barton & Walter St. Jno.
Jones. Trustees. by deed dated December 15. 1888. & recorded in
Land Records of Westerly, Rhode Island. Deed Book 29. page 22.
parcel known as Lot No. 94. D. on a Plat of Cottage Sites of the
"Covett Farm", made by said Jacob S. Burnett. Lynnas Barton &
Walter St. Jno. Jones. as filed at the Town Clerk's office in said
town of Westerly, Rhode Island. Said lot is located on the northern
side of "Manatuck Avenue" in said plat, as filed, has a frontage on
said Manatuck Avenue, of two hundred & thirteen (213) feet & contains
Twenty four thousand eight hundred (24800) square feet. Together
with all singular the tenements, hereditaments & appurtenances
thereunto belonging or in any wise appertaining, & the reversion
& reversions, remainder & remainders, rents, issues & profits thereof.
And also all the estate, right, title, interest, property, possession,
claim & demand, whatsoever, as well in law as in equity of the
said parties of the first part, of, in & to the same, & every part & parcel
thereof, with the appurtenances. To have, to hold the above
granted, bargained & described premises, with the appurtenances
unto the said party of the second part his heirs, assigns to his or
their own proper use, benefit & behoof forever. Together with a
perpetual right to the use & enjoyment of the East or Atlantic
Beach, as a promenade, pleasure ground, without hindrance or
obstruction, except as hereinafter stated: & the said beach, for the
purposes of this agreement is hereby declared to be a strip of land
bordering the Atlantic Ocean, 3850 feet in length, & fifty feet in
width, bounded north westerly by a line drawn parallel to the
Ocean Shore, fifty feet above mean high-water mark, as shown
on a map filed in the office for the Registry of Deeds for Washing-
ton County, at Westerly Rhode Island, entitled "Map of property of
Chas. J. Covett at Watch Hill, R. I. No. 1, 1882". But nothing herein
contained shall be construed to grant or convey, by implication
or otherwise any right of way to the said beach across or upon
the lands of the said parties of the first part, except by such
roads or paths as now are or may hereafter be laid & opened
according to law; or to prevent the said Lynnas Barton & Walter
St. Jno. Jones, Trustees, their successors or assigns, from building a
pier or piers or breakwaters, across or upon said beach, with all
necessary or convenient drawways, approaches, & other structures
incidental thereto, or to construct works on or across said beach
for the drainage or overflow, or other improvement of the
adjacent ponds, marshes or lands, but no sewage shall be discharged
upon said beach, or across or under it into the ocean. And
the said Lynnas Barton & Walter St. Jno. Jones, for themselves, their
successors & assigns, do hereby covenant, grant & agree, to & with
the said party of the second part, his heirs & assigns, that they

the said Lynnes Barton, Walter St. Jno Jones, Trustees, as aforesaid at the time of the sealing, & delivery of these presents, are lawfully seized of a good, absolute, & indefeasible estate of inheritance in fee simple, of & in all singular the above granted, & described premises, with the appurtenances thereof, & have good right, full power & lawful authority to grant, bargain sell & convey the same in manner aforesaid. And that the said party of the second part his heirs & assigns, shall & may at all times hereafter peaceably & quietly have, hold, use, occupy, possess, & enjoy the above granted premises, & every part, & parcel thereof, with the appurtenances, without any let, suit, trouble, molestation, eviction or disturbance of the said parties of the first part, their successors or assigns, or of any other person or persons lawfully claiming or to claim the same. And that the said premises are now free, clear, discharged, & unincumbered, of & from all former & other grants, titles, charges, estates, judgments, taxes assessments, & incumbrances of what nature or kind soever. And also that the said parties of the first part, & their successors, & all, every person or persons whomsoever, lawfully or equitably deriving any estate, right, title or interest, of, in or to the hereinbefore granted premises, by, from, under, or in trust for them, shall & will at any time or times hereafter, upon the reasonable request, & at the proper costs & charges in the law, of the said party of the second part, his heirs & assigns, make, do, execute, or cause to be made done & executed, all, & every such further & other lawful and reasonable acts, conveyances & assurances in the law, for the better & more effectually vesting, & confirming the premises hereby granted, or intended so to be, in & to the said party of the second part his heirs & assigns forever; as by the said party of the second part, his heirs or assigns, or by their counsel learned in the law, shall be reasonably advised or required. And the said Lynnes Barton, Walter St. Jno Jones Trustees, & their successors or assigns, the above described, hereby granted & released premises, & every part, & parcel thereof, with the appurtenances, unto the said party of the second part, his heirs & assigns, against the said parties of the first part, & their successors, & against all, & every person, & persons whomsoever, lawfully claiming or to claim the same, shall, will warrant, & by these presents forever defend. And the said party of the second part, his heirs & assigns hereby covenant to, with the said Lynnes Barton, Walter St. Jno Jones, Trustees, their successors & assigns, that neither the said party of the second part, nor his heirs or assigns, shall or will at any time hereafter erect or permit upon any part of the premises hereby conveyed, any slaughter house, butcher shop, Smith shop, forge, furnace, iron, steel or brass works or foundry, nor any manufactory of gun powder, fireworks, or other explosive substances, or of varnish, acid or glue, or for tanning, dressing, or

treating skins, hides, leather, or for rendering or treating fat
 oils or fish, nor any brewery, distillery, liquor saloon, or bar or
 shooting gallery or ten pin alley, & shall not store, or permit
 be stored upon said premises, gun powder or other explos
 material, & that neither the party of the second part, nor
 his heirs or assigns, shall or will at any time hereafter
 on, or permit others to carry on upon the premises hereby c
 onveyed, any of the above-mentioned trades or occupations, nor
 trade or occupation which is noxious, or ^{detracting} or offensive or which
 productive of loud or objectionable noise: Also, that neither
 party of the second part nor his heirs or assigns, shall or will
 any time hereafter, poison or infect the soil or earth, or ca
 or permit the soil or earth to be infected, by depositing or
 near the sur face of the earth or soil, or permitting to esc
 thereon, any sewage, drainage or other waste matter, liquid
 solid, unless the same be first thoroughly disinfecte
 cause or permit the escape of any avoidable noxious or off
 odors or gases from sewage, drainage, or other waste matter, or
 any receptacle of the same, and will not use, or permit to
 use any cesspool or other receptacle for sewage, drainage
 other organic waste matter upon the premises hereby conve
 unless every such cesspool or receptacle below the surfa
 the earth shall be lined with hard brick or stone, laid in
 tight cement, so as to prevent any leakage therefrom into
 soil or earth. And it is expressly understood & agreed, that
 several covenants on the part of the party of the second part
 attach to, & run with the lands, & that it shall be lawful
 only for the said grantors, their successors, & assigns, but al
 the said party of the second part, & for the owner or owners
 lot or lots adjacent to, or in the neighborhood of the premis
 hereby conveyed, deriving title through the said parties
 first part, to institute, & prosecute any action or proceeding
 the actual or apprehended breach of any of the said covenan
 for the better observance of the same, it is hereby understood
 agreed that, at proper, & reasonable times, the said grantors
 successors & assigns, shall have the right to inspect the c
 closets, privies, cesspools, & drainage pipes upon the premises
 conveyed, or to cause such inspection to be made under
 their authority. And the said Lyman Barton, & Walter St. Jo
 Justices, for themselves, their successors, & assigns, hereby a
 that they will observe the foregoing restrictions against
 nuisance, & that they will hold, & convey, subject to the f
 restrictions against nuisances, so much of their property sit
 Hill as lies between the southern boundary line of the sa
 it now runs, along the lands of Brewer, Cathin, Hunt, & of
 Plimpton House grounds, & a line drawn as follows: begin
 at the most easterly corner or angle of land of Mrs. Harvey,

Paucatuck Bay & running thence, easterly & parallel with the northern boundary line of said Norton & Jones's (Trustees as aforesaid) land in a straight line for a distance of twenty three hundred (2300) feet to a point 464 feet south of said northern boundary line; thence, southerly, in a straight line, about 870 feet, to a point on the Atlantic Ocean beach, distant thirteen hundred (1300) feet northerly, in a straight line, from the southerly corner of land of said Norton & Jones (Trustees as aforesaid) on the said beach.

Signed, sealed & acknowledged in our presence,
John H. Woodward
Ben. B. Dale.

Lynear Norton. L.S.
Trustee of the Watch Hill Land Syndicate.
Walter St. John Jones L.S.
Trustee of the Watch Hill Land Syndicate.

State of Ohio

County of Hamilton. Ad. Be it remembered that on this 22nd day of April A.D. 1890. before me, Ben. B. Dale, a Notary Public in & for said County personally appeared Lynear Norton & Walter St. John Jones, Trustees of the Watch Hill Land Syndicate, & the said grantors in the foregoing instrument by them signed, & acknowledged it personally, as Trustees aforesaid, to be their free & voluntary act & deed. In witness whereof, I have set my hand and the day & year above written.
Ben. B. Dale.

L.S.

Notary Public, Hamilton County, Ohio.

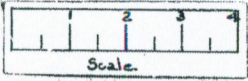
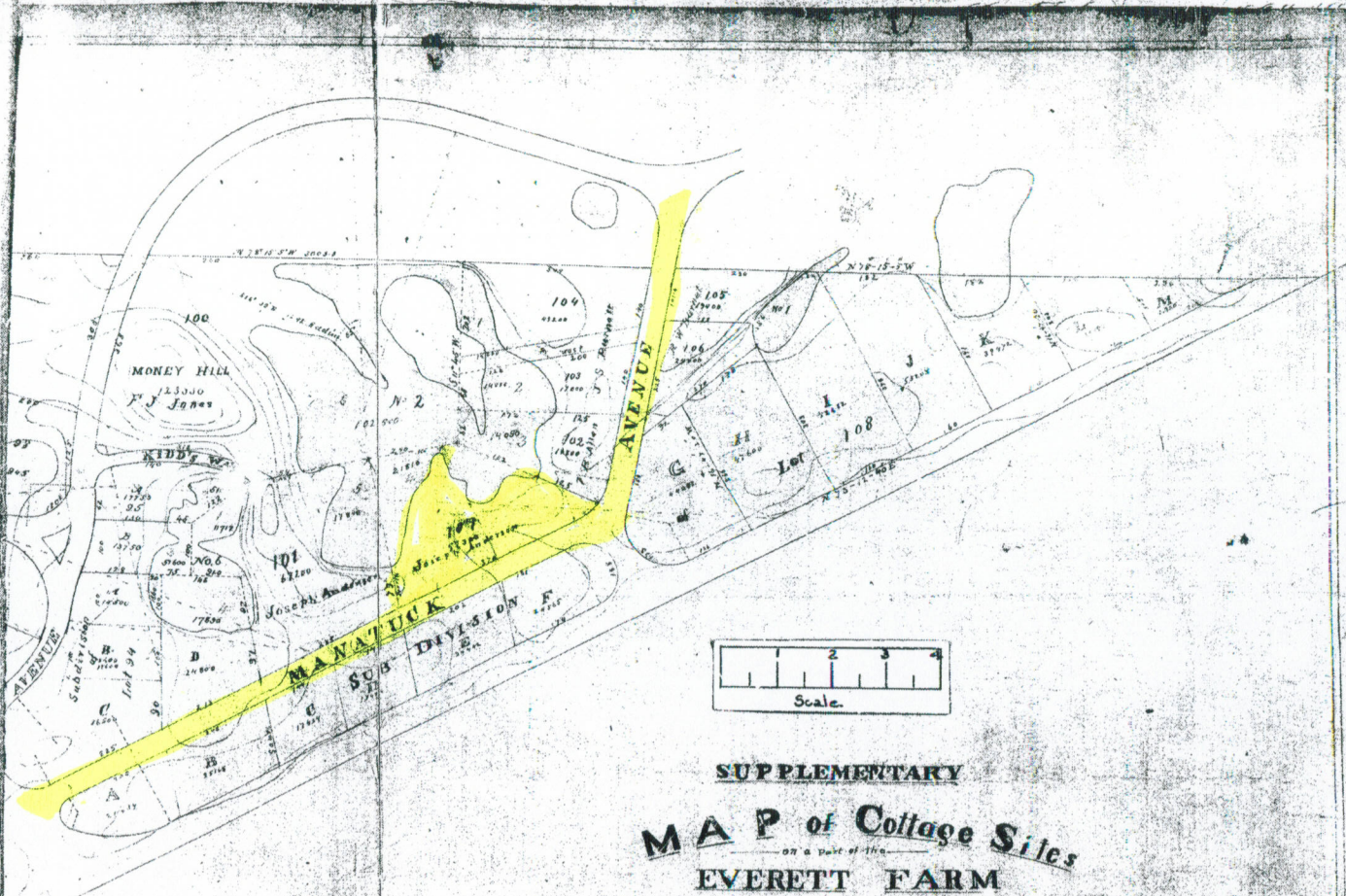
Received for Record April 26th A.D. 1890. at 9.0'clock A.M. & Recorded.
Attest: William Hoxsey
Town Clerk

Received 3/3/2026
Coastal Resources Management Council

Whereas a certain deed of mortgage executed upon the 18th day of May A.D. 1883, of certain real estate situated in Westerly in the county of Washington & State of Rhode Island, hereinafter particularly described, was given upon that date to Edwin A. Lewis & Joseph H. Grandall, both of said Westerly, & co-partners in business under the name & style of E. A. Lewis & Co. for the purpose of securing the payment of a certain sum of money, as by reference to said deed of mortgage on Record in the Land Records of Westerly aforesaid, in Book No. 25, at pages 343; 344; 345 & 346, will more fully appear. And whereas, by the same deed of mortgage, the said Lewis & Grandall were authorized & fully empowered, at any time, in case default should be made in the payment of said sum of money, & such default should continue for the term of ten days, to sell at public auction the premises so mortgaged, first giving, after the expiration of said term of ten days, notice of such sale, in some one of

A TRUE COPY DATED
ATTEST: Mary L. Estlin, M.M.C.
Western Town/Probate Clerk





SUPPLEMENTARY
MAP of Cottage Sites
 on a part of the
EVERETT FARM

WATCH HILL, RHODE ISLAND.

MADE BY THE ORDER OF
 LYNEAS NORTON & WALTER S. JOHN JONES

Jan. 1891.

Note. Boundaries and Topography
 refer to the Survey of 1881.
 This map is shown in Sub Division of
 Lot 108 and the several ponds No. 1, 2, 3, 4, 5
 in the final sale of the Everett Farm and
 Watch Hill, R. I.

Scale, 100 feet to the inch.

John S. Ferguson
 1891-92

Received
 3/3/2026
 Coastal Resources
 Management Council

This indenture, made the 30th day of September in the year one thousand eight hundred & ninety, between Lynceus Barton, Walter St. Joe Jones, Trustees of the Watch Hill Land Syndicate of the City of Cincinnati, county of Hamilton & State of Ohio parties of the first part, & Joseph R. Anderson of the City of Cincinnati, county of Hamilton & State of Ohio party of the second part; Witnesseth, that the said parties of the first part, for & in consideration of the sum of Eleven hundred (\$1100⁰⁰) dollars, lawful money of the United States, to them in hand paid by the said party of the second part, at or before the sealing & delivery of these presents, the receipt whereof is hereby acknowledged, have granted bargained, sold, aliened, released, conveyed, & confirmed, & by these presents do grant, bargain, sell, alien, release, convey & confirm, unto the said party of the second part & to his heirs & assigns forever, all that certain piece or parcel of land, premises herein after particularly described, situate, lying & being in the village of Watch Hill, Township of Westerly, county of Washington, State of Rhode Island, being part of a certain tract of land deeded to Jacob S. Burnet, Lynceus Barton & Walter St. Joe Jones, by Charles J. Everett & wife by deed dated June 12, A.D. 1886, & recorded in Deed Book 27, pages 304, etc. also part of certain tracts of land deeded to Edward Worthington by Jacob S. Burnet & Annie S. his wife, Lynceus Barton, & Emily R. his wife & Walter St. Joe Jones, by deed dated December 15, 1888, & recorded in Land Records of Westerly, Rhode Island, Deed Book 29, page 22, & by said Edward Worthington deeded to Lynceus Barton & Walter St. Joe Jones, Trustees, by deed dated December 15, 1888, & recorded in Land Records of Westerly, Rhode Island, Deed Book 29, page 23, & also known as **Lot No. 101 & Lot No. 102** on a Plat of Lottage Sites of the "Everett Farm" made by said Jacob S. Burnet, Lynceus Barton, & Walter St. Joe Jones was filed at the town Clerk's office in said town of Westerly, Rhode Island, lots 101, one hundred, & one, is located on the northern side of "Manateuck" Avenue having a frontage of two hundred, eighty eight (288) feet, its southwest boundary & the dividing line between lots "101" & "94B" is ninety seven (97) feet, its north east boundary & the dividing line between lots "101" & "107" is seventy nine (79) feet, & it contains sixty seven thousand two hundred (67200) square feet, **Lot No. 102**, one hundred, & seven, adjoins Lot No. 101 on the east, having a frontage on said "Manateuck" Avenue & is described as follows, "Beginning at the southwest corner of said lot, on the northern side of "Manateuck" Avenue, thence north 79 feet to a pond, thence northerly, easterly & southerly, easterly by the pond to the corner of Lot No. 102, thence South easterly by Lot No. 102, one hundred, & twenty five (25) feet to "Manateuck" Avenue, thence westerly by said Avenue four hundred, & sixteen (416) feet to the place of beginning. Said lot contains by estimation fifty seven thousand three hundred (57300) square feet. Together with all & singular the tenements, hereditaments & appurtenances thereto belonging or in any wise appertaining, & the reversion & reversions, remainder & remainders, rents, issues & profits thereof. And also, all the estate, rights, title, interest, property, possession, claim & demand whatsoever, as well in law as in equity, of the said parties of the first part, of in & to the

Received
3/3/2026
Coastal Resources
Management Council

same, & every part & parcel thereof, with the appurtenances, to have & to hold to
 above granted, bargained & described premises, with the appurtenances, to
 the said party of the second part, his heirs & assigns, to him or their own
 proper use, benefit & behoof forever. Together with a perpetual right to the
 use & enjoyment of the East or Atlantic Beach, or a promenade & pleasure
 ground, without hindrance or obstruction, except as hereinafter stated: &
 the said beach, for the purposes of this covenant is hereby declared to be a
 strip of land bordering the Atlantic Ocean, 3,850 feet in length & fifty feet
 wide, bounded northwesterly by a line drawn parallel to the Ocean shore, fifty
 feet above mean high-water mark, as shown on a map filed in the Office for a
 Registry of Deeds for Washington County, at Westbury, Rhode Island, entitled "Map
 of property of Chas. J. Everett, at Watch Hill, R. I. No. 1, 1882". But nothing here
 contained shall be construed to grant or convey, by implication or otherwise
 any right of way to the said beach across or upon the lands of the said
 parties of the first part, except by such roads or paths as now are or may
 hereafter be laid & opened according to law; or to prevent the said Lynas
 Barton & Walter St. Jno. Jones, Trustees, their successors or assigns, from
 building a pier or piers, or breakwaters, across or upon the said beach,
 with all necessary or convenient driveways, approaches, & other structures
 incidental thereto, or to construct works on or across said beach for the
 drainage or overflow, or other improvement of the adjacent ponds, meadows
 or lands, but no sewage shall be discharged upon said beach, or across
 or under it into the ocean; And the said Lynas Barton & Walter St. Jno.
 Jones, for themselves, their successors & assigns, do hereby covenant, grant
 & agree, to, with the said party of the second part, his heirs & assigns, that
 they the said Lynas Barton & Walter St. Jno. Jones, Trustees, as aforesaid,
 at the time of the sealing & delivery of these presents, are lawfully seized
 of a good, absolute, & indefeasible estate of inheritance, in fee simple
 & in all singulars the above granted & described premises, with the
 appurtenances thereof, & have good right, full power, & lawful authority
 to grant, bargain, sell, & convey the same, in manner aforesaid. And that
 the said party of the second part, his heirs & assigns, shall & may at all
 times hereafter, peaceably & quietly have, hold, use, occupy, possess, & enjoy
 the above granted premises, & every part & parcel thereof, with the appur-
 tenances, without any let, suit, trouble, molestation, violation or disturbance
 of the said parties of the first part, their successors or assigns, or of any
 other person or persons lawfully claiming or to claim the same. And
 that the said premises are now free, clear, discharged, & unincumbered
 of, & from all forms & other grants, titles, charges, estates, judgments,
 taxes, assessments & encumbrances of what nature or kind soever. And
 also that the said parties of the first part, & their successors, & all, one
 person or persons whomsoever, lawfully or equitably deriving any estate,
 right, title, or interest, of, in or to the hereinbefore granted premises, by
 gift, deed, or in trust for them, shall, & will at any time or times here-
 after, upon the reasonable request, & at the proper costs & charges in the
 law of the said party of the second part, his heirs & assigns, make, do,
 execute, or cause to be made done & executed, all & every such further

more effectually vesting & confirming the premises hereby granted, or intended so to be, in & to the said party of the second part, his heirs & assigns forever, as by the said party of the second part, his heirs or assigns, or by their counsel learned in the law, shall be reasonably advised or required. And the said Lynceus Barton & Walter St. Joe Jones, Trustees, & their successors or assigns, the above described, hereby granted, & released premises, & every part & parcel thereof, with the appurtenances, unto the said party of the second part, his heirs & assigns, against the said parties of the first part, & their successors, & against all & every person, & persons whomsoever, lawfully claiming or to claim the same, shall & will warrant & by these presents forever defend.

Signed, sealed & acknowledged

in our presence,
Albert G. Milton.
Irving Wood
Wm. J. Harvey.
Ben. B. Dale.

Lynceus Barton.
Trustee of the Watch
Hill Land Syndicate.
Walter St. Joe Jones.
Trustee of the Watch
Hill Land Syndicate.

L.S.

L.S.

State of Ohio

County of Hamilton, ss. Be it remembered, that on this 6 day of October A.D. 1890, before me, a Notary Public in & for said county personally appeared Walter St. Joe Jones one of the Trustees of the Watch Hill Land Syndicate, & the said grantor in the foregoing instrument by them signed, & acknowledged it personally as trustee aforesaid, to be his free & voluntary act, & deed. In witness whereof I have set my hand and seal the day & year above written.

L.S.

Ben. B. Dale

Notary Public Hamilton County, Ohio.

State of Massachusetts.

County of Suffolk. ss. Be it remembered that on this third day of October 1890, before me, Albert G. Milton a Notary Public in & for said State & County, personally appeared Lynceus Barton one of the grantors in the foregoing instrument, by him signed, as trustee, & acknowledged the same personally to be his voluntary act, & deed. In witness whereof, I have set my hand and seal the day & year above written.

L.S.

Albert G. Milton.

Notary Public.

Commission expires July 4 92.

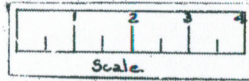
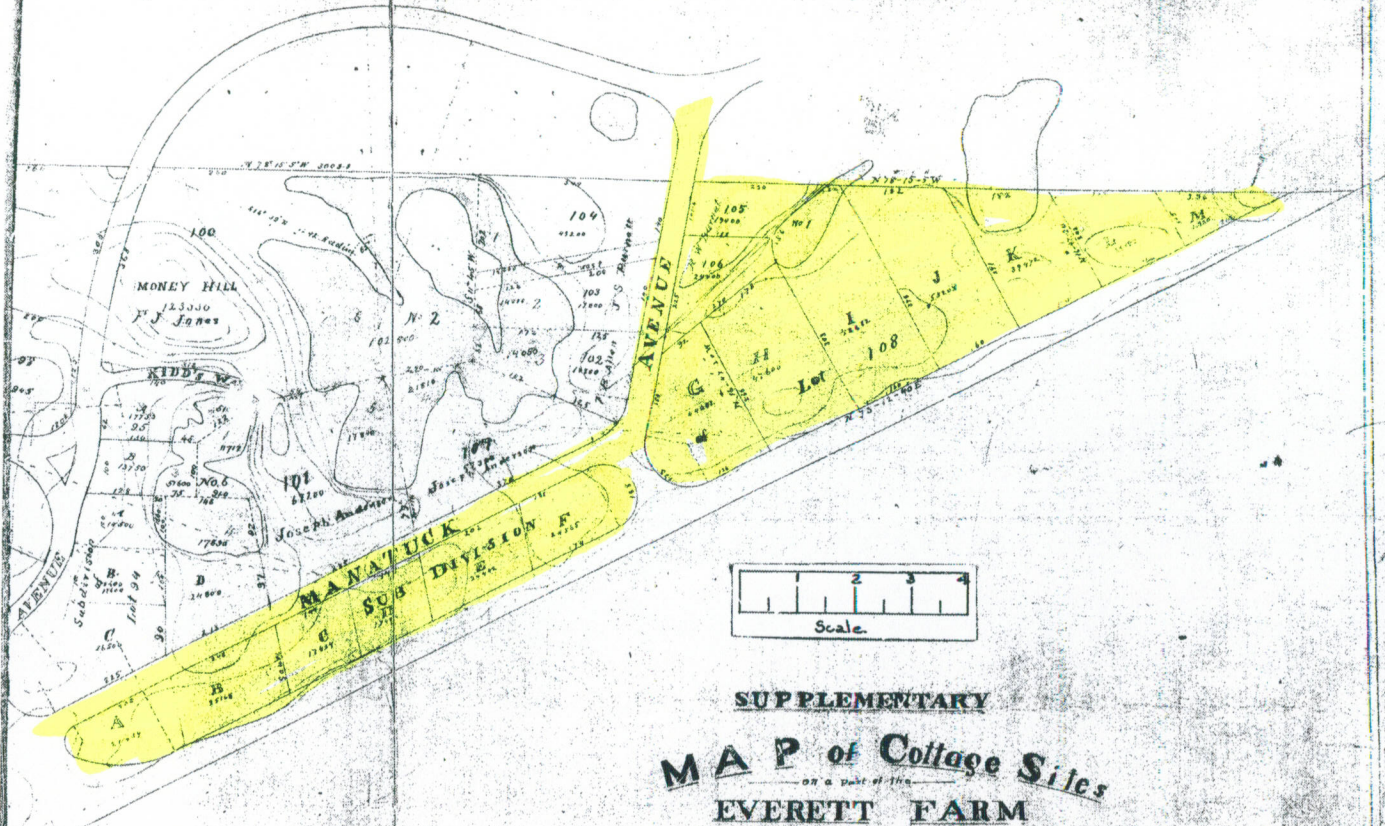
Commonwealth of Massachusetts.

Suffolk, ss. Municipal Court. I hereby certify, that Albert G. Milton whose name is hereunto affixed was at the date thereof a Notary Public in & for said State, County of Suffolk, duly commissioned according to the laws of this Commonwealth, & that the foregoing signature purporting to be the signature of the said Milton is genuine, & that faith & credit are

L.S.

ATTEST: Mary L. LeBlanc, M.M.C. Western Town Probate Clerk OCT 24 2022





SUPPLEMENTARY

MAP of Cottage Sites
on a part of the
EVERETT FARM

WATCH HILL, RHODE ISLAND.

MADE BY THE ORDER OF
 LYNEAS NORTON & WALTER S. JOHN JONES
 Jan 1891

Note: Boundaries and Topography
 refer to the Survey Survey 1891
 This map is drawn to Sub-Division of
 Lot 108 and the several ponds, all as shown
 in the final plan of the Survey made at
 Watch Hill, R.I.

Scale 100 feet to the inch

John E. Mangus
 Surveyor

Received

3/3/2026

Coastal Resources
 Management Council

shall be given to the said lessor, in as good condition as they now are in, the usual wear, less thereof excepted. It is further understood & agreed by the said lessor, that he will & shall not underlet the said premises, or any part thereof, or assign this lease, without the written assent of the said lessor, or his legal representative, being first had & obtained. This lease is to be extended for the further term of five years, from & after the first day of December A.D. 1895, upon the same terms & conditions, as are herein before written, excepting that the rent of said premises shall be two hundred dollars yearly, & every year during said further term of five years, & payable quarterly in advance, if the said party of the second part, lessee, so desires, by giving written notice to said party of the first part, lessor, for at least three months previous to said first day of December A.D. 1895. It is hereby understood & agreed by & between the said lessor, the said lessee, that the covenants herein before written shall extend to, & be binding upon the heirs, executors & administrators of the said lessor, the said lessee respectively. In witness whereof, the parties hereto, have interchangeably set their hands, & seals the day, & year first above written.

Signed, sealed, & delivered

in presence of
John W. Sweeney

Henry R. Gavitt
John Latta

L.S.
L.S.

State of Rhode Island

Washington D.C. In Witness whereof, this 10th day of December A.D. 1892 the above named Henry R. Gavitt & John Latta personally appeared before me & acknowledged the foregoing instrument by them signed to be their free & voluntary act & deed.

Before me, John W. Sweeney
Notary Public

Received for Record December 10th A.D. 1892 at 3 1/2 o'clock P.M., Recorded

attest: William Horsey,
Iron Clerk

This indenture, made the fourth of December in the year one thousand eight hundred & ninety, between Lyman Barton & Walter St. John Jones created the Watch Hill Land Syndicate of the city of Cincinnati, county of Hamilton & State of Ohio, parties of the first part, & Frank J. Jones, Edward Werthington, Charles H. Kellogg, Jr., Robert W. Burnett, Jacob S. Burnett, Franklin H. Lawson, Sarah W. Bullock, Robert Clark, H. C. Yorgason, W. Whelpley, Walter Smith, Emily C. Horton, Joseph S. Anderson, William A. Anderson, Hines Stronbridge, Job Kinney, & Charles W. Short, of the city of Cincinnati, county of Hamilton & State of Ohio, & Davis E. Anderson, of the village of Watch Hill, Township of Westoby, county of Washington & State of Rhode Island, & Sherman W. Kowals, of the city of New York, State of New York, parties of the second part, Witnesseth: That the parties of the first part, for & in consideration of the sum of dollars

hundred dollars (\$1200.00) lawful money of the United States to them in
 hand paid by the said parties of the second part at or before the executing &
 delivery of these presents the receipt whereof is hereby acknowledged, have
 granted, bargained, sold, aliened, devised, released, conveyed & confirmed
 & by these presents do grant, bargain, sell, alien, devise, release, convey &
 confirm, unto the said parties of the second part, & to their heirs & assigns
 forever, all that certain piece or parcel of land & premises hereinafter
 particularly described, situate, lying & being in the village of Watch
 Hill, Township of Westerly, county of Washington, State of Rhode Island,
 being part of a certain tract of land deeded to Jacob S. Burnett, Lynceus
 Barton & Walter St. John Jones, by Charles J. Everett & wife, by deed dated
 June 12th A.D. 1886, & recorded in deed book 27, page 204, & so forth; also
 part of certain tracts of land deeded to Edward Warthington by Jacob
 S. Burnett & Annie S. his wife, Lynceus Barton & Emily S. his wife & Walter
 St. John Jones by deed dated December 15th 1888, & recorded in Land Records
 of Westerly, Rhode Island, Deed Book 29, page 20, & by said Edward
 Warthington deeded to Lynceus Barton & Walter St. John Jones, trustees,
 by deed dated December 15th 1888, & recorded in Land Records of Westerly,
 Rhode Island, Deed Book 29, page 20, & also known as lot number one hundred &
 eighth (108) on a plat of Cottage Sites of the Everett farm, made by Jacob S.
 Burnett, Lynceus Barton, Walter St. John Jones, as filed at the Town Clerks
 Office in said town of Westerly, Rhode Island. Said lot number one
 hundred & eighth is located on the ocean front south & east of Manatuck
 Avenue & lots number one hundred & six (106) & one hundred & five (105)
 in the same subdivision as shown by an additional plat on file in said
 Town Clerks Office in said town of Westerly, Rhode Island, & is known as
 the Sand Dunes. The object of this conveyance is to transfer & set over to
 the above named parties of the second part all rights, title & interest
 said trustees may have in all the ground remaining in said subdivi-
 sion located as above described, except as shown below in this deed,
 together with all singular & the tenements, hereditaments & appurte-
 nances thereto belonging or in any wise thereto appertaining & the
 reversion & reversions, remainder & remainders, rents, issues & profits
 thereof & also all the estate, right, title, interest, property, possessions,
 claim & demand whatsoever, as well in law as in equity, of the said
 parties of the first part of in & to the same, & every part & parcel thereof
 with the appurtenances. To have & to hold the above granted, bargained
 & described premises with the appurtenances unto the said parties of
 the second part their heirs & assigns to them or their own proper use,
 benefit & behoof forever, together with the perpetual right to the use or
 enjoyment of the east or Atlantic beach as a promenade or pleasure
 ground without hindrance or obstruction except as herein after stated,
 the said beach for the purposes of this easement is hereby declared to
 be a strip of land bordering the Atlantic Ocean thirty eight hundred &
 fifty feet in length & fifty feet in width bounded northwesterly by a
 line drawn parallel to the ocean shore fifty feet above mean high
 water mark as shown on a map filed in the office for the registry of

Deeds for Washington County at Westerly, Rhode Island, entitled "Map of Property of Charles J. Everett at Watch Hill, Rhode Island to 1, 1882". But nothing herein contained shall be construed to grant or convey by implication or otherwise any right of way to said beach across or upon the lands of said parties of the first part except by such roads or paths as now are or may hereafter be laid, opened according to law, or to prevent the said Lynnas Barton, Walter St. John Jones, trustees, their successors or assigns, from building a pier or piers or break waters across or upon the said beach with all necessary or convenient driveways, approaches, & other structures incidental thereto; or to construct works on or across said beach for the drainage or overflow of other improvements of the adjacent ponds, marshes or lands, but no sewage shall be discharged upon said beach or across or under it, into the ocean. And the said Lynnas Barton, Walter St. John Jones, trustees as aforesaid, for themselves, their successors, assigns, do hereby covenant, grant, agree to, with the said parties of the second part, their heirs, assigns, that they, the said Lynnas Barton, Walter St. John Jones, trustees as aforesaid at the time of the sealing & delivery of these presents are lawfully seized of a good, absolute, & indefeasible estate of inheritance in fee simple of, in all singular the above granted, & described premises with the appurtenances thereof & have good right, full power, & lawful authority to grant, bargain, sell, & convey the same in manner aforesaid, & that the said parties of the second part, their heirs, assigns, shall, may, at all times hereafter peaceably, & quietly have, hold, use, occupy, possess, & enjoy the above granted premises, & every part, & parcel thereof with the appurtenances without any let, suit, trouble, molestation, eviction or disturbance of the said parties of the first part, their successors or assigns, or of any other person or persons lawfully claiming or to claim the same; And that the said premises are now free, clear, discharged, & unincumbered of, & free from all former, & other grants, titles, charges, estates, judgments, taxes, assessments, & incumbrances of what nature or kind soever. And the said Lynnas Barton, Walter St. John Jones, trustees & their successors or assigns, the above described, & hereby granted, & released premises, & every part, & parcel thereof with the appurtenances unto the said parties of the second part, their heirs, & assigns, against the said parties of the first part, & their successors, & against all, & every person, & persons whomsoever, lawfully claiming or to claim the same, shall, & will warrant, & by these presents forever defend.

Signed, sealed, & acknowledged
in our presence,

Emily C. Barton.
Juliet B. Barton.
S. H. Cummill.
Ben B. Dale as tell

Lynnas Barton,
Trustee of the Watch
Hill Land Syndicate.
Walter St. John Jones,
Trustee of the Watch
Hill Land Syndicate,

[L.S.]

[L.S.]

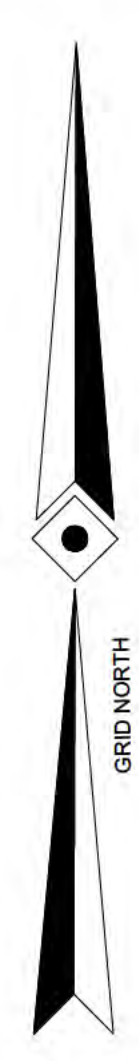


Received
3/3/2026
Coastal Resources
Management Council

0124



LOCUS MAP
© 2021 ESRI WORLD STREET MAPS

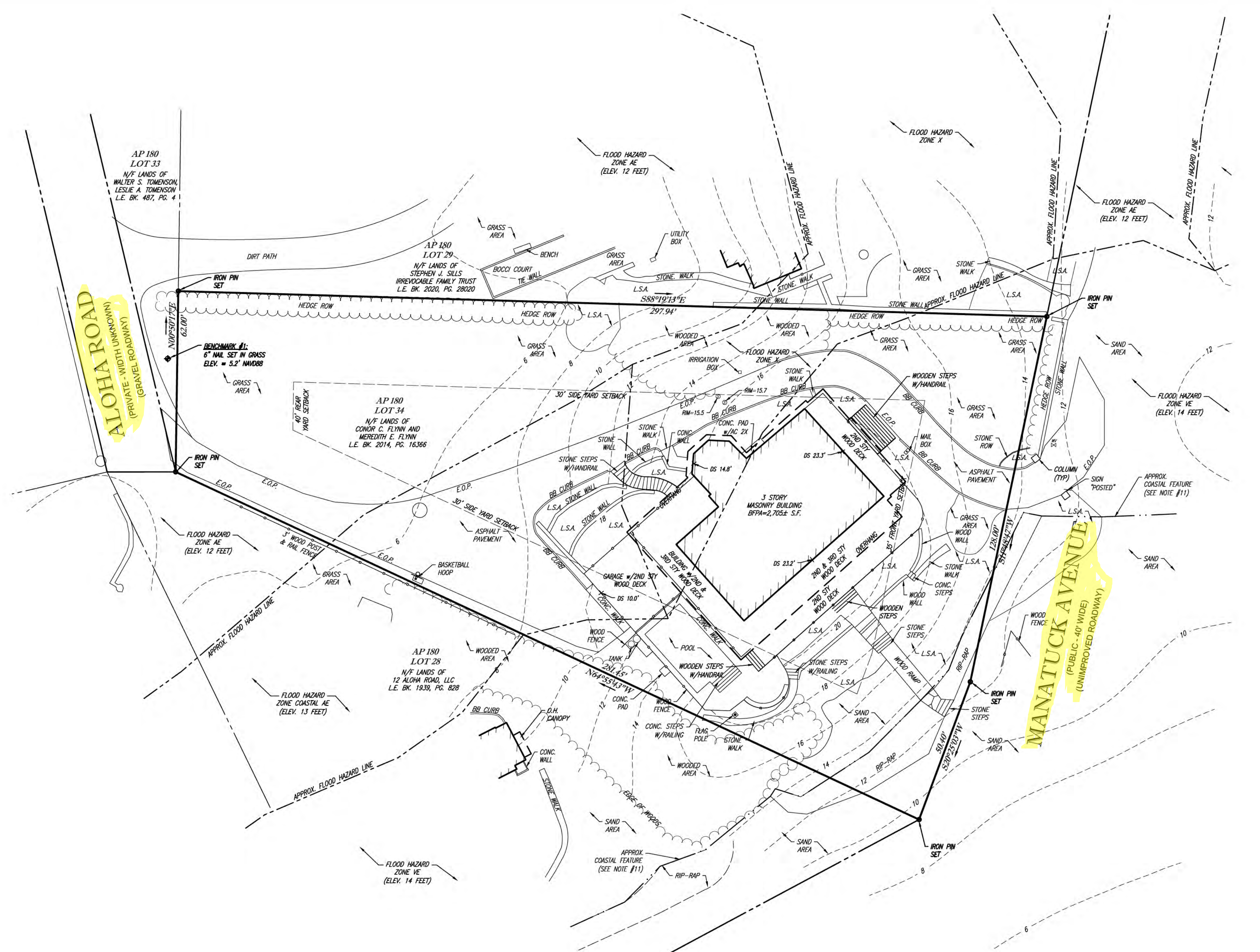


- LEGEND**
- 124 --- EXISTING CONTOUR
 - 125 --- EXISTING DOOR SILL ELEVATION
 - X DS 123.45 EXISTING UNKNOWN VALVE
 - VALVE UNKNOWN VALVE
 - SIGN SIGN
 - MAIL BOX MAIL BOX
 - AC ABOVE GROUND
 - UG UNDER GROUND
 - BB CURB BELGIUM BLOCK CURB
 - EOP EDGE OF PAVEMENT
 - L.S.A. LANDSCAPED AREA
 - (TYP) TYPICAL
 - SMH SANITARY/SEWER MANHOLE
 - BLDC BUILDING
 - B.F.P.A. BUILDING FOOTPRINT AREA

MEANDER NOTE:
STONE WALLS MEANDER, PROPERTY LIMITS DISPLAYED ARE THE BEST FIT BASED ON RECORDED PLANS AND DEEDS. THE ACTUAL CENTERLINE OF THE STONE WALLS ARE THE PROPERTY LIMITS UNLESS NOTED OTHERWISE. LINEWORK IS NOT A COMPLETELY PRECISE LIMIT IN CASES WHERE WALLS MEANDER FROM THE CENTERLINE.



THE STATE OF RHODE ISLAND REQUIRES NOTIFICATION BY EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN THE STATE.



- NOTES:**
- PROPERTY KNOWN AS LOT 34 ON THE TOWN OF WESTERLY, WASHINGTON COUNTY, STATE OF RHODE ISLAND TAX ASSESSORS MAP NO. 180.
 - AREA = 34,320 SQUARE FEET OR 0.788 ACRES.
 - UNDERGROUND UTILITIES HAVE NOT BEEN SHOWN. BEFORE ANY SITE EVALUATION, PREPARATION OF DESIGN DOCUMENTS OR EXCAVATION IS TO BEGIN, THE LOCATION OF UNDERGROUND UTILITIES SHOULD BE VERIFIED BY THE PROPER UTILITY COMPANIES.
 - THIS PLAN IS BASED ON INFORMATION PROVIDED BY A SURVEY PREPARED IN THE FIELD BY SARDELLI SURVEY, LLC AND OTHER REFERENCE MATERIAL AS LISTED HEREON.
 - THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO THE RESTRICTIONS, COVENANTS AND/OR EASEMENTS THAT MAY BE CONTAINED THEREIN.
 - BY GRAPHIC PLOTTING ONLY PROPERTY IS LOCATED IN FLOOD HAZARD ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), ZONE AE (SPECIAL FLOOD HAZARD AREA, SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD), BASE FLOOD ELEVATION DETERMINED) & ZONE VE (SPECIAL FLOOD HAZARD AREA, SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD), COASTAL FLOOD ZONE WITH VELOCITY HAZARD (WAVE ACTION, BASE FLOOD ELEVATION DETERMINED) PER REF. #2.
 - ELEVATIONS REFER TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), BASED ON GPS OBSERVATIONS UTILIZING THE ACORN VRS NETWORK (UCONN).
 - THE OFFSETS SHOWN ARE NOT TO BE USED FOR THE CONSTRUCTION OF ANY STRUCTURE, FENCE, PERMANENT ADDITION, ETC.
 - THIS SITE IS A SINGLE FAMILY RESIDENTIAL. SOME POSSIBLE ENCROACHMENTS WERE OBSERVED AND NOTED. APPARENT LIMITS OF OCCUPATION ARE AS SHOWN.
 - SITE WAS FLOWN ON JULY 14, 2021 BY SARDELLI SURVEY, LLC USING A PHANTOM 4 RTK QUADCOPTER AT ROUGHLY 120' ALTITUDE.
 - COASTAL FEATURE WAS MEASURED TO THE TOP OF RR RAP WALL AND NEARBY COASTAL VEGETATION.

- REFERENCES:**
- THE TAX ASSESSOR'S MAP OF THE TOWN OF WESTERLY, WASHINGTON COUNTY, STATE OF RHODE ISLAND, SHEET #180.
 - MAP ENTITLED "NATIONAL FLOOD INSURANCE PROGRAM, FIRM, FLOOD INSURANCE RATE MAP, WASHINGTON COUNTY, RHODE ISLAND (ALL JURISDICTIONS), PANEL 254 OF 308," MAP NUMBER 44009C0254J, EFFECTIVE DATE: OCTOBER 16, 2013.
 - MAP ENTITLED "AMENDED PLAT OF PART OF EVERETT FARM WATCH HILL RHODE ISLAND," PREPARED BY MESSRS BURNETT, NORTON AND JONES, DATED JUNE 1887, FILED IN THE TOWN OF WESTERLY AS PLAT BOOK 2, PAGE 28.
 - MAP ENTITLED "SUPPLEMENTARY MAP OF COTTAGE SITES ON A PART OF THE EVERETT FARM, WATCH HILL, RHODE ISLAND, MADE BY THE ORDER OF LYNEAS NORTON AND WALTER ST. JOHN JONES," DATED JANUARY 1891, FILED IN THE TOWN OF WESTERLY AS PLAT BOOK 2, PAGE 90 & 91.
 - MAP ENTITLED "PROPERTY OF LEE ENGINEERING CO., WATCH HILL - WESTERLY, R.I.," PREPARED BY ROSSI & LEWIS, ENGINEERS, DATED MAY 1961, UNRECORDED MAP OF RECORD.

ZONING INFORMATION
LDR 43 (SINGLE-FAMILY DWELLING)
SOURCE: TOWN OF WESTERLY

ITEMS	REQUIREMENT
MIN LOT AREA	43,560 S.F.
MIN FRONTAGE	200'
MIN FRONT YARD	35'
MIN SIDE YARD	30'
MIN REAR YARD	40'
MAX BUILDING HEIGHT	35'
MAX IMPERVIOUS COVERAGE	22.5%

NOTE: ZONING/COVERAGE CRITERIA IDENTIFIED HEREON ARE BASED UPON PRELIMINARY RESEARCH AND PRESENTED FOR REFERENCE ONLY. SAME MUST BE CONFIRMED WITH LOCAL ZONING OFFICIAL AND LEGAL COUNSEL TO CONFIRM VALIDITY.

Received
3/3/2026
Coastal Resources
Management Council

- STREET INDEX:**
1) MANATTUCK AVENUE
2) ALOHA ROAD

THE PURPOSE OF THIS SURVEY IS TO SHOW THE EXISTING SITE FEATURES RELATIVE TO THE PROPERTY BOUNDARY LINES.

THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED PURSUANT TO 435-RICR-00-00-19 OF THE RULES AND REGULATIONS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS ON OR AFTER NOVEMBER 25, 2015.

COMPREHENSIVE BOUNDARY SURVEY
HORIZONTAL ACCURACY: CLASS 1 (1:10,000)
VERTICAL ACCURACY: T-2 (SEE NOTE #7)

NOT A VALID ORIGINAL DOCUMENT UNLESS EMBOSSED WITH RAISED IMPRESSION OR STAMPED WITH A BLACK INK SEAL



JAMIE L. SARDELLI
RHODE ISLAND PROFESSIONAL LAND SURVEYOR #2505, COA #710

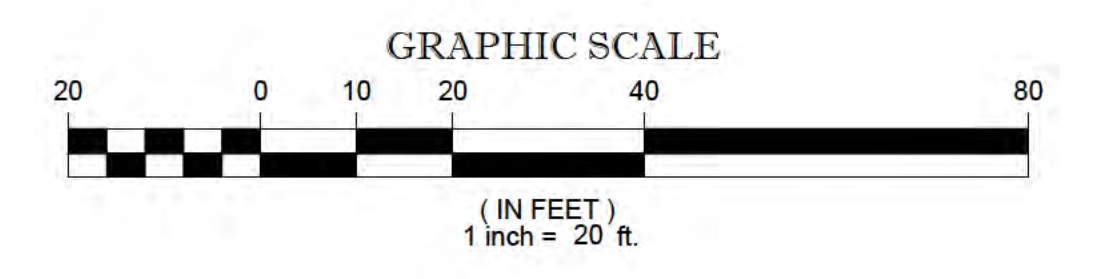
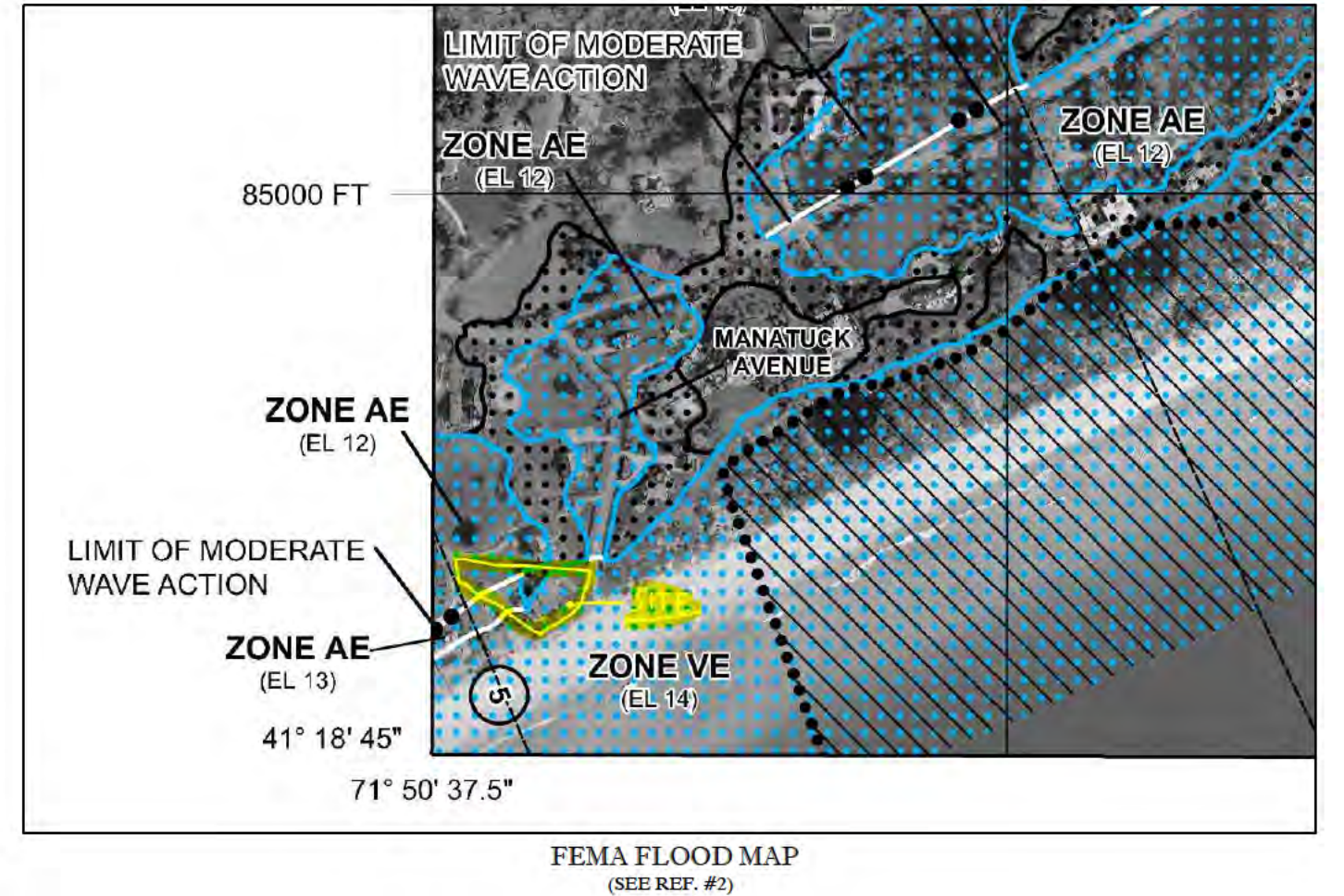
No.	ADDED FIELD LINES; SET MONUMENTS	J.L.S.	J.L.S.	J.L.S.	8-11-21
No.	DESCRIPTION OF REVISION	FIELD CREW	DRAWN	APPROVED	DATE
1					

FIELD DATE: 7-14-21
FIELD BOOK NO: -
FIELD BOOK PG: -
FIELD CREW: J.L.S.
DRAWN: J.L.S.
APPROVED: J.L.S.
REVIEWED: J.L.S.

BOUNDARY & TOPOGRAPHIC SURVEY
CONOR FLYNN
9 MANATTUCK AVENUE
A.P. 180, LOT 34
TOWN OF WESTERLY, WASHINGTON COUNTY
STATE OF RHODE ISLAND

Sardelli Survey, LLC
& Environmental Services
WWW.SARDELLISURVEY.COM
MAILING: P.O. BOX 1017
CHARLESTOWN, RI 02813
OFFICE: (401)837-3364

APPROVED: J.L.S. DATE: 8-4-21 SCALE: 1"=20' FILE NO: SS21035 DWG. NO: 1 OF 1



SARDELLI SURVEY, LLC. ALL RIGHTS RESERVED. THIS DOCUMENT IS THE PROPERTY OF SARDELLI SURVEY, LLC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OR OTHER THAN THE ORIGINAL PROJECTOR'S USE OF THIS DOCUMENT IS PROHIBITED. THE PURPOSE ORIGINALLY INTENDED, WITHOUT THE WRITTEN PERMISSION OF SARDELLI SURVEY, LLC, IS PROHIBITED.

- LEGEND**
- DEFLECTION OR ANGLE POINT
 - DRILL HOLE FOUND
 - STONE BOUND FOUND
 - ⊕ IRON PIPE FOUND
 - UTILITY POLE
 - ⊕ WATER SHUT-OFF
 - ▲ WETLAND DELINEATION FLAG
 - ▣ CATCH BASIN
 - ⊕ FIRE HYDRANT
 - N/F NOW OR FORMERLY
 - AG AT GRADE
 - BG BELOW GRADE
 - 10.72x SPOT ELEVATION (FEET)

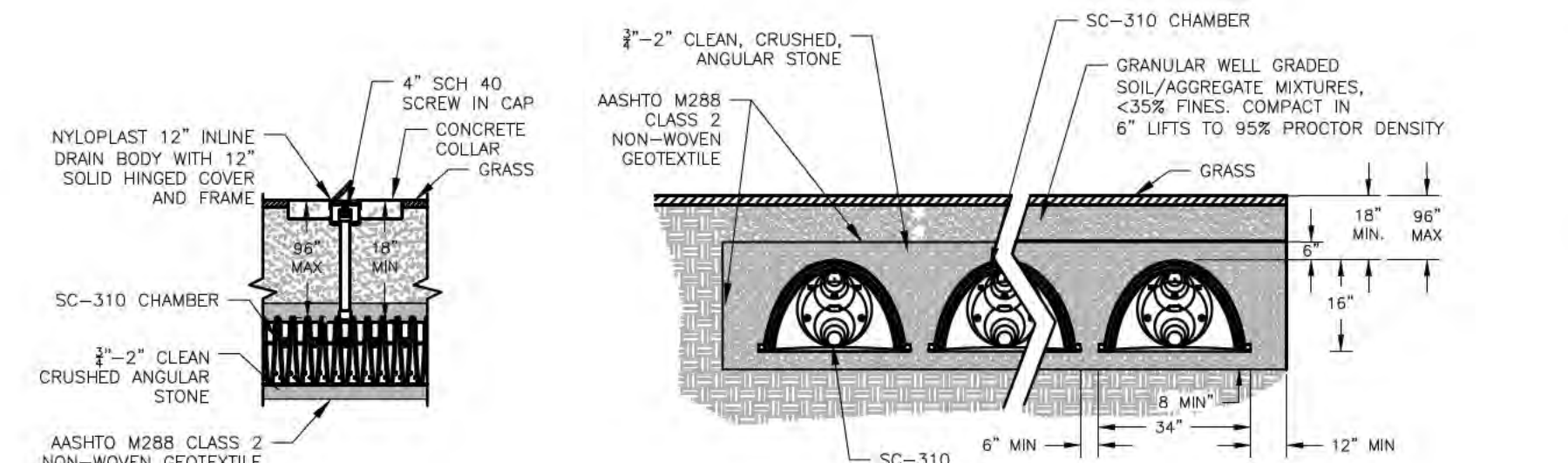
- ☼ EVERGREEN TREE
- ▤ MASONRY STONE WALL
- 5' — MAJOR CONTOUR - 5' INTERVAL
- 3' — MINOR CONTOUR - 1' INTERVAL
- 1' — DRAIN LINE
- W — WATER LINE
- W — OVERHEAD WIRES
- W — UNDERGROUND WIRES
- W — EDGE OF VEGETATION
- W — STONE WALL
- W — ZONING SETBACK LINE

- EXWB — EXISTING BUFFER
- 25' BZ — 25' BUFFER ZONE
- 100' BZ — 100' BUFFER ZONE
- 50' OWTS — 50' OWTS SETBACK (RIDEM)
- 200' OWTS — 200' OWTS SETBACK (RIDEM)
- 20' CS — 20' CONSTRUCTION SETBACK
- 25' CS — 25' CONSTRUCTION SETBACK
- 100' CRMC — 100' JURISDICTIONAL AREA (CRMC)
- 200' CRMC — 200' JURISDICTIONAL AREA (CRMC)
- LOD — LIMIT OF DISTURBANCE (LOD)
- SW — STRAW WATTLE (LOD)

ZONING CHART
(BASED ON LDR-43)

LOT AREA	*REQUIRED SINGLE FAMILY	EXISTING	PROPOSED	DIMENSIONAL MODIFICATION	RELIEF REQUESTED
43,550 SF	41,115 SF	NO CHANGE	NA	NA	NA
FRONTAGE 200 FT	297 FT	CO CHANGE	NA	NA	NA
RMP COVER 22.5%	19.4%	CO CHANGE	NA	NA	NA
MAXIMUM HEIGHT 35 FT	TBD	TBD	NA	NA	NA
PRINCIPAL BUILDING 20 FT	TBD	TBD	NA	NA	NA
PRINCIPAL BLDG SETBACK 35 FT	36.3 FT	47.4 FT	26.25 FT	NA	NA
FRONT SETBACK 32.5 FT	NA	NA	NA	NA	NA
CORNER SIDE SETBACK 30 FT	25.7 FT	26.1 FT	22.5 FT	3.9 FT	NA
SIDE SETBACK 40 FT	NA	NA	NA	NA	NA
REAR SETBACK 20 FT	3.7 FT	NO CHANGE	NO CHANGE	NO CHANGE	NO CHANGE
GARAGE SETBACK 25 FT	NA	NO CHANGE	NO CHANGE	NO CHANGE	NO CHANGE

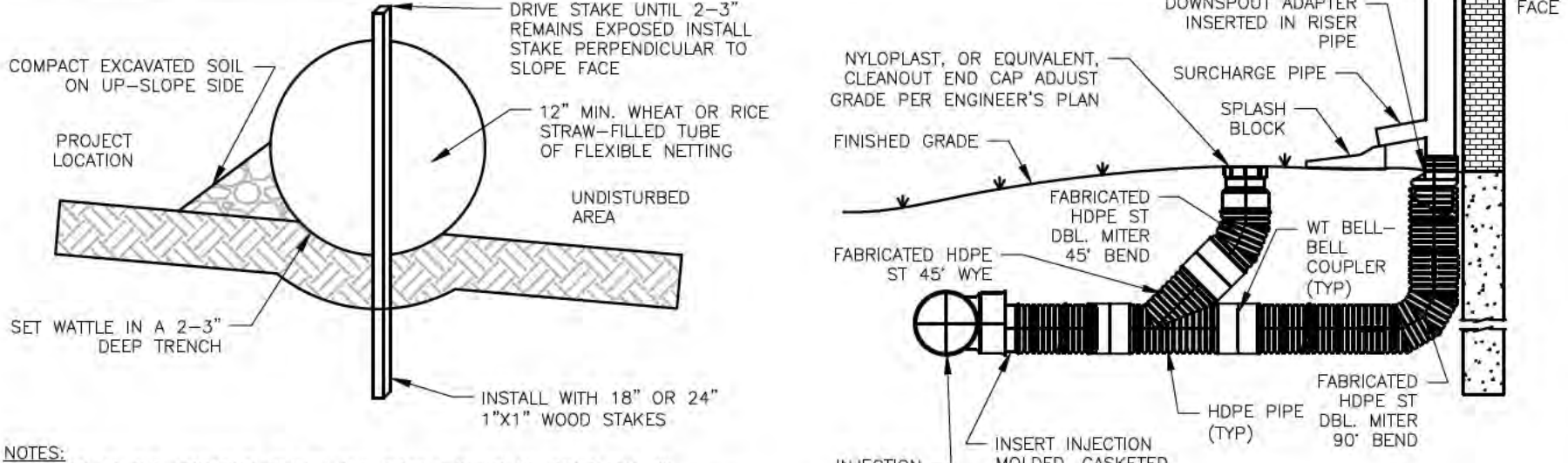
*SETBACKS SHOWN WERE VERIFIED BY THE TOWN OF WESTERLY ZONING OFFICIAL VIA EMAIL ON APRIL 30, 2025. ALTHOUGH THIS IS AN EXISTING SUBSTANDARD LOT OF RECORD, THE SETBACKS SHOWN ARE THE LEAST RESTRICTIVE ALLOWED.



- NOTES:**
- INSPECTION PORT MUST BE CONNECTED THROUGH KNOCK-OUT LOCATED AT CENTER OF CHAMBER.
 - ALL SCHEDULE 40 FITTINGS TO BE SOLVENT CEMENTED.

STORMTECH SC-310

SLOPE STEEPNESS	MAXIMUM SPACING (FT)
2:1	25
3:1	50
4:1	75
5:1 OR FLATTER	100



- NOTES:**
- BEGIN AT THE LOCATION WHERE THE WATTLE IS TO BE INSTALLED BY EXCAVATING A 2-3" DEEP X 8" WIDE TRENCH ALONG THE CONTOUR OF THE SLOPE. EXCAVATED SOIL SHALL BE PLACED UP-SLOPE FROM THE ANCHOR TRENCH.
 - PLACE THE WATTLE IN THE TRENCH SO THAT IT CONTOURS TO THE SOIL SURFACE. COMPACT THE SOIL FROM THE EXCAVATED TRENCH AGAINST THE WATTLE ON THE UP-HILL SIDE. ADJACENT WATTLES SHOULD TIGHTLY ABUT.
 - SECURE THE WATTLE WITH 18-24" STAKES EVERY 3-4' WITH A STAKE ON EACH END. STAKES SHALL BE DRIVEN THROUGH THE MIDDLE OF THE WATTLES LEAVING AT LEAST 1/2" OF STAKE EXTENDING ABOVE THE WATTLE. WATTLE STAKES SHALL BE DRIVEN PERPENDICULAR TO SLOPE FACE.
 - MAX. DRAINAGE AREA ≤ 0.25 ACRES/100 LINEAR FEET.

STRAW WATTLE

TYPICAL ROOF DRAIN CONNECTION

SOIL EROSION & SEDIMENT CONTROL NOTES:

- UNNECESSARY CLEARING OF ANY VEGETATION OR GROUND COVER SHALL BE AVOIDED. ANY DISTURBED AREA LEFT UN-VEGETATED FOR MORE THAN FIVE DAYS SHALL BE COVERED WITH A HAY OR STRAW MULCH TO MINIMIZE EROSION.
- FOLLOWING FINAL GRADING, ALL DISTURBED AREAS SHALL BE COVERED WITH 4" LOAM AND SEEDED AS DESCRIBED BELOW. IF ANY SEEDED AREAS ARE DISTURBED OR DAMAGED, RE-SEEDING WILL OCCUR AS SOON AS POSSIBLE.

SEED MIXTURE, % BY WT:
 RED FESCUE - 75%
 COLONIAL BENTGRASS-EXETER - 5%
 PERENNIAL RYEGRASS - 5%
 BIRDSFOOT TREFOIL-EMPIRE - 15%

APPLY SEED MIXTURE AT A RATE OF 100 LBS. PER ACRE. IF FINAL GRADING OCCURS AFTER OCTOBER 15, DISTURBED AREAS WILL BE SEEDED WITH WINTER RYE-GRASS AND MULCHED WITH HAY OR STRAW AT A RATE OF 1.5-2 TONS PER ACRE. ANY PROPOSED VEGETATION WHICH HAS NOT SURVIVED ONE GROWING SEASON WILL BE REPLACED UNSUITABLE MATERIAL WILL BE REMOVED FROM THE SITE AND DEPOSITED IN A SUITABLE LOCATION.

- TOP SOIL
- THE TOP SOIL WILL BE STOCKPILED WITH A RING OF STRAW WATTLES PLACED AROUND THE BASE OF THE PILE.
- STOCK PILES CAN BE PLACED ANYWHERE WITHIN THE LIMIT OF DISTURBANCE.
- AFTER CONSTRUCTION IS COMPLETED, THE TOP SOIL WILL BE SCREENED.
- SCREENED TOP SOIL WILL BE SPREAD TO A MINIMUM DEPTH OF 4" OVER ALL DISTURBED AREAS AND SEEDED AS DESCRIBED IN THE SOIL EROSION & SEDIMENT CONTROL NOTES.

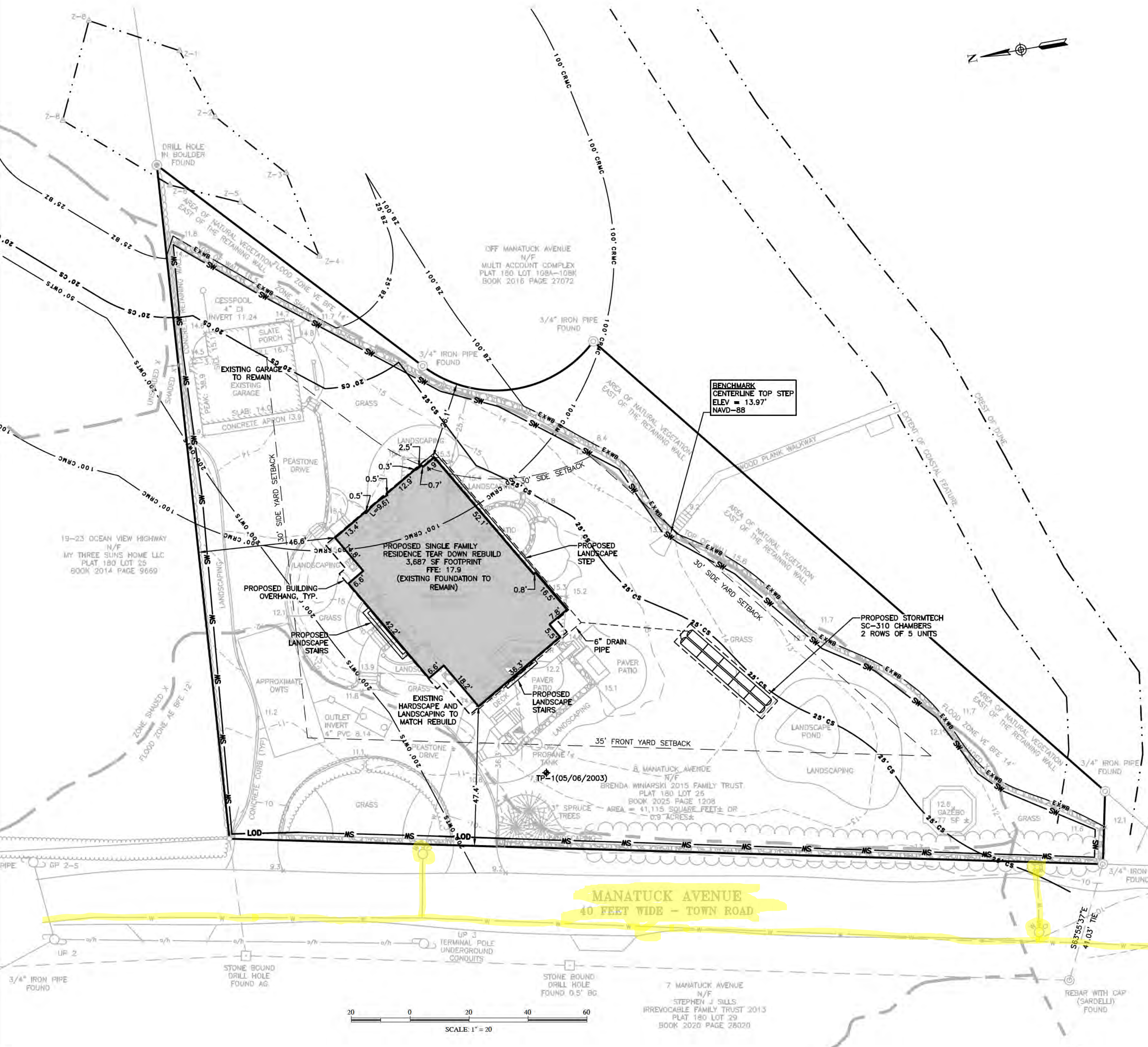
STORMWATER DESIGN:

PROPOSED IMPERVIOUS COVERAGE (REBUILD OF RESIDENCE) = 3,500 SF
 REQUIRED DRAINAGE CALCULATION PER TABLE 10 OF THE STATE OF RHODE ISLAND STORMWATER MANAGEMENT GUIDANCE FOR INDIVIDUAL SINGLE-FAMILY RESIDENTIAL LOT DEVELOPMENT FOR 30" DEEP INFILTRATION TRENCH:
 3,500/1,000 = 3.5 x 80 = 280 SF MIN. STONE AREA REQUIRED
 323 SF OF STONE AREA PROVIDED.

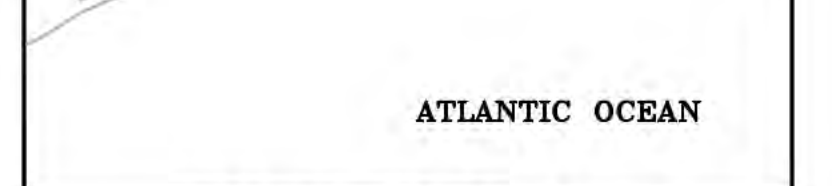
INFILTRATION AREAS:

TO ENSURE THE LONG-TERM FUNCTION AND VALUE OF ANY AREA PROPOSED FOR INFILTRATION, INCLUDING BUT NOT LIMITED TO RAIN GARDENS, BIO-RETENTION BASINS, SAND FILTERS, SURFACE INFILTRATION BASINS, AND SUBSURFACE INFILTRATION CHAMBERS, THE CONTRACTOR SHALL EXERCISE THE FOLLOWING BEST MANAGEMENT PRACTICES THROUGHOUT CONSTRUCTION:

- THESE AREAS SHALL NOT BE USED FOR TEMPORARY CONSTRUCTION SEDIMENTATION CONTROL, SEDIMENTATION BASINS, OR DE-WATERING AREAS.
- THESE AREAS SHALL REMAIN OFF-LINE UNTIL THE ENTIRE CONSTRUCTION AREA CONTRIBUTING TO THESE AREAS HAS BEEN STABILIZED WITH BUILDINGS, BUILDING FOUNDATIONS, PAVEMENT, OR VEGETATION, AS APPLICABLE.
- STORMWATER RUNOFF DURING CONSTRUCTION SHALL BE DIRECTED AWAY FROM THESE AREAS TO THE GREATEST EXTENT PRACTICABLE. WHERE NOT FEASIBLE, THE CONTRACTOR SHALL INSTALL ADDITIONAL EROSION CONTROLS UP-GRADE OF THESE AREAS TO PREVENT SEDIMENTATION OF THESE AREAS DURING CONSTRUCTION.
- THE SUB-GRADE BELOW THESE AREAS SHALL NOT BE COMPACTED; THEREFORE, THE CONTRACTOR SHALL RESTRICT ACCESS TO THESE AREAS BY HEAVY EQUIPMENT AND SHALL NOT USE THESE AREAS FOR MATERIALS STOCKPILES.
- EXCAVATION AND CONSTRUCTION OF THESE AREAS SHALL BE PERFORMED USING HAND OR HYDRAULIC EQUIPMENT TO ENSURE THAT THE NATURAL FILTRATION EARTH MATERIAL IS NOT DISTURBED OR OTHERWISE COMPACTED.
- UPON COMPLETION OF CONSTRUCTION OF ANY OF THESE AREAS, THE CONTRACTOR SHALL INSTALL EROSION CONTROL MEASURES TO PREVENT SILTATION OF THE FILTER MATERIALS.



CHERENZIA & ASSOCIATES, LTD.
 Civil Engineers
 Land Use Planners
 Environmental Engineers
 99 Mechanic St.
 Pawcatuck, CT 06379
 Tel: 860.629.6500
 Fax: 860.599.6090
 P.O. Box 513
 Westerly, RI 02891
 Tel: 401.596.7747
 www.cherenzia.com



LOCATION MAP

- NOTES:**
- REFERENCE MADE TO EXISTING CONDITIONS SURVEY PLAN PREPARED BY CHERENZIA & ASSOCIATES, LTD. ENTITLED, "COMPREHENSIVE BOUNDARY & TOPOGRAPHIC SURVEY, 8 MANATAUCK AVENUE" DATED APRIL 22, 2025 REVISED APRIL 30, 2025.
 - REFERENCE MADE TO WETLAND REPORT PREPARED BY AWZINS ENVIRONMENTAL SERVICES, INC., DATED MARCH 26, 2025.

Received
 3/20/26
 Coastal Resources
 Management Council

PLAN REVISIONS

REV. NO.	DATE	DESCRIPTION	DWN BY	CHK BY

SCALE: 1"=20'
 CA JOB # 225004
 JULY 24, 2025
 DRAWN BY: AP
 CHECK BY: SFC

ISSUED FOR REVIEW

SITE PLAN

8 MANATAUCK AVENUE
 PLAT 180 LOT 26
 WESTERLY, RHODE ISLAND

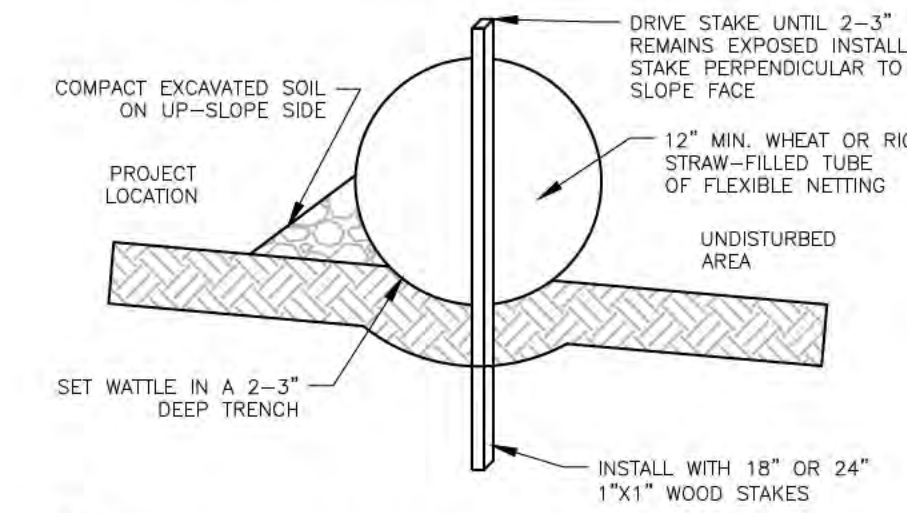
PREPARED FOR
GREGG WINIARSKI

SERGIO F. CHERENZIA
 No. 9238
 REGISTERED PROFESSIONAL ENGINEER (CIVIL)
C-1
 SHEET 1 OF 2
CHERENZIA & ASSOCIATES, LTD.

LEGEND

- o DEFLECTION OR ANGLE POINT
- DRILL HOLE FOUND
- STONE BOUND FOUND
- ⊙ IRON PIPE FOUND
- UTILITY POLE
- ⊙ WATER SHUT-OFF
- A-1 Δ WETLAND DELINEATION FLAG
- ▣ CATCH BASIN
- ⊕ FIRE HYDRANT
- N/F NOW OR FORMERLY
- AG AT GRADE
- BG BELOW GRADE
- 10.72_x SPOT ELEVATION (FEET)
- ☼ EVERGREEN TREE
- ▨ MASONRY STONE WALL
- 5- MAJOR CONTOUR - 5' INTERVAL
- 3- MINOR CONTOUR - 1' INTERVAL
- d- DRAIN LINE
- w WATER LINE
- o/h OVERHEAD WIRES
- u/g UNDERGROUND WIRES
- ~ EDGE OF VEGETATION
- STONE WALL
- - - ZONING SETBACK LINE
- - - - - EXTENT OF COASTAL FEATURE OR WETLAND
- EXWB- EXISTING BUFFER
- 25' BZ- 25' BUFFER ZONE
- 100' BZ- 100' BUFFER ZONE
- 50' OWTS- 50' OWTS SETBACK (RIDEM)
- 200' OWTS- 200' OWTS SETBACK (RIDEM)
- 20' CS- 20' CONSTRUCTION SETBACK
- 25' CS- 25' CONSTRUCTION SETBACK
- 100' CRMC- 100' JURISDICTIONAL AREA (CRMC)
- 200' CRMC- 200' JURISDICTIONAL AREA (CRMC)
- LOD- LIMIT OF DISTURBANCE (LOD)
- SW- STRAW WATTLE (LOD)

SLOPE STEEPNESS	MAXIMUM SPACING (FT)
2:1	25
3:1	50
4:1	75
5:1 OR FLATTER	100



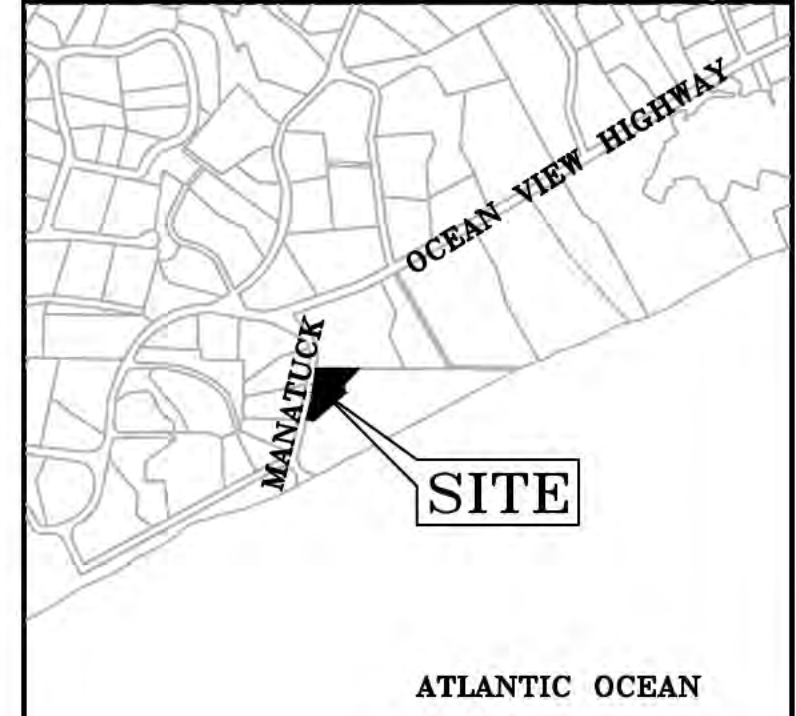
- NOTES:**
- BEGIN AT THE LOCATION WHERE THE WATTLE IS TO BE INSTALLED BY EXCAVATING A 2-3" DEEP X 9" WIDE TRENCH ALONG THE CONTOUR OF THE SLOPE. EXCAVATED SOIL SHALL BE PLACED UP-SLOPE FROM THE ANCHOR TRENCH.
 - PLACE THE WATTLE IN THE TRENCH SO THAT IT CONTOURS TO THE SOIL SURFACE. COMPACT THE SOIL FROM THE EXCAVATED TRENCH AGAINST THE WATTLE ON THE UP-HILL SIDE. ADJACENT WATTLES SHOULD TIGHTLY ABUT.
 - SECURE THE WATTLE WITH 18-24" STAKES EVERY 3-4' WITH A STAKE ON EACH END. STAKES SHALL BE DRIVEN THROUGH THE MIDDLE OF THE WATTLES LEAVING AT LEAST 2-3" OF STAKE EXTENDING ABOVE THE WATTLE. WATTLE STAKES SHALL BE DRIVEN PERPENDICULAR TO SLOPE FACE.
 - MAX. DRAINAGE AREA ≤ 0.25 ACRES/100 LINEAR FEET.

STRAW WATTLE
NTS CA-RC-002

CHERENZIA & ASSOCIATES, LTD.
Civil Engineers
Land Surveyors
Land Use Planners
Environmental Engineers
www.cherenzia.com

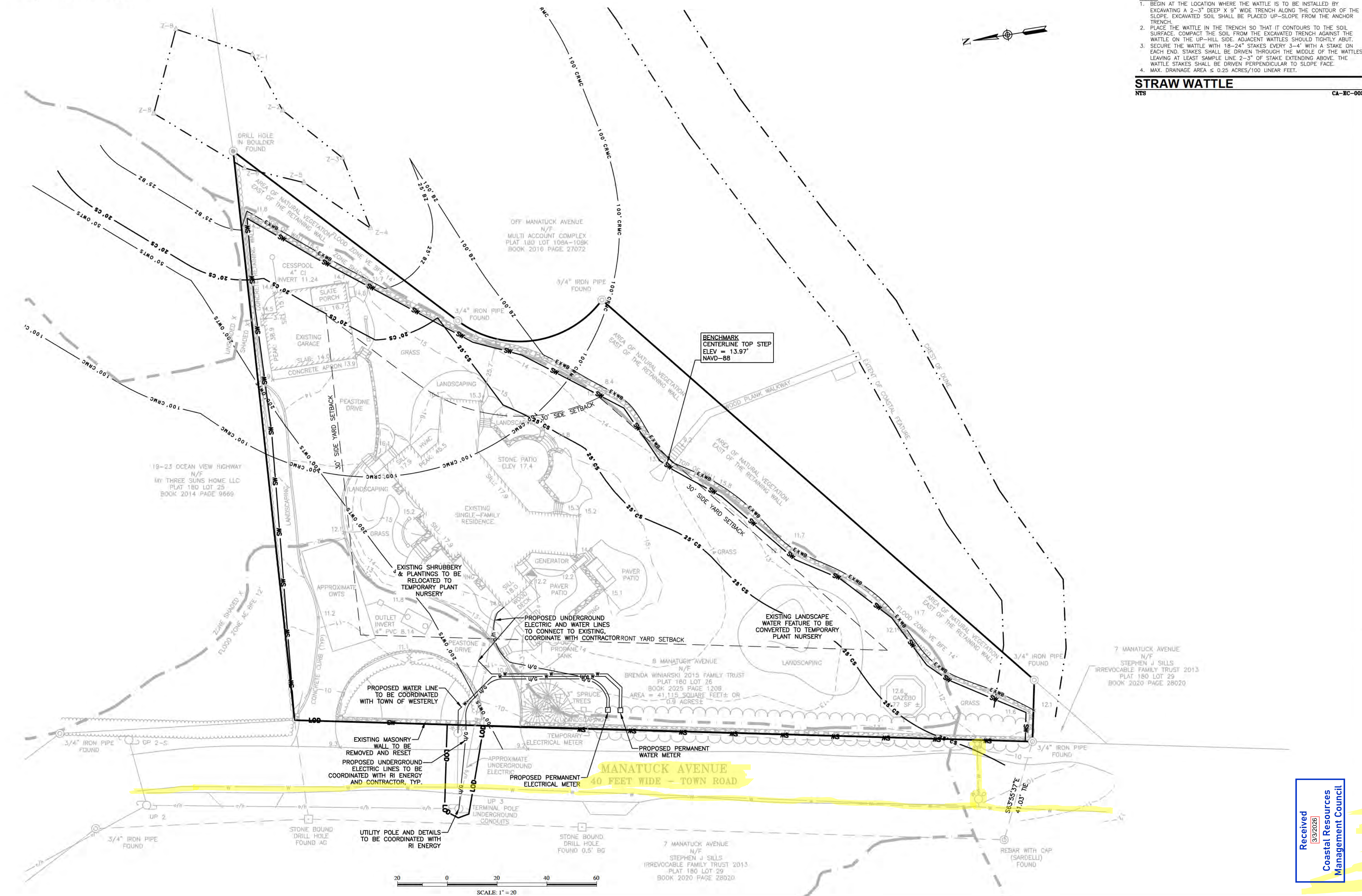
99 Mechanic St.
Pawcatuck, CT 06379
Tel: 860.629.6500
Fax: 860.599.6090

P.O. Box 513
Westley, RI 02891
Tel: 401.596.7747



LOCATION MAP

- NOTES:**
- REFERENCE MADE TO EXISTING CONDITIONS SURVEY PLAN PREPARED BY CHERENZIA & ASSOCIATES, LTD. ENTITLED, "COMPREHENSIVE BOUNDARY & TOPOGRAPHIC SURVEY, 8 MANATTUCK AVENUE" DATED APRIL 22, 2025 REVISED APRIL 30, 2025.
 - REFERENCE MADE TO WETLAND REPORT PREPARED BY AWZINS ENVIRONMENTAL SERVICES, INC., DATED MARCH 26, 2025.



PLAN REVISIONS

REV. NO.	DATE	DESCRIPTION	DWN BY	CHK BY
1	12-22-25	NEW CRMC MAINTENANCE APPLICATION	DWN BY	CHK BY

SCALE: 1"=20'
CA JOB # 225004
SEPTEMBER 26, 2025

DRAWN BY: AP
CHECK BY: SFC

ISSUED FOR REVIEW

CRMC MAINTENANCE SITE PLAN

WINIARSKI RESIDENCE
8 MANATTUCK AVENUE
PLAT 180 LOT 26
WESTERLY, RHODE ISLAND

PREPARED FOR
GREGG WINIARSKI

Received 3/2/2028
Coastal Resources Management Council

SERGIO F. CHERENZIA
No. 9238
REGISTERED PROFESSIONAL ENGINEER (CIVIL)

C-1

SHEET 1 OF 1
CHERENZIA & ASSOCIATES, LTD.

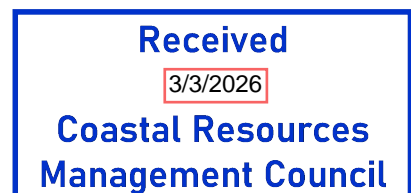
§ 238-67. Tow zones described.

- A. The following highways and public lands located in the Town are designated as lands on which the parking of motor vehicles of any description is prohibited, and as tow zones: [Amended 11-12-2002 by Ch. No. 1428; 9-27-2010 by Ch. No. 1731; 5-23-2011 by Ch. No. 1750; 11-18-2013 by Ch. No. 1802; 8-17-2015 by Ch. No. 1844; 7-9-2018 by Ch. No. 1931]
- (1) **Misquamicut area:** entire length of Atlantic Avenue, including adjacent public land not specifically designated as a parking area by any public authority; the entire length of Bayberry Road, Benson Avenue, Boxwood Avenue, Breach Drive, Cadbury Lane, Charlene Drive, Clam Shell Drive, Clifford Drive, Collins Avenue, Cove Road, Crandall Avenue, Dogwood Avenue, Egret Lane, Elmwood Avenue, First Street, Fisherman's Avenue, Frances Avenue, Gem Court, Governor Avenue, Kathleen Drive, Kimball Avenue, Lawton Avenue, Linwood Avenue, Marie Street, Maplewood Avenue, Montauk Avenue, Oxford Street, Pirates Island Drive, Rabbit Run, Ricci Road, Rip Tide Drive, St. Clair Way, Salt Pond Way, Seagull Road, Snowberry Lane, Richmond Drive, Second Street, Shirley Drive, Terrace Avenue, Third Street, and Utter Street, Uzzi Avenue; Violet Lane, Winnapaug Road from Atlantic Avenue to Shore Road.
 - (2) **Weekapaug area:** entire length of Weekapaug Road and Wawaloam Drive and Sand Trail except designated scenic overlook; Fenway Road between Knowles Avenue and Wawaloam Drive; entire length of Knowles Avenue; Spray Rock Road (southerly side), where designated by the Director of Public Safety, Winona Avenue from Passpataug Avenue to Fenway Road.
 - (3) **Watch Hill area:** Aloha Road, Arraquat Road, Aquidneck Avenue; entire length of Avondale Road; Bluff Avenue, including public right-of-way to beach, sometimes referred to as "Shinkle Drive"; Breen Road, Browning Road; Camelback Way, Champlin Drive, East Hills Road, Everett Avenue, including public right-of-way running to beach; Foster Cove Road; Fox Run, Golf Club Road, Grassland Way, Glen Way; India Point Road, Kidds Way, Kings Way, southerly side of Larkin Road; Lighthouse Road, entire length of Manatuck Avenue, including public right-of-way running to beach, excluding designated parking area for motorized bicycles and motor scooters with a motor rated not more than 4.9 horsepower and not greater than 50 cubic centimeters, which is capable of a maximum speed of not more than 30 miles per hour; Massachaug Road; Mintuck Road, Montego Road, Neowam Avenue; Nepun Road, Niantic Avenue, including public right-of-way running to beach; Ninquveet Road, Ninigret Avenue; Noank Avenue; Noonatch Road, Oakwood Road, entire length of Ocean View Highway; Oenoke Lane, Overlook Drive; Pasadena Avenue, Pawcatuck Avenue; Peeptoad Road, Plimpton Road; Popon Road, Quail Run, Ridge Road, Round Hill Road, Sequan Road, Shepherds Run, Turtle Back Road, Valley Path, Waters Edge Road; Watch Hill Road, starting from its intersection with Shore Road in a southerly direction to the intersection of Westerly Road, Wapan Road.

Wauwinnet Avenue; Westerly Road; West Ridge Road; Sunset Avenue, and Yosemite Valley Road.

- (4) Westerly area: Elm Street from Broad Street to end of the no-parking zone, on the easterly and westerly sides; Pierce Street, easterly side, 30 feet, in a northerly direction from the intersection with Pleasant Street.
- (5) Bradford area: Quarry Road, entire length, both sides.
- (6) Shelter Harbor area: Wagner Road, from the intersection with Rossini Road south to a point 100 feet north of the Shelter Harbor Fire District dock, both sides.

B. This section shall not apply to vehicles parked for religious services.



TOWN OF WESTERLY

Special
Thursday

Town Council Meeting

7:00 P.M.

June 28, 1984

Council Chambers

7:05 P.M. ROLL CALL: (A quorum member being present)

Council President

Pro Tem:

Richard D. Comolli (Appointed Council President Pro Tem in the absence of Council President Urso and Vice Council President Salimeno, who arrived late)

Councilors:

Raymond J. Castagna
Louis J. Masucci
Frederick B. Harwood, Jr.

Absent:

Samuel J. Urso, Jr.
George R. Salimeno (arrived late)
John J. Gentile, Jr.

Town Solicitor:

Louis B. Cappuccio

Town Manager:

Glenn J. Miller

PURPOSE: Town Zones; entire length of Avondale Road

PUBLIC HEARING AS SCHEDULED

PROPOSED ORDINANCE ENTITLED: "An Ordinance in Amendment of Chapter 24 of the Code of Ordinances of the Town of Westerly entitled "Traffic".
(Advertised in the Westerly Sun on June 21, 1984)

PRESENT: Nunzio Cimalore, Police Chief

Anthony F. Chiaradio, Director of Public Works

The Town Manager and Police Chief Cimalore agree to the need and approve the adopting of this amendment, which will allow tow zones in Avondale.

IN FAVOR: David Cabot, 44 Avondale Road

Robert A. Booth, 50 Avondale Road

Roger Hall, Boat Yard
Suggested that "speed bumps" be installed.

Councilor Salimeno is now present.

DISCUSSION

OBJECTORS: None

Motion and Seconded by Councilors Castagna and Salimeno

VOTED UNANIMOUSLY: Hearing CLOSED; The following Ordinance is hereby

Pg.0130



ADOPTED:

TOWN OF WESTERLY

CHAPTER 720

"AN ORDINANCE IN AMENDMENT OF CHAPTER 24 OF THE ORDINANCES OF THE TOWN OF WESTERLY ENTITLED "TRAFFIC".

The Town of Westerly hereby ordains:

SECTION 1. Sec. 24-95(c) Tow Zones - Described of Article V, Stopping, Standing and Parking of Chapter 24 of the Code of Ordinances of the Town of Westerly, is hereby amended as follows:

Sec. 24-95 Tow Zones - Described

- (c) **Watch Hill Area:** Entire length of Avondale Road in the village of Avondale; entire length of Ocean View Highway and Manatuck Avenue, including public right-of-way running to beach; Niantic Avenue; including public right-of-way running to beach; Everett Avenue, including public right-of-way running to beach; Ninigret Avenue; Westerly Road; Wauwinnet Avenue; Larkin Road; Bluff Avenue, including public right-of-way to beach, sometimes referred to as Shinkle Drive; Meadow Lane; Noank Avenue; Neowam Avenue; Pawcatuck Avenue; Misquamicut Road; Browning Road; Massachauge Road; West Ridge Road; Aquidneck Avenue; Pautipaug Way and Plimpton Road.

SECTION 2. This ordinance shall take effect upon its passage, and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

* * *

RE: Recreation Board requests:

- 1) Use unencumbered funds to replace infield at Cimalore Field with new sod.
- 2) Use balance of rest room funds to replace dugout.

The Town Solicitor stated that it is a special appropriation; money must go back to the General Fund or a new Ordinance must be adopted.

Councilor Castagna suggested that the request be denied and referred to Committee for proposed ordinance.

DISCUSSION RE: Use of rest room funds to repair dugout. Not permissible.

Motion and Seconded by Councilors Castagna and Masucci

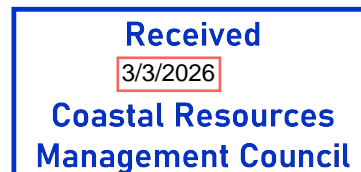
VOTED UNANIMOUSLY: That the first request as aforesaid is hereby GRANTED and the second request as aforesaid is hereby DENIED.

* * *

RE: Sidewalk Bid

Only one bid received; opened on July 1, 1984; from Sposato & Renzi Construction Company; price of \$127.00 per cubic yard.

DISCUSSION



Motion and Seconded by Councilors Salimeno and Castagna

VOTED UNANIMOUSLY: That the bid is hereby AWARDED to Sposato & Renzi Construction Company

*

*

*

RE: Transfers as requested by Director of Finance
(Referred to Finance Committee)

CARNIVAL APPLICATION

Lenny Malagrino RE: Twentieth Century Promotions to conduct Carnival July 5, 6, 7 & 8, 1984 at Santo Algieri Recreation Area, Westerly-Bradford Road.

DISCUSSION

Motion and Seconded by Councilors Masucci and Salimeno

VOTED UNANIMOUSLY: That permission is hereby GRANTED to aforesaid SUBJECT TO PRIOR APPROVAL OF PROPER AUTHORITIES; \$250.00 Rental Fee, for use of facility; and FURTHER, Subject to being liable for clean up.

RE: Community Block Grant:

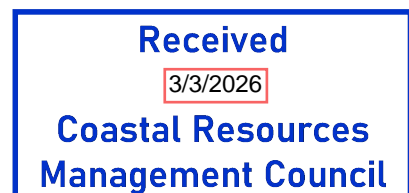
VOTED UNANIMOUSLY: That the Community Block Grant is hereby ORDERED ADVERTISED for Public Hearing on Monday, July 9, 1984 at 7:00 P.M.

7:45 P.M. VOTED: TO ADJOURN

ATTEST:

Mary T. Levcowich,
Council Clerk

Published by ClerkBase
©2022 by Clerkbase. No Claim to Original Government Works.



TOWN OF WESTERLY

CHAPTER 1750

“AN ORDINANCE IN AMENDMENT OF CHAPTER 238 OF THE WESTERLY CODE OF ORDINANCES ENTITLED ‘VEHICLES AND TRAFFIC’”

The Town of Westerly hereby ordains:

GENERAL REFERENCES

Parking in fire lanes – See Ch. 125
Parking lots – See Cha. 177, Art. I

Vehicles for hire – See Ch. 242
Noise – See Ch. 171, Art. I, § 171-5(L)

Section 1. Article I of the Vehicles and Traffic Ordinances of the Town of Westerly entitled ‘Definitions and General Regulations’ is hereby amended as follows:

ARTICLE I
Definitions and General Regulations

§ 238-1. Definitions.

COMPACT PART OF TOWN – Downtown Center Zoning Districts 1 and 2 as defined in Section 260-12 of Article III, District Regulations and Maps, entitled Zoning Districts.

* * * * *

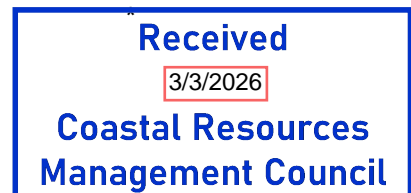
SIDEWALK – Any walkway adjacent to a public road or street that is either supported or unsupported by a curbing and is constructed of asphalt or concrete.

§ 238-2. Noise suppression; mufflers; violations and penalties.

Each motor vehicle in the Town, including, but not limited to, automobiles, trucks, and motorcycles, operated by an internal combustion engine shall be provided with a muffler or other suitable exhaust system, designed to prevent excessive, unusual or unnecessary noise, which shall be maintained by the owner in good working order and in constant operation. No person shall use upon a motor vehicle a muffler lacking interior baffle plates or other effective muffling devices, a gutter muffler, a muffler cut out or a straight exhaust while such motor vehicle is being operated on a street or highway. No person shall use on the exhaust or tail pipe of a motor vehicle any extension or other device, which will cause excessive or unusual noise. All exhaust pipes carrying exhaust gases from the motor shall be constructed of leak-proof, metal tubing and shall be directed from the muffler toward the rear of the motor vehicle and approximately parallel to the surface of the roadway, or upward to a location above the cab or body of the vehicle. The fine for violation shall be \$75 for the first offense and \$150 for the second offense and any subsequent offense thereafter.

* * * * *

§ 238-5. (Repealed.)



§ 238-6. Bicycles and skateboards or similar device on sidewalks and private property prohibited.

- A. No person shall drive or propel any bicycle or other vehicle propelled in a similar manner on the sidewalks, any government owned property or privately owned commercial property without the express written permission of the property owner in the compact part of the Town (DC-1 and DC-2) as further defined in §260-12(A)(2) and §260-13(B)(2) of the Zoning Code of the Town of Westerly with the exception of any public street in accordance to Rhode Island General Laws.
- B. No person shall drive or propel any skateboard or other vehicle propelled in a similar manner on the streets, roadway, sidewalks, any government owned property or privately owned commercial property without the express written permission of the property owner in the compact part of the Town (DC-1 and DC-2) as further defined in §260-12(A)(2) and §260-13(B)(2) of the Zoning Code of the Town of Westerly.

§ 238-7. (Repealed.)

§ 238-8. (Repealed.)

§ 238-9. Playing on streets.

No person shall play at ball, slide down a hill on a sled or other vehicle, or play at any other game or sport in any public street or highway in the Town, without permission of the Chief of Police.

Section 2. Article II of the Vehicles and Traffic Ordinances of the Town of Westerly entitled 'Speed Limits' is hereby amended as follows:

**ARTICLE II
Speed Limits**

* * * * *

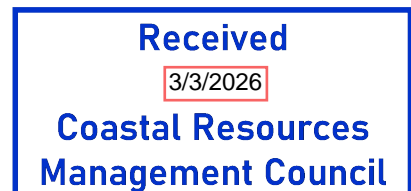
§ 238-12. Conditions requiring reduced speed.

The driver of every vehicle shall, consistent with the requirements of § 238-10, drive at an appropriate reduced speed when approaching and crossing an intersection or railroad grade crossing, when approaching and going around a curve, when approaching a hillcrest, when traveling upon any narrow or winding roadway, and when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions.

* * * * *

Section 3. Article III of the Vehicles and Traffic Ordinances of the Town of Westerly entitled 'Enforcement' is hereby amended as follows:

**ARTICLE III
Enforcement**



§ 238-16. Payment without personal appearance; parking tickets.

- A. (Same.)
- B. The owner or operator of a vehicle who is issued a parking ticket indicating that said vehicle has been parked in violation of a provision of this Code relating to traffic shall, within the seven days specified, pay to the Municipal Court such fines as this Code establishes for such offenses, and the Municipal Court is hereby designated for the purpose of collecting such parking fines. In the event such offender neglects or refuses to dispose of such charge within the seven-day period, he or she shall be summoned before the Municipal Court for adjudication of such violation as the Court may decide to be meet and proper, and such offender shall be subject to the full penalties provided for violation of this Code.

§ 238-17. Method of payment.

If the offending operator desires to dispose of the charge without personally appearing before the Municipal Court, he may execute the form indicated and return it to the Westerly Municipal Court not later than 30 days from the date of the summons either by mail or by delivering it to the Municipal Court or its designee, together with a certified check or money order in an amount indicated by the fine schedule on such form; provided, however, that, if the offending operator has already been guilty of one moving motor vehicle violation within the preceding six-month period within the Town of Westerly prior to the issuance of his summons, he shall appear at the Municipal Court as he shall not have the benefit of this method of payment. The burden of determining the eligibility to pay according to the provisions of this section shall be upon the operator. The Westerly Municipal Court is hereby authorized to receive payment of the fines in accordance with the provisions of § 15-7 of this Code.

§ 238-18. Violations and penalties.

- A. The penalties for violations of this article correspond to the fines described together with such other additional penalties as shall be prescribed or imposed by law as prescribed by RIGL.

Mail certified check or money order only, together with the ticket form properly executed to:

Westerly Municipal Court
Westerly Town Hall
45 Broad Street
Westerly, Rhode Island 02891

- B. (Repealed.)



* * * * *

§ 238-24. (Repealed.)

§ 238-25. Attaching notice to vehicle or delivering to owner or operator.

Except as otherwise provided herein, each such officer or police constable shall also attach to such vehicle, or deliver to the operator thereof, if present, notice to the owner or operator thereof that such vehicle has been operated or parked in violation of a provision of an ordinance relating to traffic and instructing such owner or operator to

appear in Municipal Court in respect to such violation on a day and hour stated in such notice to answer such charge before said Court.

§ 238-26. (Reserved)

§ 238-27. Contents of notice; failure to pay within time limit; trial and punishment.

Every such notice shall indicate the offense charged and shall also contain such information as will enable the person charged to take advantage of the provisions for payment of the fine at the Municipal Court within seven days from notification thereof. In the event such offender refuses or neglects to dispose of the charges before seven days, he shall be brought before the Municipal Court for trial and for such disposition of the case as such court may decide to be meet and proper, and shall be subject to the full penalties provided for violation of the provisions of Articles II, III and IV of this chapter.

* * * * *

§ 238-29. Deadline for payment of fine; fine for failure to pay.

Any monetary penalty provided hereunder may be paid at the Municipal Court within seven days of the time notice was attached to subject vehicle. The failure of the owner or person in charge of such vehicle to pay any penalty hereunder shall subject such owner or person in charge of such vehicle to a fine not exceeding \$200.

* * * * *

§ 238-32. Proof of penalty payment required for release of vehicle.

No authorized tow-away vehicle operator shall release any vehicle removed for violation hereunder unless receipt from the Municipal Court of payment of the penalty is shown by the owner or person in charge of any vehicle so removed.

* * * * *

Section 4. Article IV of the Vehicles and Traffic Ordinances of the Town of Westerly entitled 'Parking Fine Payment by Mail' is hereby amended as follows:

ARTICLE IV
Parking Fine Payment by Mail

* * * * *



§ 238-35. Payment by mail authorized in lieu of appearance.

Whenever a person shall be charged with a violation of a provision of any of the parking ordinances relating to nonmoving traffic in the Town, such person, instead of personally appearing in court, may pay any fine imposed for violation of such ordinances by mail.

* * * * *

§ 238-37. To whom payment addressed.

The payments of such fines as provided above shall be addressed to the Municipal Court.

§ 238-38. Designation of collecting agency.

The Town Council hereby designates the Municipal Court for the purpose of collecting such fines by mail or in person, when the offender of a parking violation decides to dispose of such charge without personal appearance in court, within seven days from the notification thereof.

§ 238-39. Cash, check or money order authorized.

Whenever the mail is used for the payment of any parking fine, such fine may be paid by check or money order.

§ 238-40. Additional penalty for issuing bad check.

An additional penalty, not to exceed \$25 may be imposed for attempted payment with a check written against insufficient funds.

* * * * *

Section 5. Article V of the Vehicles and Traffic Ordinances of the Town of Westerly entitled 'Traffic Control Signs, Signals, Markings and Devices' is hereby amended as follows:

ARTICLE V
Traffic Control Signs, Signals, Markings and Devices

* * * * *



§ 238-50. Obedience to stop signs.

- A. (Same.)
- B. Violations and penalties. Violations of this section shall be under the jurisdiction of the Westerly Municipal Court. Any person violating a provision of this section shall, upon conviction, be fined the sum as prescribed by RIGL.
- C. Stop intersections enumerated.
 - (1) In accordance with this section, the erection and maintenance of an official "stop" sign (or signs) is authorized so as to face:

Street Stopped	Direction of Travel	At Intersection With
*	*	*
Westerly Road	West	Wauwinnet Avenue
Westerly Road	Northeast	Wauwinnet Avenue
Wauwinnet Avenue	East	Westerly Road
*	*	*

Section 6. Article VI of the Vehicles and Traffic Ordinances of the Town of Westerly entitled 'Operation of Vehicles' is hereby amended as follows:

ARTICLE VI
Operation of Vehicles

* * * * *

§ 238-60. Prevention of leakage of load; fastening of load or covering; projecting loads.

- A. (Same.)
- B. Fastening of load and covering. No person shall operate on any highway any vehicle with any load unless said load and any covering thereon is securely fastened so as to prevent said covering or load from becoming loose, detached, or in any manner a hazard to other users of the highway.
 - (1) No motor truck trailer or semi trailer which is used for the purpose of hauling logs, pulpwood, lumber, or other materials which by their very nature may shift or roll so as to be likely to fall from such vehicle shall be operated or moved over any highway unless its load is securely fastened to the vehicle by chains, cables, or other approved devices as will effectively prevent the shifting or falling of such load or any part thereof from the vehicle. The ends of such chains, cables or other devices and any tire chains shall be tied securely, whether the vehicle is loaded or unloaded, so that loose ends shall not endanger pedestrians or other vehicles encountered on the highway.
 - (2) (Same.)
 - (3) (Same.)
 - (4) (Same.)
- C. (Same.)

* * * * *

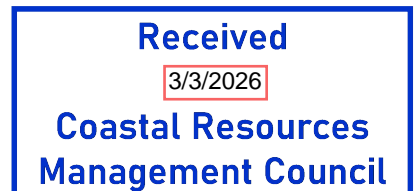
§ 238-62. Times when lights required; illumination of rear registration plate; wiring of rear lights in connection with headlamps.

- A. (Same.)
- B. Illumination of rear registration plate; wiring of rear lights in connection with headlamps. Either a tail lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of 60 feet to the rear. Any tail lamp or tail lamps, together with any separate lamp for illuminating the rear registration plate, shall be so wired as to be lighted whenever the headlamps or auxiliary driving lamps are lighted.

* * * * *

Section 7. Article VII of the Vehicles and Traffic Ordinances of the Town of Westerly entitled 'Definitions and General Regulations' is hereby amended as follows:

ARTICLE VII
Stopping, Standing and Parking



* * * * *

§ 238-65. Stopping, standing and parking restrictions.

- A. (Same.)
- B. (Same.)
- C. (Same.)
- D. The Chief of Police may upon request grant permission to park vehicles in designated tow or no parking zones for limited times with conditions as he/she determines.

§ 238-66. Parking prohibited or restricted in designated areas.

It shall be unlawful for the operator of any vehicle to park the same at any time where parking is prohibited, or during any time when parking is restricted, or for any one consecutive period of time longer than specified, on any of the following streets or parts thereof.

- A. No parking (to be designated by signage):

Alba Inn Road, the entire length, both sides, approximately 468 feet from its intersecting point with High Street. [Added 1-12-2004 by Ch. No. 1474]

* * * * *

Beach Street, entire length, both sides.

* * * * *

Canal Street, beginning at intersection of Railroad Avenue to end, westerly side.

Canal Street, east side opposite 44 Canal Street 143 feet in a northerly direction, between the hours of 8:00 a.m. and 5:00 p.m. [Amended 4-25-2005 by Ch. No. 1532]

* * * * *

Cross Street, between the intersections of Elm Street and Main Street, both sides.

Cross Street, south side, beginning at Granite Street and continuing in a westerly direction for 100 feet.

* * * * *

Dixon Street, north side, entire length.

Dixon Street, south side, beginning at intersection of High Street, continuing west for a distance of twenty (20) feet.

Dixon Street, south side, beginning at intersection of Railroad Avenue, continuing east for a distance of fifty (50) feet.

* * * * *



High Street, north side, beginning at intersection of Canal Street, continuing east for a distance of fifty (50) feet.

High Street, north side, beginning at intersection of Grove Avenue, continuing west for a distance of five-hundred (500) feet.

High Street, south side, beginning at intersection of Grove Avenue, continuing west to NECO Pole #37.

High Street, west side, between Grove Avenue and Dixon Street.

High Street, east side, between Narragansett Avenue and Oak Street.

High Street, both sides, entire length north of Oak Street.

Highland Avenue, easterly side, between the northerly and southerly boundary lines of the Babcock Hall, between the hours of 7:30 a.m. and 4:00 p.m. Monday through Friday during the school year, excepting legal holidays and school vacations.

* * * * *

John Street, north and south sides, from its intersection with Elm Street and continuing in an easterly direction for 175 feet.

* * * * *

Main Street, between Union Street and Beach Street, easterly side.

* * * * *

Narragansett Avenue, southerly side, from Tower Street continuing in an easterly direction to a point 489 feet east of Tower Street.

Narragansett Avenue, northerly side, from a point 272 feet east of Tower Street at NECO Pole #7 continuing easterly to a point 388 feet east of Tower Street to NECO Pole #6.

* * * * *

Tower Street, both sides, entire length.

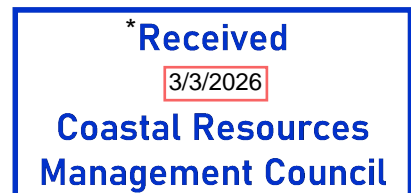
* * * * *

Union Street, west side, beginning at NECO Pole #3 thence in a northerly direction for 44 feet five inches. [Added 2-24-2003 by Ch. No. 1434]

* * * * *

Winnapaug Road, entire length, both sides.

* * * * *



B. Pickup zones.

* * * * *

[1] Fifteen minutes:

Atlantic Avenue, south side, beginning at NECO Pole #131 and proceeding in a westerly direction for a distance of twenty-eight (28) feet.

Bay Street, west side, at a point at the north east corner of Plat 179, Lot 2 (aka 9 Bay Street) and continuing in a southerly direction for a distance of thirty (30) feet.

High Street, east side, between driveways of United States Post Office.

High Street, west side, beginning at a point one-hundred twenty-seven (127) feet south of the midline of Railroad Avenue and continuing south for a distance of forty-three (43) feet.

Narragansett Avenue, north side, from Tower Street, continuing east to NECO Pole #7, when school is in session.

Oak Street, between NECO Pole #15 and NECO Pole #17.

Railroad Avenue, south side, beginning at the western property line of 53 Railroad Avenue, continuing east to the eastern most property line of 53 Railroad Avenue.

Railroad Avenue, east side, beginning at the southern property line of 27 Railroad Avenue, continuing north for a distance of twenty-five (25) feet.

School Street, north side, at a point beginning at NECO pole #18 and continuing west for a distance of two-hundred (200) feet.

Union Street, south side, at a point beginning at the crosswalk in front of 5 Union Street and continuing west for a distance of fifty (50) feet.

* * * * *

E. Loading zone: Areas of restricted parking, between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, for the purpose of loading and unloading commercial and/or industrial freight. In addition to those truck zones/freight loading zones previously established:

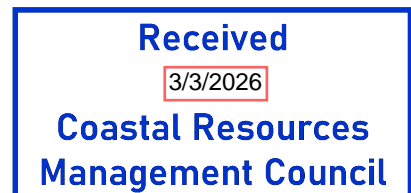
Broad Street, north side, beginning at the mid-point of the Broad Street Bridge, continuing east for a distance of thirty (30) feet.

Canal Street, west side, between NECO pole #40 and NECO pole #41.

Canal Street, east side, beginning at crosswalk in front of 15 Canal Street, continuing south for a distance of fifty (50) feet.

High Street, west side, beginning at the northern most property line of 26 High Street, continuing south for a distance of fifty (50) feet.

Union Street, west side, beginning at intersection with Broad Street, continuing south for a distance of sixty (60) feet.



§ 238-67. Tow zones described.

A. The following highways and public lands located in the Town are designated as lands on which the parking of motor vehicles of any description is prohibited, and as tow zones:

- (1) **Misquamicut area:** entire length of Atlantic Avenue including adjacent public land not specifically designated as a parking area by any public authority; the entire length of Bayberry Road, Benson Avenue, Boxwood Avenue, **Breach Drive**, Crandall Avenue, **Dogwood Avenue**, **Elmwood Avenue**, First Street, Fisherman's Avenue, Kimball Avenue, Lawton Avenue, Linwood Avenue, Maplewood Avenue, Montauk Avenue, Rabbit Run, Rip Tide Drive, St. Clair Way, Second Street and Uzzi Avenue; Winnapaug Road from Atlantic Avenue to Shore Road.
- (2) (Same.)
- (3) **Watch Hill area:** Aquidneck Avenue; entire length of Avondale Road; **Bluff Avenue**, including public right-of-way to beach, sometimes referred to as **Shinkle Drive**; Browning Road; **Everett Avenue**, including public right-of-way running to beach; Foster Cove Road; Glen Way; southerly side of Larkin Road; **entire length of Manatuck Avenue**, including public right-of-way running to beach, excluding designated parking area for motorized bicycles and motor scooters with a motor rated not more than four and nine-tenths (4.9) horsepower and not greater than fifty (50) cubic centimeters, which is capable of a maximum speed of not more than thirty (30) miles per hour; **Massachaug Road**; Neowam Avenue; **Niantic Avenue**, including public right-of-way running to beach; **Ninigret Avenue**; **Noank Avenue**; entire length of **Ocean View Highway**; **Overlook Drive**; **Pawcatuck Avenue**; **Plimpton Road**; **Waters Edge Road**; **Wauwinnet Avenue**; **Westerly Road**; and **West Ridge Road**.
- (4) **Westerly area:** Elm Street from Broad Street to end of the no parking zone, on the easterly and westerly sides; **Pierce Street**, easterly side, 30 feet, in a northerly direction from the intersection with **Pleasant Street**.
- (5) (Same.)
- (6) (Same.)

B. This Section shall not apply to vehicles parked for religious services.

* * * * *

§ 238-73. Overtime parking fines; late fee.

A. Every person who commits a violation of the provisions of § 238-66, entitled "Parking prohibited or restricted in designated areas," shall be fined \$15 to be paid to the Westerly Municipal Court Clerk no later than 30 days after receipt of a parking citation; provided, however, Bay Street or Larkin Road overtime parking shall be subject to a fine of \$75 to be effective seasonally from the Saturday before Memorial Day until October 15 of each year. Any vehicle parked overtime on Bay Street or Larkin Road in excess of the time allowed shall be subject, additionally, to towing at the owner's expense and an additional \$25 per hour for each hour beyond three hours.

B. (Same.)

* * * * *



§ 238-75. Parking of trailers prohibited; tow zone.

- A. (Same.)
- B. Any vehicle with an attached trailer as herein described or an unattached trailer parked in the above-referenced areas shall be subject to towing at the operator's or owner's expense and the operator of said vehicles or the owners of said unattached trailers shall be subject to a fine of \$75 per violation.

Section 8. Article VIII of the Vehicles and Traffic Ordinances of the Town of Westerly entitled 'Parking Meters on Streets' is hereby repealed:

ARTICLE VIII
**Parking Meters on Streets
(Repealed.)**

Section 9. Article IX of the Vehicles and Traffic Ordinances of the Town of Westerly entitled 'Parking Meters in Off-Street Parking Facilities' is hereby repealed:

ARTICLE IX
**Parking Meters in Off-Street Parking Facilities
(Repealed.)**

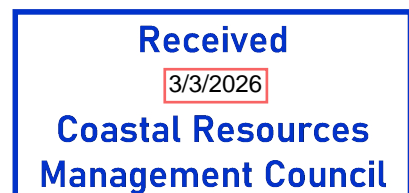
ARTICLE X
**Valet Parking
(Same.)**

Section 10. This Ordinance shall take effect upon passage.

A true copy of an Ordinance passed May 23, 2011.

Per Order of the Town Council.

ATTEST: Donna L. Giordano, MMC
Council Clerk
May 30, 2011



ADV: May 16, 2011
CHG: TOWN COUNCIL #0101-101-50201

TOWN OF WESTERLY
PROPOSED ORDINANCE

Notice is hereby given that a Public Hearing will be held in the Council Chambers, Town Hall, Westerly, Rhode Island, on Monday, May 23, 2011, at 7:00 o'clock p.m., or as close to that time as possible, in accordance with the Home Rule Charter of the Town of Westerly, to consider the following Proposed Ordinance entitled: "AN ORDINANCE IN AMENDMENT OF CHAPTER 238 OF THE WESTERLY CODE OF ORDINANCES ENTITLED 'VEHICLES AND TRAFFIC'"

This Ordinance amends Article I, Definitions and General Regulations, by adding the definitions of "Compact Part of Town" and "Sidewalks"; adds the prohibition of bicycles, skateboards and similar devices on sidewalks, government property, and private commercial property in the downtown area, and repeals Sections 238-5, 238-7 and 238-8 regarding prohibitions on streets, sidewalks and crosswalks; amends Article III, Enforcement, by changing all references to "Westerly Police Department" to "Municipal Court"; amends Article IV, Parking Fine Payment by Mail, by changing all references to "Westerly Police Department" to "Municipal Court" and increasing a penalty from \$10 to \$25; amends Article V, Traffic Control Signs, Signals, Markings and Devices, by erecting stop signs at intersection of Westerly Road and Wauwinnet Avenue; and amends Article VII, Stopping, Standing and Parking, by authorizing the Chief of Police to grant permission to park vehicles in tow or no parking zones; eliminates certain streets and highways from and adds certain streets and highways to the prohibited or restricted parking areas; eliminates five, ten and thirty minute pickup zones; eliminates certain streets and highways from and adds certain streets and highways to fifteen minute pickup zones; establishes times for loading zones and eliminates from and adds to said zones certain streets and highways; eliminates from and adds to tow zones certain streets and highways, excludes a designated parking area from said zones, and increases the fine for parking a trailer in said tow zones from \$50 to \$75.

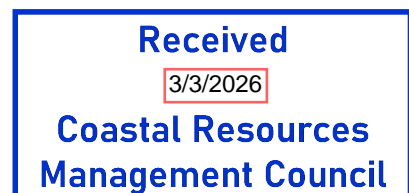
This Ordinance shall take effect upon passage.

Per Order of the Town Council.

ATTEST: Donna L. Giordano, MMC
Council Clerk
May 16, 2011

All persons interested in the above are respectfully required to be present at the time and place to be heard thereon.

INDIVIDUALS REQUESTING INTERPRETER SERVICES FOR THE HEARING IMPAIRED MUST CALL 348-2500 OR 596-2022 (V/TDD) 72 HOURS IN ADVANCE OF THE HEARING DATE.





TOWN OF WESTERLY
PROPOSED ORDINANCE

Notice is hereby given that a Public Hearing will be held in the Council Chambers, Town Hall, Westerly, Rhode Island, on Monday, May 23, 2011, at 7:00 o'clock p.m., or as close to that time as possible, in accordance with the Home Rule Charter of the Town of Westerly, to consider the following Proposed Ordinance entitled: "AN ORDINANCE IN AMENDMENT OF CHAPTER 238 OF THE WESTERLY CODE OF ORDINANCES ENTITLED 'VEHICLES AND TRAFFIC'"

The Town of Westerly hereby ordains:

GENERAL REFERENCES

Parking in fire lanes – See Ch. 125
Parking lots – See Cha. 177, Art. I

Vehicles for hire – See Ch. 242
Noise – See Ch. 171, Art. I, § 171-5(L)

Section 1. Article I of the Vehicles and Traffic Ordinances of the Town of Westerly entitled 'Definitions and General Regulations' is hereby amended as follows:

ARTICLE I
Definitions and General Regulations

§ 238-1. Definitions.

COMPACT PART OF TOWN – Downtown Center Zoning Districts 1 and 2 as defined in Section 260-12 of Article III, District Regulations and Maps, entitled Zoning Districts.

* * * * *

SIDEWALK – Any walkway adjacent to a public road or street that is either supported or unsupported by a curbing and is constructed of asphalt or concrete.

§ 238-2. Noise suppression; mufflers; violations and penalties.

Each motor vehicle in the Town, including, but not limited to, automobiles, trucks, and motorcycles, operated by an internal combustion engine shall be provided with a muffler or other suitable exhaust system, designed to prevent excessive, unusual or unnecessary noise, which shall be maintained by the owner in good working order and in constant operation. No person shall use upon a motor vehicle a muffler lacking interior baffle plates or other effective muffling devices, a gutter muffler, a muffler cut out or a straight exhaust while such motor vehicle is being operated on a street or highway. No person shall use on the exhaust or tail pipe of a motor vehicle any extension or other device, which will cause excessive or unusual noise. All exhaust pipes carrying exhaust gases from the motor shall be constructed of ~~leakproof~~ leak-proof, metal tubing and shall be directed from the muffler toward the rear of the motor vehicle and approximately parallel to the surface of the roadway, or upward to a location above the cab or body of the vehicle. The fine for violation shall be \$75 for the first offense and \$150 for the second offense and any subsequent offense thereafter.

§ 238-2.1. Noise from vehicle stereos; violations and penalties. (Same.)

§ 238-3. Unnecessary use of signaling device. (Same.)

§ 238-4. Attaching bicycles and toy vehicles to another vehicle. (Same.)

~~§ 238-5. Use of bicycles and similar devices on public streets.~~

~~No person shall drive or propel any bicycle, tricycle, velocipede or other vehicle propelled in a similar manner on the public streets or highways in the compact part of the Town at a rate of speed greater than eight miles an hour; nor shall any more than two such vehicles be driven or propelled abreast at one time on any of the public streets or highways in the compact part of the Town.~~

§ 238-6. Bicycles and skateboards or similar device on sidewalks and private property prohibited.

~~No person shall drive or propel any bicycle, tricycle, velocipede or other vehicle propelled in a similar manner on the sidewalks of any street or highway in the compact part of the Town.~~

A. No person shall drive or propel any bicycle or other vehicle propelled in a similar manner on the sidewalks, any government owned property or privately owned commercial property without the express written permission of the property owner in the compact part of the Town (DC-1 and DC-2) as further defined in §260-12(A)(2) and §260-13(B)(2) of the Zoning Code of the Town of Westerly with the exception of any public street in accordance to Rhode Island General Laws.

B. No person shall drive or propel any skateboard or other vehicle propelled in a similar manner on the streets, roadway, sidewalks, any government owned property or privately owned commercial property without the express written permission of the property owner in the compact part of the Town (DC-1 and DC-2) as further defined in §260-12(A)(2) and §260-13(B)(2) of the Zoning Code of the Town of Westerly.

~~§ 238-7. Riding or driving on sidewalk.~~

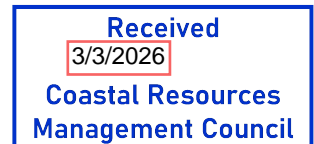
~~No person shall ride, drive or lead any animal, or move any vehicle upon any sidewalk, except light carriages for the conveyance of children, unless for the purpose of necessarily crossing the same or allow any animal belonging to him or under his care to stand on such sidewalk.~~

~~§ 238-8. Blocking sidewalks or crosswalks.~~

~~No person shall suffer or permit any horse or other animal, sled or other vehicle of any description, belonging to him or under his care, to stand upon any sidewalk or crosswalk for any other purpose than the taking up or setting down of passengers, or for any longer time than shall be necessary for such purpose.~~

§ 238-9. Playing on streets.

No person shall play at ball, slide down a hill on a sled or other vehicle, or play at any other game or sport in any public street or highway in the compact part of the Town, without permission of the ~~Town Council~~ Chief of Police.



Section 2. Article II of the Vehicles and Traffic Ordinances of the Town of Westerly entitled 'Speed Limits' is hereby amended as follows:

ARTICLE II
Speed Limits

§ 238-10. Reasonable and prudent speeds. (Same.)

§ 238-11. Prima facie limits. (Same.)

§ 238-12. Conditions requiring reduced speed.

The driver of every vehicle shall, consistent with the requirements of § 238-10, drive at an appropriate reduced speed when approaching and crossing an intersection or railroad grade crossing, when approaching and going around a curve, when approaching a hillcrest, when ~~travelling~~ traveling upon any narrow or winding roadway, and when special hazard exists with respect to pedestrians or other traffic or by reason of weather or highway conditions.

§ 238-13. Reduction by Town Council of speed limits at local intersections and streets within business or residence districts. (Same.)

§ 238-14. Increase by Town Council of speed limits in business and residence districts. (Same.)

§ 238-15. Reduction by Town Council of speed limits outside business or residence districts. (Same.)

Section 3. Article III of the Vehicles and Traffic Ordinances of the Town of Westerly entitled 'Enforcement' is hereby amended as follows:

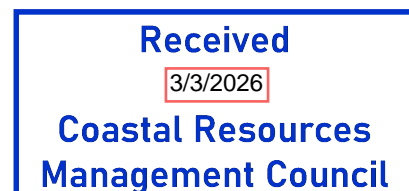
ARTICLE III
Enforcement

§ 238-16. Payment without personal appearance; parking tickets.

A. (Same.)

B. ~~Parking tickets indicating~~ The owner or operator of a vehicle who is issued a parking ticket indicating that said vehicle has been parked in violation of a provision of this Code relating to traffic and instructing such owner or operator to report to the offices of the Westerly Police in respect to such violation shall, within the seven days specified, pay to the ~~Westerly Police Department~~ Municipal Court such fines as this Code establishes for such offenses, and the ~~Police Department~~ Municipal Court is hereby designated for the purpose of collecting such parking fines. In the event such offender neglects or refuses to dispose of such charge within the seven-day period, he or she shall be summoned before the Municipal Court for adjudication of such violation as the Court may decide to be meet and proper, and such offender shall be subject to the full penalties provided for violation of this Code.

§ 238-17. Method of payment.



If the offending operator desires to dispose of the charge without personally appearing before the Municipal Court, he may execute the form indicated and return it to the Westerly Municipal Court not later than 30 days from the date of the summons either by mail or by delivering it to the ~~traffic violation section~~ Municipal Court or its designee, together with a certified check or money order in an amount indicated by the fine schedule on such form; provided, however, that, if the offending operator has already been guilty of one moving motor vehicle violation within the preceding six-month period within the Town of Westerly prior to the issuance of his summons, he shall appear at the Municipal Court as he shall not have the benefit of this method of payment. The burden of determining the eligibility to pay according to the provisions of this section shall be upon the operator. The Westerly Municipal Court is hereby authorized to receive payment of the fines in accordance with the provisions of § 15-7 of this Code.

§ 238-18. Violations and penalties.

A. The penalties for violations of this article correspond to the fines described together with such other additional penalties as shall be prescribed or imposed by law as prescribed by RIGL; ~~provided, however, that second and subsequent speeding offenses shall be heard and decided by the Municipal Court.~~

~~(1) The following violations may be handled administratively through the method as prescribed in this article:~~

- ~~(a) One to five miles per hour in excess of posted speed limit: fine of \$20.~~
- ~~(b) Six to 10 miles per hour in excess of posted speed limit: fine of \$40.~~
- ~~(c) Eleven to 15 miles per hour in excess of posted speed limit: fine of \$40.~~
- ~~(d) Sixteen to 25 miles per hour in excess of posted 55 miles per hour speed limit: for a first offense, a fine of \$10 per mile for each mile in excess of speed limit shall be assessed (fine of \$160 to \$250).~~

~~(2) Mail certified check or money order only, together with the ticket form properly executed to:~~

Westerly Municipal Court
Westerly Town Hall
45 Broad Street
Westerly, Rhode Island 02891



~~B. In addition to any other penalties provided in Subsection A of this section, the Municipal Court shall impose the following mandatory penalties for speeding:~~

~~(1) For speeds up to an excess of 15 miles per hour over the posted speed limit on a street or highway, a fine as provided for in Subsection A of this section for the first offense, plus \$10 per mile for each mile in excess of the speed limit for the second offense if within 12 months of the first offense and \$15 per mile for each mile in excess of the speed limit for the third and subsequent offense if within 12 months of the first offense.~~

~~(2) For speeds in excess of 15 miles per hour over the posted speed limit on a street or highway, a mandatory fine of \$10 for each mile over the speed limit for the first offense, \$15 per mile for each mile in excess of the speed limit for the second offense if within 12 months of the first offense, and \$20 per mile for each mile in excess of the speed limit for the third and subsequent offense if within 12 months of the first offense.~~

§ 238-19. Failure to act. (Same.)

§ 238-20. Forms. (Same.)

§ 238-21. Duties and authority of police. (Same.)

§ 238-22. Obedience to police by operators and pedestrians. (Same.)

§ 238-23. Moving vehicle to avoid compliance prohibited. (Same.)

~~**§ 238-24. Police reports of violations.**~~

~~It shall be the duty of the police officers and police constables of the Town acting in accordance with instructions issued by the Chief of Police to report:~~

- ~~A. When a vehicle is operated or parked in violation of any of the provisions of this chapter or § 182-12;~~
- ~~B. The state registration number of each vehicle, and the operator's name and license number if known; and~~
- ~~C. The offense charged by such officer or police constable as a violation of any provision relating to traffic.~~

§ 238-25. Attaching notice to vehicle or delivering to owner or operator.

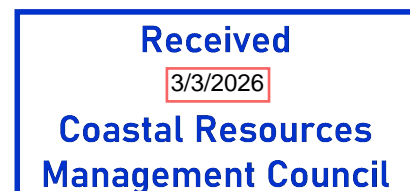
Except as otherwise provided herein, each such officer or police constable shall also attach to such vehicle, or deliver to the operator thereof, if present, notice to the owner or operator thereof that such vehicle has been operated or parked in violation of a provision of an ordinance relating to traffic and instructing such owner or operator to ~~report at the office of the Chief of Police~~ appear in Municipal Court in respect to such violation ~~and further notifying such person to appear on a day and hour stated in such notice to answer such charge before the District~~ said Court of this judicial district of the state.

§ 238-26. (Reserved)

§ 238-27. Contents of notice; failure to pay within time limit; trial and punishment.

Every such notice shall indicate the offense charged and shall also contain such information as will enable the person charged to take advantage of the provisions for payment of the fine at the ~~police station~~ Municipal Court ~~by disposition of the charge as aforesaid~~ within seven days from notification thereof. In the event such offender refuses or neglects to dispose of the charges before seven days, he shall be brought before the ~~District Court~~ Municipal Court for trial and for such disposition of the case as such court may decide to be meet and proper, and shall be subject to the full penalties provided for violation of the provisions of Articles II, III and IV of this chapter.

§ 238-28. Towing of illegally parked vehicles. (Same.)



§ 238-29. Deadline for payment of fine; fine for failure to pay.

Any monetary penalty provided hereunder may be paid at the ~~office of the Chief of Police~~ Municipal Court within ~~24 hours~~ seven days of the time notice was attached to subject vehicle. The failure of the owner or person in charge of such vehicle to pay any penalty hereunder shall subject such owner or person in charge of such vehicle to a fine not exceeding \$200.

§ 238-30. Towing by authorized vehicle only; storage location record. (Same.)

§ 238-31. Presumption of violation from registration. (Same.)

§ 238-32. Proof of penalty payment required for release of vehicle.

No authorized tow-away vehicle operator shall release any vehicle removed for violation hereunder unless receipt from the ~~office of the Chief of Police~~ Municipal Court of payment of the penalty is shown by the owner or person in charge of any vehicle so removed.

§ 238-33. Violations and penalties. (Same.)

Section 4. Article IV of the Vehicles and Traffic Ordinances of the Town of Westerly entitled 'Parking Fine Payment by Mail' is hereby amended as follows:

ARTICLE IV
Parking Fine Payment by Mail

§ 238-34. System established. (Same.)

§ 238-35. Payment by mail authorized in lieu of appearance.

Whenever a person shall be charged with a violation of a provision of any of the parking ordinances relating to nonmoving traffic in the Town, such person, instead of personally appearing in a court ~~or at the police station~~, may pay any fine imposed for violation of such ordinances by mail.

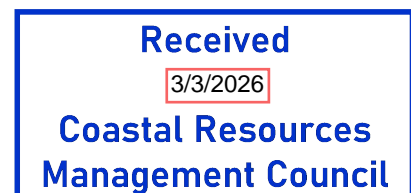
§ 238-36. Fines for parking violations. (Same.)

§ 238-37. To whom payment addressed.

The payments of such fines as provided above shall be addressed to the ~~Chief of Police~~ Municipal Court.

§ 238-38. Designation of collecting agency.

The Town Council hereby designates the ~~Police Department~~ Municipal Court for the purpose of collecting such fines by mail or in person, when the offender of a parking violation decides to dispose of such charge without personal appearance in court ~~or the payment of the fine in person to the Chief of Police~~, within seven days from the notification thereof.



§ 238-39. Cash, Check or money order authorized.

Whenever the mail is used for the payment of any parking fine, such fine may be paid in cash or by check or money order.

§ 238-40. Additional penalty for issuing bad check.

An additional penalty, not to exceed \$10 ~~\$25~~ may be imposed for attempted payment with a check written against insufficient funds.

§ 238-41. Affixing notice to vehicle required. (Same.)

§ 238-42. Information. (Same.)

§ 238-43. Time limitation. (Same.)

§ 238-44. Late fee. (Same.)

Section 5. Article V of the Vehicles and Traffic Ordinances of the Town of Westerly entitled 'Traffic Control Signs, Signals, Markings and Devices' is hereby amended as follows:

ARTICLE V
Traffic Control Signs, Signals, Markings and Devices

§ 238-45. Obedience to signs and devices required. (Same.)

§ 238-46. Display of unauthorized signs and signals prohibited. (Same.)

§ 238-47. Interference with signs and signals prohibited. (Same.)

§ 238-48. Chief of Police authorized to designate crosswalks. (Same.)

§ 238-49. Chief of Police authorized to mark street lanes. (Same.)

§ 238-50. Obedience to stop signs.

A. (Same.)

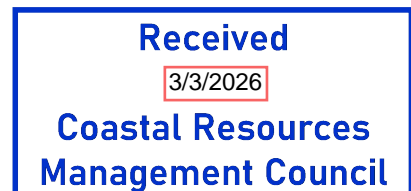
B. Violations and penalties. Violations of this section shall be under the jurisdiction of the Westerly Municipal Court. Any person violating a provision of this section shall, upon conviction, be fined the sum of ~~\$35 plus court costs~~ as prescribed by RIGL.

* * * * *

C. Stop intersections enumerated.

* * * * *

(1) In accordance with this section, the erection and maintenance of an official "stop" sign (or signs) is authorized so as to face:

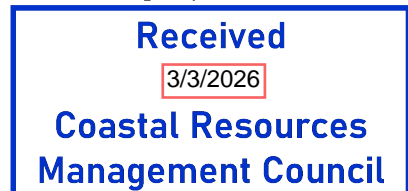


Street Stopped	Direction of Travel	At Intersection With
<u>Westerly Road</u>	<u>West</u>	<u>Wauwinnet Avenue</u>
<u>Westerly Road</u>	<u>Northwest</u> <u>Northeast</u>	<u>Wauwinnet Avenue</u>
<u>Wauwinnet Avenue</u>	<u>East</u>	<u>Westerly Road</u>
*	* *	*

Section 6. Article VI of the Vehicles and Traffic Ordinances of the Town of Westerly entitled 'Operation of Vehicles' is hereby amended as follows:

ARTICLE VI
Operation of Vehicles

- § 238-51. Use of streets at night by minor. (Same.)
- § 238-52. Driving on streets closed to traffic. (Same.)
- § 238-53. Turning restrictions at certain streets. (Same.)
- § 238-54. Driving on Park Avenue Bus Loop during school year. (Same.)
- § 238-55. Operation of heavy commercial vehicles. (Same.)
- § 238-56. Right-of-way in absence of signs or signals; crosswalks; crossing between intersections. (Same.)
- § 238-57. Funeral processions. (Same.)
- § 238-58. Following fire apparatus; crossing fire hose. (Same.)
- § 238-59. Throwing debris on highway; snow removal. (Same.)
- § 238-60. Prevention of leakage of load; fastening of load or covering; projecting loads.
 - A. (Same.)
 - B. Fastening of load and covering. No person shall operate on any highway any vehicle with any load unless said load and any covering thereon is securely fastened so as to prevent said covering or load from becoming loose, detached, or in any manner a hazard to other users of the highway.
 - (1) No motor truck trailer or ~~semitrailer~~ semi trailer which is used for the purpose of hauling logs, pulpwood, lumber, or other materials which by their very nature may shift or roll so as to be likely to fall from such vehicle shall be operated or moved over any highway unless its load is securely fastened to the vehicle by chains, cables, or other approved devices as will effectively prevent the shifting or falling of such load or any part thereof from the vehicle. The ends of such chains, cables or other devices and any tire chains shall be tied securely, whether the vehicle is loaded or unloaded, so that loose ends shall not endanger pedestrians or other vehicles encountered on the highway.
 - (2) (Same.)



(3) (Same.)

(4) (Same.)

C. (Same.)

§ 238-61. Coasting prohibited. (Same.)

§ 238-62. Times when lights required; illumination of rear registration plate; wiring of rear lights in connection with ~~head-lamps~~ headlamps.

A. (Same.)

B. Illumination of rear registration plate; wiring of rear lights in connection with headlamps. Either a ~~tail lamp~~ tail lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of 60 feet to the rear. Any ~~tail lamp~~ tail lamp or ~~tail lamps~~ tail lamps, together with any separate lamp for illuminating the rear registration plate, shall be so wired as to be lighted whenever the headlamps or auxiliary driving lamps are lighted.

§ 238-63. Overtaking and passing. (Same.)

Section 7. Article VII of the Vehicles and Traffic Ordinances of the Town of Westerly entitled 'Definitions and General Regulations' is hereby amended as follows:

ARTICLE VII
Stopping, Standing and Parking



§ 238-64. Parking vehicle for sale prohibited. (Same.)

§ 238-65. Stopping, standing and parking restrictions.

A. (Same.)

B. (Same.)

C. (Same.)

D. The Chief of Police may upon request grant permission to park vehicles in designated tow or no parking zones for limited times with conditions as he/she determines.

§ 238-66. Parking prohibited or restricted in designated areas.

It shall be unlawful for the operator of any vehicle to park the same at any time where parking is prohibited, or during any time when parking is restricted, or for any one consecutive period of time longer than specified, on any of the following streets or parts thereof.

A. No parking (to be designated by signage ~~or yellow curbing~~):

Alba Inn Road, the entire length, both sides, approximately 468 feet from its intersecting point with High Street. [Added 1-12-2004 by Ch. No. 1474]

~~Atlantic Avenue, between the easterly boundary of the Wigwam Hotel property and the easterly boundary line of the Atlantic Beach Casino, southerly side entire length, both sides.~~

~~Atlantic Avenue, between the easterly side of Weekapaug Bridge and a point 300 feet west, southerly side.~~

~~Atlantic Avenue, between the easterly side of Weekapaug Bridge and the Westerly boundary line of Atlantic Beach Casino property, northerly side.~~

~~Bayberry Road, entire length, both sides, between the hours of 9:00 a.m. and 7:00 p.m. on Saturdays, Sundays and holidays.~~

Bay Street, between the intersecting point of Bay Street and Larkin Road and a point 50 feet north from such intersecting point, easterly and westerly sides.

Bay Street, west side, between the exit and entrance to the Watch Hill Fire District parking lot 45 feet.

~~Beach Street, between Main Street and Sosea Lane, both sides, between the hours of 1:00 p.m. and 8:00 p.m. from the second Sunday in June to the second Sunday in September.~~

Beach Street, entire length, both sides.

~~Beach Street, between Elm Street and the southerly boundary line of the property of George C. Moore Company, easterly side.~~

Beacon Street, entire length, easterly side, except three areas delineated by timber cribbing and located at:

- (1) Between a point 130.2 feet south of the center line of John Street and a point 177.5 feet south of the center line of John Street.
- (2) Between a point 211.5 feet south of the center line of John Street and a point 234.7 feet south of the center line of John Street.
- (3) Between a point 273.3 feet south of the center line of John Street and a point 290.5 feet south of the center line of John Street.

Bellevue Avenue, between the intersections of Park Avenue and Ward Avenue, east side, from 7:00 a.m. to 6:00 p.m., Monday through Friday, and prohibited at all times on the west side. Resident parking and high school visitor parking exceptions as follows:

- (1) Parking for residents of Bellevue Avenue shall be permitted along the east side of Bellevue Avenue from the intersection of Park Avenue and Ward Avenue by permit only.
- (2) Each household along Bellevue Avenue shall be issued five parking permits for their use and the use of visitors to their residences.
- (3) The permits shall be placed in the windshield of the vehicle when parked in front of the residence. Permits shall be available at the Police Department.
- (4) The Director of Public Works shall cause the designated area on Bellevue Avenue to be posted as a parking zone for "residents only - permit required" and high school visitors with permits from the Westerly High School.
- (5) Any vehicle parked on the east side of Bellevue Avenue without a parking permit as herein provided shall be towed at the owner's expense.

~~Bellevue Avenue, from 35 Bellevue Avenue, south, to the intersection with Park Avenue, both sides. [Added 9-9-2002 by Ch. No. 1421]~~

~~Benson Avenue, entire length, both sides, between the hours of 9:00 a.m. and 7:00 p.m. on Saturdays, Sundays and holidays.~~

Bowling Lane, entire length, northerly side.

Bowling Lane, southerly side, from Main Street and continuing in a westerly direction to a point 346 feet west of Main Street.

Bowling Lane, southerly side, from a point 567 feet west of Main Street and continuing in a westerly direction to a point 1,444 feet west of Main Street.

Bowling Lane, southerly side, from a point 1,597 feet west of Main Street and continuing in a westerly direction to a point 1,684 feet west of Main Street.

Bowling Lane, southerly side, from a point 1,803 feet west of Main Street and continuing in a westerly direction to a point 2,447 feet west of Main Street.

Bowling Lane, southerly side, from a point 2,568 feet west of Main Street and continuing in a westerly direction to a point 2,766 feet west of Main Street.

Bowling Lane, southerly side, from a point 2,970 feet west of Main Street and continuing in a westerly direction to the western terminus of Bowling Lane.

~~Boxwood Avenue, entire length, both sides, between the hours of 9:00 a.m. and 7:00 p.m. on Saturdays, Sundays and holidays.~~

~~Breach Drive, entire length, both sides, between the hours of 9:00 a.m. and 7:00 p.m. on Saturdays, Sundays and holidays.~~

~~Broad Street between the Rhode Island and Connecticut boundary line and Main Street, southerly side.~~

~~Canal Street, between the northerly and southerly boundary lines of the United Theatre property, easterly side.~~

~~Canal Street between the northerly boundary line of Vacca Tire Shop property and entrance to South County Public Service Company gas plant, beginning at intersection of Railroad Avenue to end, westerly side.~~

~~Canal Street, east side opposite Darlington Fabric (G. C. Moore Co.) main parking lot 44 Canal Street 143 feet in a northerly direction, between the hours of 8:00 a.m. and 5:00 p.m. [Amended 4-25-2005 by Ch. No. 1532]~~

Chester Avenue, between School Street and Granite Street, westerly side.

Chestnut Street, between Granite Street and School Street, westerly side.

~~Crandall Avenue, entire length, both sides, between the hours of 9:00 a.m. and 7:00 p.m. on Saturdays, Sundays and holidays.~~

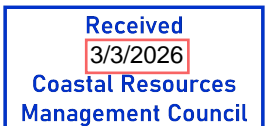
Crestview Drive: [Added 3-9-2009 by Ch. No. 1667]

- (1) The outer perimeter beginning at NG Pole 10 and continuing in a northerly direction to NG Pole 18.
- (2) The inner perimeter directly opposite NG Pole 10 and continuing in a northerly direction to NG Pole 18.

Cross Street, along the north curb, east for 100 feet from the apex of the Elm Street corner.

Cross Street, between the intersections of Elm Street and Main Street, both sides.

Cross Street, south side, ~~west side of the driveway for Cumberland Farms~~ beginning at Granite Street and continuing in a westerly direction for 40 100 feet.



Cross Street Extension, north side beginning at the east side of the driveway for Babcock Village and continuing in an easterly direction for 20 feet.

Cross Street Extension, north side beginning at the west side of the driveway for Babcock Village and continuing in a westerly direction for 30 feet.

Dayton Street, westerly side, entire length.

Dixon Street, north side, ~~beginning at High Street and continuing in a westerly direction for 15 feet~~ entire length.

~~Dixon Street, southerly side, from crosswalk 10 feet in an easterly direction and from easterly parking lot entrance 10 feet in a westerly direction.~~

Dixon Street, south side, beginning at intersection of High Street, continuing west for a distance of twenty (20) feet.

Dixon Street, south side, beginning at intersection of Railroad Avenue, continuing east for a distance of fifty (50) feet.

~~Elmwood Avenue, entire length, both sides, between the hours of 9:00 a.m. and 7:00 p.m. on Saturdays, Sundays and holidays.~~

~~Elm Street, between Broad Street and Beach Street, westerly side.~~

~~Elm Street, between the intersections of School Street and Granite Street, both sides.~~

Emerald Street, east side from its intersection with Wells Street in a northerly direction for a distance of 25 feet.

Fairview Avenue, beginning at the intersection with Westminster Street, thence in a westerly direction, 150 feet, north side.

~~First Street, entire length, both sides, between the hours of 9:00 a.m. and 7:00 p.m. on Saturdays, Sundays and holidays.~~

~~Fisherman's Avenue, entire length, both sides, between the hours of 9:00 a.m. and 7:00 p.m. on Saturdays, Sundays and holidays.~~

Franklin Street, entire length, both sides.

~~Friendship Street, area in front of the Rushlow Iacoi Funeral Home between driveways for 65 feet.~~

Granite Street, entire length, both sides.

~~High Street between Canal Street and Dixon Street, northerly side.~~

~~High Street, between the northerly and southerly bounds of the New Park Hotel property, easterly side.~~

~~High Street, east side, from the north corner of the driveway for Northeast Karate and continuing in a northerly direction for 15 feet.~~

~~High Street, east side, from the north corner of its intersection with Narragansett Avenue and continuing in a northerly direction for 25 feet.~~

~~High Street, east side, in front of Center for the Arts from the south side of the crosswalk in a southerly direction 15 feet.~~

~~High Street, east side, from the north corner of Bess Eaton driveway northerly for 30 feet, from the south corner of Bess Eaton driveway southerly for 15 feet.~~

~~High Street, east side, from the south corner of the driveway for Northeast Karate and continuing in a southerly direction for 24 feet. [Added 2-24-2003 by Ch. No. 1434]~~

Received
3/3/2026
Coastal Resources
Management Council

High Street, south side, from Grove Avenue, westerly direction, 25 feet.

High Street, southerly side, from a point beginning at NECO Pole #34 and proceeding in a westerly direction for a distance of 264+- feet to an end at the crosswalk.

~~High Street, west side, from the north corner of its intersection with Dixon Street and continuing in a northerly direction for 55 feet.~~

High Street, where it intersects with Oak Street (southeast corner).

High Street, north side, beginning at intersection of Canal Street, continuing east for a distance of fifty (50) feet.

High Street, north side, beginning at intersection of Grove Avenue, continuing west for a distance of five-hundred (500) feet.

High Street, south side, beginning at intersection of Grove Avenue, continuing west to NECO Pole #37.

High Street, west side, between Grove Avenue and Dixon Street.

High Street, east side, between Narragansett Avenue and Oak Street.

High Street, both sides, entire length north of Oak Street.

Highland Avenue, easterly side, between the northerly and southerly boundary lines of the Babcock ~~Junior High School~~ Hall, between the hours of 7:30 a.m. and 4:00 p.m. Monday through Friday during the school year, excepting legal holidays and school vacations.

Highland Avenue, between the intersections of Park Avenue and Granite Street, west side, from 7:00 a.m. to 6:00 p.m., Monday through Friday. Resident parking exceptions as follows: [Added 9-25-2006 by Ch. No. 1583]

- (1) Parking for residents of Highland Avenue shall be permitted along the west side of Highland Avenue from the intersections of Park Avenue and Granite Street by permit only.
- (2) Each household along Highland Avenue shall be issued five parking permits for their use and the use of visitors to their residences.
- (3) The permits shall be placed in the windshield of the vehicle when parked in front of the residence. Permits shall be available at the Police Department.
- (4) The Director of Public Works shall cause the designated area on Highland Avenue to be posted as a parking zone for "residents only - permit required."
- (5) Any vehicle parked on the west side of Highland Avenue without a parking permit as herein provided shall be towed at the owner's expense.

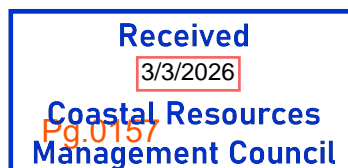
James Street, beginning at a point 342 feet west of the intersection with Pauline Street, thence in a westerly direction a distance of 50 feet, both sides.

Jay Street, entire length, easterly side.

~~John Street, south side, from the west corner of the driveway for Darlington Fabrics and continuing in a westerly direction for 50 feet.~~

~~John Street, south side, from the east corner of the driveway for Darlington Fabrics and continuing in a easterly direction for 50 feet.~~

~~John Street, north side, across from the driveway for Darlington Fabrics for a distance of 165 feet.~~



John Street, north and south sides, from its intersection with Elm Street and continuing in an easterly direction for ~~25~~ 175 feet.

~~Kimbell Avenue, entire length, both sides, between the hours of 9:00 a.m. and 7:00 p.m. on Saturdays, Sundays and holidays.~~

~~Larkin Road, between the intersecting point of Larkin Road and Bay Street and a point 50 feet southeasterly from such intersecting point, southerly side.~~

~~Lawton Avenue, entire length, both sides, between the hours of 9:00 a.m. and 7:00 p.m. on Saturdays, Sundays and holidays.~~

Lewis Lane, entire length, northerly side.

~~Linwood Avenue, entire length, both sides, between the hours of 9:00 a.m. and 7:00 p.m. on Saturdays, Sundays and holidays.~~

Main Street, between Broad Union Street and Beach Street, easterly side, ~~between the hours of 1:00 p.m. and 8:00 p.m. from the second Sunday in June to the second Sunday in September.~~

Main Street, entire length, westerly side.

~~Maplewood Avenue, entire length, both sides, between the hours of 9:00 a.m. and 7:00 p.m. on Saturdays, Sundays and holidays.~~

~~Montauk Avenue, entire length, both sides, between the hours of 9:00 a.m. and 7:00 p.m. on Saturdays, Sundays and holidays.~~

Mountain Avenue, entire length, northerly side.

Narragansett Avenue, southerly side, from Tower Street continuing in an easterly direction to a point 489 feet east of Tower Street, ~~effective when school is in session only.~~

Narragansett Avenue, northerly side, from a point 272 feet east of Tower Street at NECO Pole #7 continuing easterly to a point 388 feet east of Tower Street to NECO Pole #6, ~~effective when school is in session only.~~

Narragansett Avenue, south side, from Tower Street, easterly 30 feet.

Newton Avenue, entire length, westerly side.

Oak Street, north side from a point beginning at the extended east curblineline of Marion Street and proceeding in an easterly direction for a distance of 25 feet.

Oak Street, north side from a point beginning at the west edge of the driveway for 86 Oak Street and proceeding in a westerly direction for a distance of 10 feet.

Oak Street, the north side, from a point perpendicular to the extended east curblineline of Tower Street to a point 150 feet east, i.e., the frontage of the properties located at 88 and 90 Oak Street.

Oak Street, south side, from its intersection with High Street and continuing in an easterly direction for 50 feet.

Oak Street, south side, from the east corner of its intersection with Haswell Street and continuing in an easterly direction for 20 feet.

Oak Street, south side, from the west corner of its intersection with Haswell Street and continuing in a westerly direction for 15 feet.

Oak Street, south side, from Spruce Street easterly for 20 feet.

Oak Street, south side, from Spruce Street westerly for 20 feet.



Oak Street, southerly side, from a point beginning at NECO Pole 1670 and proceeding in a westerly direction for a distance of 24 feet to its termination point.

Park Avenue, north side, from the northeast corner of its intersection with Ward Avenue to the northwest corner of its intersection with Top Street. [Added 9-9-2002 by Ch. No. 1421]

Park Avenue, south side, from the southeast corner of its intersection with Bellevue Avenue to Top Street. [Added 9-9-2002 by Ch. No. 1421]

Park Avenue, south side from Ward Avenue easterly for 20 feet.

Pearl Street, east side, entire length.

Pearl Street, west side, from Service Street to a point 225 feet north of Service Street.

Pierce Street, between Pleasant Street and High Street, westerly and northerly sides.

~~Pierce Street, easterly side, beginning at the intersection with Pleasant Street, thence in a northerly direction, 30 feet.~~

Pleasant Street, between Pierce Street and Canal Street, both sides.

Pleasant Street, northerly side, from High Street to a point 157 feet west of the extended west curbline of West Street.

Pleasant Street, northerly side, beginning at the extended east curbline of Marriott Avenue and continuing in a westerly direction for a distance of 395 feet.

Pleasant Street, southerly side, beginning at High Street and continuing in a westerly direction for a distance of 303 feet.

Pleasant Street, southerly side, beginning at the east curbline of West Street and continuing in an easterly direction for a distance of 111 feet.

Pleasant Street, southerly side, between West Street and Canal Street.

Pond Street, east side, from corner of Pierce Street northerly for 40 feet.

Pond Street, westerly side, entire length.

~~Plimpton Road, between Bay Street and the easterly boundary line of the property of John C. Kababian, southerly side both sides, entire length.~~

~~Quarry Road, entire length, both sides.~~

~~Rabbit Run, entire length, both sides.~~

Railroad Avenue, south side, area in front of the Elk's Club from west driveway easterly direction for 100 feet.

~~Railroad Avenue, south side, area in front of Jenny's Crafts between two driveways for 15 feet.~~

~~Rip Tide Drive, entire length, both sides, between the hours of 9:00 a.m. and 7:00 p.m. on Saturdays, Sundays and holidays.~~

Rocket Street, beginning at a point at the intersection of Granite Street and Rocket Street in a southerly direction 90 feet, both sides (along a stone wall at 51 Granite Street). [Added 7-12-2004 by Ch. No. 1497]

~~St. Clares Way, entire length, both sides, between the hours of 9:00 a.m. and 7:00 p.m. on Saturdays, Sundays and holidays.~~

School Street, south side, from Chester Avenue, west to Main Street, entire length.

Received

3/3/2026

Coastal Resources
Management Council

School Street, north side, from the westernmost curb cut for the bus alley exiting St. Pius School, west to Main Street, entire length.

~~Second Street, entire length, both sides, between the hours of 9:00 a.m. and 7:00 p.m. on Saturdays, Sundays and holidays.~~

~~Seventh Day Meeting House Bridge highway, between the state highway Route 1-A and the old Potter Hill Road, between the hours of sunset and sunrise, northerly and southerly sides.~~

Sherwood Drive, beginning at Post Road thence in a southerly direction 300 feet, west side.

Schilke Drive, entire length, both sides. [Added 2-24-2003 by Ch. No. 1434]

Spring Street, westerly side, between School Street and Cross Street.

Spruce Street, east side, area in front of the Gaffney-Dolan Funeral Home between driveways for 50 feet.

State Street, north side, from the west corner of the driveway for the State Street School and continuing in a westerly direction for 15 feet.

State Street, north side, from its intersection with Westminster Street and continuing in an easterly direction for 25 feet.

Tow zones described in § 238-67.

~~Tower Street, east and west side, from Oak Street southerly for 50 feet both sides, entire length.~~

Turano Avenue, easterly side, entire length.

~~Union Street between Main Street and Broad Street, both sides, between the hours of 1:00 p.m. and 8:00 p.m. from the second Sunday in June to the second Sunday in September.~~

Union Street, west side, beginning at the entrance to the Westerly Savings Bank NECO Pole #3 thence in a northerly direction for 44 feet five inches. [Added 2-24-2003 by Ch. No. 1434]

~~Uzzi Avenue, entire length, both sides, between the hours of 9:00 a.m. and 7:00 p.m. on Saturdays, Sundays and holidays.~~

Ward Avenue, east side, from Bellevue Avenue northerly for 25 feet and hydrant.

Ward Avenue, east side, handicap access walkway 15 feet at Westerly High School by auditorium sidewalk.

Westminster Street, east side, from State Street northerly 25 feet.

Westminster Street, east side, from Wells Street 20 feet.

~~Winnapaug Road, entire length, both sides, between the hours of 9:00 a.m. and 7:00 p.m. on Saturdays, Sundays and holidays.~~

Woody Hill Road, both sides, beginning at the intersection with Old Post Road (Route 1) thence proceeding in a northerly direction for 300 feet.

B. Pickup zones.

- (1) Pickup zones are areas of restricted parking for the purpose of providing for the continual turnover of parking spaces in an area where a large number of

motorists require parking for a short period of time, generally between five and 15 minutes.

- (a) It shall be unlawful for the operator of any vehicle to park the same in excess of the specified time limit during the hours of operation of the business(es) for which the pickup zone has been designated.
- (b) Requests for pickup zones shall be made, in writing, to the office of the Chief of Police. The Chief of Police will investigate such requests and report his/her findings to the Town Council.
- (c) The need for existing pickup zones will be reviewed by the Chief of Police at least once per year. Whenever it is determined that an existing pickup zone is no longer required or serving its intended purpose, the Chief of Police will request that the Town Council eliminate such pickup zones by amending this section.

~~[1] Five minutes:~~

~~High Street [Repealed 10-24-2005 by Ch. No. 1558]
High Street, beginning at a point 41 feet east of NECO Pole #37 and proceeding in an easterly direction along High Street for a distance of 78 feet to an end at the crosswalk.~~

~~[2] Ten minutes (provided parking is permitted):~~

~~Bay Street, at a point at the northeast corner of Plat 179, Lot 2 (aka 9 Bay Street) and continuing in a southerly direction for a distance of 30 feet. This pickup zone shall be clearly marked with proper signage and or paint.~~

~~High Street, between the northerly and southerly boundary lines of the United States post office, easterly side.~~

[1] ~~[3] Fifteen minutes:~~

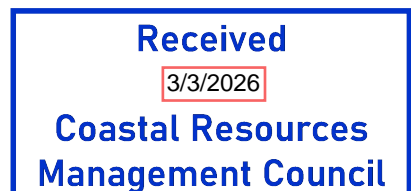
~~Atlantic Avenue, south side, beginning at NECO Pole #131 and proceeding in a westerly direction along Atlantic Avenue for 28.5 feet to an end for a distance of twenty-eight (28) feet.~~

~~Bay Street, west side, at a point at the north east corner of Plat 179, Lot 2 (aka 9 Bay Street) and continuing in a southerly direction for a distance of thirty (30) feet.~~

~~High Street, beginning at NECO #44 and proceeding in a southerly direction along High Street for 26.5 feet to an end.~~

~~High Street, east side, between driveways of United States Post Office.~~

~~High Street, west side, beginning at a point one-hundred twenty-seven (127) feet south of the midline of Railroad Avenue at the High Street intersection and proceeding in a southerly direction along High Street for 43 feet to an end and continuing south for a distance of forty-three (43) feet.~~



~~Narragansett Avenue, northerly north side, from Tower Street, to a point 272 feet east of Tower Street continuing east to NECO Pole #7, effective when school is in session only.~~

~~Oak Street, beginning at a point 257 feet west of NECO Pole #18 and proceeding in a westerly direction along Oak Street for 60 feet to an end.~~

~~Oak Street, beginning at a point at NECO Pole #19 and proceeding in an easterly direction on Oak Street for 44 feet to an end.~~

~~Oak Street, beginning at a point 76 feet west of NECO Pole #20 and proceeding in a westerly direction along Oak Street for a distance of 40 feet to an end.~~

~~Oak Street, beginning at a point 25 feet of the east extended curbline of Marion Street and proceeding in an easterly direction along Oak Street for 49 feet to an end.~~

Oak Street, between NECO Pole #15 and NECO Pole #17.

~~Pierce Street, beginning at a point 164 feet west of the midline of Pierce Street in an easterly direction along Pierce Street for 36 feet to an end.~~

~~Railroad Avenue, beginning at a point 97.5 feet northeast of NECO Pole #16 and proceeding northeasterly along Railroad Avenue for 37 feet to an end.~~

~~Railroad Avenue, beginning at a point 246 feet northeast of the midline of West Street at the Railroad Avenue intersection and proceeding in a northeasterly direction along Railroad Avenue for 46 feet to an end.~~

Railroad Avenue, south side, beginning at the western property line of 53 Railroad Avenue, continuing east to the eastern most property line of 53 Railroad Avenue.

Railroad Avenue, east side, beginning at the southern property line of 27 Railroad Avenue, continuing north for a distance of twenty-five (25) feet.

~~School Street, north side in the area in front of St. Pius School, 200 feet between NECO Poles 18 and 20.~~

School Street, north side, at a point beginning at NECO pole #18 and continuing west for a distance of two-hundred (200) feet.

Union Street, south side, at a point beginning at the crosswalk in front of 5 Union Street and continuing west for a distance of fifty (50) feet.

~~Westerly Road, southerly side, 79 feet from the middle of the intersection of Westerly Road and Bluff Avenue, to a point 257 feet from the middle of the intersection of Westerly Road and Bluff Avenue.~~

~~{4} Thirty minutes:~~

~~Pleasant Street [Repealed 10-24-2005 by Ch. No. 1558]~~

C. Provided that parking is permitted:

- (1) Two hours: High Street, Broad Street, Main Street, Union Street, Railroad Avenue south side only and north side from its intersection with Canal Street to the easterly entrance to the train station (the rest of the north side unlimited),



Canal Street, Bay Street in Watch Hill, where designated by the Director of Public Safety.

- (2) Three hours: Larkin Road in Watch Hill (northerly side, resident permit required), where designated by the Director of Public Safety.

D. Three hours for Westerly residents only: [Amended 4-26-2004 by Ch. No. 1484]

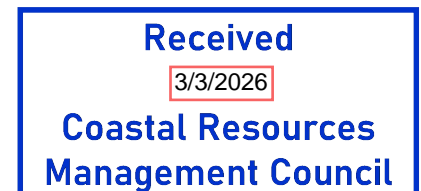
- (1) Location. Larkin Road, northerly side, from a point 50 feet easterly of Larkin Road and Bay Street to a point 30 feet westerly of the intersection of Larkin Road and Lighthouse Road.

- (2) Any resident of the Town, upon presenting satisfactory proof thereof, may obtain a parking permit, valid from the Saturday before Memorial Day to October 15th during the calendar year in which it is issued, which shall be available in the Town Clerk's office. The Director of Public Works shall cause the designated areas to be posted as "three-hour parking zones - resident permit required." Any vehicle parked on such areas without a parking permit as herein provided shall be towed at the owner's expense and shall be fined \$75.

- (3) For the purposes of this section, a resident shall mean a person who claims Westerly as their permanent residence or a non-resident taxpayer whose primary residence is in another state, but who owns residential real property in the town of Westerly and is listed on the current town tax roll.

- (4) For the purposes of determining residency, satisfactory proof thereof may include:

- a. Valid vehicle registration with a Westerly address;
- b. Valid driver's license with a Westerly address;
- c. Westerly real estate taxpayer verification;
- d. Current voter registration;
- e. Military identification along with copy of lease or rent receipt.



- (5) Exemption. This section shall not apply to those residents or non-resident taxpayers who have purchased a Westerly Town Beach season parking permit. Said beach permit shall operate as a permit for resident parking on Larkin Road and no other resident parking permit shall be required.

E. Loading zone: Areas of restricted parking, between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, for the purpose of loading and unloading commercial and/or industrial freight. In addition to those truck zones/freight loading zones previously established:

~~Broad Street, northerly side, beginning 28.9 feet from the Rhode Island/Connecticut boundary, easterly a distance of 30 feet, between the hours of 8:00 a.m. and 6:00 p.m., Monday through Friday.~~

Broad Street, north side, beginning at the mid-point of the Broad Street Bridge, continuing east for a distance of thirty (30) feet.

~~Canal Street, beginning at a point measured from NeCo Pole #40 in a southerly direction, along the western side, ending at NeCo Pole #41. This loading zone shall be clearly marked with proper signage and or paint.~~

Canal Street, west side, between NECO pole #40 and NECO pole #41.

Canal Street, east side, beginning at crosswalk in front of 15 Canal Street, continuing south for a distance of fifty (50) feet.

High Street, west side, beginning at the northern most property line of 26 High Street, continuing south for a distance of fifty (50) feet.

~~Union Street, west side, beginning at the driveway to the Welch Building thence 76 feet 10 inches in a northerly direction to the crosswalk at the intersection with Broad Street, continuing south for a distance of sixty (60) feet. This shall be in effect Monday through Friday from the hours of 10:00 a.m. until 4:00 p.m.~~

- F. ~~Intersections. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic, or in compliance with law, or the directions of a police officer or traffic control device, within 15 feet of a corner at an intersection.~~

§ 238-67. Tow zones described.

- A. The following highways and public lands located in the Town are designated as lands on which the parking of motor vehicles of any description is prohibited, and as tow zones:

- (1) Misquamicut area: entire length of Atlantic Avenue including adjacent public land not specifically designated as a parking area by any public authority; the entire length of Bayberry Road, Benson Avenue, Boxwood Avenue, Breach Drive, Crandall Avenue, Dogwood Avenue, Elmwood Avenue, First Street, Fisherman's Avenue, Kimball Avenue, Lawton Avenue, Linwood Avenue, Maplewood Avenue, Montauk Avenue, Rabbit Run, Rip Tide Drive, St. Clair Way, Second Street and Uzzi Avenue; Winnapaug Road from Atlantic Avenue to Shore Road.
- (2) Weekapaug area: Fenway Road between Knowles Avenue and Wawaloam Drive; entire length of Knowles Avenue; entire length of Weekapaug Road and Wawaloam Drive and Sand Trail except designated scenic overlook; Winona Avenue from Passpataug Avenue to Fenway Road.
- (3) Watch Hill area: Aquidneck Avenue; entire length of Avondale Road ~~in the Village of Avondale~~; Bluff Avenue, including public right-of-way to beach, sometimes referred to as Shinkle Drive; Browning Road; Everett Avenue, including public right-of-way running to beach; Foster Cove Road; Glen Way; southerly side of Larkin Road; entire length of Manatuck Avenue, including public right-of-way running to beach, excluding designated parking area for motorized bicycles and motor scooters with a motor rated not more than four and nine-tenths (4.9) horsepower and not greater than fifty (50) cubic centimeters, which is capable of a maximum speed of not more than thirty (30) miles per hour; Massachaug Road; Neowam Avenue; Niantic Avenue, including public right-of-way running to beach; Ninigret Avenue; Noank Avenue; entire length of Ocean View Highway; Overlook Drive; Pawcatuck Avenue; Plimpton Road; Waters Edge Road; Wauwinnet Avenue; Westerly Road ~~except area designated for fifteen minute parking~~; and West Ridge Road.
- (4) Westerly area: ~~Bellevue Avenue, from Park Avenue to Ward Avenue, both sides; Dixon Street, southerly side from crosswalk easterly 10 feet and from east parking lot entrance westerly 10 feet; Elm Street from Board Street to end of the no parking zone, on the easterly and westerly sides; Granite Street, from Grove Avenue to Broad Street, easterly and westerly sides;~~

~~Grove Avenue, from High Street to Granite Street on the westerly side; High Street, from Grove Avenue to Canal Street, on the northerly side, the entire length not specifically designated as a parking meter zone; Pierce Street, easterly side, 30 feet, in a northerly direction from the intersection with Pleasant Street.~~

- (5) Bradford area: Quarry Road, entire length, both sides.
- (6) Shelter Harbor area: Wagner Road, from the intersection with Rossini Road south to a point 100 feet north of the Shelter Harbor Fire District dock, both sides.

~~B. It shall be unlawful for the operator of any vehicle to park or stand on any of the following streets during the period of Monday through Friday from the first day of May through the 31st of July from 3:00 p.m. through 5:30 p.m.:~~

- ~~(1) Broad Street, the northerly side from High and Broad Streets to the state line at Pawcatuck River Bridge and the southerly side from Union and Broad Streets to Broad and Main Streets.~~
- ~~(2) Main Street, the easterly side from Main and Broad Streets southerly to Main and Union Streets.~~

B. This Section shall not apply to vehicles parked for religious services.

§ 238-68. Posting notice. (Same.)

§ 238-69. Towing of certain vehicles authorized. (Same.)

§ 238-70. Towing by authorized vehicle only; storage location record. (Same.)

§ 238-71. Presumption of violation from registration. (Same.)

§ 238-72. Proof of penalty payment required for release of vehicle. (Same.)

§ 238-73. Overtime parking fines; late fee.

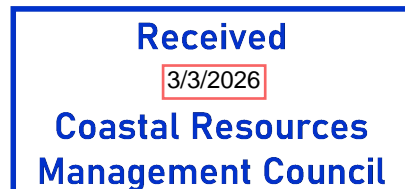
A. Every person who commits a violation of the provisions of § 238-66, entitled "Parking prohibited or restricted in designated areas," shall be fined \$15 to be paid to the Westerly Municipal Court Clerk no later than 30 days after receipt of a parking citation; provided, however, Bay Street or Larkin Road overtime parking shall be subject to a fine of \$75 to be effective seasonally from the Saturday before Memorial Day until October 15 of each year. Any vehicle parked overtime on Bay Street or Larkin Road in excess of ~~three consecutive hours~~ the time allowed shall be subject, additionally, to towing at the owner's expense and an additional \$25 per hour for each hour beyond three hours.

B. (Same.)

§ 238-74. Parking during snowstorm emergency. (Same.)

§ 238-75. Parking of trailers prohibited; tow zone.

A. (Same.)



- B. Any vehicle with an attached trailer as herein described or an unattached trailer parked in the above-referenced areas shall be subject to towing at the operator's or owner's expense and the operator of said vehicles or the owners of said unattached trailers shall be subject to a fine of ~~\$50~~ \$75 per violation.

Section 8. Article VIII of the Vehicles and Traffic Ordinances of the Town of Westerly entitled 'Parking Meters on Streets' is hereby repealed:

ARTICLE VIII
~~Parking Meters on Streets~~



~~§ 238-76. Establishing zones; meters to be placed.~~

~~The Director of Public Safety is authorized to establish, as traffic conditions require, zones to be known as parking meter zones upon such streets in the Town as are selected and designated by the Town Council for the location of such zones, and in such parking meter zones, the Director of Public Safety shall cause parking meters to be installed and shall cause parking meter spaces to be designated as herein provided, and shall fix the time limitations for legal parking in such zones.~~

~~§ 238-77. Regulation, control, operation and use of meters.~~

~~The Director of Public Safety is directed to provide for the regulation, control, operation and use of the parking meters provided for in this article and to maintain such meters in a good workable condition.~~

~~§ 238-78. Location of meters on curb; signal and legend.~~

~~Parking meters installed in the parking meter zones established as provided herein shall be placed upon the curb immediately adjacent to the individual parking places hereinafter described. Each parking meter shall be placed or set in such manner as to show or display by a signal that the parking space adjacent to such meter is or is not legally in use. Each parking meter installed shall indicate by a proper legend the legal parking time established by the Town, and when operated shall indicate on and by its dial and pointer the duration of the period of legal parking, and on the expiration of such period, shall indicate illegal or overparking.~~

~~§ 238-79. Designation of spaces by lines and markings; parking within lines required.~~

~~The Director of Public Safety is instructed to have lines or markings painted or placed upon the curb or upon the street adjacent to each parking meter for the purpose of designating the parking space for which such meter is to be used, and each vehicle parked adjacent or next to any parking meter shall park within the lines or markings so established. It shall be unlawful and a violation of this article to park any vehicle across any such line or marking or to park a vehicle in such position that the same shall not be entirely within the area so designated by such lines or markings.~~

~~§ 238-80. Vehicle position in relation to meter.~~

~~When a parking space in any parking meter zone is parallel with the adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked so that the foremost part of such vehicle shall be nearest to the parking meter; when a parking space in any parking meter zone is diagonal to the curb or sidewalk, any vehicle parked in such~~

~~parking space shall be parked with the foremost part of such vehicle nearest to such meter.~~

~~§ 238-81. Deposit of coins; violation indication.~~

~~When any vehicle shall be parked in any space adjacent to which a parking meter is located in accordance with the provisions of this article, the operator of the vehicle shall, upon entering the parking space, immediately deposit or cause to be deposited a coin of the United States in such parking meter as follows: for every 60 minutes desired in such parking space, a five-cent coin of the United States; for all-day parking desired in the parking space, a twenty-five-cent coin of the United States; and failure to deposit the five-cent coin and twenty-five-cent coin as aforementioned shall constitute a breach of this article and shall subject such person to the penalty prescribed in § 238-89. Upon the deposit of such five-cent or twenty-five-cent coin and placing the meter in operation, the parking space may be lawfully occupied by such vehicle during the period of parking time which has been prescribed for the part of the street in which the parking space is located. If the vehicle shall remain parked in any parking space beyond the parking time limit fixed for such parking space, the parking meter shall by its dial and pointer indicate such illegal parking, and in that event, such vehicle shall be considered as parked overtime and beyond the period of legal parking time; and the parking of a vehicle overtime or beyond the period of legal parking time in any such part of the street where any such meter is located shall be a violation of this article and punished as herein set out.~~

~~§ 238-82. Overtime parking.~~

~~It shall be unlawful and a violation of the provisions of this article for any person to cause, allow, permit or suffer any vehicle registered in the name of, or operated by, such person to be parked overtime or beyond the period of legal parking time established by any parking meter zone as established in this article.~~

~~§ 238-83. Extending time beyond limit.~~

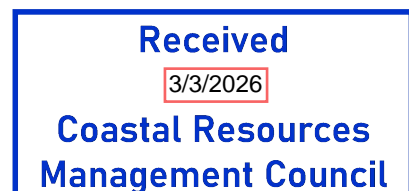
~~It shall be unlawful and a violation of the provisions of this article for any person to deposit or cause to be deposited in a parking meter a five-cent coin or one-cent coin for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time which has been established for the parking space adjacent to which the parking meter is placed.~~

~~§ 238-84. Vehicle remaining after violation indicated.~~

~~It shall be unlawful and a violation of the provisions of this article for any person to permit a vehicle to remain or be placed in any parking space adjacent to any parking meter while such meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period of time prescribed for such parking space.~~

~~§ 238-85. Use of slugs prohibited.~~

~~It shall be unlawful and a violation of the provisions of this article to deposit or cause to be deposited in any parking meter any slug, device or metallic substitute for any coin of the United States.~~



~~§ 238-86. Damaging or tampering with meters prohibited.~~

~~It shall be unlawful and a violation of the provisions of this article for any person to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this article.~~

~~§ 238-87. Police reports of violations.~~

~~It shall be the duty of police officers and police constables of the Town, acting in accordance with instructions issued by the Chief of Police, to report:~~

- ~~A. The number of each parking meter which indicates that the vehicle occupying the parking space adjacent to such parking meter is or has been parked in violation of any of the provisions of this article.~~
- ~~B. The state license number of such vehicle.~~
- ~~C. The length of time during which such vehicle is parked in violation of any of the provisions of this article.~~
- ~~D. Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.~~

~~§ 238-88. Attaching notice to vehicle; payment of fine at police station.~~

~~Each such police officer or police constable shall attach to such vehicle a notice to the owner thereof that such vehicle has been parked in violation of a provision of this article and instructing such owner to report at the office of the Chief of Police in regard to such violation. Each such owner may, within 24 hours of the time such notice was attached to such vehicle, pay to such office of the Chief of Police as a penalty for and in full satisfaction of such violation, the sum of \$5. The failure of such owner to make such payment to the office of the Chief of Police within 24 hours shall render such owner subject to the penalties hereinafter provided for violation of the provisions of this article.~~

~~§ 238-89. Maximum fine.~~

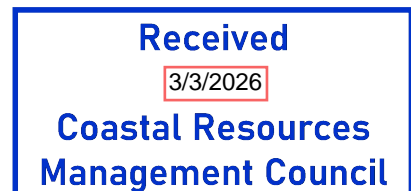
~~Every person who commits a parking violation under the provisions of Articles VII and VIII shall be punishable by a fine as determined from time to time by the Town Manager subject to the approval of the Town Council, such fine not to exceed the sum of \$50.~~

~~§ 238-90. Use of proceeds.~~

~~The coins required to be deposited in parking meters as provided by this article are hereby levied and assessed as fees to provide for the proper regulation and control of traffic upon the public streets, and also the cost of supervising and regulating the parking of vehicles in the parking meter zones created hereby, and to cover the cost of the purchase, supervision, protection, inspection, installation, operation, maintenance, control and use of the parking meters described herein.~~

~~§ 238-91. Late fee.~~

~~There shall be a late fee of \$5 charged to any person failing to pay the fine for a parking violation under this section within 14 days. Failure to pay within 28 days of the violation shall result in a noncumulative late charge of \$10.~~



~~§ 238-92. Temporary waiver of restrictions.~~

~~The Director of Public Safety may temporarily waive the restrictions under this section in the best interests of the Town.~~

~~Section 9. Article IX of the Vehicles and Traffic Ordinances of the Town of Westerly entitled 'Parking Meters in Off-Street Parking Facilities' is hereby repealed:~~

ARTICLE IX
Parking Meters in Off-Street Parking Facilities



~~§ 238-93. Establishing zones; meters to be placed.~~

~~The Director of Public Safety is authorized to establish, as traffic conditions require, zones to be known as parking meter zones upon such parking lots in the Town as are selected and designated by the Town Council for the location of such zones, and in such parking meter zones, the Director of Public Safety shall cause parking meters to be installed and shall cause parking meter spaces to be designated as hereinafter provided, and shall fix the time limitations for legal parking in such zones.~~

~~§ 238-94. Regulation, control, operation and use of meters.~~

~~The Director of Public Safety is directed to provide for the regulation, control, operation and use of the parking meters provided for in this article and to maintain the meters in a good workable condition.~~

~~§ 238-95. Location of meters on curb; signal and legend.~~

~~Parking meters installed in the parking meter zones established as provided herein shall be placed upon the curb or area immediately adjacent to the individual parking places hereinafter described. Each parking meter shall be placed or set in such manner as to show or display by a signal that the parking space adjacent to such meter is or is not legally in use. Each parking meter installed shall indicate by a proper legend the legal parking time established by the Town, and when operated shall indicate on and by its dial and pointer the duration of the period of legal parking, and on the expiration of such period, shall indicate illegal or overparking.~~

~~§ 238-96. Designation of spaces by lines and markings; parking within lines required.~~

~~The Chief of Police is instructed to have lines or markings painted or placed upon the curb or upon the area adjacent to each parking meter for the purpose of designating the parking space for which the meter is to be used and each vehicle parked adjacent or next to any parking meter shall park within the lines or markings so established. It shall be unlawful and a violation of this article to park any vehicle across any such line or marking or to park the vehicle in such position that the same shall not be entirely within the area so designated by such lines or markings.~~

~~§ 238-97. Vehicle position in relation to meter.~~

~~When a parking space in any parking meter zone is parallel with the adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked so that the foremost part of such vehicle shall be nearest to the parking meter; when a parking space in any parking meter zone is diagonal or perpendicular to the curb or sidewalk, any vehicle~~

parked in such parking space shall be parked with the foremost part of such vehicle nearest to such meter.

§ 238-98. Deposit of coins; violation indication.

~~When any vehicle shall be parked in any space adjacent to which a parking meter is located in accordance with the provisions of this article, the operator of the vehicle shall upon entering the parking space, immediately deposit or cause to be deposited a coin of the United States in such parking meter as follows: for every one hour desired in the parking space, a five-cent coin of the United States; for every additional hour desired, a five-cent coin of the United States; for every five hours desired, five five-cent coins or one twenty-five-cent coin of the United States; and failure to deposit such five-cent coins or twenty-five-cent coin shall constitute a breach of this article and shall subject such person to the penalty prescribed in § 238-106. Upon the deposit of such coins and placing the meter in operation, the parking space may be lawfully occupied by such vehicle during the period of parking time which has been prescribed for the part of the parking lot in which the parking space is located. If the vehicle shall remain parked in any such parking space, the parking meter shall by its dial and pointer indicate such illegal parking, and in that event, such vehicle shall be considered as parked overtime and beyond the period of legal parking time, and the parking of a vehicle overtime or beyond the period of legal parking time in any such part of the parking lot where any such meter is located shall be a violation of this article and punished as herein set out.~~

§ 238-99. Overtime parking.

~~It shall be unlawful and a violation of the provisions of this article for any person to cause, allow, permit or suffer any vehicle registered in the name of, or operated by, such person to be parked overtime or beyond the period of legal parking time established for any parking meter zone as herein described.~~

§ 238-100. Extending time beyond limit.

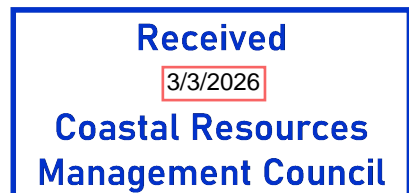
~~It shall be unlawful and a violation of the provisions of this article for any person to deposit or cause to be deposited in a parking meter a five-cent coin or twenty-five-cent coin for the purpose of increasing or extending the parking time of any vehicle beyond the legal parking time which has been established for the parking space adjacent to which the parking meter is placed.~~

§ 238-101. Vehicle remaining after violation indicated.

~~It shall be unlawful and a violation of the provisions of this article for any person to permit a vehicle to remain or be placed in any parking space adjacent to any parking meter while the meter is displaying a signal indicating that the vehicle occupying such parking space has already been parked beyond the period of time prescribed for such parking space.~~

§ 238-102. Use of slugs prohibited.

~~It shall be unlawful and a violation of the provisions of this article to deposit or cause to be deposited in any parking meter any slug, device or metallic substitute for any coin of the United States.~~



~~§ 238-103. Damaging or tampering with meters prohibited.~~

~~It shall be unlawful and a violation of the provisions of this article for any person to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this article.~~

~~§ 238-104. Police reports of violations.~~

~~It shall be the duty of police officers and police constables of the Town, acting in accordance with instructions issued by the Chief of Police, to report:~~

- ~~A. The number of each parking meter which indicates that the vehicle occupying the parking space adjacent to such parking meter is or has been parked in violation of any of the provisions of this article.~~
- ~~B. The state license number of such vehicle.~~
- ~~C. The length of time during which such vehicle is parked in violation of any of the provisions of this article.~~
- ~~D. Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation.~~

~~§ 238-105. Attaching notice to vehicle; payment of fine at police station.~~

~~Each police officer or police constable shall also attach to such vehicle a notice to the owner thereof that such vehicle has been parked in violation of a provision of this article and instructing such owner to report at the office of the Chief of Police in regard to such violation. Each owner may, within 24 hours of the time when such notice was attached to such vehicle, pay to the office of the Chief of Police as a penalty for and in full satisfaction of such violation, the sum of \$1. The failure of such owner to make such payment to the office of the Chief of Police within 24 hours shall render such owner subject to the penalties herein provided for violation of the provisions of this article.~~

~~§ 238-106. Maximum fine.~~

~~Every person who commits a parking violation under the provisions of this article shall be punishable by a fine not exceeding \$20.~~

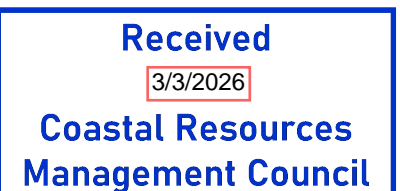
~~§ 238-107. Use of proceeds.~~

- ~~A. Revenues derived from parking meters in off-street parking lots shall be placed in separate accounts. Such revenues shall be expended by the Town for the costs of supervising and regulating the parking of vehicles in any off-street parking facility operated by the Town and to provide for the cost of purchase, installation, operation and maintenance of off-street parking facilities and parking meters.~~
- ~~B. Funds accrued from on-street parking meters and deposited in the parking meter fund shall be transferred to the general fund.~~

ARTICLE X
Valet Parking
(Same.)

Section 10. This Ordinance shall take effect upon passage.

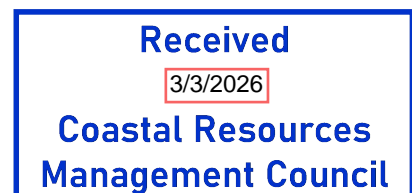
Per Order of the Town Council.



ATTEST: Donna L. Giordano, MMC
Council Clerk
May 16, 2011

All persons interested in the above are respectfully required to be present at the time and place to be heard thereon.

INDIVIDUALS REQUESTING INTERPRETER SERVICES FOR THE HEARING IMPAIRED MUST CALL 348-2500 OR 596-2022 (V/TDD) 72 HOURS IN ADVANCE OF THE HEARING DATE.

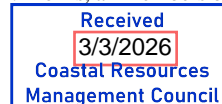


At a Special Meeting of the Town Council of the Town of Westerly, R.I., held this 25th day of May, A.D. 1970 at 8 o'clock P.M.

Arthur E. Wills, Salvatore C. Falcone, Richard D. Comolli, Henry Federico, Antonio C. Trovato, Salvatore T. Parise and Henry M. Morris, all members being present.

Town Manager Peter M. Curry being present.

Town Solicitor Joseph J. Parrilla being present.



The Council met with the Members of the Home Rule Charter Commission to discuss the implementation of the Home Rule Charter since its adoption on November 5, 1968, the need for changes in any of its provisions, and the need for a study committee to further this end.

All members of the Charter Commission being present:

Francis C. Lathrop, Joseph C. Lewiss, James J. Longolucco, F. Thomas Lenihan, Herbert R. Rathbun, Ernest A. Eldridge, George H. Utter, as well as Henry M. Morris, Council President.

Members of the Council indicated that because of the pressures of Council business they themselves do not have the time to devote in reviewing the provisions of the Charter in order to study and recommend proposals for change if deemed necessary and that it is apparent that in the area of the financial provisions of the Charter that the Council is not permitted enough time in the development of a fiscal budget. The Council further indicated that there might be other areas that prove troublesome. The Council asked the Commission for their comments relative to the appointment of such a study committee and whether any of the Commissioners would be interested in serving on such a Committee. Stating further that if such a Committee was indeed appointed the member or members of the Commission who would serve would be most helpful to the Study Committee by apprising them of the pro and cons that were previously discussed by the Commission and their intentions in the formulation of the charter.

Another provision of the Charter that was discussed was the hiring and firing of a Police Chief by the Manager, he also being the appeal board.

Mr. Lathrop stated that he thought it might be wise to appoint a study committee for a limited period of time, and that the Council and the Manager set forth to such a Committee the problem areas and what needed to be reviewed. He indicated that it would be advantageous if a prior member (s) of the Charter Commission were to serve on such a committee. He was also of the opinion that the Charter has not been in operation long enough to make a full determination of the areas of need for change.

Mr. Lewiss stated that this Committee need not necessarily be a permanent one, more of a watch dog or advisory committee. He also stated that the Charter hasn't been in operation long enough to make a full determination.

Mr. Morris stated that in his opinion this should not be a continuous Committee.

Town Solicitor Joseph J. Parrilla said that he has drafted a suggested ordinance for the Councils' consideration which would establish a continual advisory Charter Revision Committee whose function and duty would be to make semi-annual reports to the Council.

He went over the provisions of his suggested draft.

Mr. Rathbun stated that he thought the ordinance unnecessary and would only create chaos and further problems. He feels that the Charter is workable, however probably not perfect and suggested that an ad hoc committee would be more feasible. That a continuing committee was not agreeable to him.

Mr. Lewiss agreed with Mr. Rathbun and he also stated that he would not be in agreement with appointing political members to such a committee.

Mr. Longolucco stated that in his opinion if the Council has a problem (s) then a Committee should be appointed to resolve such a problem(s) if the Council feels it cannot devote the time to do it.

Mr. Lathrop cited the provisions of the R.I. Constitution regarding the adoption of a home rule charter and for charter amendments stating that no circulated petition is required for amendments to the Charter, only a majority vote of the council is needed for amendments to the charter in order to put it to the electorate.

Mr. Utter and Mr. Rathbun both indicated that they feel the appointment of such a committee is in the council's authority solely and that the committee would be an advisory one and appointed only if council deemed the necessity for such a committee. Mr. Longolucco stated in his opinion an ordinance should be enacted for the appointment of such a Committee setting for the term of the committee. He also offered that the Charter is only in outline form and that new ordinances should be enacted under the provisions of the Charter to establish personnel rules and regulations.

Mr. Lenihan indicated that he didn't feel that the whole charter should be under review.

Councilman Comolli suggested that a committee be formed not only to review for any changes in the charter but also to recommend the ordinances needed under the provisions of the Home Rule Charter.

Council President Morris stated that only the Town Council should have the power to set policy.

Town Manager Curry said there is need for ordinances and the fixing of policies and that he would appreciate the help of a learned committee, however he stated that a purchasing ordinance and personnel ordinance should be developed by the Manager. Another problem that has developed is that there is no provision in the Charter for a Water & Sewer Budget procedure and as to who has the authority to hold public hearings on sidewalks, water, sewers.

Mr. Morris stated that it was the intention of the charter commission that these matters could be taken care of by ordinance.

It was the consensus of the Commission that the Council would have to set up their own guide lines as to how to appoint this committee and indicated the members willingness to help the Council by their attendance here tonight.

There was no further discussion on this matter, and the Council recessed at this time for an executive session.

The Town Solicitor requested an extension of time in rendering a decision on the request of Mrs. Ann Whitford dba George for Teens, for permission to hold Sunday dances at said establishment on Atlantic Avenue, Misquamicut for the summer season. The Council asked that he render his opinion as soon as possible.

Upon the request of the Town Manager, it was

VOTED: That the Town Council meet on Monday, June 8th, 1970 at 8:15 P.M. to hold a public hearing on a proposal for the extension of a Water Main to Wilson Street from Longvue Avenue to Franklin Field as requested by the Westerly Recreation Committee, and that public notice be advertised at least once prior to said hearing and notice by registered mail be sent to the abutting property owner.

Notice is received from Henry Ise, Chief, Division of Harbors & Rivers that the application of Normand S. Norbert of 35 Breach Drive, Westerly, for permission to maintain an existing dock and stone retaining wall and to construct and maintain a T. head addition 15 ft. by 5 ft. in front of his property in the Weekapaug Breachway off Breach Drive, is now under consideration and that written protests should be made on or before June 19, 1970.

Mr. Curry reported that he did not deem the proposal to be objectionable. It was ordered that said notice be placed on file.

Mr. Curry informed the Council that a group has been formed for the purpose of saving the Rollerdom which has ceased operations as a result of condemnation of property for the Westerly By Pass. He said that they were interested in coming before the Council to request that the Council give consideration to their request for the continuation of such a recreational facility in the Town.

Mr. Comolli advised Mr. Curry of a meeting he has arranged with Mr. Cotter of the Division of Parks and Recreation for the purpose of discussing future developments of recreational facilities and suggested that the Town Manager confer with Mr. Cotter relative to the feasibility of the State of R. I. considering this recreational facility.

Councilman Wills suggested that the building possibly be moved to Franklin Field to be used as a Field House and/or dance hall.

After consideration thereof it was

VOTED: That one spokesman for the group be permitted to be heard at the next regular meeting of the Council on June 8, 1970.

Council President Morris said that it has become known to him that the Immaculate Conception Church Building is up for sale and he had been approached for a possible purchase by the Town.

The Town Manager discussed with the Council a proposal for a change in the Town's Traffic Pattern to alleviate the downtown summer traffic problems.

Councilman Comolli stated that he had received a complaint of unlawful filling in along the Pond where there is new construction going up and suggested that the Town Manager investigate the complaint.

Mr. Comolli felt that before a building permit is issued for construction that the Zoning Inspector should be sure of the designated area.

Mr. Curry stated that in his opinion the Engineer should certify the plot plan before a building permit is issued.

Mr. Comolli further stated that there is encroachment on Town Property at the West end of Atlantic Avenue by unlawful fill and suggested that the Town Manager contact the Dept. of Natural Resources to see that the fill be removed.

Town Manager reported that in order to correct the situation of the dropped chains at the Town Beach he suggested that cement posts be put in to hold the chains firmer. This will be done by the Dept. of Public Works as soon as possible.

Councilman Parise requested that the Town Manager make a study and survey on the built up area around Brendan Street and Upper High Street to determine the number of fire hydrants located in this area and the feasibility of installing additional hydrants.

Mr. Curry brought up the matter of the fixing of the Sewer Tax Rate, urging the Council to take action so that the Tax Assessor can go forward with the billing procedure. He recommended that the council fix the rate at 73 cents a hundred, a raise of 90 cents over last year, for the reason that there are increases in appropriation requirements and expenses, and that because of the loss of intangible personal property from the grand list it would reflect as a loss of \$16,000 in Revenue to the Sewer Dept. Mr. Curry also explained that in the prior year no provision was made for a reserve for Capital Expenditures.

In reviewing the Sewer Budget Councilman Comolli said he didn't see the need for a contingency appropriation for Capital Reserve a total of \$7500 which he recommends be cut from the budget Councilman Comolli commented that he would not like to see the rate go up by 90 cents.

Upon motion of Council Trovato, duly seconded by Councilman Comolli, it was

VOTED: That a sewer maintenance tax be assessed on all ratable property within the First Drainage District of \$.70 (70 cents) on each \$100.00 of valuation on property of record as of 12 o'clock midnight December 31, 1970.

Councilman Falcone requested that the Town Manager look into the matter of Route signs at White Rock which leads to confusion? Springfield Route signs; dead end sign should be moved closer to the gravel bank; speed limit sign of 25 miles per hour should be replaced, as printing is hardly discernable.

Town Solicitor submitted to the Council for their consideration a draft of a proposed ordinance controlling the parking of motor vehicles, and Councilman Wills, introduces and seconded by Councilmen Falcone & Trovato, it was

VOTED: That the proposed ordinance entitled "AN ORDINANCE PROHIBITING THE PARKING OF MOTOR VEHICLES ON CERTAIN HIGHWAYS AND PUBLIC LANDS WITHIN THE TOWN OF WESTERLY INCLUDING PENALTY FOR VIOLATION AND ESTABLISHMENT OF TOW ZONE AREAS" be ordered advertised for hearing on June 8, 1970 at 10:00 o'clock P.M.

In the matter of the petition of Ernest J. Vacca and Florence A. Vacca, requesting that the property on Woody Hill Road, Bradford, be rezoned from R-2 Residential to B-1 Business District which was held May 11, 1970, came on again for consideration.

No written objections having been received since the hearing.

Upon motion of Councilman Trovato duly seconded by Councilman Federico to grant said petition and to adopt the proposed ordinance, Councilman Wills requested a polled vote.

Upon a polled vote being taken as follows:

Ayes: Trovato, Federico, Wills and Morris

Noes: Falcone, Comolli and Parise

Council President Morris declared the motion carried, and it was

VOTED: To grant said petition and to adopt the following [Ordinance](#):

Councilman Parise noted for the record that he voted "no" for the reason that he considers this as spot zoning and that the area of square footage is excessive of the desires and the needs of the petitioners and that it constitutes a change of the area.

Councilman Comolli noted for the record that he voted "no" for the same reasons and feels that the people in the vicinity do not seem to realize that in a B-1 Zone multi-family dwellings and other uses can be permitted. He also stated that he did not feel that two acres of land would be needed for a bridal shop the proposed for said premises.

Councilman Trovato noted for the record that ample time has been given to the public to register any objection and as there were no. objections filed, he favored the change.

Councilman Wills also noted for the record that a petition signed by abutting owners of said property favoring the change from A-1 to B-2 had been filed with the Council.

* * *

Amended 6/8/70 by adding

*** Councilman Falcone noted for the record that he concurred with Councilmen Parise and Comolli as to why it should not be granted and that it does not meet with the Comprehensive plan.

In the matter of the petition of John and Harriett Gaccione, requesting that the property situated on the corner of Westerly-Bradford Road and Spucy Drive be rezoned from A-1 Agriculture to B-2 Business District which was held on May 11, 1970 came on again for consideration.

No written objection having been received since the hearing.

Upon motion of Councilman Trovato, duly seconded by Councilmen Wills, and Parise, it was

VOTED: To grant said petition and to adopt the following [Ordinance](#):

VOTED: To adjourn to the call of the President of the Council.

Attest:

Council Clerk

At a Regular Meeting of the Town Council of the Town of Westerly, R.I., held this 8th day of June, A.D. 1970 at 8:00 o'clock P.M.

Arthur E. Wills, Salvatore C. Falcone, Richard D. Comolli, Henry Federico, Antonio C. Trovato, Salvatore T. Parise and Henry M. Morris, all members being present.

Town Manager Peter M. Curry being present.

Town Solicitor Joseph J. Parrilla being present.

Prayer was given by Councilman Parise.

The Minutes of the Meetings of May 11, 18 and 25 as amended, and sitting as a Licensing Board on May 11, 1970 were accepted as printed and amended.

VOTED: To accept and place on file the monthly reports of the Dog Officer, Director Public Welfare, Police, Building Official, Finance Director and Director of Minimum Housing, together with the minutes of the Minimum Housing Board of Review.

VOTED: That the following named be granted Milk Licenses subject to the approval of the Milk Inspector:



Louis D. Miller & Co. dba Ocean House	Watch Hill
Arthur L. Fiore dba Fiore's Market	139 Atlantic Ave.
James Vardilos dba casino Stand	Atlantic Ave.
John D. Pinto, Jr. dba Sea Side Beach Club	" "
Frank E. Allen dba Allen's Can-D-News	125 Main St.
Anthony J. Ragonese dba The Pebble	Atlantic Ave.
Joseph Zanella	Post Road
Jalna Inc. dba Swiss Chalet	Post Road
B & F Enterprises, Inc. dba Yankee Clipper	Winnapaug Rd.
Clair Latour dba Sea View Stand	s/s Atlantic Ave.

VOTED: That the following named be granted Public Bathing Beach Licenses subject to the approval of the Beach Commissioner:

Seaside Beach Club Inc.	s/s Atlantic Ave.
Clair Latour dba Sea View Stand	" " "

VOTED: That the following named be granted Public Laundry Licenses subject to the approval of the Building Official and the R.I. Dept. of Health:

Main St. Launderama, Inc.	Main St. Shopping Center
Saunders & Sons Enterprises, Inc. dba The Friendship Laundromatic	Friendship St.
Saunders & Sons Enterprises, Inc. dba	Granite St. Shopping Center

VOTED: That the following named be granted Sunday Parking Lot Licenses subject to the approval of the Beach Commissioner, Police Chief and the Zoning Inspector:

Anthony J. Ragonese dba The Pebble	n/s Atlantic Ave.
Seaside Beach Club Inc.	Atlantic Ave.
Arthur L. Fiore dba Fiore's Market	139 Atlantic Ave.
John D. Pinto, Jr. dba Seaside Beach Club	Atlantic Ave.
James J. Atsales	" "
Ernest Boumenot dba Star-Lite Motel	Winnapaug Rd.

VOTED: That the following named be granted Victualling Licenses subject to the approval of the R.I. Dept. of Health:

B & F Enterprises, Inc. dba Yankee Clipper	Winnapaug Rd.
James Vardilos dba Casino Stand	Atlantic Ave.
John D. Pinto, Jr. dba Seaside Beach Club	" "
Anthony Ragonese dba The Pebble	" "
Umile Ritacco dba LaPlante's Market	82-84 Oak St.
St. Vincent's Church (1 day)	Bradford
United Methodist Church (1 day)	Avondale
Claire Latour dba Sea View Stand	s/s Atlantic Ave.

VOTED: That the following named be granted Sunday Sales Licenses subject to the approval of the Police Chief.

James Vardilos dba Casino Stand	Atlantic Ave.
Edward & Julia Leturmy dba Aqua Shop	Bay St., W.H.
Plaza Parade, Inc	Franklin Plaza
John D. Pinto, Jr. dba Seaside Beach Club	Atlantic Ave.
Frank E. Allen dba Allen Can-D-News	125 Main St.
Anthony J. Ragonese dba The Pebble	Atlantic Ave.
Surf's Up, Inc. (State Beach)	" "
Arthur L. Fiore dba Fiore's Market	139 " "
Robert B. Cornell dba Good Humor Ice Cream Inc.	-----
B & F Enterprises, Inc. dba Yankee Clipper	Winnapaug Rd.
Bernard L. Gordon dba The Book & Tackle Shop	Bay St., W.H.
Claire Latour dba Sea View Stand	s/s Atlantic Ave.



VOTED: That the following named be granted permission to conduct a Bazaar subject to the approval of the Police Chief, and R.I. Dept. of Health:

Anthony H. Terranova, Chairman	
Festival Committee St. Vincent's Church (1 day)	Bradford

VOTED: That the following named be granted permission to conduct a Pair subject to the approval of Police Chief and the R.I. Dept. of Health:

Request of:
Frank A. Bailey
United Methodist Church, Spruce St. at the Avondale Grange

VOTED: That the following named be granted a Bowling License subject to the approval of the Police Chief, Building and Zoning Inspectors:

Holiday-Lanes-Westerly, Inc.	Granite St. Shopping Center
------------------------------	-----------------------------

Upon motion of Councilman Comolli duly seconded by Councilman Parise it was

VOTED: That the Town Clerk notify the Director of Public Safety for the follow up on any disapprovals received from proper authorities on the several types of licenses which are issued by the Clerk.

Upon motion of Councilman Trovato, duly seconded by Councilman Parise it was

RESOLVED: That the Town Council hereby goes on record as urging the Rhode Island Department of Public Works to reconsider its plans for the proposed terminus of the Westerly By-Pass at U.S. Route #1 and strongly recommends that plans be developed which would provide for a bridge spanning U.S. Route #1 and connecting with Airport Road and further that a carefully planned traffic interchange be built in conjunction with such bridge so that the free safe flow of traffic will be assured if such a plan is scheduled for the future, the Town Council urges that this portion of the project be rescheduled so that construction will be concurrent with the first phase of the By-Pass Project.

And it was

FURTHER RESOLVED: That the Clerk forward copies of the aforesaid Resolution to Governor Licht and Mr. Morris Chorney, Director Department of Public Works.

Councilman Trovato issued a statement commending the Westerly Police Force, the Westerly Police Reserves and Acting Chief Anthony Algieri on their performance in doing an outstanding job for the Westerly Police Department.

Request is made by Marshall Drew, Chairman of the Arts Festival Committee which Festival is sponsored by the Greater Westerly-Pawcatuck Chamber of Commerce for permission to install a banner between McCormick's Department Store and the Washington Trust Company from June 29th through July 20th 1970.

Upon consideration thereof, and upon motion being made by Councilman Parise, duly seconded by Councilman Wills, it was

VOTED: That permission be granted for the installation of a banner at said location.

Councilman Comolli, Green Acres Coordinator reported that progress is being made under the Green Acres Program.

Council President Morris, Chairman of the Boating Authority reported that progress is being made along activities of said Authority.

John Gaccione
Michael L. Garafolo
Abraham Itchkawich
Milton M. Leibowitz
Anthony Palazzolo
George L. Quattromani

Westerly-Bradford Rd.
Boy Scout Drive
129 Canal St.
96-98 Canal St.
Westerly-Bradford Rd.
Westerly-Bradford Rd.



Written approvals are received from the Acting Police Chief and the Health Physician.

Written disapprovals are received from the Building and Zoning Inspectors that the operators premises do not conform with the existing code.

Mr. William A, Clark III a property owner on Boy Scout Drive appeared before the Council to object to the granting of a Junk Dealers License to Michael Garafolo on Boy Scout Drive and presented a written objection signed by he and his wife Ellen T. Clark which is filed.

Mr. Clark also presented another written objection signed by Irving R. & Beatrice H. Rowe, which is filed.

Mr. Clark also spoke in behalf of Mr. Falcone a property owner on Boy Scout Drive in objecting to the granting of said license that a Junk car has been deposited on his property.

Mr. Clark objected to. day and night trucking on Boy Scout Drive stating that it creates a noisy nuisance and a litter problem.

Mr. George Miller, District Director of the Boy Scouts is present and objects to the granting of said license stating that the Boy Scouts property adjoins Mr. Garafolo's and that junk has been deposited on their property.

Attorney Matthew Lewiss is present, and spoke in favor of the granting of all junk dealers licenses, stating that all applicants are trying to comply with the existing ordinance and asks for the Council's due consideration.

Santo Algieri, Chairman Municipal Conservation Commission registered objection to Mr. Anthony Palazzolo dumping on Town's Property.

Hearing is declared closed.

Upon motion of Councilman Comolli seconded by Councilman Parise, it was

VOTED: That the aforementioned applications for Renewals

of Junk Dealer Licenses be granted subject to conformity with the provisions of the newly adopted ordinance by November 1, 1970, the effective date of said ordinance and it was

FURTHER VOTED: That letters be directed to the Building and Zoning Inspectors advising them that compliance by Junk Dealers Operators must be met by November 1, 1970.

Mr. Garafolo was cautioned to be more considerate of his neighbors in his nighttime operations.

Mr. Garafolo is present and defended his actions and stated that he has not caused Mr. Clark any grief as a result of his operations, that he only has forty cars in his yard, and that the junk car deposited on someone else's land is not his property.

A Public Hearing is held by the Town Council and the Department of Public Works on a proposal to extend the water main and to assess abutting property owners on Wilson Street from Long-vue Avenue to Woodlund Avenue.

Notice of the Public Hearing having been advertised in "The Westerly Sun" on May 27, and June 3rd, 1970, and notice by registered mail having been sent to the abutting property owner.

The Town Manager offered that the Recreation Committee is seeking this for the Development of Franklin Field.

Oscar Chapman, Director of the Department of Public Works indicated on a plot plan the area for the extension.

No person appeared to object.

Hearing is declared closed and upon motion of Councilman Parise duly seconded by Councilman Comolli, it was

VOTED: To approve the extension of the water main on Wilson Street from Longvue Avenue to Woodlund Avenue and order the assessment on abutting property owners.

Mr. Chapman, Director of Dept. of Public Works voted to approve the water main extension and assessment.

A Public Hearing is held by the Town Council and the Dept. of Public Works on a proposal to construct new sidewalks on both sides of Bellevue Avenue between Park Avenue and Narragansett Avenue and to assess abutting property owners.

Notice of the Public Hearing having been advertised in "The Westerly Sun" on May 27 and June 3rd, 1970 and notice by first class mail having been sari t to the abutting property owners (all R,I, Residents) on May 27th, 1970.

Councilman Comolli disqualified himself as a property owner on Bellevue Avenue and withdraws from the hearing.

John P. Turrisi files a written notice that he is not interested in the installation of sidewalks in front of his property.

Patrick Cofone files a written objection to the proposal.

The Town Manager explained the proposal stating that the hearing was scheduled on the request of several property owners on Bellevue and that he had conferred with the Director Public Works and arrived at an estimated cost of \$4.75 per front foot (each side) to the property owner; that the Town would absorb one half the cost.

The Director of Public Works stated that only twenty-seven property owners would be involved and that he had obtained two estimates from contractors and that the property owners share of the cost would be \$4.75 per front foot.

He further stated that the installation would be 2200 feet long at the total cost of approximately \$22,000. He indicated that construction costs are rising and presently at about 12% a year.

Both Mr. Curry and Mr. Chapman indicated that the cost would be substantially the same whether done by the Department or under contract, but that because of the heavy work load in the repairing of walks by the sidewalk crew, it would be impossible for the Town to take on a job of this magnitude.

The following named were present and verbally objected to the proposal; Nicholas T. Terranova, Ralph Perri, Rudolph Molin, Annunziato Toscano, Shirley Lunaas on behalf of Amedeo J. & Emma M. Morrone, Peter J. DePerry Jr. and Albert Quattromani.

Mr. Quentin DeSimone is present and stated that he felt that \$9.00 per front foot is too high a cost.

Mrs, Emilio Murano is preset and voiced verbal approval for the installation.

He questioned whether the installation could be made for those property owners who are requesting the installation and are willing to pay the costs especially if all property owners were in agreement from his property to Quattromani's property.

He was informed that the Department of Public Works feels that it is poor policy to install in spot locations.

Mr. Richard Delicato asked that the Department of Public Works provide loam in front of his property so that it can be seeded stating that stones and gravel have caused him concern with the breaking of glass.

Mr. Chapman stated that the Department of Public Works will provide a dressing in front of properties if within the 50 foot strip and if requested by the property owner.

Others speaking on the matter were Abe Itchkawich and Frederick Ulles.

Hearing is declared closed.

Upon motion of Councilman Trovato duly seconded by Councilman Federico, it was

VOTED: That the proposal be dropped and the request be denied. And it was

FURTHER VOTED: That if the six or seven property owners still want the installation that it be the prerogative of the Department of Public Works.

Mr. Curry commenting 01 the above vote stated that he would have to justify the expenditure of Town Funds if the installation is extended to certain points.

Mr. Chapman, Director Dept. Public Works voted to oppose the construction at this time, however if the properties in a row still want it and agreement can be reached with the Dept. Public Works and the Town Manager then this may be undertaken and built to the Town's specifications.

Mr. Koromos appeared before the Council as an informal spokesman for a group of young people who are interested in saving the Rollerdrome Skating Rink. He stated that the Rollerdrome was a unique establishment for the youths of Westerly who enjoy roller-skating of which the owners took on the responsibility as Chaperone; that the construction of the Westerly By-Pass will remove this recreational facility; that the group is seeking help in finding a way for the re-opening of the rollerdrome; in finding a place for the moving of the Building; in appealing to the Council to intercede with the State for aid if the Town is interested in keeping such a recreational facility in Westerly. He indicated that as far as he knew at the present time the Rollerdrome is now State owned but he could not state whether or not the prior owners have been approached to reacquire the building.

Councilman Wills informed Mr. Koromos that he had suggested that maybe the building could be moved to Franklin Field to be used as a field house or dance hall and or skating rink, when the State starts construction for the By-Pass.

Mr. Whitman another spokesman for the group indicated that the prior owners would like to stay on but that they haven't the money to relocate. He also said that the building would not be suitable for a dance hall and a skating rink because of the flooring.

Mr. Peterson operator of the Riverdale Rink in Warwick, R.I., is also present to back the group who are interested in saving the rollerdrome stating there are 22,000,000 roller skating enthusiasts in the Country.

Mr. Whitman says that he has arranged for bus transportation for those interested from Chariho to Riverdale with contributions that have been made for the time being.

It was the consensus of the Council that the Town Manager will investigate this matter further and inquire of State Officials to see what can be done.

The Town Manager reported to the Council that he has been approached by the Southern League of Fire Companies which include Charlestown, Richmond, Hopkinton and Westerly to explore the area for setting up a permanent centralized communication system to be manned 24 hours a day. The communication center was previously manned by Fire Chief Edwin Greene who has since deceased and that equipment must be removed from his building at Dunns Corners. He stated that he has conferred with Fire Chief Barber into the feasibility of locating dispatcher from the Police Station which would be a cost to the Town, but the League having indicated their willingness to compensate the Town. Mr. Curry said that he feels that this would be a public safety enterprise which he is receptive to and would be willing to work out some arrangement with the Fire Departments. He could not say what the additional cost to the Police Department this would amount to as there would be need for additional personnel. He recommended this matter for the Council's consideration as to whether or not they wished him to go forward.

Chief Barber is also present and explained this matter further stating that they have permission from the School Department to locate on School Building and that temporarily can remote from the house stressing a need for a permanent base.

Mr. Carl Manfred, Civil Defense Director, also explained that Civil Defense operations is dependent on this service for the alarm system; that the Federal C.D. Program will take up to 50% of the cost for an alarm system? that Civilian Defense maintains its Bay Station at Dunns Corners.

Upon motion of Councilman Comolli, duly seconded by Councilman Trovato, it was

VOTED: That the Town Manager be authorized to go ahead and to estimate a cost for this program and report back to the Council at its next meeting.

In the matter of the traffic problem on Franklin Street Mr. Curry reported that he will meet...with Mr. Phillip Mancini of the State Department regarding the feasibility of installing traffic lights at the Shopping Center entrance and egress, and ways for the curbing of speeders and for safe travel on the highway.

Councilman Comolli requested that the Town Manager confer with Mr. John Rego, Director, Dept. Natural Resources with reference to a proposal that season passes be given out at the State Beach to the tenants of cottages and motels for the use of their beach facility. The Town Beach facility no longer is big enough to accommodate the non-resident visitors to our shores.

The Town Manager submitted a proposed ordinance which would provide for the reorganizing and recharging of the Planning Board of Westerly for the Council's consideration.

Mr. Curry informed the Council that he has received a complaint from the Downtown Merchants Association of the lack of adequate truck parking. The businessmen have been notified by truckers that the space now reserved is not adequate for more than one truck. Mr. Curry stated that he is investigating this further to see if he can arrange to resolve this problem.

Councilman Wills suggested the scheduling of hours of truck parking as the most logical solution to this problem.

Councilman Comolli urged the Town Manager to see to the removal of the fence and telephone pole on land at the west end of Atlantic Avenue.

A Public Hearing is held on the proposed ordinance entitled "AN ORDINANCE PROHIBITING THE PARKING OF MOTOR VEHICLES ON CERTAIN HIGHWAYS AND PUBLIC LANDS WITHIN THE TOWN OF WESTERLY INCLUDING PENALTY FOR VIOLATION AND ESTABLISHMENT OF TOW ZONE AREAS" which was introduced by Councilman Wills.

The following named entered into discussion on the proposed ordinance:

Edward Lee, Shore Road - Would favor the proposal if all other laws are strictly enforced although would find it hard to accept creating more of a problem.

John Vacca, real estate agent in Misquamicut favors the proposal.

Gerard Nardone - Favors adoption and suggests addition of all streets south of Shore Road.

Mr. Cosenza - favors adoption.

Acting Chief Algieri says there is a need for tow zones, that there is a problem with out of towners, suggests identification of areas in Misquamicut and Weekapaug as Tow Depot.

Bruce MacDonald, Carl Manfred and Joseph Vetelino both favor adoption.

Abe Itchkawich, Thomas Toscano, Quentin DeSimone, Michael Garafolo, Frederick Ulles and John Palazzolo, being present to discuss the proposal and made suggestions.

Town Solicitor explained that only duly licensed operators can tow vehicles and that fees charged are under the regulations of the Public Utilities Administrator.

Upon the recommendation of the Town Solicitor the following corrections and addition is ordered made to Section II of the proposed ordinance: change word "request" to read "order" and by adding the following words to the end of the paragraph: "and any storage charges thereon."

Hearing is declared closed.

Upon motion of Councilman Parise duly seconded by Councilman Comolli it was

VOTED: To adopt the following ordinance:

The Town Council of the Town of Westerly hereby ordains as follows:

SECTION 1. The following highways and public lands located in the Town of Westerly hereby designated as being lands on which the parking of all motor vehicles of any and all description is prohibited are designated as follows:

MISQUAMICUT AREA:

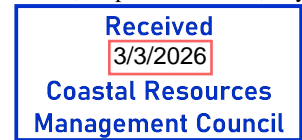
Entire length of Atlantic Avenue including adjacent public land not specifically designated as a parking area by any public authority; Winnapaug Road from Atlantic Avenue to Shore Road; the entire length of Breach Drive, Saunders Road, Robin Road, Montauk Avenue, Lawton Avenue, Franklin Avenue, Kimball Avenue, Benson Avenue, Crandall Avenue, Clarke Avenue, Dogwood Avenue, Elmwood Avenue, Linwood Avenue, Boxwood Avenue, Maplwood Avenue, Bayberry Road, First Street and Second Street.

WEEXAPAUG AREA:

Entire length of Weekapaug Road and Wawaloam Drive and Ninigret Avenue except designated scenic overlook.

WATCH HILL AREA:

Entire length of Ocean View Highway, Kanatuck Avenue, including public right-of-way running to beach; Niantic Avenue, including public right-of-way running to beach; Everett Avenue, including public right-of-way running to beach; Ninnigret Avenue; Westerly Road.; Wauwinett Avenue; Larkin- Road; Bluff Avenue, including public right-of-way to beach, sometimes referred to as Shinkle Drive; and Meadow Lane.



The Director of Public Safety shall cause the aforementioned designated areas to be posted as Tow Zones.

SECTION 2. Any vehicle so parked in violation of this ordinance shall be removed by tow away method at the expense of the owner or person in charge of the same at the order of any police officer of the Town of Westerly, and the owner or person in charge shall pay a penalty in the sum of \$15.00 in addition to the tow away charge and any storage charge thereon.

SECTION 3. Any monetary penalty provided hereunder may be paid at the office of the Chief of Police of the Town of Westerly within 24 hours of the time when notice was attached to subject vehicle. The failure of the owner or person in charge of such vehicle to pay any penalty hereunder shall subject such owner or person in charge of such vehicle to a fine not exceeding \$200.00.

SECTION 4. All motor vehicles ordered removed by tow away shall be removed by a duly licensed tow vehicle and record of storage location of the same shall be filed at the office of the Chief of Police of the Town of Westerly.

SECTION 5: This ordinance shall be deemed to be in addition and supplementary and not in conflict with nor a repeal of prior or existing ordinances of this town but shall be an additional provision for the regulation of traffic and parking in tow zones provided for herein.

SECTION 6. If any section, part of section, sentence, clause or phrase of this ordinance shall be held to be unconstitutional or invalid, the remaining provision hereupon shall nevertheless remain in full force and effect.

SECTION 7. This ordinance is declared to be an emergency measure on the grounds of urgent public need for the preservation of health, safety, and welfare.

SECTION 8. The certified registration of any motor vehicle shall be prima facie evidence that the registered owner of the same had created any violation hereunder.

SECTION 9. No authorized tow away vehicle operator shall release any vehicle removed for violation hereunder unless receipt from the office of the Chief of Police or the Town or Westerly of payment of penalty is shown by the owner or person in charge of any vehicle so removed.

SECTION 10. This ordinance shall take effect upon its passage.

Town Manager reported the filing of the sub-division plan of property of Manuel Lima, and recommended that the Council assign house numbers to Lima Drive as previously recommended by Department of Public Works.

Upon motion of Councilman Trovato duly seconded by Councilman Parise, it was

VOTED: That house numbers be assigned on Lima Drive as recommended by the Dept. Public Works and that the Clerk so notify the property owners of such designation and other agencies concerned.

Communication is received from Gerard Nardone, Town Assessor fixing the tax rate at \$53.00 per thousand, which is ore placed on file.

The Town Clerk announced that she has written the R.I. Tax Administrator for permission to set a tax rate in excess of \$35.00 per thousand, which action is ratified and confirmed.

The Town Solicitor rendered a verbal opinion on the request of Mrs. Ann Whitford for permission to operate Sunday Dances at her establishment on Atlantic Avenue, Misquamicut throughout the summer season with a 12 o'clock Midnight closing. He said that after making a thorough check it is his opinion that the Town council has the power to license dances on Sundays except for establishments that are licensed Class B Victualers or Class B Taverns.

Attorney John Toscano is present on behalf of Mrs. Ann Whitford and urged the Council to render a decision favoring the granting of such license.

Town Manager Curry indicated that he hoped the Council would help to curtail extension in this area of live entertainment in order to change the image of the Misquamicut Beach Area and return it to a family beach type of operation. He said that the beach is being monopolized by young age groups and that the older people are being rejected. He also stated that no funds have been provided in this years budget for additional police protection which activity such as this would require.

Mr. Whitford is present and stated that the establishment provides police protection of three men on Fridays and four men on Saturdays and that they would also provide police protection of three or four men on Sunday nights. He defended the total business operation of George-for-Teens.

Acting Chief Algieri stated that he has had no problem with this business establishment or its operations however Sunday Night Dancing would encourage more young people in the area where now activity slows down on Sunday nights.

Councilman Trovato objects to the granting of such permission for Sunday activities stating that it would create a noise problem; that to remain open till 12 Midnight for the age group from 15 years on was not in his favor; that Westerly is trying to stop the flow of narcotics in the beach area and the Town of Westerly and said that this would not help the situation.

Councilman Wills defended the business operation of George-for-Teens and stated that 51% of our total population in under 25 years of age; that Westerly has granted Sunday operations to a Billiard Parlor and to a Bowling Alley, that we have an ordinance on the books which states that minors under 18 years must be accompanied by a parent on the highways.

Acting Chief Algieri stated for the record that if dancing is permitted on Sundays it would infringe on the public safety and welfare of the Community.

After further discussion pro and con and upon motion of Councilman Parise duly seconded by Councilman Trovato, it was

VOTED: To cease further discussion of the subject matter and reserve decision till the next meeting of the Council.

Attorney Toscano urged for an immediate decision, stating that should the Council deny the request it would be an abuse of discretion.

Town Solicitor advised the Council that they could deny the granting of same if in their opinion it would create a health or safety problem.

Town Solicitor submitted a written opinion on Fort Road, Watch Hill known as Napatree Point and the Block Island Dock Rights-of-ways which is accepted and ordered placed on file and the Clerk is directed to furnish copies to each Councilman and to the Chief of Police.

Upon motion of Councilman Trovato duly seconded by Councilman Wills, it was

VOTED: To accept the resignation of Joseph J. Parrilla as Tom Solicitor with regrets, and it was

1970. FURTHER VOTED: That Thomas J. Capalbo, Esquire, of Westerly Road, Bradford, be appointed Town Solicitor for the Town of Westerly effective June 13,

Westerly. Council President Morris, and Councilman Trovato, Comolli and Wills commended Mr. Parrilla for his performance as Town Solicitor for the Town of

Council President Morris recommended the appointed of three new members to the Citizens Advisory Committee, and upon motion made by Councilman Comolli duly seconded by Councilman Parise, it was

VOTED: That the following named be added to the Membership of the Citizens Advisory Committee;

John L. Sullivan Quarry Road, Bradford
Suzanne D. Christy, Riverview Road, Avondale
Rev. Robert L. French 24 George St.

Upon motion of Councilman Trovato duly seconded, it was

VOTED: To grant the following requests subject to the prior approval of the proper authorities:

Request of Benedict Pupillo, Chairman Mt. Carmel Celebration For Procession and Fireworks at Franklin Field Sunday, July 19, 1970

Request of Charles J. Moore - Watch Hill Cabanas Fourth of July Weekend - Fireworks display

Request of John Kendzia and George Falcone - Director of Road Race and Advisory, respectively For Elks Road Race June 14, 1970 at 7:30 P.M.

Upon motion of Councilman Wills, seconded by Councilman Comolli, it was

VOTED: That the following ordinance be adopted:

TOWN OF WESTERLY

Chapter 386

AN ORDINANCE PROVIDING SUPPLEMENTAL APPROPRIATION FOR GENERAL PUBLIC ASSISTANCE

The Town of Westerly hereby ordains the following

SECTION 1. That whereas the Town Manager has certified that there is available for appropriation revenue in excess of that estimated in the budget for the fiscal year 1969-70, and that a supplemental appropriation in the amount of \$5,000.00 from un-appropriated surplus is required to carry on the General Public Assistance program of the Town of Westerly, that the said supplemental appropriation is necessary for the life and health of those dependent on said program; that the sum of \$5,000.00 be made available by supplemental appropriation for the purpose as aforesaid.

SECTION 2. The Town Treasurer la hereby authorized to make payment to said account for said purpose to the extent as herein authorized.

SECTION 3. This ordinance shall take effect upon its passage.

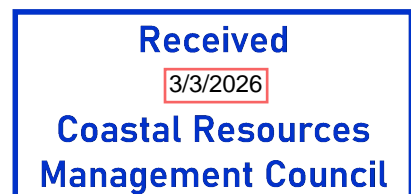
Upon motion of Councilman Parise duly seconded, it was

VOTED: To recess this meeting to Tuesday, June 16, 1970 at 8:00 o'clock P.M.

The Council recessed at 12:45 P.M.

Attest:

Council Clerk



REGULAR MEETING
TUESDAY

WESTERLY TOWN COUNCIL
MAY 28, 1991

COUNCIL CHAMBERS
7:30 P.M.

1. CALL TO ORDER

Present: President Iacoi
Councilors Cole, Federico, Douglas, Algieri, Azzinaro
T. Mgr. Pellegrino, T. Sol. Turo, Co. Clk. Giordano
T. Sgt. Romanella

Absent: Vice Pres. Hartford

INVOCATION - Councilor Azzinaro

SALUTE TO THE FLAG - Town Solicitor Turo

2. RECOGNITIONS, AWARDS & MEMORIALS

Motion made and duly Seconded to adopt the following resolutions, read aloud by Council Clerk:
(Voted Unanimously)

- a. Commendation - George Kent, Community Service Award Recipient
- b. Recognition - Marist Fathers

Father Poirier was present to accept the resolution and, on behalf of all the Marist Fathers, extended appreciation to the Council.

3. CONSENT CALENDAR

Motion by Mr. Algieri, Seconded by Mr. Cole, that the following Consent Calendar be accepted and approved as printed: (Voted Unanimously)

- a. Acceptance of Minutes & License Board Minutes

Regular Meeting - 5/13/91

Special/Executive - 5/20/91

Committee of the Whole - 5/8/91

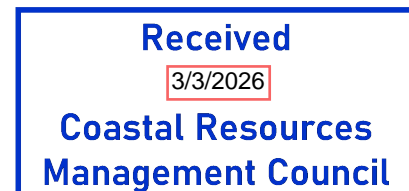
- b. Tax Refunds, Additions & Corrections - none
- c. Deletions from Referral List - none

Motion by Mr. Azzinaro, Seconded by Mr. Cole, to recess as a Council and sit as a Licensing Board.
(Voted Unanimously)

4. SITTING AS A LICENSING BOARD

- a. Licenses & Permits

Motion by Mr. Federico, Seconded by Mr. Algieri, that the following Licenses & Permits be granted subject to the prior approval of proper authorities: (Voted Unanimously)



NEW LICENSES

Motion by Mr. Federico, Seconded by Mr. Cole, to ratify and confirm the action of the Town Clerk in granting the following permit subject to the prior approval of proper authorities: (Voted Unanimously)

Photo Session

Bauer Publishing Company

Napatree/Misq. Beaches

(5/21 & 5/23/91)

b. Liquor License Hearings1. Transfer - Class B-Victualler (Tabled fr 5/13/91)

Fr: N.R. Corp

dba: Hilltop Cafe

87 Oak St

To: F & O Enterprises, Inc.

dba: Hilltop Café

(same location)

Town Solicitor Turo informed the Council that the Robert Sammataro claim had been withdrawn according to Attorney John Toscano.

Attorney Frederick Eckel was present representing the transferor and noted that the claims from three liquor dealers were paid in full.

No one appeared in favor or in opposition.

Motion by Mr. Federico, Seconded by Mrs. Douglas, that the hearing be closed. (Voted Unanimously)

Motion by Mr. Federico, Seconded by Mrs. Douglas, that the aforesaid transfer be granted subject to the prior approval of proper authorities, as well as payment in full of all taxes, water and sewer. (Voted Unanimously)

c. Applications & Communications1. Outside Entertainment

Colonial Theater

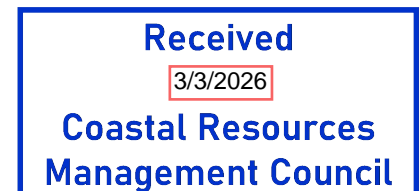
Westerly Shakespeare-In-The-Park

Wilcox Park

(7/4 to 7/7/91 & 7/10 to 7/14/91)

Motion made and duly Seconded, that the aforesaid application be ordered advertised for public hearing on June 10, 1991. (Voted Unanimously)

Motion by Mr. Federico, Seconded by Mr. Azzinaro, to recess as a Licensing Board and reconvene as a Council. (Voted Unanimously)



RECONVENED AS COUNCIL

5. CITIZENS COMMENTS

- a. Richard Antonelli, Executive Director of South County Mental Health was present noting that May was "Mental Health Month" and recognized the Town of Westerly as one of the primary and founding Towns of the Mental Health Center.

Ann Consadine, President of the Mental Health Center was also in attendance and presented a placque to the Town of Westerly, thanking the citizens for over 20 years of support.

- b. Christine Muise, 32 Main St, B - re: 911 street numbers

Town Manager Pellegrino explained the problems arising with these 911 changes. He will check the discrepancy of the numbers with the Director of Public Works and correct same.

- c. William Sisco, Marion St - re: Bess Eaton Drive Thru at the corner of Oak and High Street

Town Manager Pellegrino stated that RIDOT did not find this matter to be in non-compliance. He also stated that the Police have watched this area and have had concerns as to safety. The Town Manager was directed to send correspondence to Bess Eaton regarding the Council's concerns.

- d. Ken Federico, 10 Woodlund Ave - re: sewers on Smith Plat

A workshop was scheduled for June 19, 1991, at 7 p.m. to discuss this issue.

- e. Robert J. Eusebio, 36 Woodlund Ave - re: dead end sewerage due to wetlands

- f. Mike Ryan, 37 Woodlund Avenue - re: right-of-entry fee; Town Beach opening and new hours

Councilor Federico reflected on the Town Beach's operation for the first weekend. He reported that it was a good weekend and that the new hours are satisfactory.

- g. Councilor Algieri - re: condition of the former Bee Bee's Diary building

Town Manager Pellegrino stated that the Bank which owns same is currently in receivership. He was directed to send correspondence to the receiver.

- h. President Iacoi announced that the Town Council will be starting its summer schedule of meetings for the 2nd Monday of June, July, August and September. He also announced that Congressman Jack Reed will be in the Council Chambers on June 3, 1991, at 7:30 p.m. to hear citizens views and concerns.

- i. The Town Clerk, Town Solicitor and Town Manager were directed to review the present licensing procedure for the purpose of restructuring same and establishing a licensing board by August or September.

6. PUBLIC HEARINGS (Adv. on 4/29 & 5/20/91)

- a. Petition - Abandonment of Althea Place

Attorney James DiPrete was present representing the Moore Company and recapped the history of this matter. He requested that the abandonment of Althea Place be approved since it is no longer used as a public roadway, but has become an extension of the parking lot.

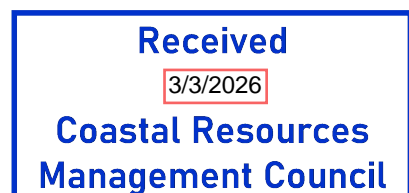
No one appeared in favor or in opposition.

Motion by Mr. Federico, Seconded by Mr. Cole, that the hearing be closed. (Voted Unanimously)

Motion by Mr. Federico, Seconded by Mr. Cole, to approve the following Order of Abandonment: (Voted Unanimously)

TOWN COUNCIL OF THE TOWN OF WESTERLY, RHODE ISLAND
ORDER OF ABANDONMENT

Pg.0182



On February 25, 1991, a Petition was filed with the Town Council of the Town of Westerly stating that the hereinafter described Althea Place, a public highway located in said Town has ceased to be useful to the public and requesting that said Althea Place be abandoned.

Pursuant to the authority set forth in Title 24 Chapter 6 of the General Laws of Rhode Island 1956, as amended, notice of a public hearing on May 28, 1991 was given by publication in the Westerly Sun on April 29, May 6, 13 and 20, 1991 and personal notice of said hearing was served on owners of property abutting Althea Place.

A public hearing on the proposed abandonment was held before this Town Council on May 28, 1991 and after hearing thereon and due deliberation thereof it is hereby ordered and decreed as follows:

1. That Althea Place described below has ceased to be useful to the public and the same is hereby abandoned as a public highway.
2. Signs shall be placed at each end of Althea Place having thereon the words "Not a public highway".
3. A copy of this Order shall be published in the Westerly Sun at least once each week for three (3) successive weeks.
4. A copy of this Order shall be served on the owners of property abutting the abandoned Althea Place.

DESCRIPTION

That certain tract or parcel of land known as Althea Place situated on the southerly side of John Street in the Town of Westerly and State of Rhode Island, bounded and described as follows:

Beginning at a point in the southerly line of John Street, which point of beginning is 340.40 feet easterly as measured along the southerly line of John Street with the easterly line of Elm Street;

thence turning an exterior angle of 90° 00' 00" and running southerly, a distance of 124.64 feet to a corner;

thence turning an exterior angle of 276° 37' 00" and running easterly, a distance of 40.27 feet to a corner;

thence turning an exterior angle of 263° 23' 00" and running northerly, a distance of 120.00 feet to the southerly line of John Street, said last three courses bounding westerly, southerly and easterly on the land of The Moore Company;

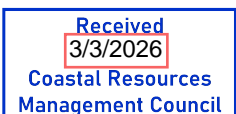
thence turning and running westerly along the southerly line of John Street, a distance of 40.00 feet to the point and place of beginning.

Containing by estimation 4,892 square feet of land, more or less.

b. Proposed Ordinance - "An Ordinance Establishing The Community Housing Resources Board"

Town Planner Hess was present and explained the aforesaid ordinance.

The following were present and spoke in favor of the ordinance: George Falcone, 12 Woodlund Ave; William Sisco, Marion St.



Motion by Mr. Cole, Seconded by Mr. Azzinaro, that the hearing be closed. (Voted Unanimously)

Motion by Mr. Cole, Seconded by Mr. Azzinaro, to adopt the following ordinance: (Voted Unanimously)

TOWN OF WESTERLY

CHAPTER 969

"AN ORDINANCE ESTABLISHING THE COMMUNITY HOUSING RESOURCES BOARD"

The Town of Westerly hereby ordains:

SECTION 1. Community Housing Resources Board

There shall be a Community Housing Resources Board for the Town whose organization, powers, and duties shall be defined by ordinance. The Community Housing Resources Board is established to encourage housing programs that are responsive to the Town's human's needs and in compliance with federal and state laws on fair housing practices, and to promote the general welfare of the Town of Westerly.

SECTION 2. MEMBERSHIP

The Community Housing Resources Board shall consist of five members, plus the Environmental Coordinator/Town Planner, ex-officio. Three members shall be appointed by the Town Council for two year terms, and two members shall be appointed by the Town Council for three year terms.

There shall be two auxiliary members(s) of the Community Housing Resources Board who shall be appointed by the Town Council for a two year term. The auxiliary member(s) shall sit as an active member when and if a member of the Board is unable to serve at a meeting or hearing, and shall have the same voting rights, powers and duties of the absent member.

SECTION 3. ORGANIZATION

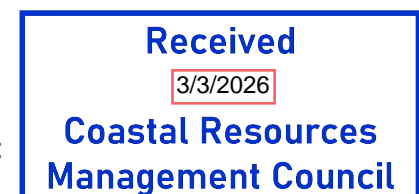
(a) Following the initial appointment, the Community Housing Resources Board shall organize by electing a chairman, a vice-chairman, and a secretary from among its members. Members of the Board shall serve without compensation but may be reimbursed out of appropriations for any expenses incurred in the performance of their duties.

(b) The Board shall hold regularly scheduled meetings on a quarterly basis. Special meetings shall be at the call of the chairman or at the request of two (2) of the Board members. Minutes of the proceedings of all meetings shall be submitted to the Environmental Coordinator/Town Planner for inclusion in the quarterly Community Development Block Grant program reports and placed on file in the Town Clerk's Office.

SECTION 4. OBJECTIVES

The objectives of the Community Housing Resources Board are as follows:

- (a) to enhance the image of the Town
- (b) to promote awareness and voluntary compliance with civil rights laws dealing with fair housing within the Town.
- (c) to encourage readily available fair housing within the Town



- (d) to maximize communication between the representatives of the housing industry and minority groups within the Town
- (e) to assist residents of the Town who feel their rights to fair housing have been violated.

SECTION 5. DUTIES

- (a) The Community Housing Resources Board shall assist the Planning Board in identifying the location, quality, and character of housing within the Town, specifically for the purpose of identifying various needs or programs for fair housing.
- (b) The Board shall serve as an informational source on fair housing for residents of the Town.
- (c) The Board shall assist residents of the Town in understanding their rights to fair housing and help them contact the appropriate regulatory agencies in pursuing their rights to fair housing within the Town.
- (d) The Board shall work with area housing industry representatives to encourage that fair housing measures are used in the sale, rental, or transfer of real estate within the Town.
- (e) The Board shall assist the Town's Community Development Block Grant Program with the implementation of mandatory fair housing measures to ensure the Town's future eligibility for the community Development Block Grant Program.

SECTION 6. This ordinance shall take effect upon its passage.

- c. Proposed Ordinance - "An Ordinance In Amendment Of Chapter 6 Of The Town Of Westerly Entitled 'Buildings And Structures'"

Town Manager Pellegrino explained the aforesaid ordinance which increases fees for permits and noted that the Towns used as comparisons for construction of residential and commercial buildings were Charlestown, East Greenwich, Narragansett, Portsmouth and South Kingstown. In most instances, the fees proposed in this ordinance were less than all of these communities on an average.

No one appeared in favor or in opposition.

Motion by Mr. Cole, Seconded by Mr. Federico, that the hearing be closed. (Voted Unanimously)

Motion by Mr. Cole, Seconded by Mr. Federico, to adopt the following ordinance effective June 1, 1991: (Voted Unanimously)

TOWN OF WESTERLY

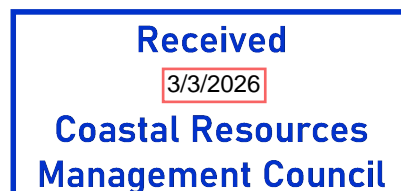
CHAPTER 970

"AN ORDINANCE IN AMENDMENT OF CHAPTER 6 OF THE TOWN OF WESTERLY ENTITLED 'BUILDINGS AND STRUCTURES'"

The Town of Westerly hereby ordains:

Section 1. Section 6-23 "Fees" of the Code of Ordinances of the Town is hereby amended as follows:

Sec. 6-23 Fees.



A schedule of fees for all permits necessary in compliance with the aforementioned codes is hereby established as follows and any other schedule of fees inconsistent herewith is hereby specifically amended:

- (a) Construction or alteration of building or structure. For a permit for the construction or alteration of a building or structure, the fee shall be computed on the square feet of the structure and shall be as follows:

Four dollars (\$4.00) per \$1,000.00 of construction cost or fraction thereof, to no limit.

- (b) Plumbing. Fifteen dollars (\$15.00) for a maximum of five (5) fixtures plus four dollars (\$4.00) for each additional fixture.

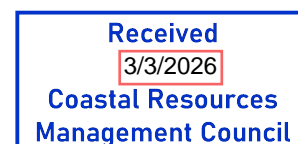
- (c) Mechanical. Twenty-five dollars per unit for residential installations, forty dollars (\$40.00) flat fee up to \$3,000.00 installation cost, plus four dollars (\$4.00) per thousand to no limit for commercial, manufacturing and all other installations.

- (d) Electrical. Twenty-five dollars (\$25.00) per unit-wiring, and twenty-five dollars (\$25.00) per unit-heat for residential installations, forty-five dollars (\$45.00) flat fee up to \$3,000.00 installation cost, plus \$4.00 per thousand to no limit for commercial manufacturing and all other installations.

- (e) Demolition. The fee for demolition for residential work shall be fifteen dollars (\$15.00). The fee for demolition of commercial, industrial, public and other work shall be forty dollars (\$40.00) for each ten (10) feet in height of such building or structure.

- (f) Certificate of Occupancy Inspections.

One inspection - no charge, any additional inspections-twenty dollars (\$20.00).



- (g) Refunds. In case of abandonment or discontinuance, the cost of the work performed under a permit may be estimated, an adjustment of the fee made and the portion of the fee for uncompleted work returned to the permit holder, provided that no refund of a prescribed minimum fee shall be made. If such discontinuance is due to revocation of a permit, a similar adjustment and return may be made; provided that no refund shall be made until all penalties incurred or imposed by due authority have been collected. After such a refund has been made no work shall be resumed until a new application has been made and a new permit has been issued.

No permit as required by the building code shall be issued until the fee prescribed in this article shall have been paid. Nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of the building or structure, shall have been paid.

Section 2. This ordinance shall take effect June 1, 1991.

- d. Proposed Ordinance - "An Ordinance In Amendment Of Chapter 1 Of The Westerly Code Of Ordinances Entitled 'General Provisions'"

Town Solicitor Turo explained that the ordinance raises the fine to \$500.00 for violation of Town ordinances and imprisonment of not more than 30 days, which reflects the State Law and puts Westerly's ordinance in line with other communities in the State.

The following were present and objected to the aforesaid ordinance: Roger Hall, 50 Shore Rd; Frank Turano, 14 Shore Rd; Quentin DeSimone, 146 Beach St; William Sisco, Marion St.

No one appeared in favor.

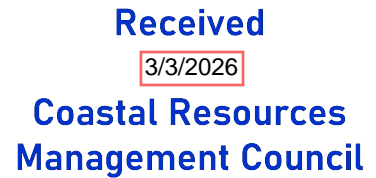
Regarding possible violations of Town ordinances, Councilor Douglas suggested that an Executive Session be held to discuss issues that have surfaced involving Minimum Housing, Sealer of Weights and Measures, etc.

Motion by Mr. Algieri, Seconded by Mr. Azzinaro, that the hearing be closed. (Voted Unanimously)

Motion by Mr. Cole, Seconded by Mr. Azzinaro, to adopt the following ordinance: (Voted Unanimously)

TOWN OF WESTERLY

CHAPTER 971



"AN ORDINANCE IN AMENDMENT OF CHAPTER 1 OF THE WESTERLY CODE OF ORDINANCES ENTITLED 'GENERAL PROVISIONS'"

The Town of Westerly hereby ordains:

Section 1. Section 8 of Chapter 1 of the Westerly Code of Ordinances entitled, "General Penalty; containing violations; nuisance abatement" is hereby amended as follows:

Section 1-8. General Penalty; containing violations; nuisance abatement.

(a) Whenever in this Code or in any ordinance or resolution of the town, any act is prohibited or is made or declared to be unlawful or an offense, or whenever in such Code, ordinance or resolution the doing of any act is required or the failure to do any act is declared to be unlawful or an offense, where no specific penalty limit is provided therefore, by law or ordinance, the violation of any such provision of this Code or any such ordinance or resolution shall be punished by a fine of not more than five hundred (\$500.00) or by imprisonment of not more than thirty (30) days. Each day any violation of this Code or of any such ordinance or resolution shall continue shall constitute a separate offense.

(b) In addition to the penalty hereinabove provided, any condition caused or permitted to exist in violation of any of the provisions of this Code or any such ordinance or resolution shall be deemed a public nuisance and may be, by the town, abated as provided by law, and each day that such condition continues shall be regarded as a new and separate offense.

Section 2. This ordinance shall take effect upon its passage.

e. Proposed Ordinances - re: Larkin Road

- (a) "An Ordinance Designating Parking For Residents Only In Watch Hill - Sticker Required"
- (b) "An Ordinance Amending Chapter 917 Of The Westerly Code Of Ordinances Entitled 'Traffic'"
- (c) "An Ordinance Amending Chapter 24-94 Of The Westerly Code of Ordinances Entitled 'Parking Prohibited Or Restricted In Designated Areas'"

The aforesaid ordinances, which are a related issue, were addressed under one public hearing.

Letters of objection were filed by Harold Edmond, 10 Meadow Ln; Stephanie and William Hayes, 2 Larkin Rd; Suzanne G. MacLear, Larkin Rd; William and Lorine Vogt, Larkin Rd; Hope Starr Lloyd, Larkin Rd.

Councilor Douglas introduced and explained the history of the aforesaid ordinances. She

noted that the Chief of Police and Chamber of Commerce both favored additional parking at Watch Hill when the ordinances were previously introduced. Mrs. Douglas also submitted a petition with 254 names and 46 others in favor of these ordinances, which petition was entered into the records of this public hearing.

The following were present and spoke in favor of the ordinances: James Stillman of the Chestnut Tenants Association; William Sisco, 2 Marion St; Michael Feldbaur, Wompaug Rd; Paul Misisco, Ward Ave; Roger Hall, 50 Shore Rd.

The following were present and objected to the ordinances: Robert Brockmann, Wauwinnett Ave; Attorney Victor Orsinger, on behalf of Richard and Elizabeth Sayer, Larkin Rd; Andrew Gagarin, 4 Lighthouse Rd; George Smith, 2 Arraquat Rd; John Daukas, Ocean View Highway; Nancy Fry, 5 Sunset Ave; Kathleen Fullerton, Everett Ave; Diane Fonda, 2 Kidds Way.

Motion by Mr. Federico, Seconded by Mr. Cole, that the hearing be closed. (Voted Unanimously)

Chief of Police Champlin was present and reported that over the Memorial Day weekend the Police Department had 24,000 service calls, which was an increase of 30% over the last 5 years, with the same amount of staff. His main concern is Misquamicut Beach, since most complaints are generated from there, and more enforcement is required in that area. He noted that there will be strict enforcement of the tow zones on Larkin Road if so required.

Councilor Cole read a statement from the Chief of Police dated April 20, 1991, favoring additional parking in Watch Hill, and Chief Champlin remarked that he stands firmly behind this statement.

Councilor Algieri endorsed the additional parking concepts in Watch Hill, but added that tow zones must be enforced, and the safety issue, handicap parking and penalties must be addressed.

A lengthy discussion was held.

Town Manager Pellegrino was directed to devise stickers for these parking spaces by June 15, 1991.

Motion by Mr. Cole, Seconded by Mr. Azzinaro, to amend Section 4 of the first ordinance to read "Any vehicle parked on Larkin Road without a parking permit as herein provided". (Voted Unanimously)

Motion by Mr. Cole, Seconded by Mrs. Douglas, to adopt the following ordinances as amended: (Voted Unanimously)

TOWN OF WESTERLY
CHAPTER 972

Received
3/3/2026
Coastal Resources
Management Council

"AN ORDINANCE DESIGNATING PARKING FOR RESIDENTS ONLY IN WATCH HILL -
STICKER REQUIRED"

The Town of Westerly hereby ordains:

SECTION 1. Two hour parking for Westerly residents only shall be permitted on Larkin Road, northerly side from a point fifty (50) feet southeasterly of the intersection of Larkin Road and Bay Street to a point thirty (30) feet westerly of the intersection of Larkin Road and Lighthouse Road.

SECTION 2. Any resident of the Town of Westerly, upon presenting satisfactory proof thereof, may obtain a parking permit which shall be available in the Town Clerk's Office.

SECTION 3. The Director of Public Works shall cause the designated areas on Larkin Road to be posted as a two-hour parking zone - resident permit required.

SECTION 4. Any vehicle parked on Larkin Road without a parking permit as herein provided shall be towed at the owner's expense.

SECTION 5. This ordinance shall take effect upon passage.

TOWN OF WESTERLY

CHAPTER 973

"AN ORDINANCE AMENDING CHAPTER 917 OF THE WESTERLY CODE OF ORDINANCES ENTITLED 'TRAFFIC'"

The Town of Westerly hereby ordains:

Section 1. Section 24-95 of the Westerly Code of Ordinances entitled "Tow Zones - Described" is hereby amended as follows:

Sec. 24-95. Tow zones a Described.

The following highways and public lands located in the Town are designated as lands on which the parking of motor vehicles of any description is prohibited, and as tow zones:

* * * *

- (c) Watch Hill area: Entire length of Avondale Road in the village of Avondale; entire length of Ocean View Highway and Manatuck Avenue, including public right-of-way running to the beach; Niantic Avenue, including public right-of-way running to beach; Everett Avenue, including public right-of-way running to beach; Ninigret Avenue; Westerly Road; Wauwinnet Avenue; southerly side of Larkin Road; Bluff Avenue, including public right-of-way to beach, sometimes referred to as Shinkle Drive; Meadow Lane; Noank Avenue; Neowam Avenue; Pawcatuck Avenue; Misquamicut Road; Browning Road; Massachauge Road; West Ridge Road; Aquidneck Avenue; Pautipaug Way and Plimpton Road.

* * * *

Section 2. This ordinance shall take effect upon passage.



TOWN OF WESTERLY

CHAPTER 974

"AN ORDINANCE AMENDING CHAPTER 24-94 OF THE WESTERLY CODE OF ORDINANCES ENTITLED 'PARKING PROHIBITED OR RESTRICTED IN DESIGNATED AREAS'"

The Town of Westerly hereby ordains:

SECTION 1. Section 24-94 of the Westerly Code of Ordinances is hereby amended as follows:

Sec. 24-94. Parking prohibited or restricted in designated areas.

It shall be unlawful for the operator of any vehicle to park the same at any time where parking is prohibited, or during any time when parking is restricted, or for any one consecutive period of time

longer than specified, on any of the following streets or parts thereof:

(a) No parking:

* * * *

Larkin Road, between the intersecting point of Larkin Road and Bay Street and a point fifty (50) feet southeasterly from said intersecting point, southerly side.

* * * *

(c) Two hours (providing parking is permitted):

High Street, Broad Street, Main Street, Union Street, Railroad Avenue, Canal Street, Bay Street in Watch Hill and Larkin Road in Watch Hill (northerly side, resident permit required) where designated by the Director of Public Safety.

SECTION 2. This ordinance shall take effect upon passage.



7. UNFINISHED BUSINESS

None

8. NEW BUSINESS

- a. FY 1991-92 Budget as finally certified by the Town Clerk on May 24, 1991, as amended by the results of the May 14, 1991 Referendum, to be accepted and ordered recorded in the minutes of May 28, 1991, by the Town Council.

Motion by Mr. Federico, Seconded by Mrs. Douglas, that the 1991-92 Budget, as certified by the Town Clerk, be accepted and recorded as follows: (Voted Unanimously)

1991-92 BUDGET

RECEIPTS, APPROPRIATIONS AND RESOLUTIONS
APPROPRIATION OF BUDGET AND DISBURSEMENT

(1) RESOLVED: Subject to the conditions, limitations and restrictions contained, the following sums hereinafter stated are hereby appropriated as provided by law to be expended during the Fiscal Year beginning July 1, 1991 and ending June 30, 1992 for the functions, activities, and objects hereinafter stated and the Town Finance Director is hereby authorized and directed to disburse such portions thereof as may be from time to time required upon receipt by him of proper voucher duly authenticated.

REVENUE

(2) RESOLVED: That all funds received by the Town Finance Director and Tax Collector from whatever sources shall be deposited intact by said Town Finance Director and Tax Collector; and that said Town Finance Director and Tax Collector are fully authorized and directed to make said deposits as aforementioned.

EXTENT OF EXPENDITURE

(3) RESOLVED: That no municipal department, agency, commission, committee official, or town employee shall make or incur any obligation or expenditure of money not within its appropriation herein made except as provided by law.

BUDGET RESOLUTION

(4) RESOLVED:

RECEIPTS OR REVENUES

(5) RESOLVED: That there will be no further tax exemptions granted by the Town to any organization that does not meet one of the following criteria:

- () Non-profit education institutions;
- () Religious real and personal property used for worship or parish house or rectory purposes;
- () Real or personal property used for housing non-profit medical services and ancillary purposes;
- () Open membership community service organizations;
- () Manufacturers and/or commercial pursuant to Chapter 825.

TAX RESOLUTION

(6) RESOLVED: That the assessment and collection of a tax be made on the ratable real estate, motor vehicles and tangible personal property in the Town of Westerly for the Fiscal Year July 1, 1991 through June 30, 1992 in a sum not less than \$21,688,123 nor more than \$21,988,123. Said tax is for ordinary expenses and charges for the payment of interest and indebtedness in whole or in part of said Town, and for other purposes authorized by law. The Town Assessor shall assess and apportion said tax on inhabitants and ratable property of said Town as of the 31st day of December, A.D., 1991 at twelve o'clock midnight, according to law and shall, on completion of said assessment, date, certify and sign the same and deliver to and deposit the same in the office of the Town Clerk on or before the 15th day of June, A.D., 1991. The Town Clerk, upon receipt of said assessment shall forthwith make a copy of the same and deliver it to the Town Finance Director, who shall forthwith issue and affix to said copy, a warrant under his hand, directed to the Collector of Taxes of said Town, commanding her to proceed and collect said tax of the persons and estates liable therefore. Said tax shall be due and payable on or between the 15th day of July and the 31st day of July, A.D. 1991 and all taxes remaining unpaid on said last named day shall carry until collected a penalty at the rate of twelve percent per annum or otherwise provided by law, upon such unpaid tax and accrued interest; provided, however, as follows:

Said tax may be paid in quarterly installments, the first installment of the twenty-five per centum (25%) on or before the 31st day of July, A.D. 1991 and the remaining installments as follows:

25 percent on or before the 31st day of October, A.D. 1991

25 percent on or before the 31st day of January, A.D. 1992

25 percent on or before the 30th day of April, A.D. 1992

Each installment of taxes, if paid on or before the last day of each installment period successively and in order, shall be free from any charge for interest.

Installment periods are the months of July, October, January, and April. When the last day of an installment period falls on a weekend, then the following Monday will be considered the last day.

If the first installment or any succeeding installment of taxes is not paid by the last day of the respective installment period or periods, as they occur, then the whole tax or remaining unpaid

balance of the tax, as the case may be, shall immediately become due and payable and shall carry until collected a penalty at the rate of twelve (12%) percent per annum or otherwise as provided by law; provided, however, that any taxpayer who has forfeited the right to quarterly installment payments because of late payment of installments shall regain their right to quarter-ly installments for the balance of the Fiscal Year if installments for the balance of the Fiscal Year if installment and interest due is paid in full.

The above quarterly payment of said tax shall not apply to any tax levied in an amount not in excess of fifty (\$100.00) dollars, in which case such tax shall be payable in full between the 15th day of July and the 31st day of July, A.D., 1991, and be it

FURTHER RESOLVED: That the Collector of Taxes shall collect, and pay into the Town's treasury as the same is collected, the tax this day ordered.

EDUCATION ACCOUNT

(7) RESOLVED: That the amount hereby appropriated under the heading of education shall be reduced by the amount of all sums received from the State of Rhode Island for the support of public schools and by all sums directed to be paid to the school fund in accordance with the provisions of the General Laws of 1955 as amended, and by all sums received for tuition and other fees and receipts, except those fees and tuitions collected by the School Committee in connection with a self-contained summer school program, and the rental fees for school property, and be it

FURTHER RESOLVED: That any additional monies received from State-Aid-to-Education (operating) above the \$3,878,149 included hereinbefore be used to reduce the tax levy if fiscal conditions warrant such an adjustment, and be it

FURTHER RESOLVED: That any declared surplus, over and above the estimated budget surplus, at the Town Manager's discretion with approval of Town Council be applied to reduce the tax levy. In the event that the Town of Westerly receives additional State Aid as a result of an action of the 1991 General Assembly; the Town Manager is hereby authorized to increase the State Aid Revenues which will result in a reduction of the funds to be raised by taxes but no case later than June 15th.

(8) RESOLVED: That in recognition of the 5.5% property tax cap legislation, Chapter 44-5-2 (C) (3) of the General Laws of the State of Rhode Island, the Town Manager is directed to notify the Auditor General that the tax rate decreased 8.1%. The Town of Westerly's tax rate will be \$9.97 for Real Estate and Personal Property and \$24.00 for Motor Vehicles, as proposed

HONOR ROLL FUND

(9) RESOLVED: That any expenditures from said Honor Roll Fund be made only at the direction and approval of the Town Council.

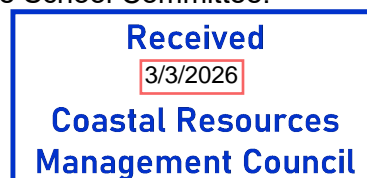
REFUND OF TAXES

(10) RESOLVED: That the Town Finance Director, upon approval of the Town Assessor and Town Manager, make payment as a refund of any taxes assessed or overpaid in error.

VOSE TRUST

(11) RESOLVED: That an amount of \$1,800 of the income from the Vose Trust be expended pursuant to the terms of said Trust at the discretion of the School Committee.

AGREEMENTS WITH AGENCIES



(12) RESOLVED: That the Town Manager is hereby authorized to enter into agreements with those outside agencies which receive appropriations from the Town.

FINANCE DIRECTOR CONTROLS DISBURSEMENTS

(13) RESOLVED: That in accord with Section 7-1-4 of the Town Charter the Finance Director shall have administrative control over the manner and method of accounting of funds by the Recreation Board and the Town Beach Operation in cooperation with the Town Manager and Director of Public Works with reports due by October 1.

(14) RESOLVED: Those employees who previously were members of Local #15 and have been promoted to a position outside of the bargaining unit shall be eligible to enter into an Administrative Pension Fund designated by the Town Manager and the Town Council. The Town's contribution shall be the equivalent of the contribution previously made on their behalf to the Union Fund, but in no case less than the contribution level of 6% and no more than 10% of salary. This fund shall be owned by the Town of Westerly.

(15) RESOLVED: That all lease/purchase arrangements approved under this budget and authorized by the Town Council in accordance with Section 3-1-9(b) of the Town Charter which provides for the making of any contract or lease providing for payments beyond the end of the Fiscal Year are hereby approved and that contracts or leases approved beyond the Fiscal Year not currently budgeted can be approved by ordinance at any time during the Fiscal Year or anticipated as part of this budget.

RATIFICATION AND CONFIRMATION RESOLUTION

(16) RESOLVED: That all votes and resolutions of prior Town Meetings and Town Fiscal Affairs Meetings as amended by Fiscal Affairs Meeting are hereby ratified, confirmed, and continued in force and be it

FURTHER RESOLVED: That any of the aforementioned resolutions shall continue in effect until repealed or amended without limiting the foregoing rule and practices as to assessment, collection, compromise and rebate of taxes under current tax and votes are so ratified, confirmed and continued in force.

b. Resolution Authorizing The Acquisition Of Land Providing Aquifer Protection

Motion by Mr. Algieri, Seconded by Mr. Azzinaro, to adopt the following resolution: (Voted Unanimously)

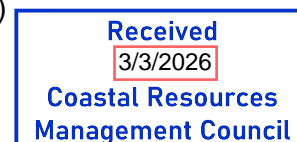
WHEREAS, the Town of Westerly Water Department operates well field production sites throughout the Town's water district; and

WHEREAS, the Bradford Well Site requires a 400 foot radius protecting each well production site, in accordance with State of Rhode Island, Department of Health Regulations; and

WHEREAS, the property identified for acquisition is presently owned by Capalbo Properties, Limited of Westerly; now therefore,

BE IT RESOLVED: That the Town Manager is hereby authorized to enter into a purchase agreement with Capalbo Properties, Limited in an amount not to exceed \$85,000.00.

Motion by Mrs. Douglas, Seconded by Mr. Azzinaro, that the following ordinances be ordered advertised for public hearing on June 10, 1991. (Voted Unanimously)



- c. Proposed Ordinance - "An Ordinance In Amendment Of Chapter 17 Of The Westerly Code Of Ordinances Entitled, 'Licenses, Permits, Regulations'" (indoor entertainment)
- d. Proposed Ordinance - "An Ordinance In Amendment Of Section I Of Chapter 23, Providing For Increased Tax Exemptions For Qualifying Elderly Or Disabled Persons"
- e. Proposed Ordinance - "An Ordinance In Amendment Of Chapter 23-8 The Westerly Code Of Ordinances Entitled: 'Exemption From Taxation Of Qualified Veterans And Gold Star Parents'"
- f. Proposed Ordinance - "An Ordinance Relating To Property Tax And Establishing Property Tax Classification"

9. COMMUNICATIONS & REPORTS

- a. Town Council - 5/20/91, 5/28/91
- b. Town Manager - 5/20/91, 5/28/91
 - 1. Item #8 5/28/91 - re: Well Field #2 - Town Manager Pellegrino stated that he has received confirmation from the RI Department of Health that this well field can be put into production.
 - 2. Yard Sale signs - Applications for same will request that signs must be removed from poles within 24 hours after sale.
 - 3. Review speed signs along paralleled streets off of Atlantic Ave.
- c. Town Solicitor
 - 1. Re: Noise Ordinance - Town Solicitor Turo noted that a segment of the ordinance was omitted from the ad and said omission will be advertised.
- d. Town Clerk - 5/20/91, 5/28/91
 - 1. Item #1 5/28/91 - re: legislative package - correspondence will be sent in support of this matter.
 - 2. Item #6 5/28/91 - re: Southeastern Connecticut Economic Development Board - President Iacoi recommended that a resolution requesting Westerly's membership on same be placed on the June 10, 1991, Regular Meeting.
- e. Committee of the Whole

President Iacoi announced that a Committee of the Whole workshop is scheduled for Thursday, June 6, 1991, at 7:30 p.m. to discuss the Water and Sewer Budget and PSG.
- f. Liaison Reports

Appointments - Councilor Cole

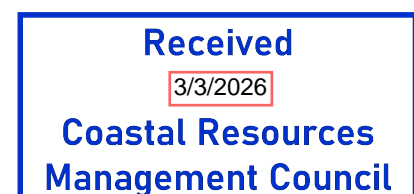
Motion by Mr. Cole, that the following be appointed to the Advisory Charter Revision Commission:
(Voted Unanimously)

ADVISORY CHARTER REVISION COMMISSION

Robert L. Turo, 190 Winnapaug Rd, expiring 4/1996

Dominic Difazio, 51 Pierce St, expiring 4/1996

Pg.0194



Kenneth J. Perrone, 26 Pickering Dr, expiring 4/1995

Christopher E. Luppe, 21 Milrose Ave, expiring 4/1995

Michael B. Feldbauer, 7 Wompag Rd, expiring 4/1994

Robert Anio Warner, 56 Park Ave, expiring 4/1994

Mary Jane DiMaio, Windward Dr, expiring 4/1993

William J. Wholean, 7 Grieg Rd, expiring 4/1993

Eugene W. McKenna, 19 Park Ave, expiring 4/1992

Councilor Cole read the list of goals and objectives to be accomplished by said Commission.

10. ADJOURNMENT

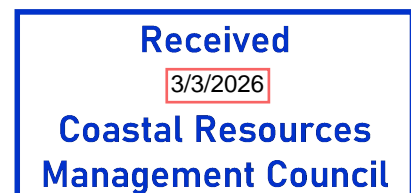
11:20 P.M. Voted Unanimously to adjourn.

ATTEST:

Donna L. Giordano

Council Clerk

Published by ClerkBase
©2022 by Clerkbase. No Claim to Original Government Works.



At a Regular Meeting of the Town Council of the Town of Westerly, R.I., held this 29th day of May, A.D. 1973 at 8:00 o'clock P.M.

Richard D. Comolli, Arthur E. Wills, Frank J. Capizzano, Charles J. Moore, Joseph P. Brancato, Donald E. Hayes and Joseph Vetelino, all members being present.

Town Solicitor Joseph J. Parrilla being present.

Town Manager Eugene F. Gervasini being present.

Invocation is delivered by Councilman Brancato.

A Public Hearing is held at 8:15 o'clock P.M. on the Proposed Ordinance introduced by Councilman Brancato entitled AN ORDINANCE IN AMENDMENT OF CHAPTER 24 OF THE CODE OF ORDINANCES OF THE TOWN OF WESTERLY, ENTITLED "TRAFFIC", which was advertised in The Westerly Sun on May 21, 1973 for hearing at this time. Said Proposed Ordinance was read aloud by the Clerk.

Council President Comolli explained the provisions of the Ordinance to include additional streets in the Watch Hill Area in the Tow Zone Area.

No person appearing to object, the hearing is declared closed.

Upon motion of Councilman Moore seconded by Councilman Capizzano, it was

VOTED: To adopt the following Ordinance:

TOWN OF WESTERLY

CHAPTER 430



AN ORDINANCE IN AMENDMENT OF CHAPTER 24 OF THE CODE OF ORDINANCES OF THE TOWN OF WESTERLY, ENTITLED "TRAFFIC".

The Town of Westerly hereby ordains the following:

Section 1. That Section 24-95 entitled "Tow Zones - Described" of the Code of Ordinances of the Town of Westerly, subsection (c) entitled "Watch Hill Area" is hereby amended as follows:

(c) Watch Hill Area: Entire length of Ocean View Highway, Manatuck Avenue, including public right-of-way running to beach; Niantic Avenue, including public right-of-way running to beach; Everett Avenue, including public right-of-way running to beach; Ninigret Avenue; Westerly Road; Wauwinnet Avenue; Larkin Road; Bluff Avenue, including public right-of-way to beach, sometimes referred to as Shinkle Drive, Meadow Lane, Noank Avenue, Neowam Avenue, Pawcatuck Avenue, Misquamicut Road, Browning Road, Massachauge Road, West Ridge Road, Aquidneck Avenue, Pautipaug Way, and Plimpton Road.

Section 2. This Ordinance shall take effect upon its passage.

The Council recessed at this time to sit as a Licensing Board for an 8:30 o'clock Hearing.

The Council reconvened at 8:40 o'clock P.M.

Mr. Roy W. Richards of 41 Sherwood Drive, Westerly, President of the Westerly Little League, is present and asked to be heard. He asked that the Council consider the development of a Little League Field Franklin Field to accomodate approximately 400 boys. He stated that the present league has to be split into (2) Leagues by 1974 and stated that there is no field available, and that plans should be made to get a field in readiness by leveling and seeding this year for use for spring of 1974.

Town Manager Gervasini stated that the Finance Board has been conducting hearings on allocation of funds from Revenue Sharing and he thought that they would be recommending \$2200 for a Recreational Field.

Council President Comolli requested the Manager to see to it that the field be leveled and seeded this year and report back to the Council at its next meeting.

A Public Hearing is held at 9 o'clock P.M. on the proposed ordinance introduced by Councilman Hayes, entitled AN ORDINANCE IN AMENDMENT OF CHAPTER 22, ENTITLED "ZONING" AS AMENDED which was advertised in The Westerly Sun on May 8-15 and 22, 1973 for hearing at this time. Said proposed ordinance in summary form was read aloud by the Clerk.

Written communication is received from Donald J. Fallon, Executive Vice President of R.I. Association of Insurance Agents, strongly urging the Council to support said proposal.

Written recommendation is received from the Westerly Planning Board indicating their acceptance of the proposed ordinance in its entirety.

Council President Comolli called upon Mr. Robert Writenhour Technical Planner for Westerly of the R.I. Dept. of Community Affairs, to further explain the need for this Ordinance.

Mr. Writenhour stated that this amendment to the Zoning Code is long overdue; that the Town of Westerly has already written \$6 Million Dollars of insurance under the Flood Insurance Program, and in order to remain eligible, we must meet HUD requirements. The proposal established two zones, a Flood Hazard Zone along the ocean floor and a flood zone; these zones sit over existing districts, and all normal regulations apply; the present W-1, W-2, W-3 Districts are consolidated into one W-1 District; and that the amount of Insurance issued in Westerly under this program represents approximately 25% of the insurance sold in the State of R.I.

Mr. Frank Turano of Shore Road, Westerly and a Representative of the R.I.D.C.A. is present and favored the proposed ordinance.

Harold B. Soloveitzik, Esquire, of 13 Pleasant Street, is present and objected to the proposal, not as to theory, but to the stereotype rules. He cited lots of 50 foot width in the Misquamicut area plotted in 1909 where homes have been built; where there is no room for new development; proposal calls for lot width of 80 feet he claimed that you can't adopt and make it effective; that the proposal should be based on existing conditions on the s/s of Atlantic Avenue; he said a building line was established when land was first developed in this area and realined after the hurricane and if the buildings are wiped out from flooding under this proposal, new homes would be behind existing buildings.

No other person appearing to object, the hearing is declared closed.

Upon motion of Councilman Moore, seconded by Councilman Hayes, It was

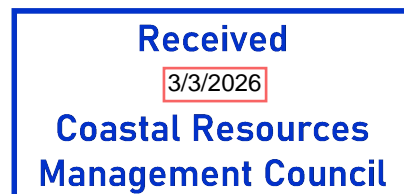
VOTED: To adopt the following ordinance:

TOWN OF WESTERLY

Chapter 431

An Ordinance In Amendment of Chapter 22, Entitled "Zoning" as Amended The Town of Westerly hereby ordains the following:

Section 1 That Chapter 266, Section V, as amended, and Appendix A Zoning Regulations of the Code of Ordinances of the Town of Westerly, entitled "Waterfront Areas"; and the Zoning Map which is a part of Chapter 266, as amended, and Appendix B Zoning Map Amendments of said Code, is hereby amended as follows:



SEC. V AREAS HAVING SPECIAL FLOOD HAZARDS

1. Finding of Facts

a. Flood Loses Resulting From Periodic Inundation

The flood hazard areas of Westerly, Rhode Island are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extra-ordinary public expenditures for flood protection and relief and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

b. General Causes of These Flood Loses

These flood loses are caused by (1) the cumulative effect of obstructions in flood heights and velocities; (2) the occupancy of flood-hazard areas by uses vulnerable to floods or hazardous to other lands which, are inadequately elevated or otherwise protected from flood damages.

c. Methods Used To Analyze Flood Hazards

Flood Plain Regulations contained in this ordinance are based upon a reasonable method of analyzing flood hazards.

1) Hydrology and Zones Involved

Stage frequency relationships were developed, by the Army corps of Engineers, in connections with a report on Hurricane-Tidal flooding prepared in 1965-The Town of Westerly occupies portions of two of these reaches. The tidal-portion of the Pawcatuck River, from the mouth upstream to bridge road, is designated as Reach 1. In this Reach, the area between the waters edge and the 100-year flood line, base flood elevation 12.0 feet MSL, is designated zone A, and the area between the 100-year flood line and the SPH 1] elevation, 16.5 feet MSL, zone B. Reach 2 comprises the coastal area along Block Island Sound. The 100-year, (base flood) and SPH elevations of 12.4 feet and 15-9 feet MSL, respectively, set the limits for zones A and 3. Because of the nature of much of the topography, the small verticle difference between 100-year and SPH elevations and the scale of maps used by the Army Corps of Engineers it was not always possible to show Zone P. In Reach 1 and 2 all Zone B areas are included as A Zones.

1) Standard Project Hurricane

The entire shorefront along Block Island Sound is considered a high hazard with velocity area and is designated zone V.

Regulatory flood-protection elevation, i.e. elevation, below which is a flood hazard, have been determine with consideration to the 100-year flood line and not the 400 year SPH flood line. This is consistent with HUD regulations for issuance of flood insurance. Such base flood elevation lines have been set at 14.0 feet above the mean sea level for both Reach 1 and Reach 2 areas. Establishment of a regulatory flood-protection elevation at a point one or two feet higher than the elevation of the 100-year flood shown by the stage frequency curve tends to compensate for the many unknown factors that could contribute to flood heights greater than the 100-year flood shown by the stage frequency curve, such as wave action, ice jams, bridge and floodway obstructions from debris, and the hydrological effects of urbanization of the watershed.

2) Stage Frequency Curves

Stare frequency curves used in determining the elevations are shown on Plates 1 and 2 which are hereby made part of this ordinance and are to be attached to the FIA Flood Hazard Boundary Maps.

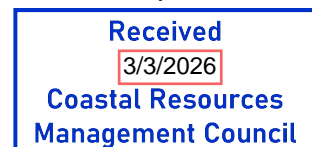
3) Elevation-Frequency Data

FREQUENCY <u>IN YEARS</u>	ELEVATIONS IN FEET MSL	
	<u>Reach 1</u>	<u>Reach 2</u>
10	7.6	7.7
25	9.0	9.3
100	12.00	12.4
500	16.5	15.9
foot difference between 10 and 100 yr.	4.4	4.7

2. Purpose and Objectives

a Control Flood Plain Uses such as fill, dumping, storage of materials, structure, buildings, and any other works which acting alone or in combination with other existing or future uses which will cause damaging flood heights and velocities by obstructing flows and reducing valley storage.

- b. Protect human life and health.
- c. Minimize public and private property damage.
- d. Protect Individuals from buying lands and structures which are unsuited for intended purposes because of flood hazards.
- e. Minimize surface and ground-water pollution which will affect human, animal or plant life.
- f. Control development which will, when acting alone or in combination with similar developments, create an unjustified demand for public investment in flood-control works by requiring that uses vulnerable to floods, including public facilities which serve such uses, shall be protected against flood damage at the time of initial construction.
- g. Control development which will, when acting alone or in combination with similar development, cause flood losses if public streets, sewer, water and other utilities must be extended below the flood level to serve the development.
- h. Control development which will, when acting alone or in combination with similar development, create an additional burden to the public to pay the costs of rescue, relief, emergency preparedness measures, sandbagging, pumping and temporary dikes or levees.
- i. Control development which will, when acting alone or in combination with similar development, create an additional burden to the public for business Interruptions, factory closings, disruption of transportation routes, interference with utility services, and other factors that result in loss of wages, sales, production and tax writoffs.
- j. Provide for public awareness of the flood potential.
- k. Help maintain a stable tax base by the preservation or enchancement of property values for future flood-plain development. In addition, development of future flood-blight areas on flood plains will be minimized and property values and the tax base adjacent to the flood plain will be preserved.



3. Official Flood Zoning Map

a. Lands to which Ordinance Applies

- This section shall apply to all lands within the corporate limits of the Town of Westerly shown on the FIA Flood Hazard Boundary Maps as being special flood hazard areas.

b. Establishment of Official Flood Zoning Map

The official flood zoning maps, i.e. FIA Flood Hazard Boundary Maps number 44-009-0240-02 through 44-009-0240-10 (total of nine maps) published by the Federal Insurance Administration of the Department of Housing and Urban Development together with all explanatory matter thereon is hereby adopted by reference and declared to be part of this ordinance. The Official Flood Zoning Maps bear the signature of the Town Manager, attested to-by the Town Clerk and shall be on file in the office of the Zoning Inspector.

c. Rules for Interpretation of District Boundaries

- The Boundaries of the zones shall be determined by scaling distances on the Official Flood Zoning Maps. Where interpretation is needed as to the exact location of elevations within one of the districts as shown on the Official Flood Zoning Taos field surveys shall be conducted at the property owner's expense and the Westerly Zoning Board of Review shall make the necessary interpretation. The person contesting the location of the District Boundary or elevation shall be given a reasonable opportunity to present his case to the Board and to submit his own technical evidence if he so desires. The town will provide elevation data if it is available in the town records.

d. Warning and Disclaimer of Liability

The degree of flood protection required by this section of the Zoning Ordinance is considered reasonable for regulatory purposes. Larger floods may occur on rare occasions or flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This ordinance does not imply that areas outside the flood zones or land uses permitted within such cones will be free from flooding or flood damages. This section of the zoning ordinance shall not create liability on the part of the Town of Westerly or any officer or employee thereof for any flood damages that result from reliance on this section of the ordinance or any administrative decision lawfully made thereunder.

4. Areas Having Special Flood Hazards - Zone A.

Within any area designated as Zone A on the FIA Flood Hazard Boundary Maps number 44-009-0240-02 through 44-009-0240-10 (total of nine mans) published by the Federal Insurance Administration of the Department of Housing and Urban Development, the following regulations shall apply:

a. Residential Structures

Where permitted in the Zoning District, any new construction or substantial improvement of a structure designed or intended for residential occupancy shall have the lowest floor, including the basement, elevated to 14.0 feet above the mean sea level.

b. Non-Residential Structures

Where permitted in the zoning district, any new construction or substantial Improvement of a structure designed or intended for non-residential use shall have the lowest floor, including the basement, constructed at a minimum elevation of 14.0 feet above mean sea level, or, together with attendant utility and sanitary facilities, shall be flood-proofed up to the applicable minimum elevation.

c. Replacement Water Supply or Sanitary Sewer System

Any new or replacement water supply systems and/or sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters, and require on site waste disposal systems to be located so as to avoid impairment of them on contamination from them during flooding.

d. Riverine Situations

In riverine situations, no use, including the filling of land, shall be permitted unless the applicant, owner or operator can demonstrate that such action, when combined with all existing and anticipated uses, will not cause an increase of more than one foot in the water surface elevation above the elevation stipulated for said flood hazard zones.

e. Storage of Material, Equipment and Pre-Fabricated Structures

No material shall be stored below the required elevations in said flood hazard zones which is likely to cause obstruction, create a fire hazard or pollute any water body. Such materials shall include but not necessarily be limited to lumber and other buoyant materials, poisons, volatile materials, acids, sanitary waste and other water-soluble materials and liquids. Portable or prefabricated structures or equipment shall be constructed and anchored in a manner to prevent collapse, flotation or lateral movement during flooding and shall be designed to minimize damage from flood waters.

5. Coastal High Hazard Areas - Zone V

Within any area designated as Zone V (Coastal Flood Plain Area having special flood hazards with velocity) on the FIA Flood Hazard Boundary Maps number 44-009-0240-02 through 44-009-0240-10 (total of nine maps) published by the Federal Insurance Administration of the Department of Housing and Urban Development, the following regulations shall apply:

a. Requirements To Be Met As In Special Flood Hazard Zone "A" Meet the requirements of Paragraph 4, items A, B, C, D and E of this section.

b. Additional Regulations

No land below the level of 14.0 feet in a coastal high hazard area Zone V may be developed unless the new construction or substantial improvement (a) is located landward of the reach of mean high tide, (b) is elevated on adequately anchored piles or columns to a lowest floor level at 14.0 feet above mean sea level or higher and securely anchored to such piles and columns, and (c) has no basement and has the space below the lowest floor free of obstructions so that the impact of abnormally high tides or wind-driven water is minimized.

c. Expansion of Existing Uses

All existing uses located on land below 14.0 feet above mean sea level in a coastal high hazard area (V) shall not be expanded except in cases where such construction shall meet the regulations set forth in item "b" above.

6. W-I District

The Westerly Official Zoning Map shall be amended so that within flood zones "A" and "V" and as indicated on the official Westerly Zoning Maps, Districts W-1, W-2 and W-3 shall be combined to form a "W-1" District. Such W-1 District in addition to conforming to the regulations as set forth for flood zones "A" and "V" shall additionally conform to the following regulations:

A. Permitted Uses

- (1) Single family dwellings
- (2) Customary home occupation (using no greater than thirty percent (30%) of the total dwelling floor area and operated by the resident.
- (3) The renting of not more than three (3) guest rooms or suites in a residential structure
- (4) Motel and Hotel
- (5) Beach Club, Cabana or Bathouse
- (6) Boat Dock and facilities
- (7) Open space uses including Bathing Beach, Parking Lot, Picnic Area, Golf Club and Parks together with small buildings which are auxiliary to these uses.
- (8) Refreshment stand or lunchroom as an accessory use to a beachclub or other permitted use and provided that such stand or lunchroom shall have no more than 200 sq. ft. of floor area- for each 50 ft. of street frontage of the lot containing the main use.

* Use permitted by Special Exception as provided in Section VI, with accessory uses to be determined and regulated by the Zoning Board.

B. Dimensional Regulations:

Minimum Lot Size	10,000 sq. ft.
Minimum Lot Width	80 ft.
Minimum Side Yard Depth	15 ft.
Minimum Front Yard Depth	50 ft.
Minimum Rear Yard Dept	30 ft.



C. Other Regulations

(1) Residential and Non Residential Structures in a W-1 District: All new construction, expansion, storage and installation of utilities in a W-1 district shall conform (2) to the following regulations:

Article V, Section 4, items "A" through "E" for those portions of a W-1 District in Zone "A"; and

(b) Article V Section 5, items "A" through "C" for those portions of a W-1 District in Zone "V"

(2) Setback. On all land located on the ocean side of a road adjacent to and parallel to the ocean no building shall be erected closer than 30 feet or farther than 100 feet from the street line.

(3) Building Height. No building shall be greater than 1 1/2 stories or 20 feet in height above the first floor level.

(4) Tents and Trailers. No tents and trailers shall be permitted.

(5) Sand Dunes. The height of any dune shall not be lowered, nor shall construction be permitted on any dune which, in the opinion of the building inspector, would weaken or tend to lower the height of the dune.

7. Other Zoning Districts in flood zones "A and "V"

Zoning Districts B-1 - R-2; and R-3 shall additionally conform to lot size, yard dimensions, permitted use and other regulations as set forth in for the respective districts in the Westerly Zoning Ordinance.

8. Precedence Over Conflicting Laws

Within said Zone A, and Zone V, the provisions of this section shall take precedence over any conflicting laws, ordinances or codes respecting the use of land and the construction or alteration of structures.

9. Flood Hazard Boundary Map adopted

FIA Flood Hazard Boundary Maps number 44-009-0240-02 through 44-009-0240-10 (total of nine maps) showing special flood hazard zones A, and V are hereby adopted and made part of this ordinance."

Section 2. This Ordinance shall take effect upon its passage.

Upon motion being made by Councilman Wills, seconded by Councilman Capizzano, it was

VOTED: That the following named be granted Sunday Sales Licenses subject to the approval of the Police Chief; together with a list of articles to be sold only on Sundays:

John M. Hall dba Lotteryville	Avondale
Mary S. Newman	Bay St., W. H
Peter A. Comforti dba Pete's Arcade	Atlantic Ave.
Frederick L. Hoelzel Jr., dba Misq. State Beach	Atlantic Ave.
Samco. Inc. dba Jerry's	144 " "
Pleasant View House, inc.	65 " "
Cap'n Mike's Inc. dba The 4 C's	145 " "
John F. Crandall dba Market by the Sea	" "
James Condike dba Victorian Shop	Franklin St. Shop. Ctr.
Plaza Parade inc.	" " " "
Sandpiper Restaurant & Motel, Inc.	Winnapaug Rd.
Lewis R. Hare & Paul J. Altman dba Riverside	169 Main St.
Sea-Food market	
Salvatore Sanquedolce dba Tuty's Grocery Store	147 Canal St.
Edward Krupinski dba Weekapaug Bait & Tackle	Knowles Ave.
Howard Connolly dba The Watch Hill Gallery	Bay St., W.H.
Henry R & Sylvia E. Krynich dba The Red Door	12 Bay St., W.H.
John Everets Inc.	1-2-3 New Bayside,
	W.H.
David M. Turano dba Clay and Cloth	Haversham Corners
Pleasant View House Inc. dba Lion Gate Motor Inn	Watch Hill Rd.
Al's News Stand	Bay St., W.H.
James Condike dba Bookland	Franklin Shop. Ctr.
Helen Quattromani dba Ports of Paradise	Ocean House, W.H.
Shore Crest Country Store Inc.	Crandall Ave.



Upon motion being made by Councilman Capizzano, seconded by Councilman Moore, it was

VOTED: That the following named be granted Victualling Licenses subject to the approval of the R.I. Dept. of Health:

Frederick L. Hoelzel, Jr., dba Misq. State Beach	Atlantic Ave.
Sand Piper Restaurant & Motel Inc.	52 Winnapaug Rd.
Shore Crest Country Store Inc.	Crandall Ave.
John Vlastos et als dba Dolphin Restaurant	s/s Atlantic Ave.

Upon motion being made by Councilman Moore, Seconded by Councilman Wills it was

VOTED: That the following named be granted a Tavern License subject to the approval of the R.I. Dept. of Health and the Zoning Inspector:

Pleasant View House Inc. dba Lion Gate Inn Watch Hill Road

Upon motion of Councilman Capizzano, seconded by Councilman Moore, it was

VOTED: That the following named be granted a Public Bathing Beach License subject to the approval of the. Beach Commissioner:

Cap'n Mike's Inc. dba The 4 C's	145 Atlantic Ave
---------------------------------	------------------

Upon motion of Councilman Brancato seconded by Councilmen Moore and Wills, It was

VOTED: That the following named be granted Commercial Parking Lot Licenses subject to the approval of Building and Zoning Inspectors, the Police Chief and the Fire Chief, and for only the same number of cars as the previous year:

Written report is received from the Zoning Inspector concerning the application for a Commercial Parking Lot License by Robert Felicetti, which was granted by the Council subject to the approvals of the proper authorities, at premises across from the Town Beach, which he recommends disapproval for the following reasons:

"Section VIII of Appendix A of Ordinances of Westerly states

- (1) Plans & specifications should be submitted with appl.---No Plans submitted
- (2) Area shall be paved with bumper guards---Not paved, no guards
- (3) Fence if adjoining Residential District---It adjoins Residenital Area. No Fence."



It was noted that other proper authorities have not filed their recommendations to date.

Upon motion of Councilman Moore, seconded by Councilman Wills, it was

VOTED: That the applicant be notified of the disapproval made by the Zoning Inspector and that the other proper authorities be polled to file their recommendations also to be forwarded to said applicant.

Upon motion made by Councilman Wills, seconded by Councilman Moore it was

VOTED: That the following named be granted Mechanical Amusement Licenses subject to the approval of the Police Chief:

Hi-Tide Inc (1 machine)	303 Atlantic Ave.
Atlantic Beach Park Inc. (10 or 12 machines)	s/s " "

Councilman Wills brought up the matter of the recent grant of a transfer of a Mechanical Amusement License to Peter A. Comforti from premises on 74 High Street to Atlantic Avenue, Misquamicut, and stated that the High Street establishment is still In operation and questioned the Town Solicitor as to how long after a grant for transfer can they remain at present location of premises.

The Town Solicitor indicated that possibly Mr. Comfort! should have requested a date for which he wanted the transfer to become effective; he said that theoretically there is no license for the High St. premises.

Councilman Wills requested the Manager to investigate this problem and to advise the licensee that the machines must be moved to the premises where the transfer was granted.

Written request is received from Mrs. Nattie Pucci, Chairman of the St. Vincent's Church Festival, in Bradford, on the Church Grounds, on July 20-21, 1973. Upon motion being made by Councilman Wills, seconded by Councilman Vetelino, it was

VOTED: That permission be granted to Mrs. Nattie Pucci, Chairman of the St. Vincent's Church Festival, to conduct said Festival on Church Grounds in Bradford, subject to the approval of the proper authorities.

Written request is received from the Chamber of Commerce, for permission to conduct its third annual Westerly Air Show at the State Airport on July 8, 1973, and also to hang a banner across Broad Street from July 1 thru July 8, 1973. Upon motion being made by Councilman Hayes, seconded by Councilmen Moore and Vetelino, it was

VOTED: That permission be granted to the Chamber of Commerce to conduct their third annual Westerly Air Show at the State Airport on July 8, 1973 and to hang the banner across Broad Street as aforesaid, subject to the approval of the Police Chief.

Written request to conduct a Bazaar on July 15, 1973 is received from Frank A. Bailey, Chairman of the United Methodist Church of Westerly, to be held at the Avondale Grange Hall. Upon motion being made by Councilman Moore, seconded by Councilman Wills it was

VOTED: That permission be granted to the United Methodist Church of Westerly to conduct a Bazaar on July 15, 1973 at the Grange Hall in Avondale, subject to tm approval of the Police Chief.

Written protest is received signed by Dr. Kirk T. Patton of 6 Benefit St., Westerly, R.I., against the Council's decision of May 14th to sanction the Napatree Anchorage Plan, chiming the decision as highly discriminatory and grossly unfair to the boatmen of the Westerly Area, and he pointed out some of the alledged fallacies in the arguments that were presented. Said letter of protest was read aloud by the Clerk.

Upon motion of Councilman Hayes seconded by Councilman Moore it was

VOTED: That said communication be ordered filed for future reference.

Mr. Clement Griscom IV, is present and distributed copies of the Anchoring Plan and chart, he explained the suggested plan as it is coordinated with the Watch Hill Fire District Plan for land and water in the Bay Street Area, and Napatree Area; he said that for a 10 week season about 24,000 gallons of water per day is consumed along Bay Street; that letters were sent to the owners of property on Bay Street for a survey on pollution control along Bay St., and plans for sewage to which only one-half responded; that a legal search had been made as to whether the Fire Dept. had rights to plug up tanks on Fire District Property, and it was found that they could not; they have located all pipes to tm Bay and located all tanks and estimated capacities; that the Health Dept. is now ready to take dye tests and will come up with a plan for implementation; cost estimates received from two; other owners in the area also are planning or have presented plans for approval by the Health Department.

He cited the locations of boats being moored in the Harbor and Fire House Dock as sources of pollution; that a pump out facility is needed; and that they have no objections to boats that have holding tanks if they can prove they are sealed when anchored. He noted that the nearest pump-out is in the Clinton, Connecticut area. He referred to the Status Report made on the Napatree Area that was based on a Management Plan and under water survey.

Because of the many faceted functions going on in and on the waters, the suggested anchoring plan was the first step taken to establish controls to move pollution off shore; the source of litter and sewage moved to better circulating waters; to remove boats from stress areas; removing boats from the vacity of swimmers.

Santo Algieri is present and commented that in the near future all boats will have to have tanks, however, he claimed that the "Kitchen"

has always been a mud hole. I suggested the building of a road along the edge of the Pond and to toilet facilities as a means for correction of this problem. He also spoke on behalf of the Beach Buggy Association, stating these plans would be an attempt to keep them off Napatree.

Mr. George W. Sanders, Jr., of 105 Beach Street, is present and stated he favored clean waters but he felt that some area of the ocean beach should be saved for the citizens of the community; he said the boat owners would be glad to cooperate, but that he felt that people of Westerly are being given the business.

Emanuel J. Lauria, Esquire, of 15 Cross St., is present and commented that new plans such as these should be tabled for a time for consideration by the people effected; that the Council should review all points of view before the Town takes steps that effect so many people, claiming they should be heard; that this plan is a way to keep people off Napatree; he stated that he was aware of Westerly's law authorizing the control of harbors by the Harbor Master and not under the jurisdiction of the Council, however, the Council could allow people to be heard and time to refute before plans are implemented. He said the boat owners could engage expert advice and state their position, and be suggested that it would take from 3 to 4 weeks to get this information; he indicated that he possibly may represent a fairly large group of people, as well as himself, as a boatowner.

Council President Comolli stated that the Police Chief is the Harbor Master; that plans were presented to the Council by Mr. Griscom, Mr. Phelps and Mr. Turco, of the Coastal Resources Council; that the plan made a lot of sense for the clean up of the Bay, and the Council wanted to give it a try by endorsing the plan as proposed.

Mr. Hubbard Phelps, Deputy Harbor Master, explained that the Police Chief is Harbor Master, and as such is concerned with safety on the waters; he said that during a peak period some 4,892 boats used the Naps of which most are Connecticut Registered, only 11% R.I. Registered; he claimed boats anchor anywhere and everywhere; and the Harbor Master is seeking the cooperation of the boat owners. He also went on to say that they are also concerned for the safety of the water skiers.

Others speaking on the matter were: Mrs. Diane Howard, taxpayer at Watch Hill---claiming that she hadn't been notified of this plan; that it was not instituted by the Fire District; that all taxpayers in the Watch Hill District should have a voice in this plan; she suggested that all boats be required to have small holding tanks, which can be dumped at home.

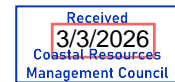
Mr. Anthony Giordano of Oakwood Road, Watch Hill, inquired whether this plan was in ordinance form; Who enforces the plan, the Town of Westerly or the Harbor Master and his Deputies, and if boat owners are not cooperating, who pays the expenses of enforcement, and who has the power to enforce and arrest, to which Council President Comolli explained that the Council did not adopt an ordinance, but went on record as supporting such a plan for implementation; he said that the Town has funds for Boating Patrol of the Bay and said he did not feel the enforcement of the plan would be added expense to the Town.

Police Chief Gulluscio informed Mr. Giordano that Chapter 5 of the Ordinances gives full authority to the Harbor Master and enforcement would be at the discretion of the Harbor Master and his Deputies.

Mr. Richard Sisson of 12 Spring Street, who works for the Dept. of Natural Resources, stated that any upgrading is for the good of the marine waters in the State, and claimed that a start has to be made somewhere.

Mr. Quentin Desimone of 146 Beach St., wanted to know why we're just concerned with the Bay and inquired why this plan shouldn't be implemented all the way up the river, also whether the Harbor Master has authority from White Rock all the way down to the Bay. He suggested that everyone be put in the Sewer District as a solution.

Councilman Wills commented the Council is supporting the plan not pushing it.



Councilman Moore commented that the Council approved of the plan for cleaning up the Bay and approved of the Harbor Master to enforce the plan.

Mrs. Agnes Nardone of Connors Avenue claimed that during the week the boat traffic is not crowded; she said that the greatest number of boats is over the July 4th weekend and heavy traffic only on weekends; she claimed she used to have a small boat but now has a large one, therefore she cannot beach under this plan.

Senator Francis Gencarelli made the observation that everyone is against pollution; he claimed that in a very few years he feels that the State will come up with laws which will be more stringent, however, he feels the problems that might arise is in discrimination of one area and said that if the Council encourages enforcement of the plan it should be done all over (up the river) as well as in the Bay.

Mr. Richard Benoit of 162 Beach St., Member of the Westerly Yacht Club and a boat owner, said he uses the river and the Naps, claiming there is a difference between the two; that children are swimming in the Bay waters and we should use what resources whatever to stop pollution from boats to alleviate source of disease.

Councilman Moore inquired of Mr. Sisson, if he was familiar with the bottom strip along the Naps and whether he noticed eutrophication, taking place or presence of hydrogen sulphide to which he replied that he was familiar through taking of pictures of the bottom; that eutrophication was taking place but that he did not detect a presence of hydrogen sulphide.

Councilman Wills felt that to put this off for further hearing on the matter from three to four weeks would be right into the peak period and suggested an earlier meeting to hear the people's views. Attorney Lauria suggested the latter part of June for the meeting.

Mr. Thomas L. Toscano, Jr., wanted to know if the boats moored at the Watch Hill Harbor pump into the Bay and wanted to have an answer to his question at the public airing on this subject matter.

Council President Comolli scheduled a public airing date on this subject matter for Tuesday, June 12, 1973 at 7:30 P.M. and requested that Councilman Moore establish guidelines for the conduct of this public airing.

Councilman Wills openly commended Senator Gencarelli in his efforts in getting the bill passed in the General Assembly, regarding the Increase of parking fees at the Misquamicut State Beach, whereby the Town of Westerly will derive some funds and inquired as to how this money will be collected and disbursed.

Senator Gencarelli suggested that the Town Manager check with the Dept. of Natural Resources as to the plans for allocation of funds by the state, of which the Town of Westerly should receive one-quarter of the receipts on weekends and holidays. He estimated a guess of about \$40,000.

The Town Manager said that the state hadn't worked out a plan for disbursement as yet but that records at the State Beach facility showing number of cars and moneys received was available for inspection.

Councilman Vetelino inquired of Senator Gencarelli, whether or not the bill that would have increased to 15% the State share of funds to municipalities on Sewers was passed. Senator Gencarelli stated that the Governor was pushing another bill, and he wasn't sure which was passed but that he would be getting a report on all legislation passed or vetoed in the very near future.

Councilman Vetelino openly congratulated the Police Chief and Members of the Police Department in the fine work being done by the Department in arrests and enforcement of the laws.

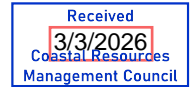
John P. Toscano, Esquire, Attorney for the Fraternal Order of Police, is present and inquired whether or not the Town is ready with a Police Pension Plan.

Councilman Wills asked if the main concern of the police was with widows benefits to which he claimed was so. Councilman Wills said that he will contact him when the Town makes final their plans.

Attorney Toscano brought up the matter of the Police Contract to which the Town Manager said that the contract should be written up for \$700 across the Board and for Blue Cross. Attorney Toscano said he would prepare the original document and turn it over to the Town Manager to make copies for the Council. He asked that the Council plan to execute the contract in June.

Council President Comolli brought up the matter of a Pension Plan for the Department Heads and inquired of Mario Turco, if he had any information. Mr. Turco said he would be seeing the representatives tomorrow night and would indicate that the Town of Westerly is interested in a proposal.

Town Manager Gervasini reported orally on the following subject matters:



1. He announced that sometime in 1972 a Mr. Harry F. Cooke died a resident of Massachusetts and left a legacy to the Town of Westerly; that it appears that the Town will receive a sum of \$18,052.12 which is to be used for school purposes and requested that the Council President affix his signature on behalf of the Town of Westerly to the assent form so that said monies will be subsequently forwarded. Council President Comolli did affix his signature to the assent form.

Councilman Vetelino recommended that the Council suggest to the School Department that a placque be put up in his memory, to which the Council agreed that it was a good idea.

2. He reported that within the next 5 or 10 days, surveyors from the R.I. Dept. of Transportation will be down to outline the boundaries of the property of Anthony Palazzolo on the Westerly-Bradford Road where he establishes a Junk Yard. He indicated that because of the terrain he can foresee some problems.

3. He announced that a schedule has been prepared for Westerly's Annual Clean-up Drive, which will start June 4th; that the D.P.W. will pick up from the sidewalks and that he will publicize the schedule through the press and radio.

Council President Comolli requested that the Tom Manager:

1. Devise the necessary reporting forms for the collection of fines under the dog law and see to it that these monies are turned into the Town's Treasury.

2. Confer with the Town Solicitor regarding the proposed settlement for the fair exchange of land on the Varietyville Road as to whether this property must first be appraised and to obtain the Solicitor's opinion in writing.

3. Requested a report at the next meeting on the Water Fields in White Rock.

4. Requested a report on the approximate number of homes with sewerage hookup and asked him to confer with Mr. Crowley of the D.P.W.

5. Requested the Manager to follow up the complaint registered by a Mrs. Daniel Pierce, concerning a barking dog. Chief Gulluscio stated that he forwarded a form of complaint for her to sign but that she had refused to sign.

6. Requested a report as to when the lights will be activated on Franklin Street. Mr. Gervasini said now up to the Narragansett Electric Co. and the State Dept. of Transportation.

7. Requested that he follow up the matter of the design section of Wells St. Extension for preliminary review.

Councilman Moore asked the Manager to check up on the matter of the proposal made by School Committee Chairman Henry Nardone, that a school bus be insured for jitney service. He also asked him to look into the matter of the need for the acquiring of land for a summer playground in White Rock, we presently lease land on mill property for this purpose.

Councilman Moore asked for a report from the Manager on the Capalbo property and the alleged violations. Mr. Gervasini said that this matter has been turned over to the Town Solicitor. Mr. Moore said there have been registered complaints relative to the lighting in this area on the West side of Granite Street, going East.

Councilman Wills brought up the matter of a placque to identify the Housing for the Elderly. Town Manager reported that he has been in contact with someone to see him on this.

Town Solicitor Parrilla orally reported on the following matters:

Re: Capalbo Property----The matter is under investigation by the Zoning Official. He has been in touch with the property owner and an attempt will be made to erect a barrier to keep commercial vehicles out; he has also been in touch with Attorney Capalbo representing the Capalbo's and said if there is no cooperation he will proceed with this matter by Court Action.

The Town Solicitor submits a draft of a proposed ordinance to include certain other lands at the south end of Town known as Area B under the Sewer Expansion Program, into the First Drainage District for the Council's consideration and distributed copies to each Councilman.

Oscar Chapman, Acting Director of the D.P.W. is present and submitted a sketch of the area and explained that the Town is taking in more area than is needed for the present expansion but that it is a protection for the future to those not presently included in the program.

Council President Comolli asked Mr. Chapman to post a copy of the sketch in the Town Hall, and the Library and furnish same to the news media.

Councilman Wills introduces the proposed ordinance entitled AN ORDINANCE TO INCLUDE CERTAIN LANDS INTO THE FIRST DRAINAGE DISTRICT, AN AMENDMENT OF ARTICLE III ENTITLED "SEWERS" SEC. 26-43 ADDITION TO FIRST DRAINAGE DISTRICT and moves that it be advertised for hearing on June 11, 1973 at 8:00 o'clock P.M., which motion is duly seconded by Councilman Moore, and it was

VOTED: That the proposed ordinance as aforesaid be advertised for hearing on June 11, 1973 at 8:00 o'clock P.M.

Town Solicitor Parrilla suggested that the Council adopt a resolution to expedite the negotiating of easements under the sewer Expansion Program. Upon motion of Councilman Vetelino seconded by Councilman Wills, it was

VOTED: That this Town Council authorize the Town Treasurer to make payments to the property owners for easements or estates taken in fee simple as required for the present Sewer Expansion Program in an amount not to exceed the appraised value.

The Council then recessed at 11:45 P.M. to meet in Executive Session.

Town Solicitor Parrilla informed the Council of an offer made by Attorney Vincent Piccirilli, who has been engaged by and presently representing several Towns and Cities in the appeal to Washington of the matter of the Pay Boards' Decision on School Teachers Retroactive back pay under the Phaze 2 freeze. He said if the Council wishes to accept his offer he would want a Council vote to authorize the School Committee to authorize him to represent the School Committee on this case.

Upon consideration thereof, and upon motion of Councilman Moore seconded by Councilman Vetelino, it was

VOTED: To engage Attorney Vincent Piccirilli, pursuant to his letter dated May 25, 1973 addressed to the Superintendent of Schools.

The Council then reconvened in open session.

Council President Comolli now brought up the matter of the job of preparing easements for the Sewer Expansion Program and the Council has agreed to furnish outside help, and he said two firms have been contacted, one of the firms offering assistance was Attorney Longolucco of the law firm of Crandall, Longolucco, Parrilla and Lenihan.

Motion was made by Councilman Moore, seconded by Councilman Wills to approve the engagement of Attorney Longolucco's law firm to help with this program.

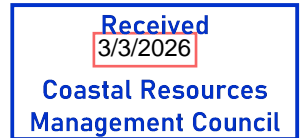
There was discussion on the motion.

Town Solicitor Parrilla said the preparation of easements took no time whatsoever, but that there is a tremendous amount of Clerical work needed; that its straining the manpower of the Public Works' personnel as well as the Town Solicitor; that the Council should give consideration for extra clerical assistance for the Director of D.P.W.

Councilman Moore stated aside from the fact of money, the need for extra clerical assistance was the Town Manager's prerogative, and suggested that he ask the Director what his actual needs are.

Councilman Moore withdrew his motion and Councilman Vetelino his second to said motion.

Town Manager Gervasini was directed to investigate this matter further and report back.



The whole subject matter concerning the rendering of a decision on the application of Cherenzia & Nigrelli, Inc. to rezone property on the northerly side of the Post Road from A-1 to R-3 is now again taken up.

Councilman Brancato disqualifies himself from voting on this matter because of a possible conflict of interest.

Upon motion of Councilman Moore, duly seconded by Councilman Wills, it was

VOTED: That the application of Cherenzia & Nigrelli Inc., to rezone a portion of its property located northerly of the Post Road in the Town of Westerly from A-1 to R-3 be DENIED and decision rendered as follows:

Decision RE:

APPLICATION OF CHERENZIA & NIGRELLI, INC. TO REZONE A PORTION OF ITS PROPERTY LOCATED NORTHERLY OF THE POST ROAD IN THE TOWN OF WESTERLY FROM A-1 TO R-3

This matter was heard by the previous Town Council on May 24, 1971 and decision reserved thereon.

The previous council on March 8, 1971 voted to deny a prior petition of the Petitioner for the same zone change after a public hearing held on January 11, 1971.

As concerns the present petition, the Planning Board of the Town of Westerly originally recommended to deny the same for three reasons as set forth in their letter of 1/11/71 mainly being that the proposed rezone would constitute spot zoning, would pose a potential pollution problem; and the Town Would lack control over use once property was rezoned. On May 7, 1971, the Planning Board refused to change their decision of 1/11/71 as relates to the present petition.

On October 4, 1972, the Planning Board voted to approve recommendation of the rezone noting four matters involved in their decision.

Upon review of the record the council finds that to grant the proposed zone change would constitute spot zoning as originally stated by the Planning Board; further, the council must reject at this time the Planning Boards recent recommendation that the proposed change is in conformity with the comprehensive community plan. The plan as adopted contemplates a change in the present zoning ordinance to implement certain recommended planned unit developments. To act without appropriate safeguards as to the proposed use of the subject property at this time would not be in keeping with the Planning Board's original reason for denying the applicants petition.

Until such time the Town is legally authorized to grant conditional zone changes and/or until appropriate safeguards are added to present zoning code, the Town would be unable to require the petitioner to carry out its proposed project and the petitioner would be free to use the property for any use presently permitted under the R-3 classification.

With the adjacent area of the petitioner's property presently being developed into single family residences, the petitioner's property already an approved subdivision, to grant the requested zone change would permit a use which would not be compatible with the present existing usages in the area.

Further, to permit such a complex in an area without public sewage that could not completely handle the laundry requirements of its occupants, would constitute a nuisance and pose a potential health hazard to the community.

Further, the opportunity for objectors to be heard was not allowed or permitted on the Planning Board's recent recommendation, the petitioner requesting a decision from this council solely on the record without further hearing.

This Council, for the reasons aforesaid, denies the aforesaid petition.

The Council Clerk was directed to notify the petitioner of the Council's decision by forwarding a copy thereof.

Mrs. Helen D. Ross, Secretary of the Quonochontaug Grange No. 48 advised the Council that by resolution of the Grange it was voted to go on record as favoring higher fines for persons caught littering, and that signs with the proper information be erected on all Town Highways at proper intervals; also that destruction of such signs be punishable by the same fine.

Upon motion of Councilman Vetelino seconded by Councilman Moore it was

VOTED: That this communication be referred to the Town Manager for recommendation.

Written communication is received from James J. O'Hearn, Executive Director, Washington County Law Enforcement Planning Committee, requesting an up-to-date document from the Town acknowledging the Washington County Law Enforcement Planning Committee as representative of our Town and that said agency has the authority to act on behalf of Westerly, stating that the Committee is so structured that the representation is given to the Police Chief of Westerly, and further advising the Council that the execution of said document was an absolute necessity to qualify for further LEAA funds.

Upon motion of Councilman Vetelino, seconded by Councilman Moore It was

VOTED: To adopt the following resolution and that the Town Manager be authorized to sign said document on behalf of the Town of Westerly:

RESOLUTION

WHEREAS, the rising crime rate and lawlessness indicates that innovative methods by the Department of Police Services must be employed to insure the peace and tranquility of the residents of the Town of Westerly and

WHEREAS, the Omnibus Crime Control and Safe Streets Act of 1968, (as amended), recognizes that crime is essentially a local problem and provides for implementing improvements of existing law enforcement and crime control systems, and

WHEREAS, the Omnibus Crime Control and Safe Streets Act of 1968, (as amended), encourages regional planning efforts and action projects, and cooperative arrangements, and

WHEREAS, the neighboring communities have indicated that they desire to join in a common effort to reduce lawlessness and crime through a regional effort, therefore be it

RESOLVED, that the Town of Westerly hereby designates the Washington County Law Enforcement Planning Committee as its comprehensive law enforcement planning agency and designates the Washington County Law Enforcement Planning Committee to receive and expend monies as may be allocated for comprehensive law enforcement planning, and action programs in the region.

Written notice is received of a hearing to be held by the Coastal Resources Management Council on the petition of John F. Hall to construct and maintain a Marine Lift Launching Pier on June 5, 1973 at 7:30 P.M. in the Westerly Town Hall.

Upon motion of Councilman Moore Seconded by Councilman Capizzano, it was

VOTED: That said notice be accepted and ordered placed on file.

The Town Clerk informed the Council that she had been in touch with Attorney Maurice Hendel, State's Legislative Counsel by telephone on May 23rd, concerning newly enacted legislation calling for local referenda and was advised as follows:

1) Governor has proclaimed the day of August 7, 1973 to vote on the question of a Special Constitutional Convention for Election of Delegates.

2) There are no limitations on the number of questions that may be on a ballot.

3) If we have local questions - they are to be submitted as soon as possible.

4) He suggested that the Town Solicitor make a determination on who is allowed to vote on Taxpayer's questions such as Conditional Zoning, School Bond, etc.

The council deliberated whether or not to put questions of local nature on the August 7th ballot. It was deemed too soon to put the School Bond question on the ballot at this time.

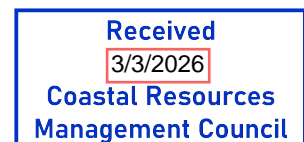
Upon motion of Councilman Vetelino, seconded by Councilman Hayes, it was

VOTED: That a question be submitted to the electors of the Town of Westerly on the day of the Special Election to be held August 7, 1973, in substantially the following form: "Shall an Act Passed at the 1973 Session of the General Assembly entitled 'An Act authorizing the Town of Westerly to enact Zoning Ordinances' be approved?" (Conditional Zoning) and that the Clerk be directed to warn the electors of the Town of Westerly, accordingly.

Council President Comolli suggested that the Council consider submitting to the electors of the Town of Westerly at the Special Election on August 7, 1973 the question such as "SHALL THE TOWN HAVE A TOWN-WIDE RE-EVALUATION OF PROPERTY?."

Upon motion of Councilman Vetelino, seconded by Councilman Moore, it was

VOTED: That a question be submitted to the electors of the Town of Westerly on the day of the Special Election to be held August 7, 1973, in substantially the following form: "Shall the Town of Westerly have a townwide re-evaluation of property?", and that the Town Clerk be directed to warn the electors of the Town of Westerly, accordingly. And it was



FURTHER VOTED: That the Town Solicitor prepare the aforesaid questions in proper form to be placed on the ballot for said Special Election.

Written protest is received from Frank Cherenzia of Bradford, R.I. of an appraisal made by the Appraiser of Dog Damage of \$1.50 per chicken for the loss of his six full grown game chickens by dogs. He asked the Council to consider a more realistic value of \$10 per chicken.

It was noted that the appraiser of Dog Damages' report has not yet been filed.

Upon motion of Councilman Moore seconded by Councilman Hayes, it was

VOTED: That the whole subject matter be referred to the Town Manager to confer with the Appraiser of Dog Damage an! make reports of their findings.

The whole subject matter concerning appointments to the Board of Recreation; Housing Authority and Citizens Advisory Committee is again tabled to the June 11th meeting of the Council.

The appointment of Members of a School Building Committee, is now taken up.

Upon motion of Councilman Moore, seconded by Councilman Vetelino, it was

VOTED: That the following named be and they hereby are appointed Members of the School Building Committee:

Robert A. Ferreira	40 Sherwood Drive
Richard A. Muntimuri	Branberry Road
Nattie Pucci	6 Wayland St., Bradford
Stanton Terranova	Happy Valley Road
Henry Nardone	Nichols Corners
Maria T. Mallon	168 East Ave.
Arthur E. Wills	147 Franklin St.
Joseph Vetelino	Old Potter Hill Rd.
Henry M. Morris	Old Potter Hill Rd.
Town Solicitor, Joseph J. Parrilla (Ex-Officio Member)	
Asst. " F. Thomas Lenihan	" " "
Edward Morenzoni, Supt. of Schools	" " "
Warren J. Pelton, Asst. Supt. of Schools	" " "
Richard D. Comolli, Council President	" " "
Gerald M. Dunn, Principal	" " "



Upon motion of Councilman Brancato seconded by Councilman Wills, it was

VOTED: That the School Building Committee, heretofore appointed, be directed to submit to the Town Council, quarterly progress reports.

Written request is received from Mrs. John Boumenot, Secretary of the Columbus Day Parade Committee for a contribution of \$150 towards Columbus Day Ceremonies.

Upon motion of Councilman Wills, seconded by Councilman Brancato, it was

VOTED: That the Director of Finance be authorized to draw an order on the Town's Treasury in the amount of \$150 payable to Columbus Day Parade committee, Mrs. John Boumenot, Secretary, as a contribution towards the Columbus Day Ceremonies.

Written request is received from Edward T. Morenzoni, Supt. of Schools, for a supplemental appropriation to open a classroom for the non-English speaking students.

Upon motion of Councilman Wills seconded by Councilman Moore, it was

VOTED: To table said request until the Town Manager has made an investigation of the availability of funds.

Written request is received from Scout Master and Assistant Scout Masters of Boy Scout Troop #10 for a contribution to help defray expenses of the 24 scouts and 3 adult leaders who will be attending the National Scout Jamboree in Pennsylvania.

Upon motion of Councilman Wills seconded by Councilman Brancato, it was

VOTED: That the Director of Finance be authorized to draw an order on the Town's Treasury in the sum of \$100 payable to Boy Scout Troop #10, Michael Ferraro, Scout Master, as a contribution to help defray expenses as heretofore mentioned.

Upon motion of Councilman Hayes, seconded by Councilman Brancato, it was

VOTED: That the Director of Finance be authorized to pay the bills, as per list submitted, from the Recreation Account #801 and 803, totalling \$339.20, as follows:

<u>ACCT. NO.:</u>	<u>NAME:</u>	<u>AMOUNT:</u>
801 M-2	Fuller Brush Co.	\$ 6.77
801 M-1	Atlantic Lumber Co.	.95
801 M-2	Richmond Sales Co.	5.50
801 M-1	Jack & Harry's Auto Store	7.91
		<hr/>
		\$ 21.13
801 CO-6	Granite Electric Supply Co.	\$107.46
801 CO-6	E. W. Audet & Sons, Inc.	88.00
801 CO-6	Shetucket Plumbing Supply	16.86
		<hr/>
		\$212.32
803 C-8	The Sherwin Williams Co.	\$ 5.75
803 C-8	Mrs. Kitty Scott	100.00
		<hr/>
		\$105.75

VOTED: To adjourn to the call of the President of the Council, at 1:05 o'clock A.M.

Attest:

Council Clerk

Published by ClerkBase
©2025 by Clerkbase. No Claim to Original Government Works.

Received
3/3/2026
**Coastal Resources
Management Council**

TOWN OF WESTERLY

CHAPTER 1802

“AN ORDINANCE IN AMENDMENT OF ARTICLE VII, STOPPING, STANDING AND PARKING, OF CHAPTER 238 OF THE WESTERLY CODE OF ORDINANCES ENTITLED ‘VEHICLES AND TRAFFIC’”

The Town of Westerly hereby ordains:

Section 1. Section 238-67 of the Vehicles and Traffic Ordinance entitled “Tow zones described” is hereby amended by adding thereto the following:

§ 238-67. Tow zones described.

A. The following highways and public lands located in the Town are designated as lands on which the parking of motor vehicles of any description is prohibited, and as tow zones:

* * * * *

- (3) Watch Hill area; Aquidneck Avenue; entire length of Avondale Road; Bluff Avenue, including public right-of-way to beach, sometimes referred to as "Shinkle Drive;" Browning Road; Everett Avenue, including public right-of-way running to beach; Foster Cove Road; Glen Way; southerly side of Larkin Road; entire length of Manatuck Avenue, including public right-of-way running to beach, excluding designated parking area for motorized bicycles and motor scooters with a motor rated not more than 4.9 horsepower and not greater than 50 cubic centimeters, which is capable of a maximum speed of not more than 30 miles per hour; Massachaug Road; Neowam Avenue; Niantic Avenue, including public right-of-way running to beach; Ninigret Avenue; Noank Avenue; entire length of Ocean View Highway; Overlook Drive; Pawcatuck Avenue; Plimpton Road; Waters Edge Road; Wauwinnet Avenue; Westerly Road; West Ridge Road; and Sunset Avenue.

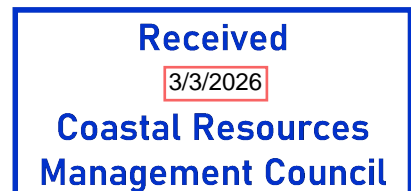
* * * * *

Section 2. This ordinance shall take effect upon passage.

A true copy of an Ordinance passed November 18, 2013.

Per Order of the Town Council.

ATTEST: Donna L. Giordano, MMC
Council Clerk
November 25, 2013



November 26, 1984 EXECUTIVE SESSION - See Page 316

TOWN OF WESTERLY

Regular

Town Council Meetings

Monday

November 26, 1984

Council Chambers

6:45 P.M. Orientation by Town Manager with new Town Council Elect.

7:20 P.M.

The Council Clerk administers the oath to the following Town Council Elect:

- William F. Gingerella
- Raymond J. Castagna
- Joseph P. Brancato
- Frederick B. Harwood, Jr.
- Antonio C. Trovato
- Richard D. Comolli
- Edward T. Morenzoni

7:25 P.M.

The Council Clerk administers the oath to the following Members of the School Committee:

- Stephen R. Cofone
- Patsy L. Garafola
- Robert G. Kennedy
- Oscar B. Chapman, III

7:30 P.M. COUNCIL PRESIDENT:

Nomination of William F. Gingerella

No other nominations; nominations cease.



POLLED VOTE:

YES

NO

- Harwood
- Trovato
- Morenzoni
- Comolli
- Castagna
- Gingerella
- Brancato

SO VOTED UNANIMOUSLY: That William F. Gingerella is hereby APPOINTED President of this Town Council.

Outgoing Council President Urso turns over gavel to the newly elected Council President Gingerella.

Councilor Castagna expresses his appreciation to Mr. Urso for being a superb Council President for the past two years.

Mr. Urso accepts with gratitude, congratulates new Council and extends good luck to the new Councilors.

COUNCIL VICE PRESIDENT:

Nomination of Edward T. Morenzoni

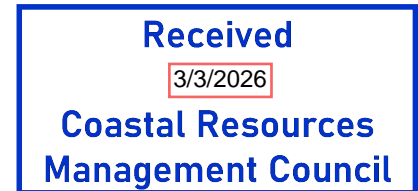
No other nominations; nominations cease.

POLLED VOTE:

YES

NO

Harwood
Trovato
Morenzoni
Comolli
Castagna
Brancato
Gingerella



SO VOTED UNANIMOUSLY: That Edward T. Morenzoni is hereby APPOINTED Vice President of this Town Council.

TOWN SOLICITOR:

Motion and Seconded by Councilors Gingerella and Castagna

TO: Move into Executive Session pursuant to 42-46-5 Section 1, regarding appointment of Town Solicitor

POLLED VOTE:

YES

NO

Harwood
Trovato
Morenzoni
Comolli
Castagna
Brancato
Gingerella

SO VOTED UNANIMOUSLY: Council moves into Executive Session - 7:45 P.M.

8:00 P.M. RECONVENED as Council and stated that Executive Session recessed, to be continued after agenda matters are taken care of.

COUNCIL RULES OF PROCEDURE:

Motion and Seconded by Councilors Brancato and Castagna

VOTED UNANIMOUSLY: TABLED

APPOINTMENTS:BOARD OF REVIEW - MINIMUM STANDARDS FOR NON-RESIDENTIAL PREMISES:

(7 Councilors)

Council President - William F. Gingerella
 Council Vice President - Edward T. Morenzoni
 Councilor - Raymond J. Castagna
 Councilor - Joseph P. Brancato
 Councilor - Frederick B. Harwood, Jr.
 Councilor - Antonio C. Trovato
 Councilor - Richard D. Comolli

BOARD OF TENANTS AFFAIRS:

Alfred H. Rose, 7B Park View Apts.
 Clifford N. Rushlow, 4 Friendship Street
 Angelo Algieri, Jr., Quarry Road, Bradford
 Mary J. Fish, 4 King Street

Motion and Seconded by Councilors Comolli and Brancato

VOTED UNANIMOUSLY: That the aforesaid are hereby RE-APPOINTED for a two (2) year term; Term expires November, 1986.

COMMISSIONERS OF WRECKS:

Sylvester Morrone, 2 Morrone Lane

Nunzio Cimalore, 20 Narragansett Avenue

Motion and Seconded by Councilors Comolli and Brancato

VOTED UNANIMOUSLY: That the aforesaid are hereby RE-APPOINTED for a two (2) year term; Term expires November, 1986.

TOWN SERGEANT:

Nomination to re-appoint Joseph Romanella, Dunn's Corners No other nominations; nominations cease.

Motion and Seconded by Councilors Castagna and Morenzoni

VOTED UNANIMOUSLY: That Joseph Romanella is hereby RE-APPOINTED Town Sergeant for a two (2) year term; Term expires November, 1986; Sworn in by the Council Clerk.

DEPUTY TOWN SERGEANT:

Nomination to re-appoint John J. McVeigh, Old Post Road No other nominations; nominations cease.

Motion and Seconded by Councilors Comolli and Castagna

VOTED UNANIMOUSLY: That John J. McVeigh is hereby RE-APPOINTED Deputy Town Sergeant for a two (2) year term; Term expires November, 1986;

Sworn in by the Council Clerk.

Motion and Seconded by Councilors Comolli and Brancato

VOTED UNANIMOUSLY: That all other Appointments are hereby TABLED.

* * *

RECOGNITIONS, AWARDS & MEMORIALS:

Motion and Seconded by Councilors Comolli and Morenzoni

VOTED UNANIMOUSLY: That the following Proclamation, read aloud by the Council Clerk, is hereby ADOPTED:

TOWN OF WESTERLY
COUNTY OF WASHINGTON
STATE OF RHODE ISLAND



PROCLAMATION

WHEREAS, one of the basic aims of the Veterans of Foreign Wars as set forth in its Congressional Charter is "to foster true patriotism"; and

WHEREAS, the Voice of Democracy Scholarship Program sponsored by the Veterans of Foreign Wars of the United States and its Ladies Auxiliary, has proved to be an effective instrument for putting these words in action; and

WHEREAS, the Voice of Democracy Scholarship Program, in this its 38th year, provides an opportunity for high school students to think, write and speak up for our country and for freedom and democracy; and

WHEREAS, this year's theme, "My Pledge to America" focuses the attention of youth on their role as the leaders of tomorrow and how their guidance will preserve democracy as a way of life in our Republic; and

WHEREAS, an active, dedicated and resourceful citizenry is vital to the preservation of freedom as our nation embarks upon its third century;

NOW, THEREFORE, IT IS HEREBY

RESOLVED: That the Town Council of the Town of Westerly hereby proclaims the week of November 27 - December 3, 1984, as

VOICE OF DEMOCRACY WEEK

and hereby commends the Veterans of Foreign Wars and its Ladies Auxiliary and the 12th grade students in our schools for their sponsorship of said Program.

* * *

Council President requests for former Town Councilors to be present at next Council Meeting to accept Resolution of Appreciation.

The Council Clerk read aloud a "Congratulations to new Council" message from Leonard Malagrino and family.

Motion and Seconded by Councilors Comolli and Brancato

VOTED UNANIMOUSLY: That the communication is hereby accepted with appreciation and placed on file.

The following are present and are recognized by the Council:

Mary Lou Walter, Representative, 51st District
 George Salimeno, former Town Councilor
 Louis Masucci, former Town Councilor
 Ronald Miceli, former Town Council President
 Frank Quattromani, former Town Councilor and Member of the School Committee.
 Robert Smith, present School Committee Member



* * *

PUBLIC HEARINGS AS SCHEDULED

- a) PROPOSED ORDINANCE ENTITLED: "An Ordinance to Transfer an Appropriation in Accordance with Section 3-1-7 (d) of the Town of Westerly Charter."
 (Advertised in the Westerly Sun on November 19, 1984)

Council Clerk reads aloud the Proposed Ordinance.

Councilor Comolli states that the Finance Committee had reviewed and approved the Proposed Ordinance; Elucidated.

The Town Manager reiterates.

No one appeared for or against.

Motion and Seconded by Councilors Comolli and Castagna

VOTED UNANIMOUSLY: Hearing CLOSED; The following Ordinance is hereby ADOPTED:

TOWN OF WESTERLY

CHAPTER 741

"AN ORDINANCE TO TRANSFER AN APPROPRIATION IN ACCORDANCE WITH SECTION 3-1-7 (d) OF THE TOWN OF WESTERLY CHARTER."

The Town of Westerly hereby ordains:

- Section 1. The School Department has applied for and received an award of \$30,000 from the State of Rhode Island, which is an educational improvement grant.
- Section 2. Additional State Aid for Vocational Education in the amount of \$8,262 is added to the School Department Revenues in the General Fund.
- Section 3. The final award for Section 4 in the amount of \$15,638 is less than the \$16,588 anticipated in the adopted 1985 Budget.

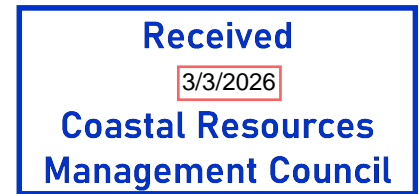
Section 4. This appropriation increases the School Operating Budget by \$37,312.

Section 5. This Ordinance shall take effect upon its passage.

- b) PROPOSED ORDINANCE ENTITLED: "An Ordinance in Amendment of Chapter 24 of the Ordinances of the Town of Westerly entitled "Traffic".
(Advertised in the Westerly Sun on November 19, 1984)

Council Clerk reads aloud the Proposed Ordinance.

Councilor Comolli elucidates.



IN FAVOR: None

OBJECTORS: Quentin DeSimone, 146 Beach Street

Patricia Douglas, Happy Valley Road

Concetta Chapman, 42 River View Avenue

DISCUSSION

Motion and Seconded by Councilors Trovato and Castagna

VOTED UNANIMOUSLY: Hearing CLOSED.

Motion and Seconded by Councilors Trovato and Comolli

VOTED UNANIMOUSLY: That the following Ordinance is hereby ADOPTED:

TOWN OF WESTERLY

CHAPTER 742

"AN ORDINANCE IN AMENDMENT OF CHAPTER 24 OF THE ORDINANCES OF THE TOWN OF WESTERLY ENTITLED "TRAFFIC".

The Town of Westerly hereby ordains:

SECTION 1. Sec. 24-95 (c) Tow Zones - Described of Article V, Stopping, Standing and Parking of Chapter 24 of the Code of Ordinances of the Town of Westerly, is hereby amended as follows:

Sec. 24-95 Tow Zones - Described

- (c) Watch Hill Area: Entire length of Avondale Road in the village of Avondale; entire length of Ocean View Highway and Manatuck Avenue, including public right-of-way running to beach; Niantic Avenue, including public right-of-way running to beach; Everett Avenue, including public right-of-way running to beach; Ninigret Avenue; Bay Street, June 15 to September 15 between the hours of 9:00 A.M. and 6:00 P.M.; Westerly Road, Wauwinnet Avenue; Larkin Road; Bluff Avenue, including public right-of-way to beach, sometimes referred to as Shinkle Drive; Meadow Lane; Noank Avenue; Neowam Avenue; Pawcatuck Avenue; Misquamicut Road; Browning Road; Massachauge Road; West Ridge Road; Aquidneck Avenue; Pautipaug Way and Plimpton Road.

SECTION 2. This Ordinance shall take effect upon its passage, and all ordinances or parts of ordinances

inconsistent herewith are hereby repealed.

*

*

*

Quentin DeSimone, 146 Beach Street

RE: The need for storm drains or sewerage on Riverview Avenue

DISCUSSION

COMMUNICATIONS AND REPORTS

TOWN COUNCIL: (Gingerella)

- 1) Statewide Planning Report
- 2) Monthly Progress Reports

TOWN MANAGER:

- 1) Triple R Improvements on Weekapaug Road (taking place this spring)
- 2) Potential Ordinance RE: Fire Limits with the Town (Referred to Public Safety Committee)
- 3) Police Department Report - October
- 4) School Committee Meeting, Tuesday, November 27, 1984. Town Manager and Finance Director to attend; regarding liability and medical insurance.
- 5) Cable TV Citizens Advisory Committee RE: Request Council to appoint a Municipal Representative.

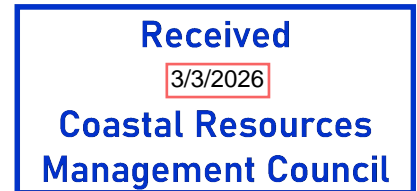
Motion and Seconded by Councilors Comolli and Castagna

VOTED UNANIMOUSLY: That Council President Gingerella is hereby APPOINTED Municipal Representative to Cable TV Citizens Advisory Committee.

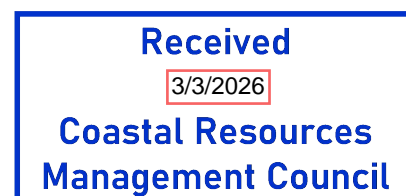
- 6) Richard Webb, Westerly Lion's Club RE: Use of Cimalore Field
- 7) Representative Henry Boeniger RE: Request street lights and center lines in Woody Hill Area.

Public Works Director stated that there is a need for center lines, however painting takes place in the spring; no additional street lights; adequate lighting; complys with street light program. (Referred to Public Works Committee)

- 8) Director of Public Works RE: Sandspreader & Snowplow Bids. Opened October 30, 1984. Received 1 Bid from J. J. Gregory & Son for a bid price of \$10,841.00. (Referred to Finance Committee)
- 9) Director of Public Works RE: Brandywine Village, Sections I & IA (Developer has complied with specifications) (Referred to Public Works Committee)
- 10) Representative Henry Boeniger RE: West Street & Friendship St. DOT has approved a temporary signal at said intersection for duration of High Street Bridge repairs.



- 11) Bid Opening a) Chain Link Fence Noyes Avenue Pump Station; repairing entrance gate to Wastewater Treatment Plant; repairing fence along Bridge Road, White Rock.
b) Water Mains in Ella, Ava, Ann & Service Streets Brookside Road & Taylor Court; Loop closure at Chin Hill Estates between Watch Hill Road and Trolley Lane.
- 12) YWC, Inc. RE: Two phased approach for addressing the two major sources of odor at the Wastewater Treatment Plant.
- 13) Conservation Commission RE: Westerly Marina public launching ramp. Not built; plans to relocate and sent revised plans to CRMC.
- 14) James Romanella & Sons, Inc. RE: Approximately 40 acres of land for sale at Dunn's Corners - \$8,500.00 per acre.
- 11) Industrial Waste Pretreatment Programs from DEM
- 12) Harold W. Merrill Post #16 RE: Request to rent rooms at State Street School. Council President and Town Manager to set up meeting with Legioners.
- 13) Request for street numbering on Penston Avenue
(Referred to Public Works Committee)
- 14) SKIRTS RE: Request additional office space at State Street School
(Referred to Public Works Committee)
- 15) Public Assistance Report - October.



Councilor Comolli RE: Expenditure Council to review communities expenditures and make recommendations if requested.

Motion and Seconded by Councilors Comolli and Castagna

VOTED UNANIMOUSLY: That the Town Manager is hereby DIRECTED to inquire and report back to Council.

Motion and Seconded by Councilors Castagna and Trovato

VOTED UNANIMOUSLY: That the Town Manager's Report is hereby ACCEPTED as read.

TOWN SOLICITOR: None

TOWN CLERK:

- 1) REZONE PETITION: Joel W. and Frances M. Guerrette
PROPERTY: Southerly side of Franklin Street
REZONE: From R-2 to B-2
PROPOSED ORDINANCE ENTITLED: "An Ordinance in Amendment of Chapter 22 of the General Ordinances of 1925, as amended by Chapter 266 entitled "Zoning" and as further amended by Chapter 326."

Motion and Seconded by Councilors Comolli and Castagna

VOTED UNANIMOUSLY: That the aforesaid Rezone Petition is hereby ORDERED ADVERTISED for Public Hearing on January 14, 1985.

- 2) Resignation of Joseph P. Brancato as Member of the Planning Board effective November 26, 1984.

Motion and Seconded by Councilors Morenzoni and Trovato

VOTED UNANIMOUSLY: That the aforesaid resignation is hereby ACCEPTED with appreciation.

- 3) Postponement of hearing by Liquor Control Administration
RE: Hilltop Social Club of Westerly
- 4) Postponement of hearing by Liquor Control Administration
RE: Mr. Gerard J. Nardone & Mr. John F. Lallo (A.C.&C., Inc., DBA: Eats & Drinks)
- 5) Communication from Attorney George A. Comolli to the Conservation Commission advising them of a preliminary hearing before the Planning Board on November 13, 1984 RE: Proposed Avondale Farm Subdivision
- 6) Meeting Agenda for Westerly Economic Development Board - November 20, 1984 at 7:00 P.M.
- 7) Minutes of Recreation Board - November 7, 1984
- 8) Letter of appreciation from Frederick C. Eckel, M.D. RE: Citation from Town Council
- 9) Application of Frank P. & Helen J. Rzasa to CRMC to construct and maintain an L-shaped pier - Breach Drive #84-11-14
- 10) Application of Loren J. Andreo to construct and maintain a dwelling - Atlantic Avenue #84-11-20
- 11) Communication from Lee Pare & Associates, Inc. RE: Resurfacing, Restoration and Rehabilitation of Weekapaug Road
(Referred to Public Works Committee)

Motion made and duly Seconded, it is

VOTED UNANIMOUSLY: That the aforesaid Report is hereby ACCEPTED as read.

* * *

CONSENT CALENDAR

ACCEPTANCE OF MINUTES:

Motion and Seconded by Councilors Comolli and Harwood

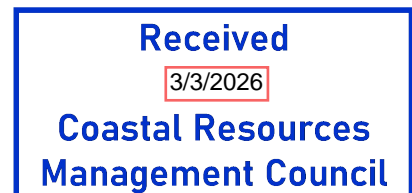
VOTED UNANIMOUSLY: That the minutes from the Special Meeting of November 8, 1984 and Sitting as a Licensing Board November 8, 1984; Regular Meeting of November 13, 1984 and Sitting as a Licensing Board, November 13, 1984 be and hereby are APPROVED AND ACCEPTED as printed.

TAX REFUNDS: None

ABATEMENTS: None

DELETIONS FROM REFERRAL LIST: None

* * *



UNFINISHED BUSINESS:

- a) Resolution awarding bid for 1985 vehicle
(Tabled from November 13, 1984 Meeting)

The Town Manager elucidates and stated that there is a need; will trade-in 1977-78 Grey Dodge

DISCUSSION RE: 4 Wheel Drive Vehicle - no funds available

Motion and Seconded by Councilors Comolli and Trovato

VOTED UNANIMOUSLY: That the following Resolution, read aloud by the Council Clerk, is hereby ADOPTED:

RESOLUTION AWARDING BID FOR 1985 VEHICLE

WHEREAS, the Town of Westerly has advertised for one (1) 1985 vehicle, and

WHEREAS, Two (2) bids were received and opened on October 25, 1984 by the Finance Director, and

WHEREAS, the bid specifications were reviewed by the Director of Public Works, and

WHEREAS, Funds have been appropriated in the 1983-84 Capital Outlay Budget and from the Insurance Reimbursement Account, be it

RESOLVED: That the Town Council authorize the Town Manager to award the bid for one (1) 1985 Pontiac to the low bidder, Blue Ribbon Pontiac of Norwich, Connecticut, in the amount of \$8,800.00.

Council President Gingerella directed the Town Manager to list assigned vehicles and justify use.
(Referred to the Town Manager)

- b) PUBLIC HEARING - Beverage License Renewals - Class B Limited

See Licensing Board

VOTED: TO RECESS AS A COUNCIL AND SIT AS A LICENSING BOARD

RECONVENED

NEW BUSINESS:

- a) Resolution awarding bid for five (5) Electronic Typewriters. Council Clerk reads aloud the aforesaid Resolution.

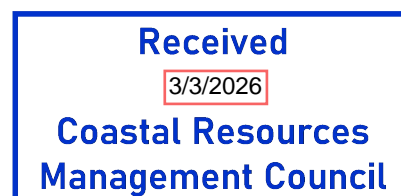
Motion and Seconded by Councilors Trovato and Brancato

VOTED UNANIMOUSLY: That the following Resolution is hereby ADOPTED:

RESOLUTION AWARDING BID FOR FIVE (5) ELECTRONIC TYPEWRITERS

WHEREAS, The Town of Westerly has advertised for five (5) electronic typewriters with trade-ins; and

WHEREAS, One (1) bid was received and opened by the Finance Director on November 14, 1984 and



WHEREAS, Funds have been appropriated be it

RESOLVED: That the Town Council authorize the Town Manager to award the bid for five (5) electronic typewriters to the lone bidder, Castle Office Machines of North Kingstown, Rhode Island, in the amount of \$3,300.00.

* * *



LICENSES

THEATRE APPLICATIONS - Renewals:

- Matthew J. Serra dba:
UNITED THEATRE 11 Canal Street
- The Wayfarer, Inc. dba:
WAYFARER, THE 2 Canal Street
- Westerly Cinema, Inc. dba:
WESTERLY TWIN CINEMA (SCREEN ONE) 142 Granite Street
- Westerly Cinema, Inc. dba:
WESTERLY TWIN CINEMA (SCREEN TWO) 142 Granite Street
- Westerly Cinema, Inc. dba:
WESTERLY CINEMA (SCREEN THREE) 142 Granite Street
- Alan C. Hochberg dba:
WESTERLY DRIVE-IN THEATRE Post Road

Motion and Seconded by Councilors Comolli and Trovato

VOTED UNANIMOUSLY: That the aforesaid Theatre Applications are hereby ORDERED ADVERTISED for Public Hearing on December 10, 1984.

RECREATION VEHICLE:

Arthur E. Mahue 1 Ann Street Ext.

DISCUSSION RE: Zoning and required footage.

Motion and Seconded by Councilors Comolli and Brancato

VOTED UNANIMOUSLY: That the aforesaid License is hereby DENIED; Must apply to the Zoning Board for a Special Exception.

Councilor Comolli to Town Manager:

- 1) Regarding Water and Sewer Act - do we qualify? Get copy.
- 2) Town Garage - Budget to be delivered to Finance and Council by February 1, 1985, no later than January 5th or 6th.

* * *

9:30 P.M.

Motion and Seconded by Councilors Gingerella and Castagna

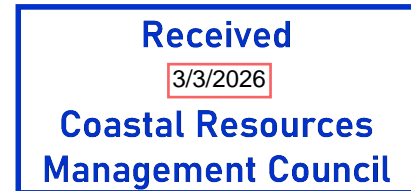
TO: Reconvene to Executive Session pursuant to 42-46-5
Section 1.

POLLED VOTE:

YES

NO

Harwood
Trovato
Morenzoni
Comolli
Castagna
Brancato
Gingerella



SO VOTED UNANIMOUSLY: Recess as a Council and reconvene to Executive Session.

10:25 P.M. RECONVENED

APPOINTMENTS

TOWN SOLICITOR (Legal):

Nomination of Louis B. Cappuccio, Jr., Esquire at \$18,000/Year. No other nominations; nominations cease.

Motion and Seconded by Councilors Castagna and Harwood

VOTED UNANIMOUSLY: That Louis B. Cappuccio, Jr., Esquire is hereby APPOINTED Town Solicitor for Council; Two year term to expire November, 1986.

ASSISTANT TOWN SOLICITOR (School Committee):

Nomination of the Firm of Lenihan, Moone & Gallogly at \$13,500/ Year.

No other nominations; nominations cease.

Motion and Seconded by Councilors Castagna and Harwood

VOTED UNANIMOUSLY: That the Firm of Lenihan, Moone & Gallogly is hereby APPOINTED Assistant Town Solicitor for School Committee; Two year term to expire November, 1986.

ASSISTANT TOWN SOLICITOR (Zoning & Planning):

Nomination of William A. Nardone, Esquire at \$2,500/Year.

No other nominations; nominations cease.

Motion and Seconded by Councilors Morenzoni and Harwood

VOTED UNANIMOUSLY: That William A. Nardone, Esquire is hereby APPOINTED Assistant

Town Solicitor for Zoning and Planning; Two year term to expire November, 1986.

ASSISTANT TOWN SOLICITOR (Prosecutor):

Nomination of John Levanti, Esquire at \$6,000/Year.

No other nominations; nominations cease.

Motion and Seconded by Councilors Trovato and Morenzoni

VOTED UNANIMOUSLY: That John Levanti, Esquire is hereby APPOINTED Assistant Town Solicitor for Prosecutions; Two year term to expire, November, 1986.

PROBATE JUDGE:

Nomination of John P. Toscano, Jr., Esquire at \$2,600/Year

No other nominations; nominations cease.

Motion and Seconded by Councilors Comolli and Brancato

VOTED UNANIMOUSLY: That John P. Toscano, Jr., Esquire is hereby APPOINTED Probate Judge; Two year term to expire November, 1986.

PLANNING BOARD:

Nomination of Charles Manfredi, 13 Champion Street, to fill the unexpired term of Joseph P. Brancato.

No other nominations; nominations cease.

Motion and Seconded by Councilors Comolli and Trovato

VOTED UNANIMOUSLY: That Charles Manfredi is hereby APPOINTED a member of the Planning Board to fill the unexpired term of Joseph P. Brancato; Term expires August, 1988.

WESTERLY ECONOMIC DEVELOPMENT BOARD:

Antonio C. Trovato resigned as Member and is now Liaison for Council.

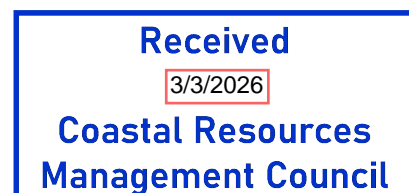
COUNCIL SUB-COMMITTEES:

Council President Gingerella informs Council that he prefers that, instead of a 3 member committee, there will be only 2 members, with no Chairman, and makes the following appointments.

FINANCE: Councilor Comolli
Councilor Morenzoni

PUBLIC WORKS: Councilor Brancato
Councilor Castagna

PUBLIC SAFETY: Councilor Comolli
Councilor Morenzoni



BEACH AND APPOINTMENTS: Councilor Morenzoni
Councilor Brancato

Councilor Morenzoni is Beach Commissioner

HEALTH, WELFARE & RECREATION: Councilor Castagna
Councilor Trovato

EDUCATION & COMMUNITY DEVELOPMENT: Councilor Harwood
Councilor Trovato

COMMITTEE OF THE WHOLE: Entire Council

Motion and Seconded by Councilors Morenzoni and Brancato

TO: Approve the aforesaid appointments as stated

DISCUSSION

Councilor Castagna disagrees.

Councilor Trovato and Councilor Comolli support the 3 man committee.

Councilor Harwood and Councilor Brancato approve.

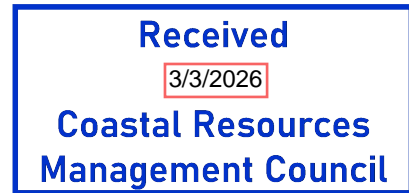
POLLED VOTE:

YES

Harwood
Morenzoni
Brancato
Gingerella

NO

Trovato
Comolli
Castagna



SO VOTED (4 YES - 3 NO) The aforesaid Committee appointments hereby stand as stated now being Laisons for Council.

* * *

The Town Manager is directed to notify Council of Workshop information Monday, December 3, 1984 at 7:30 P.M. and Executive Session regarding Collective Bargaining.

11:00 P.M. VOTED: TO ADJOURN

ATTEST:

Mary T. Levcowich
Council Clerk

Published by ClerkBase
©2022 by Clerkbases. No Claim to Original Government Works.

REGULAR MEETING

WESTERLY TOWN COUNCIL

COUNCIL CHAMBERS

TUESDAY

OCTOBER 10, 1989

7:30 P.M.

1. 7:30 P.M. CALL TO ORDER

Present: President Morezoni
Councilors Federico, Gingerella, Mudge, Douglas, White
T. Mgr. King, T. Sol. Goldberg, Co. Clk. Levcowich

Absent: Councilor Brancato

PRAYER & SALUTE TO THE FLAG

Mr. Mudge and Mr. Gingerella, respectively

2. RECOGNITIONS, AWARDS & MEMORIALS

Motion by Mr. Federico, Seconded by Mr. Mudge, to adopt the following commendations read aloud by Council Clerk: (Voted Unanimously)

- a. Commendations - Hans B. Meyer, Young Su, Shawn T. Smith WHS Semifinalists in Merit Scholarship Competition

Messrs. Meyer, Su and Smith were present and received their awards.

Motion by Mr. Mudge, Seconded by Mr. Federico, to adopt the following proclamation, read aloud by Council Clerk: (Voted Unanimously)

- b. Proclamation - Red Ribbon Week, October 23-28, 1989

Motion by Mr. Gingerella, Seconded by Mr. Federico, to ratify and confirm the following resolutions, read aloud by Council Clerk: (Voted Unanimously)

- c. Congratulations - Rose Sacco and Angelo Manfredi, Columbus Columbus Citizens of the Year
d. Proclamation - Down Syndrome Awareness Month (October)

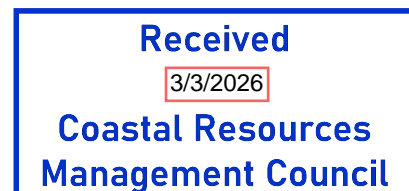
3. CONSENT CALENDAR

Motion by Mr. Federico, Seconded by Mr. Gingerella, that the following Consent Calendar be accepted and approved as printed: (Voted Unanimously)

- a. Acceptance of Minutes & License Board Minutes

Regular Meeting - 9/11/89
Committee of the Whole - 10/2/89

- b. Tax Refunds, Additions & Corrections - none
c. Deletions from Referral List - none
d. License Renewals - none

**4. PERSONS WISHING TO BE HEARD**

- a. Joseph Desillier, Edgewood Avenue - re: Washington politicians
 - b. Henry Hetu, 6 David Avenue - re: request to eliminate tow zones at beaches for off-season parking
 - c. William Sisco, 2 Marion Street - re: Park View Rehabilitation status report
5. PUBLIC HEARINGS (Adv. Sept. 29 & Oct. 2, 1989)

- a. Proposed Ordinance - "An Ordinance Amending Chapter 24 Of The Westerly Code Of Ordinances Entitled 'Traffic'" (Temporary Waiver of Restrictions)

President Morenzoni explained that the aforesaid amendment would delete a section of the ordinance that allows the Public Safety Director to temporarily waive parking restrictions.

Objector: Quentin DeSimone, Beach Street

Motion by Mr. Gingerella, Seconded by Mr. Federico, that the hearing be closed. (Voted Unanimously)

Motion by Mr. Gingerella, Seconded by Mr. White, that the aforesaid proposed ordinance be denied. A poll vote was taken as follows and the proposal was defeated: (So Voted 4 to 2)

YES	NO
Gingerella	Federico
Mudge	Douglas
White	
Morenzoni	
Brancato – absent	

- b. Proposed Ordinance - "An Ordinance Amending Chapter 24 Of The Westerly Code Of Ordinances Entitled 'Traffic'" (Tow Zones - Bay Street, WH)

President Morenzoni read the ordinance aloud and explained that, if adopted, Bay Street, WH would be deleted from this section of tow zones and remain in the two-hour parking zone.

Objector: Robert Brockmann, Moderator, WH Fire Dist.

Motion by Mr. Federico, Seconded by Mr. Gingerella, that the hearing be closed. (Voted Unanimously)

Motion by Mrs. Douglas, Seconded by Mr. White, that the ordinance be adopted. A poll vote was taken as follows: (So Voted 5 to 1)

YES	NO
Gingerella	Federico
Mudge	
Douglas	
White - raise fees for parking violations	
Morenzoni	
Brancato – absent	



TOWN OF WESTERLY

CHAPTER 917

Pg.0224

"AN ORDINANCE AMENDING CHAPTER 24 OF THE WESTERLY CODE OF ORDINANCES ENTITLED 'TRAFFIC'"

The Town of Westerly hereby ordains:

Section 1 Section 24-95 of the Westerly Code of Ordinances entitled "Tow Zones - Described" is hereby amended as follows:

Sec. 24-95. Tow Zones - Described.

The following highways and public lands located in the town are designated as lands on which the parking of motor vehicles of any description is prohibited, and as tow zones

* * * *

- (c) Watch Hill area: Entire length of Avondale Road in the village of Avondale; entire length of Ocean View Highway and Manatuck Avenue, including public right-of-way running to beach; Niantic Avenue, including public right-of-way running to beach; Everett Avenue, including public right-of-way running to beach; Ninigret Avenue; Westerly Road; Wauwinnet Avenue; Larkin Road; Bluff Avenue, including public right-of-way to beach, sometimes referred to as Shinkle Drive; Meadow Lane; Noank Avenue; Neowam Avenue, Pawcatuck Avenue; Misquamicut Road; Browning Road; Massachauge Road; West Ridge Road; Aquidneck Avenue; Pautipaug Way and Plimpton Road.

* * * *

Section 2 This ordinance shall take effect upon passage.

- c. Proposed Ordinance - "An Ordinance Relating To A Tax Abatement - Rudolf C. And Lucille S. Hauser" (Hauser Chocolatier, Inc., Westerly Industrial Park)

Present: Atty Bruce Goodsell, representing applicants, introduced the principals of the corporation, Rudolf and Lucille Hauser, and distributed a sampling of their product, which will be the only one of its kind to be produced in the United States. He stated that construction is now under way on a 12,000 square foot facility at the Industrial Park, which plans to employ 18 people in newly created positions and will bring recognition to the town.

Favor: Joseph Pucci, Representative of Industrial Foundation of RI
Dave Witham, General Project Manager, Hauser Chocolatier, Inc.

Motion by Mr. Gingerella, Seconded by Mr. Federico, that the hearing be closed. (Voted Unanimously)

Motion by Mr. Gingerella, Seconded by Mr. White, that the exemption be granted and the ordinance be adopted. (Voted Unanimously)

TOWN OF WESTERLY

CHAPTER 916

AN ORDINANCE RELATING TO A TAX ABATEMENT - RUDOLF C. AND LUCILLE S. HAUSER

The Town of Westerly hereby ordains:



Section 1.

The Town of Westerly has enacted Chapter 825 of its Code of Ordinances setting forth a Tax Abatement Policy.

Section 2.

Rudolf C. and Lucille S. Hauser have made application for tax exemption for the construction of a new manufacturing facility for property located at Tom Harvey Road (portion of Lot 5E; Westerly Industrial Park), to be leased and occupied by Hauser Chocolatier, Inc.

Section 3.

The Town Council has determined that the new facility will be occupied by Hauser Chocolatier, Inc. as a new manufacturing enterprise which is new to the Town.

Section 4.

The Town Council has determined the application is found to meet the criteria for Class A-1-A abatement and shall receive the following abatement:

An exemption of 100% reduced to 0% over 10 years in accordance with Section IV of Chapter 825.

Section 5.

This exemption shall begin on December 31, 1989 and shall apply to the assessed value of the building only.

Section 6.

This exemption is made in accordance with Section 44-3-9 of the Rhode Island General Laws and does not include an exemption for that portion of the tax assessed for the purpose of paying the indebtedness of the Town of Westerly.

Section 7.

This ordinance shall take effect upon passage.



- d. Continued Hearing - Request of Boyer-Napert for removal of Condition No. 8 from restrictions on Fed Boy I, Inc. (Morningside) PUD (continued fr 9/11/89)

Present: Atty Edward Newman, representing the petitioner, requested that, due to the absence of Councilor Brancato, the aforesaid hearing be continued to a date when all councilors will be present.

Motion by Mr. Federico, Seconded by Mr. Gingerella, that the aforesaid hearing be continued to November 27, 1989. (Voted Unanimously)

- e. Recessed Hearing - "An Ordinance In Amendment of Sections 26-73 And 26-74 Of The Westerly Code Of Ordinances Entitled "Utilities-Municipal" (Non-resident Septage) (recessed fr 7/10/89)

President Morenzoni explained that this matter had been tabled in July to allow for a 90 day ban on out-of-town septage to be effective. Passage of the aforesaid ordinance would have allowed the town to accept out-of-town septage until September 11th; that date has passed as well as the

issue of out-of-town septage and DEM has since lifted its order since no emergency existed in the towns of Hopkinton, Richmond and Charlestown. He felt that the Town should continue to accept Westerly septage only and that the ordinance should be denied.

Motion by Mr. Mudge, Seconded by Mrs. Douglas, that the town continue to refuse out-of-town septage and that the ordinance be denied. (Voted Unanimously)

6. NEW LICENSES & PERMITS

Motion by Mr. Mudge, Seconded by Mr. Federico, that the following Permit be granted subject to prior approval of proper authorities: (Voted Unanimously)

PERMITS

Raffle & Craft Show

Westerly Senior Citizen Center
(Dec. 2, 1989 - Waive Fee)

State Street

Charity Drive (Ratify & Confirm)

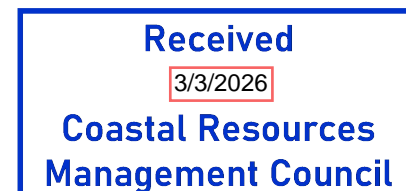
Westerly Knights of Columbus
(Oct. 8, 1989 - Chris Baily Fund)
(granted by T. Clk. 9/27/89)

Westerly area

Parade

Veterans' Board of Control
(Nov. 11, 1989)

Downtown Westerly
and Pawcatuck



7. UNFINISHED BUSINESS

- a. Proposal - Water Quality Protection Plan (Ord. Adv. for Public Hearing) (Tabled 9/25/89)

Motion by Mr. Mudge, Seconded by Mrs. Douglas, that the aforesaid proposal be ordered advertised for public hearing on October 23, 1989. (Voted Unanimously)

- b. Proposed Ordinance - "An Ordinance In Amendment Of Chapter 22 Of The Westerly Code Of Ordinances, As Amended, Entitled 'Zoning'" (Height) (Ord. Adv. for Public Hearing) (Tabled 9/25/89)

Motion by Mr. Gingerella, Seconded by Mr. Mudge, that the aforesaid proposed ordinance be ordered advertised for public hearing on November 27, 1989. (Voted Unanimously)

- c. Reserved Decision - "An Ordinance In Amendment Of Section 24-94 Of The Code Of Ordinances Entitled 'Sec. 24-94 Parking Prohibited Or Restricted In Designated Areas'" (James Street) (Tabled 9/25/89)

Petition signed by John Austin and 9 others objecting to "no parking" signs - filed 9/28/89

Motion by Mr. Mudge, Seconded by Mr. White, that the aforesaid ordinance be denied. (Voted Unanimously)

8. NEW BUSINESS

- a. Resolution Awarding Bid For Four (4) Containers

Motion by Mr. Federico, Seconded by Mr. Mudge, to adopt the following Resolution: (Voted Unanimously)

WHEREAS, the Town of Westerly has advertised for four (4) containers, and

WHEREAS, bids were opened on September 28, 1989 by the Finance Director, and

WHEREAS, these containers will be used at the Westerly Landfill for recycling, and

WHEREAS, funds are available in the following accounts

1910-101-50820	-	\$8,474.92
5200-701-50737	-	4,200.00
5200-701-50265	-	365.08

and be it

RESOLVED: That the Town Council authorize the Town Manager to award the bid to the low bidder, Compact Equipment of 21 Court Street, P.O. Box 528 of Taunton, MA 02780 for a bid price of \$3,260.00 each.

b. Resolution Awarding Contract For Extended Maintenance Warranty For Computers

Motion by Mr. Gingerella, Seconded by Mr. Federico, to adopt the following Resolution: (Voted Unanimously)

WHEREAS, the Town of Westerly has negotiated a computer system service warranty agreement through June 30, 1993 with Digital Equipment Corporation, and

WHEREAS, the cost for these services will not exceed \$80,000 through the 4 year time frame, and

WHEREAS, present system maintenance costs are in excess of \$30,000 a year, and

WHEREAS, by entering into this agreement now, the Town of Westerly will have significant budgetary savings through fiscal year 1993, and

WHEREAS, the funding for this service warranty will be facilitated by utilizing surplus water department funds, and

WHEREAS, the proportional costs for the other departments for this warranty will be included in their future budgets, therefore

BE IT RESOLVED: That the Town Council authorize the Finance Director to enter into an extended service warranty agreement with Digital Equipment Corporation in an amount not to exceed \$80,000.00.

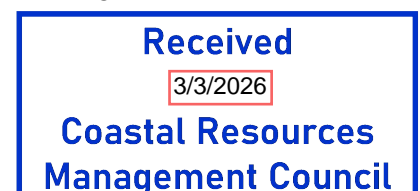
9. COMMUNICATIONS & REPORTS

The following Communications and Reports were received and placed on file:

a. Town Council

1. Informal hearing scheduled for October 23, 1989 - re: November 7th referendum on sewer bond issues for Oak Hill Drive and Riverdale Gardens as well as conditional zoning, 2nd alternate to Zoning Board and appointment of Zoning Inspector.
2. Meeting scheduled with School Committee for November 27, 1989.

b. Town Manager - 10/2/89, 10/10/89



1. #8 White Rock Recreation Area - Councilor Gingerella favors alternative #3 being a lease/purchase which would allow the project to be completed in its entirety and paid over several years. (Referred to 10/16/89 Committee of the Whole workshop. The Town Manager was directed to meet with Brian Lumnah of the Recreation Board.)
2. #4 Bulky Waste Disposal - Councilor Federico favors option #3 which would allow residents to dispose of bulk waste at the landfill on one specific day a year at no charge. He suggested that if a traffic problem existed, then more than one day could be set aside. (Referred to 10/16/89 Committee of the Whole workshop.)
3. Alleged Zoning Violation - President Morenzoni directed the Town Manager and the Zoning Inspector to investigate a complaint of a business being conducted on David Avenue, which is an R-15 residential zone.

c. Town Solicitor - 10/2/89, 10/10/89

1. Matheson Property - closing was held on this last open space parcel and reimbursement has been received from the State.
2. Thoughtful Residents v. Brancato, et al - case argued in Supreme Court on Friday; decision will be made on the breadth of the Town Charter.

d. Town Clerk - 10/10/89

e. Committee of the Whole

President Morenzoni announced that the next Committee of the Whole workshop will be October 16, 1989 to discuss the following items: 1) Soccer Field; 2) Parking Ordinance; 3) Landfill Amnesty Day; 4) Town Auction.

President Morenzoni also announced that the Town has received a \$400,000 grant from DEM to purchase 50 acres of additional open space property belonging to John Moran which borders the Town Forest.

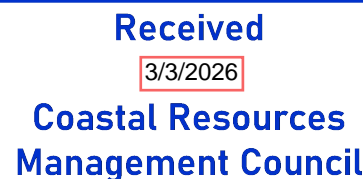
f. Liaison Reports - none

10. ADJOURNMENT

9:45 P.M. Voted Unanimously to adjourn.

ATTEST:

Mary T. Levcowich, CMC
Council Clerk



TOWN OF WESTERLY

CHAPTER 1731

“AN ORDINANCE IN AMENDMENT OF CHAPTER 238 OF THE WESTERLY CODE OF ORDINANCES ENTITLED ‘VEHICLES AND TRAFFIC’”

The Town of Westerly hereby ordains:

Section 1. Article VII of the Vehicles and Traffic Ordinance of the Town of Westerly entitled ‘Stopping, Standing and Parking’ is hereby amended as follows:

ARTICLE VII
Stopping, Standing and Parking

§ 238-67. Tow zones described.

A. The following highways and public lands located in the Town are designated as lands on which the parking of motor vehicles of any description is prohibited, and as tow zones:

- (1) (Same.)
- (2) (Same.)
- (3) **Watch Hill area:** entire length of Avondale Road in the Village of Avondale; entire length of Ocean View Highway and Manatuck Avenue, including public right-of-way running to beach; Niantic Avenue, including public right-of-way running to beach; Everett Avenue, including public right-of-way running to beach; Glen Way; Ninigret Avenue; Westerly Road except area designated for fifteen-minute parking; Wauwinnet Avenue; southerly side of Larkin Road; **Bluff Avenue, including public right-of-way to beach, sometimes referred to as Shinkle Drive;** Noank Avenue; **Waters Edge Road;** Neowam Avenue, Pawcatuck Avenue; Browning Road; Foster Cove Road; Massachaug Road; West Ridge Road; Aquidneck Avenue; Overlook Drive; and Plimpton Road.
- (4) (Same.)
- (5) (Same.)
- (6) (Same.)

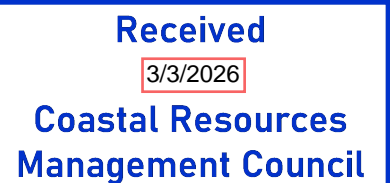
B. (Same.)

Section 2. This Ordinance shall take effect upon passage.

A true copy of an Ordinance passed September 27, 2010.

Per Order of the Town Council.

ATTEST: Donna L. Giordano, MMC
Council Clerk
October 4, 2010



1 *END TESTIMONY ON #8, Nicob's Ave.*

2 remedies. It is a legitimate question.

3 The CHAIRMAN. Any other comments? Let's
4 go on to Right of Way #8-A.

5 Mr. BEATTIE. "This particular right of way
6 was not listed in the inventory supplied, however, ref-
7 erence is made to Manatuck Avenue as shown on 'Sup-
8 plementary Map of Cottage Sites on a part of the
9 EVERETT FARM WATCH HILL, RHODE ISLAND, MADE BY THE
10 ORDER OF LYNEAS NORTON and WALTER ST. JOHN JONES Jan
11 1891', a copy of which is attached.

12 As with rights of way #7 and #8 no specific
13 conveyance of that portion of Manatuck Avenue extending
14 to the ocean could be found but in view of the fact
15 it is designated as a roadway on a recorded plat in the
16 Town Records of the Town of Westerly it is this title
17 examiner's opinion that this, too, is a public right
18 of way and is brought to your attention for possible
19 future consideration. Signed by John F. Lallo."

20 The CHAIRMAN. Any positive comments?
21 Mr. Gagnon?

22 Mr. GAGNON. Since each of these are being
23 considered individually, I would again like to go on
24 record as saying I have personally used this public
25 right of way over the last 15 years in all seasons

Received

3/3/2026

Coastal Resources
Management Council

Janice D. Fortin & Associates, Inc.
321 Turks Head Building, Providence, Rhode Island 02903

Pg.0232 (401) 351-9222

1
2 in favor of the public right of way, but I am not in
3 favor of the state controlling it.

4 Mr. COMOLLI. I want to point out too, that
5 reading the inventory here that the attorney that re-
6 searched it mentions that the avenue extends to the
7 ocean, and we just want to go on record as the town
8 of Westerly not losing their rights to this avenue.

9 The CHAIRMAN. So noted. Any further comments?
10 Yes, sir?

11 Mr. SULLIVAN. My name is Sullivan. I
12 wonder along the line here someplace I lost something.
13 Doesn't the state own the state beach? I mean it is
14 part of the state of Rhode Island. It's a state
15 beach. Why couldn't you let these fishermen in free
16 when the fishing season starts after the beach season
17 stops, make ramps over the beach, give them observa-
18 tion platforms all along the whole thing and they can
19 travel the beach, stay down below whatever is established
20 as the mean high water mark and let it go at that.
21 Isn't that a wonderful entrance place and parking?
22 Why bother with all the rest of the rights of way?
23 I don't understand it. It is too easy. It is much
24 too easy to do it that way. Westerly gave the state
25 beach away and they could have a good beach for them-

Received

3/3/2026

Coastal Resources
Management Council

Janice D. Forin & Associates, Inc.
321 Turks Head Building, Providence, Rhode Island 02903

Pg. 0203 351-9222

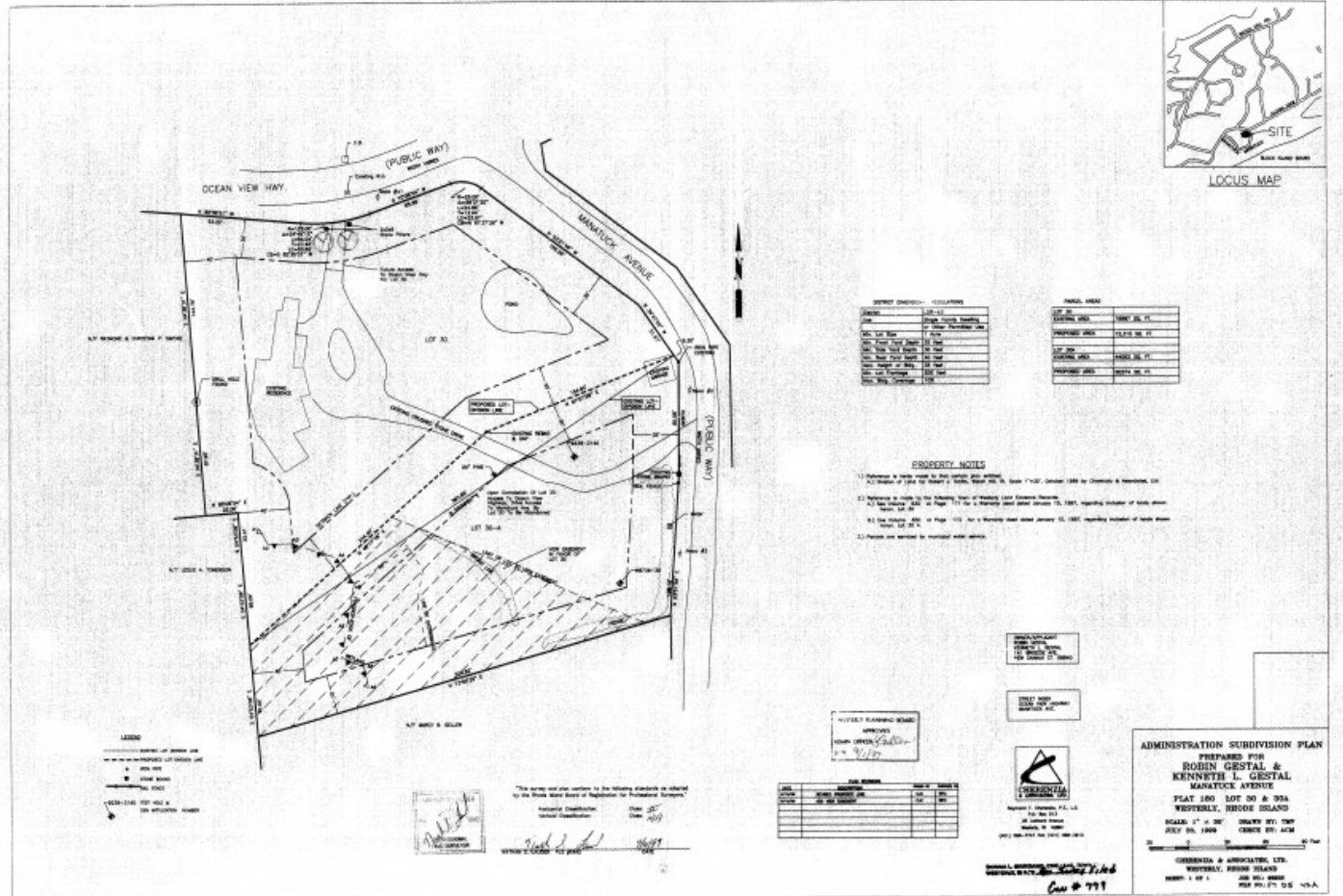
Instr #: 19995348 Book/Page: ENV / 779

Rec Date: 09/02/1999 00:00:00

Doc Grp/Desc: MAP / MAP

Owner Name:
GESTAL ROBIN
GESTAL KENNETH

Street Name:
MANATUCK AVENUE



Related:

Received
3/3/2026
Coastal Resources
Management Council

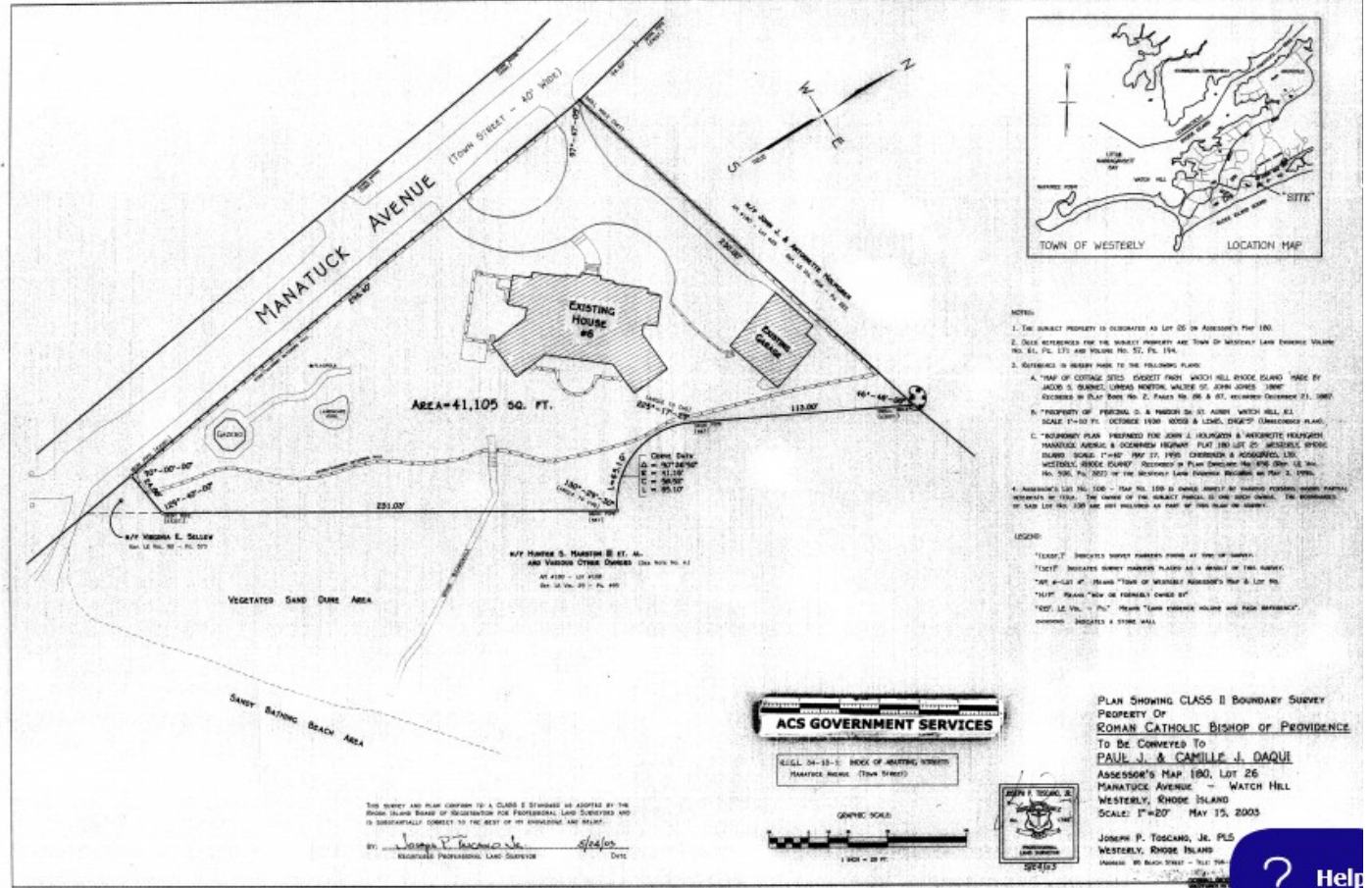
Instr #: 20035439 Book/
Page: ENV / 1081

Rec Date: 06/04/2003 00:00:00

Doc Grp/Desc: MAP / MAP

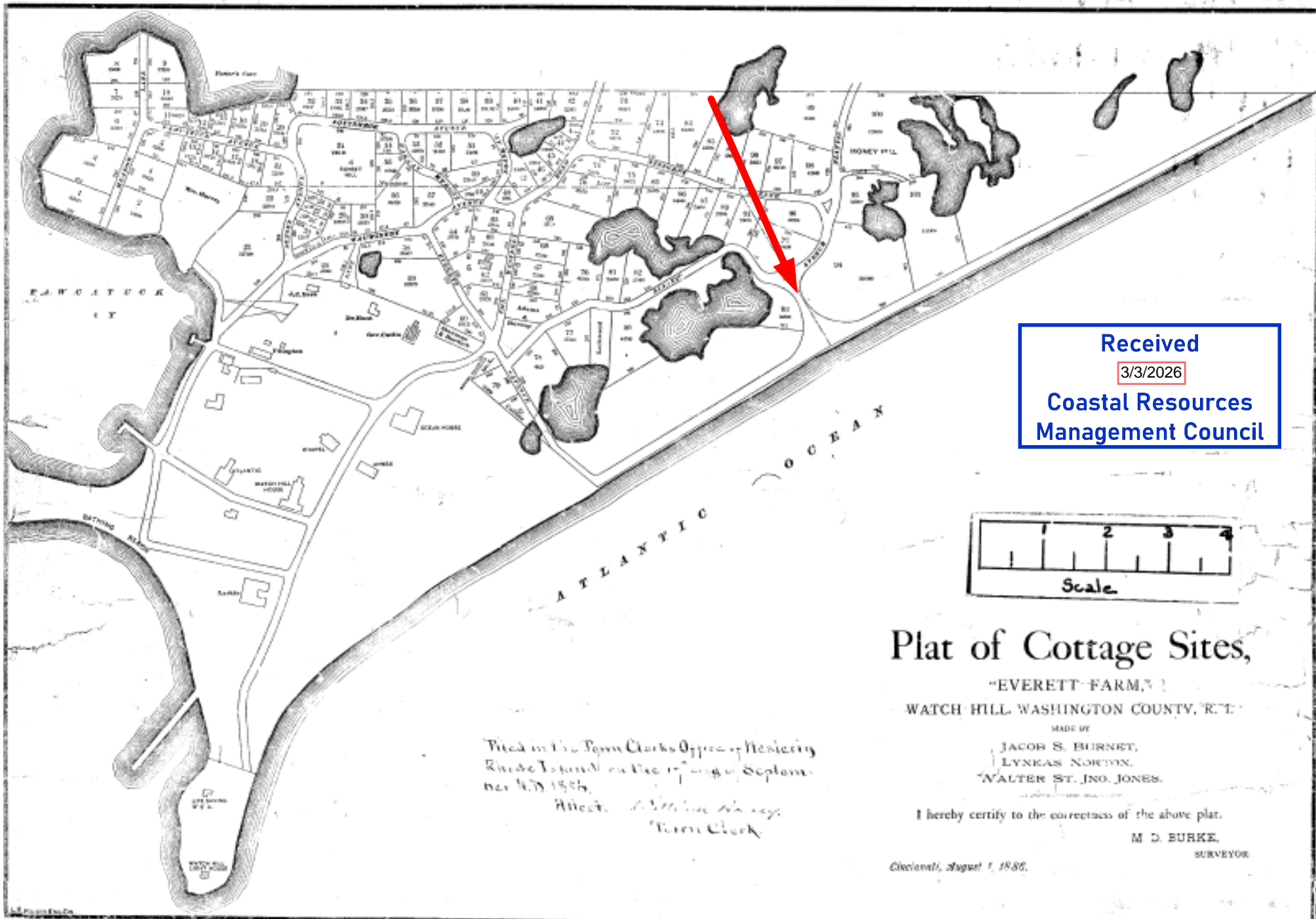
Owner Name:
ROMAN CATHOLIC BISHOP PROV
DAQUI PAUL J
DAQUI CAMILLE J

Street Name:
MANATUCK AVENUE

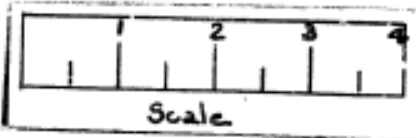


Received
3/3/2026
Coastal Resources
Management Council

1886 DEVELOPER'S PLAT ADDING UNNAMED AVENUE TO THE ATLANTIC OCEAN IN WATCH HILL



Received
3/3/2026
Coastal Resources
Management Council



Plat of Cottage Sites,

“EVERETT FARM,”

WATCH HILL, WASHINGTON COUNTY, R.I.

MADE BY

JACOB S. BURNET,

LYNEAS NORTON,

WALTER ST. JNO. JONES.

I hereby certify to the correctness of the above plat.

M. D. BURKE,

SURVEYOR.

Cincinnati, August 1, 1886.

Filed in the Town Clerk's Office of Westerly
Rhode Island on the 17th day of Septem-
ber 1886.

Attest. M. D. Burke,
Town Clerk.

1886 DEED FOR SALE OF LOT ABUTTING UNNAMED AVENUE TO THE ATLANTIC OCEAN

(Westerly Land Evidence Records, Book 28/Pages 370-377; see also Book 28/Pages 75-79, Book 28/Pages 2-6, and Book 98/Page 537.) Newport Realty, Inc. v. Lynch, 878 A.2d 1021, 1033-36 (RI 2005).

Received
3/3/2026
Coastal Resources
Management Council

confirm unto the said party of the second part & to her heirs,
assigns forever, all that certain piece or parcel of land, premises
hereinafter particularly described, situate, lying & being in the
village of Watch Hill, Township of Westerly, County of Washington
State of Rhode Island, being part of that certain tract of land
deeded to Jacob S. Burnet, Lynneas Norton & Walter St. John Jones,
by Charles J. Everett & wife, by deed dated June 12th A.D. 1886 recorded
in Deed Book No. 207 page 304 etc., & also known as all that tract
of waste sand (including ponds or lakes) which lies East of
"Everett Avenue" & South, South West of "Atlantic Avenue" on a Plat
of Cottage Sites of the Everett Farm made by said Jacob S. Burnet, Lynneas
Norton & Walter St. John Jones, as filed at the Town Clerk's Office in
said Town of Westerly, Rhode Island, & being all the ground as
platted which lies within the confines of Everett, "Atlantic" Avenue
& an unnamed avenue running in a southerly direction from
opposite Lot No. 92 towards the Atlantic Ocean, saving & accepting
lots nos seventy eight (78), seventy seven (77), eighty (80) & ninety three
(93) & Lot called the "Lockwood Lot" as shown on Plat of sub-division
which have been heretofore conveyed to diverse persons, together with
all rights, claims, tenements, hereditaments & appurtenances
thereunto in anywise in anywise appertaining, together with the reversion,



EXCERPTS – AUGUST 5, 1940 WESTERLY PUBLIC RIGHTS OF WAY REPORT

"EXHIBIT B" (Page 1)

To The Honorable Town Council, Town of Westerly
State of Rhode Island And Providence Plantations

- G R E E T I N G -

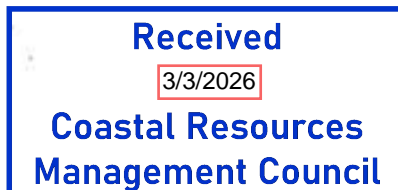
Your Committee Appointed Tuesday January 2, 1940 For
The Purpose of Probing Of The Matter Of Claimed Right
Of Ways (Public) To The Atlantic Ocean And Tidal Waters
Within The Town, Respectfully Submit This Their Report
Of Their Findings, And Attached Hereto As A Part Of Same
A Complete Record Of Each And Every Meeting Held.

- R E P O R T -

Assessors Plat No.13 - shows Road from Ocean View Highwa.
to Shore, South of Lot No.2.
" " " " Everett Ave.
" " " " Road from Bluff Ave. to shore West
of Lots Nos.11 & 12.

Assessors Plat No.16 - Meadow Lane, from Watch Hill Cove to
Fosters Cove.

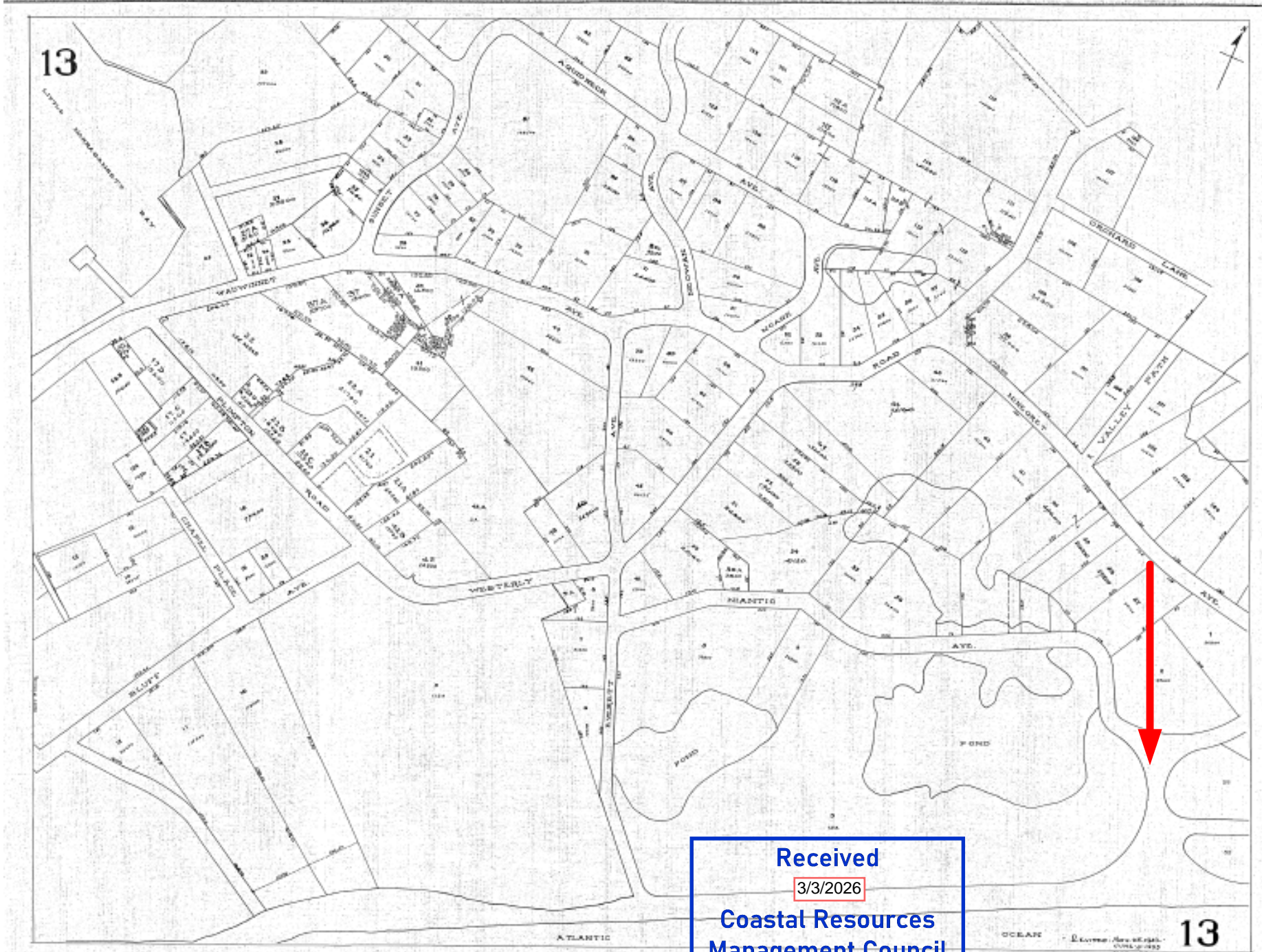
(OVER)



Pg.0238

STATE OF RHODE ISLAND
SUPREME COURT
JUDICIAL RECORDS CENTER
I hereby certify that this document
is an exact photographic reproduction
of the original document on file in the
R.I. Supreme Court Records Center
Mangua
Signature Date 1-29-25

OLD WESTERLY TAX ASSESSOR MAP 13



Received
3/3/2026
Coastal Resources
Management Council

ATRUE CORP. DATED: FEB 18 2025

ATTEST: *Mary L. LeBlanc, MMC*
Mary L. LeBlanc, MMC
Westerly Town/Probate Clerk

EXCERPTS – AUGUST 5, 1940 WESTERLY TOWN COUNCIL MINUTES

VOTED: To adjourn to the Call of the President of the Council

A TRUE COPY DATED:

Attest:

Mary L. LeBlanc
Council Clerk.

ATTEST:

Mary L. LeBlanc, MMC
Mary L. LeBlanc, MMC
Westerly Town/Probate Clerk

At a Regular Meeting of the Town Council of Westerly, R. I. held August 5th, A. D. 1940 at 9:30 o'clock A. M.

Arthur M. Cottrell Jr. Charles J. Butler Peter Watz Nelson

Constable to Serve Civil Process in and for the Town of Westerly.

A written report was received from the Committee appointed by the Town Council January 2, 1940 for the purpose of investigating public rights-of-way to the Atlantic Ocean and Tidal Waters within the Town. Said report was read and upon consideration thereof, it was

VOTED: That said report be received and placed on file and that the recommendations of the Committee contained in said report be carried out by the Highway Department. It was also

VOTED: That this Council extend a vote of thanks to said Committee. Upon the request of A. Fred Roberts, it was

FURTHER VOTED: That said Committee be discharged.

Received
3/3/2026
Coastal Resources
Management Council

EXCERPTS – 1958 STATE OF RI PUBLIC RIGHTS OF WAY REPORT

REPORT
OF
THE SPECIAL COMMISSION TO DISCOVER
THE PUBLIC RIGHTS-OF-WAY TO WATER
AREAS OF THE STATE
TO THE
GOVERNOR

Received
3/3/2026
Coastal Resources
Management Council

March 1958

Other points accessible by public roads refer to:

1. Assessor's Plat No. 8 - Winnapaug Road bordering on Winnapaug Road.
2. Assessor's Plat No. 13 - shows Ocean View Highway to shore, south of Lot No. 2. Everett Avenue also shows a lot from Bluff Avenue to shore east of Lots No. 11 and 12.

EXCERPTS – 1970 STATE OF RI PUBLIC RIGHTS OF WAY REPORT

PUBLIC RIGHT-OF-WAY EVALUATION

Municipality:

Number: 8

Town of Westerly

Location:

This right-of-way is located south of the intersection of Ocean View Highway and Niantic Avenue and is bounded on the south by the Block Island sound.

Approximate Area: 35,520 square feet

Existing Conditions and Land Uses:

This right-of-way has no sign posted indicating its existence. There are vacant lots on both sides of the way. It opens onto a wide sandy beach front and is zoned by the town for low density residential development.

Recommendations:

This way should be considered as a potential area for recreational development. A marker should be erected to indicate the location of the right-of-way and the area should be maintained and policed.


JENNIFER L. MISTO
Notary Public, State of Rhode Island
Commission # 751977

Comm. exp 08/19/26
Date 7/6/22

Received

3/3/2026

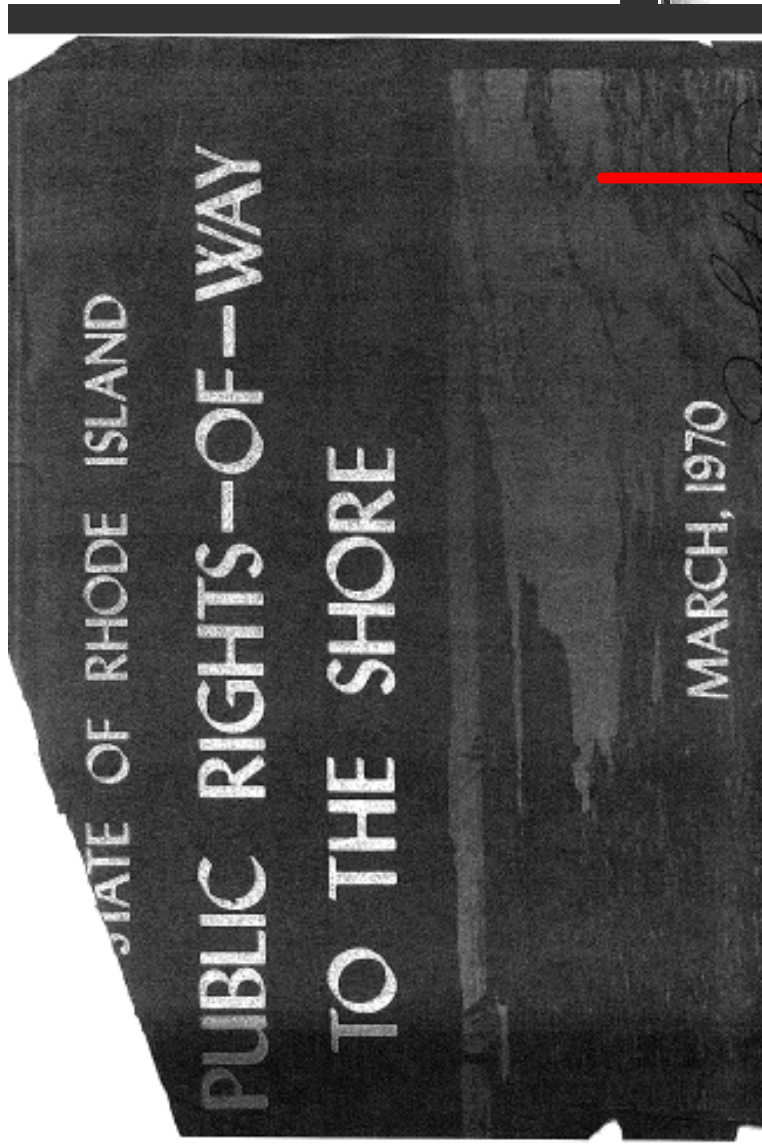
Coastal Resources
Management Council

Pg. 0242

Certified to be a true copy
of the original seen by me,
David B. Thompson, Town
Assessor.

Date: 7/6/22

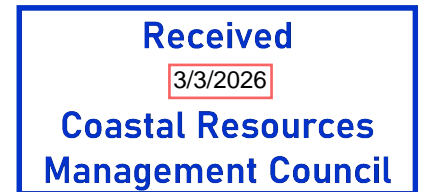




EXCERPTS – 1970 WESTERLY TOWN COUNCIL MINUTES

At a Special Meeting of the Town Council of the Town of Westerly, R.I., held this 25th day of May, A.D. 1970 at 8 o'clock P.M.

Arthur E. Wills, Salvatore C. Falcone, Richard D. Comolli, Henry Federico, Antonio C. Trovato, Salvatore T. Parise and Henry M. Morris, all members being present.



Upon motion of Councilman Parise duly seconded by Councilman Comolli it was

VOTED: To adopt the following ordinance:

TOWN OF WESTERLY

Chapter 387

AN ORDINANCE PROHIBITING THE PARKING OF MOTOR VEHICLES ON CERTAIN HIGHWAYS AND PUBLIC LANDS WITHIN THE TOWN OF WESTERLY INCLUDING PENALTY FOR VIOLATION AND ESTABLISHMENT OF TOW ZONE AREAS

The Town Council of the Town of Westerly hereby ordains as follows:

SECTION 1. The following highways and public lands located in the Town of Westerly hereby designated as being lands on which the parking of all motor vehicles of any and all description is prohibited are designated as follows:

MISQUAMICUT AREA:

Entire length of Atlantic Avenue including adjacent public land not specifically designated as a parking area by any public authority; Winnapaug Road from Atlantic Avenue to Shore Road; the entire length of Breach Drive, Saunders Road, Robin Road, Montauk Avenue, Lawton Avenue, Franklin Avenue, Kimball Avenue, Benson Avenue, Crandall Avenue, Clarke Avenue, Dogwood Avenue, Elmwood Avenue, Linwood Avenue, Boxwood Avenue, Maplwood Avenue, Bayberry Road, First Street and Second Street.

WEEXAPAUG AREA:

Entire length of Weekapaug Road and Wawaloam Drive and Ninigret Avenue except designated scenic overlook.

WATCH HILL AREA:

Entire length of Ocean View Highway, Kanatuck Avenue, including public right-of-way running to beach; Niantic Avenue, including public right-of-way running to beach; Everett Avenue, including public right-of-way running to beach; Ninigret Avenue; Westerly Road.; Wauwinett Avenue; Larkin- Road; Bluff Avenue, including public right-of-way to beach, sometimes referred to as Shinkle Drive; and Meadow Lane.

EXCERPTS – 1973 WESTERLY TOWN COUNCIL MINUTES

At a Regular Meeting of the Town Council of the Town of Westerly, R.I., held this 29th day of May, A.D. 1973 at 8:00 o'clock P.M.

Richard D. Comolli, Arthur E. Wills, Frank J. Capizzano, Charles J. Moore, Joseph P. Brancato, Donald E. Hayes and Joseph Vetelino, all members being present.

TOWN OF WESTERLY

CHAPTER 430

AN ORDINANCE IN AMENDMENT OF CHAPTER 24 OF THE CODE OF ORDINANCES OF THE TOWN OF WESTERLY, ENTITLED "TRAFFIC".

The Town of Westerly hereby ordains the following:

Section 1. That Section 24-95 entitled "Tow Zones - Described" of the Code of Ordinances of the Town of Westerly, subsection (c) entitled "Watch Hill Area" is hereby amended as follows:

(c) Watch Hill Area: Entire length of Ocean View Highway, Manatuck Avenue, including public right-of-way running to beach; Niantic Avenue, including public right-of-way running to beach; Everett Avenue, including public right-of-way running to beach; Ninigret Avenue; Westerly Road; Wauwinnet Avenue; Larkin Road; Bluff Avenue, including public right-of-way to beach, sometimes referred to as Shinkle Drive, Meadow Lane, Noank Avenue, Neowam Avenue, Pawcatuck Avenue, Misquamicut Road, Browning Road, Massachauge Road, West Ridge Road, Aquidneck Avenue, Pautipaug Way, and Plimpton Road.

Received

3/3/2026

Coastal Resources
Management Council

1978 JOHN LALLO, ESQ. NIAN TIC AVE ROW TITLE REPORT

PUBLIC RIGHTS OF WAY INVENTORY - TOWN OF WESTERLY

Right of Way #8 is bounded and described as follows: a certain strip or parcel of land extending to the Atlantic Ocean, it being a continuation of Niantic Avenue, so called, in the Village of Watch Hill bounded westerly by Lot #3 and easterly by Lots #55 and #56 as shown on Westerly Assessor's Plat #13.

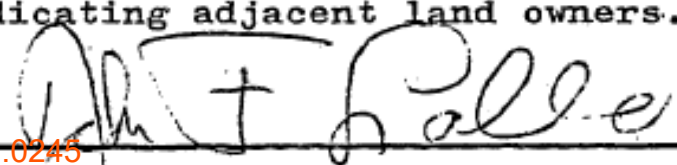
Title to the above parcel of land is found in deed of Charles J. Everett to Jacob S. Burnet et al dated June 12, 1886 and recorded in Book 27 at page 304 of the Westerly Land Evidence Records. No subsequent conveyance of the parcel in question can be found. The title to each of the adjacent parcels of land was examined in deed to Mary C. Myers, the owner of Lot #3 on Assessor's Map #13 dated March 31, 1970 and recorded in Book 98 at page 537 of the Westerly Land Evidence Records. Reference is made to "an unnamed avenue running in a southerly direction from opposite lot #92 as shown on said plat".

All other adjacent properties made no reference to a right of way. Reference is made, however, to plat entitled, "Map of Cottage Sites EVERETT FARM WATCH HILL, RHODE ISLAND, MADE BY JACOB S. BURNET, LYNEAS NORTON and WALTER ST. JOHN JONES 1886 Scale 100 feet to the inch" as recorded in Book 2, pages 86 and 87 in the Land Records of the Town of Westerly, which indicates that this parcel is a roadway or open area extending to the ocean and based on this plat it is hereby certified that the above parcel is a public right of way. Attached hereto are copies of the plat above referred to, together with assessor's map indicating adjacent land owners.

Received

3/3/2026

Coastal Resources
Management Council



TRANSCRIPT EXCERPTS – TOWN COUNCIL PRESIDENT RE: NIANTIC AVE (pp.111-12)

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COASTAL RESOURCES MANAGEMENT COUNCIL

* * * * *
SUBCOMMITTEE *
HEARING IN RE: *
RIGHTS OF WAYS *
* * * * *

NOVEMBER 30, 1978 - 7:30 P.M.
WESTERLY TOWN HALL
WESTERLY, RHODE ISLAND

13
14
15
16
17
6
7
8
9
10
11
12

The CHAIRMAN. Mr. Comolli?

Mr. COMOLLI. I would like to comment that the town of Westerly ownership rights be recognized to this land and they have policed it and they have maintained it and I hope you recognize it.

Mr. COMOLLI. What my concern is that we have tow zones there. We police the area. We try to keep it from being congested. If the state takes it over and designates it as a state right of way or public right of way, does that take our jurisdiction as a town from policing the area from putting up tow zones?

Received
3/3/2026
Coastal Resources
Management Council

EXCERPTS – 1984 WESTERLY TOWN COUNCIL MINUTES

Special
Thursday

TOWN OF WESTERLY
Town Council Meeting
June 28, 1984

7:00 P.M.
Council Chambers

ADOPTED:

TOWN OF WESTERLY
CHAPTER 720



"AN ORDINANCE IN AMENDMENT OF CHAPTER 24 OF THE ORDINANCES OF THE TOWN OF WESTERLY ENTITLED "TRAFFIC".

The Town of Westerly hereby ordains:

SECTION 1. Sec. 24-95(c) Tow Zones - Described of Article V, Stopping, Standing and Parking of Chapter 24 of the Code of Ordinances of the Town of Westerly, is hereby amended as follows:

Sec. 24-95 Tow Zones - Described

- (c) Watch Hill Area: Entire length of Avondale Road in the village of Avondale; entire length of Ocean View Highway and Manatuck Avenue, including public right-of-way running to beach; Niantic Avenue; including public right-of-way running to beach; Everett Avenue, including public right-of-way running to beach; Niniaret Avenue; Westerly Road; Wauwinnet Avenue; Larkin Road; Bluff

EXCERPTS – 1991 WESTERLY TOWN COUNCIL MINUTES

REGULAR MEETING
TUESDAY

WESTERLY TOWN COUNCIL
MAY 28, 1991

COUNCIL CHAMBERS
7:30 P.M.

"AN ORDINANCE AMENDING CHAPTER 917 OF THE WESTERLY CODE OF ORDINANCES ENTITLED 'TRAFFIC'"

The Town of Westerly hereby ordains:

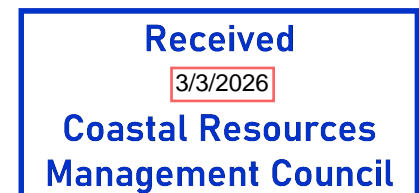
Section 1. Section 24-95 of the Westerly Code of Ordinances entitled "Tow Zones - Described" is hereby amended as follows:

Sec. 24-95. Tow zones a Described.

The following highways and public lands located in the Town are designated as lands on which the parking of motor vehicles of any description is prohibited, and as tow zones:

* * * *

- (c) Watch Hill area: Entire length of Avondale Road in the village of Avondale; entire length of Ocean View Highway and Manatuck Avenue, including public right-of-way running to the beach; Niantic Avenue, including public right-of-way running to beach; Everett Avenue, including public right-of-way running to beach; Ninigret Avenue; Westerly Road; Wauwinnet



EXCERPTS – 2008 WESTERLY TOWN COUNCIL MINUTES

REGULAR MEETING

WESTERLY TOWN COUNCIL

COUNCIL CHAMBERS

MONDAY

MAY 12, 2008

7:30 P.M.

Received

3/3/2026

Coastal Resources
Management Council

6. UNFINISHED BUSINESS

- a. CRMC's Adopt-An-Access Program (Rights-of-Way)

Resolution Authorizing the Town to Participate in the CRMC Adopt-An-Access Program

Motion by Mr. Azzinaro, Seconded by Mr. Finizio, that the following resolution be adopted, as amended by the Town Solicitor: (So Voted 6 to 1 – Council President DiMaio dissented)

07/08-208

WHEREAS, the Town Council will select the appropriate entities to adopt various rights-of-way pursuant to the program on a case-by-case basis; and

WHEREAS, the selection and continuation of the various groups shall be in the sole discretion of the Town Council based on the needs of the particular site and the ability of the adopting organization; and

RESOLVED: That the Westerly Town Council hereby authorizes the Town to participate in the CRMC Adopt-an-Access Program subject to the Town Council's approval of each entity and right-of-way on a case-by-case basis and the term of the model agreement.



9cc ✓

July 12th, 2009

Dear Town Council

Per a resolution passed in 2008 by the Town Council, the East Beach Association was deemed, in essence, the adopting agency for any and all custodial matters related to the following rights-of way (access points) along Westerly's shoreline.

Bluff Avenue, Everett Avenue, Niantic Avenue, Manatuck Avenue, Atlantic Avenue (extreme western end).

The Town Council has recognized that the EBA has, in essence, adopted these access points in 1970 when the organization was formed for the very purpose to clean and protect the beach and the access to the beach.

Sincerely,

George Markham,
President

The East Beach Association
Founded 1970

Board of Directors

George Markham , President
Peter Brockmann, Vice President
Shelly Weier, Secretary
Anne White, Treasurer
Rebecca Allardyce
Patrick Callahan
Andrew Griscom, MD
Evy Lynch
Lori Musser
Donna Barnes
Walter Tomenson
Lee Westerfield
Marilyn White

*Dedicated to the Preserving
the Ecological and
Recreational
Values of East Beach*

Received
3/3/2026
Coastal Resources
Management Council

EXCERPTS – 2010 WESTERLY PARKING ORDINANCE

ARTICLE VII Stopping, Standing and Parking

§ 238-67. Tow zones described.

- A. The following highways and public lands located in the Town are designated as lands on which the parking of motor vehicles of any description is prohibited, and as tow zones:
- (1) (Same.)
 - (2) (Same.)
 - (3) Watch Hill area: entire length of Avondale Road in the Village of Avondale; entire length of Ocean View Highway and Manatuck Avenue, including public right-of-way running to beach; **Niantic Avenue, including public right-of-way running to beach;** Everett Avenue, including public right-of-way running to beach; Glen Way; Ninigret Avenue; Westerly Road except area designated for

Received

3/3/2026

Coastal Resources
Management Council

GOOGLE STREET VIEW PHOTO OF NIAN TIC AVE ROW TAKEN MAY 2012



Received
3/3/2026
Coastal Resources
Management Council

PHOTO OF NIANTIC AVE RIGHT OF WAY CIRCA 2014



Received
3/3/2026
Coastal Resources
Management Council

Received
3/3/2026
Coastal Resources
Management Council



EXCERPT – 7/11/2016 WESTERLY SUN – POLICE PRESENCE UP AT NIAN TIC AVE ROW

Received
3/3/2026
Coastal Resources
Management Council



Police presence up at Watch Hill rights of way - Westerly Sun, The (RI) - July 11, 2016 - page A01

July 11, 2016 | Westerly Sun, The (RI) | Page A01

Chief: Focus is safety, not keeping beachgoers away

WESTERLY - The Westerly Police Department has stepped up efforts to prevent drivers from stopping their vehicles adjacent to beach access points in Watch Hill.

Westerly Police Capt. Shawn Lacey informed an audience of about 50 gathered for the Watch Hill Fire District's annual meeting on Saturday morning that four community service officers are assigned to the village on a daily basis for the summer. The community service officers assist police with enforcement of traffic ordinances and report problems to regular police officers. Lacey, who is the second-highest-ranking officer in the department, said two community service officers walk the beach each day.

The other community service officers are paying particular attention to the access points (rights of way) on Niantic, Bluff and Everett avenues. "You'll see more of a presence," Lacey said.

EXCERPTS – 2017 LEGAL OPINION NIANTIC AVE IS NOT PUBLIC



McGUNAGLE HENTZ, PC
ATTORNEYS AT LAW

3088 Broad Street - Cranston, RI 02905 - Tel. (401) 941-7500 - Fax (401) 941-7501 - www.mhlawpc.com



MEMORANDUM

TO: Town Council Members Town of Westerly
FROM: Nancy Letendre, Esq. AICP, Assistant Town Solicitor for Planning and Zoning
DATE: November 28, 2017
REGARDING: Right-of-way Discussion with Attorney Thomas J. McAndrew

Received
3/3/2026
Coastal Resources
Management Council

At a meeting on October 4, 2017, I discussed with Attorney Thomas J. McAndrew the results of my research into the ownership of a certain sand trail off Niantic Avenue. Mr. McAndrew was pleased to know I agreed with his legal assessment that access at this location is private, not public, and reserved for the owners of the properties within the neighborhood previously known as the Everett Farm Plat.

Following that meeting I finalized my memorandum on the eight (8) priority Rights-of-Way and submitted the same to the Town manager. Attached, please find my October 5, 2017 memorandum. The discussion of the Niantic Avenue sand trail is on page 3.

Niantic Avenue - While certain roads and avenues within the Everett Farm plat were deeded to the Town of Westerly “for use and benefit of the public for road purposes only”, the area of the “sand trail” was excluded. Without clear information supporting dedication and acceptance for public use, beach access at this location must be considered private. ← **WTF !!!!!**

EXCERPT – OCTOBER 28, 2019 WESTERLY HARBOR MANAGEMENT PLAN

Site #6- Niantic Avenue, Watch Hill (Determined to be Private ROW)

This right-of-way was once posted with a Town sign, however a title search has revealed that the pathway is privately owned.

WTF CHRISSY?!?!?!?



TOWN COUNCIL PRESIDENT
ON OCTOBER 28, 2019
Christopher A. Duhamel

WTF BILLY?!?!?!?



TOWN COUNCIL SOLICITOR
ON OCTOBER 28, 2019
William J. Conley

Received
3/3/2026
Coastal Resources
Management Council

TABLE 2-11 - WESTERLY 2020-2040 COMPREHENSIVE PLAN

Table 2-11 Town- and State-Designated Rights-of-Way to the Shore

Designation No. (Depicted on Figure REC-M3)	Town or RI CRMC Right-of-Way	Location	Water Accessible*
1	Town	Avondale Road (CRMC A-14)	Pawcatuck River
2	Town	Waters Edge Road North	Foster Cove
2A	Town	Waters Edge Road South	Watch Hill Cove
3	Town	Fort Road	Watch Hill Cove
4	Town	Bluff Avenue (CMRC A-2)	Block Island Sound
5	Town	Everett Avenue	Block Island Sound
6	Town	Niantic Avenue	Refer to Harbor Management Plan**
7	Town	Manatuck Avenue (CRMC A-3)	Block Island Sound
8	Town	Atlantic Avenue	Block Island Sound
9	Town	Atlantic Avenue	Block Island Sound
10	Town	Atlantic Avenue (CRMC A-13)	Block Island Sound
11	Town	Atlantic Avenue (CRMC A-11)	Block Island Sound
12	Town	Atlantic Avenue (CRMC A-6)	Block Island Sound
13	Town	Atlantic Avenue (CRMC A-7)	Block Island Sound
14	Town	Atlantic Avenue West	Block Island Sound
14A	Town	Atlantic Avenue East	Block Island Sound
15	Town	Spray Rock Road	Block Island Sound
16	Town	Ninigret Ave/Sand Trail	Refer to Harbor Management Plan
A-2	RI CRMC	Bluff Avenue	Block Island Sound
A-3	RI CRMC	Manatuck Avenue	Block Island Sound
A-6	RI CRMC	Atlantic Avenue (1)	Block Island Sound
A-7	RI CRMC	Atlantic Avenue (2)	Block Island Sound
A-8	RI CRMC	Atlantic Avenue (4)	Block Island Sound
A-9	RI CRMC	Atlantic Avenue (5)	Block Island Sound
A-10	RI CRMC	Atlantic Avenue (6)	Block Island Sound
A-11	RI CRMC	Atlantic Avenue (7)	Block Island Sound
A-12	RI CRMC	Atlantic Avenue (8)	Block Island Sound
A-13	RI CRMC	Atlantic Avenue (9)	Block Island Sound
A-14	RI CRMC	Lotteryville Marina/ Avondale Road	Pawcatuck River

WTF?!?!?! →



WTF?!?!?! →

* Refer to Westerly Harbor Management Plan (HMP) for details regarding water access.
 ** Determined to be private ROW.

Received
 3/3/2026
 Coastal Resources
 Management Council

PHOTO OF NIANTIC AVE RIGHT OF WAY JANUARY 2023



**WTF IS WRONG
WITH THESE TWO
MEN?!?!?!?**



Received
3/3/2026
Coastal Resources
Management Council



EXCERPTS – CURRENT (2025) WESTERLY PARKING ORDINANCE

§ 238-67. Tow zones described.

A. The following highways and public lands located in the Town are designated as lands on which the parking of motor vehicles of any description is prohibited, and as tow zones: [Amended 11-12-2002 by Ch. No. 1428; 9-27-2010 by Ch. No. 1731; 5-23-2011 by Ch. No. 1750; 11-18-2013 by Ch. No. 1802; 8-17-2015 by Ch. No. 1844; 7-9-2018 by Ch. No. 1931]

Avenue; Nepun Road, Niantic Avenue, including public right-of-way running to beach; Ninquveet Road, Ninigret Avenue; Noank Avenue; Noonatch Road,

Received

3/3/2026

Coastal Resources
Management Council

MEMORANDUM

TO: Christopher A. Duhamel, Town Council President
Mary E. Scialabba, Vice President
Dylan J. LaPietra
Michael T. Niemeyer
Alexandra L. Healy
Rose Van Dover
William J. Aiello

TOWN OF WESTERLY, RI
OFFICE OF TOWN CLERK

Oct 16 2025

RECEIVED
Mary L. LeBlanc, MMC
Town Clerk

FROM: William J. Conley, Jr., Esq

SUBJECT: Re: Niantic Avenue Pathway

DATE: October 16, 2025

The Solicitor’s Office was asked to review documents submitted by the Harbor Management Commission and members of the public regarding a pathway called Niantic Avenue, review additional documents upon the Solicitor’s Office own research, and to provide an opinion as to the status of the pathway being a public right-of-way (“ROW”) to the shoreline.

BACKGROUND

Niantic Avenue is located in the Watch Hill section of Westerly. It is a paved road that runs parallel to the beach. In an area where a curve in the road moves closer to the beach, a sandy path runs off the pavement parallel toward the shore. Just down the road, a similar path runs toward the shore off Everett Avenue. A CRMC designation request for Everett Avenue ROW is pending before the Rights of Way Subcommittee. *See* 2023-03-069. Both pathways are visible on recorded maps.

These maps are as follows:

- The first recorded map found is “Plat of Cottage Sites, ‘EVERETT FARM’, WATCH HILL, WASHINGTON COUNTY, R.I., Made by Jacob S. Burnet, Lyneas Norton, Walter St. Jno. Jones, Cincinnati, August 1, 1886”. *See* Map Book 2 Page 21, recorded September 17, 1886.

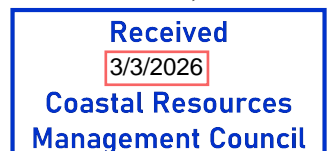
Received
3/3/2026
Coastal Resources
Management Council

- Another is the “Map of Cottage Sites EVERETT FARM WATCH HILL, RHODE ISLAND MADE BY JACOB S. BURNET, LYNEAS NORTON and WALTER ST. JOHN JONES 1886 Scale 100 feet to the inch”. *See* Map Book 2 Pages 86-87, recorded December 21, 1887.
- There is also a plat called the “Amended Plat of Part of Everett Farm Watch Hill Rhode Island Made By Messrs. Burnet, Norton & Jones, Scale 100 feet per inch” dated June 1887 which also depicts a section of Niantic Avenue, including the area where the pathway lies. *See* Map Book 2 Page 28, recorded August 1, 1887.
- Additionally, a plat titled the “Supplementary Map of Cottage Sites or a part of the Everett Farm, Watch Hill, Rhode Island, Made by the Order of Lynes Norton and Walter St. John Jones, Scale 100 feet to the inch, dated Jan. 1891” also depicts Niantic Avenue and the area where the pathway currently lies. *See* Map Book 2, Page 90-91, accurate recording date unknown¹.

Upon review of documents recorded in the Land Evidence Records, it appears that the so-called “Everett Farm” was conveyed to Mr. Burnet, Mr. Norton, and Mr. Jones for \$22,500.00 by Warranty Deed of Charles J. Everett, dated June 12, 1886. *See* Book 27, Page 304, recorded June 17, 1886. The deed conveyed approximately 120 acres, excepting therefrom eight lots which Mr. Everett already conveyed out to various purchasers. These eight lots were identified in the deed as being held by Robert A. Sherman and George Burdick, Elizabeth Adams and Elizabeth W. Bernap, Alice V. Collins, Elizabeth D. York, Dr. W. P. Langworthy, and E. K. Hunt. These lots appear on the September 17, 1886 Plat with the respective property owners’ names, and without being identified by lot numbers.

The Solicitor’s Office engaged the services of a title examiner to review the titles, back to 1886, of the two lots abutting the pathway (Plat 179 Lot 71 and Plat 180 Lot 36A). These properties are owned by ES710, LLC and Peter H. Dooney. Title examinations of these two properties have

¹ The online Land Evidence Records has a date of December 21, 1887; however upon inquiry with the Town Clerk, there is no stamping on the actual map itself. The recording date listed online is likely an error.



been ordered, and the examinations are still being run. At this time, no other title examinations have been ordered.

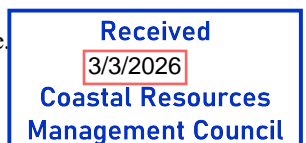
The Solicitor's Office has also been made aware that at one point, a sign was placed at the entrance to the Niantic Avenue pathway that depicted the seal of the Town of Westerly. According to Town Manager Shawn M. Lacey, the Town did not erect this sign or endorse the seal.

Documents submitted and held in the Town's offices also show that there has been a long history of reviewing the status of the Niantic Avenue pathway as a ROW. In 1940, the Town of Westerly Town Council summoned a committee to review rights-of-way. After a diligent search, the Town of Westerly has not been able to locate these records. A portion of the committee's report states that it finds on Assessor's Plat 13, a road "from Ocean View Highway to Shore, South of Lot No. 2". Based off old plat maps, this appears to be the Niantic Avenue pathway. However, since there is no full and complete record on file, it is not possible to know the committee's reasons, findings, and interpretations.

A booklet titled "State of Rhode Island Public Rights-of-Way to the Shore", held by the Tax Assessor's office, describes the Niantic Avenue pathway as "Number: 8". The document gives a recommendation that the way "should be considered as a potential area for recreational development" and that "[a] marker should be erected to indicate the location of the right-of-way and the area should be maintained and policed." The Town of Westerly at the May 25, 1970 Council Meeting, the Town Council enacted an ordinance that referenced "Niantic Avenue, including public right-of-way running to beach" within it.²

The review of the Niantic Avenue pathway didn't end in 1970. A transcript of a CRMC hearing at the Westerly Town Hall on November 30, 1978 shows that the CRMC held a hearing on "Right of Way #8". The descriptions of Right of Way #8 matches the Niantic Avenue pathway. This transcript shows that there was discussion about the CRMC designating it as a CRMC, **however, only a partial transcript was submitted and the outcome of this particular hearing is**

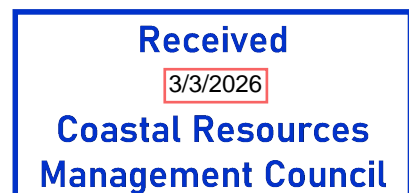
² The ordinance was amended several times: 1973, 1984, 1989, 1991, and 2010, all keep the language.



unknown. Another document that was submitted is titled a “Public Rights of Way Inventory – Town of Westerly”, and it appears to be signed by a “John F. Lallo”, however there is no typed name beneath the signature and no title given. The document does not state if it is affiliated with the CRMC, Town, or any other entity. It is undated. Nonetheless, the document states that Right of Way #8 is certified as a public right of way.

Another document submitted is a survey of the Niantic Avenue pathway. The survey is titled “Public Right of Way Prepared for The Coastal Resource Management Council Sub-Committee on Rights of Way, Westerly, Rhode Island, October 1979, Scale 1 inch Equal 40 Feet, Robert C. Cournoyer & Associates, Inc, 11 Main Street, Slatersville, Rhode Island 02876”. The top right corner of the references Right of Way 8 and the lower left corner references the Everett Farm plat. Despite these documents that seem to show that the CRMC found the pathway to be public, no documents submitted affirmatively announce or declare a designation. Another document titled “Status of ROWs in Westerly That Have Been Reviewed by the CRMC” review the events from the 1978 hearing (partial transcript referenced above), and it also states that on January 30, 1980 the full Council reviewed the Subcommittee’s recommendations and that the full Council voted “to designate Niantic Avenue as Public ROW ‘A-4,’ and the motion carried.” However, the document continues and states that at the August 12, 1980 Council meeting, a motion was made to “reconsider five of the thirteen ROWs that were designated on 1/30/80 so as to allow abutters through their legal counsel to submit additional evidence.” This document presumes that Niantic Avenue is one of the five, “because Niantic Avenue has always been listed in the CRMC’s Annual Reports as ‘Action Pending’”.

It appears from these records submitted by the public and the HMC that the CRMC has never made a final decision.





LEGAL INTERPRETATION

For a parcel of land to become a public way, certain legal processes must be followed. From a review of the documents, the one most relevant here is common law incipient dedication³. Simply filing a plat plan in land evidence records in which roads are shown is enough for a right-of-way to be dedicated for public use, unless a contrary intent is established:

The lots were sold with reference to the plat, and unless an examination of the First Ebbs Plat reveals a manifest contrary intent, an incipient dedication of the streets on the Wharf **resulted as a matter of law**.

Newport Realty, Inc. v. Lynch, 878 A.2d 1021, 1039 (R.I. 2005) (emphasis added). The Rhode Island Supreme Court has “recognized that ‘the recordation of a plat with streets delineated thereon and lots sold with reference to the plat reveals the owner’s intent to offer the streets to the public for use as ways.’” *Id.* at 1033 (quoting *Robidoux v. Pelletier*, 120 R.I. 425, 434, 391 A.2d at 1156 (1978)). Furthermore, “[i]t is not dependent on subdivision regulations or planning board approval. ‘[I]n most instances, the filing and the acceptance of a plat plan are sufficient evidence of a landowner’s intent to dedicate land for road purposes, particularly in situations in which lots are subsequently sold with reference to the recorded plat.’” *Id.* (quoting *Donnelly v. Cowsill*, 716 A.2d 742, 748 (R.I. 1998)). An examination of the abutters’ deeds show that the property descriptions reference the Evertt Farm plat, and they also reference that the properties abut the Niantic Avenue pathway. For instance, the ES701, LLC deed describes the property as being “bounded ... on the east by the roadway between Lots 93 and 94 on said Everett Farm Plat.”

When determining whether there was an intent to dedicate, the courts have looked closely at recorded plats by closely examining the precision in which lot lines were drawn. In *Newport Realty*, a dispute arose regarding the “legal status of the streets and ways” on wharves at Newport Harbor. 878 A.2d 1021, 1025 (R.I. 2005). The Plaintiffs claimed ownership of the streets and ways

³ In some of Westerly’s other pending ROW matters, we have discussed a statutory dedication. That analysis is not applicable here, because the Everett Farm plat pre-dates the Public Law that established the statutory dedication mechanisms.

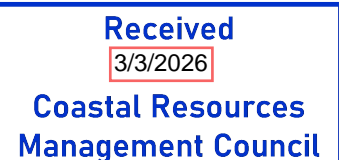
on the wharves, claiming that they were private rights of way. *Id.* In 1912, a plat plan and deed were filed in Land Evidence that “depicts unobstructed, open roadways running westward from Thames Street to North Commercial Wharf and Scott’s Wharf.” *Id.* at 1026. The Supreme Court held that there was an incipient dedication, because “[a]fter careful examination of the First Ebbs Plat, we glean no indication that the trustees intended the roads to be private rights of way. There are no lines, markings, or writings on the plat or any language in the deeds that suggest anything other than an incipient dedication [...].” *Id.* at 1041. Furthermore, the court held that an examination into intent should only be done if the plat is unclear:

Only after a finding that the lines and figures drawn on the development plan “may be unclear as to their intended purpose,” or capable of more than one meaning, should a fact-finder undertake the analysis set forth in *Robidoux* and *Volpe* and “interpret the meaning of the disputed item by careful scrutiny of *all lines, figures, and letters that appear on the map* as well as whatever pertinent evidence may be adduced by the litigants.”

Id. at 1042 (citing *Robidoux v Pelletier*, 120 R.I. 425 at 434, 391 A.2d 1150 at 1155, and *Volpe v. Marina Parks, Inc.*, 101 R.I. 80, 86 (1966)) (internal citations removed) (emphasis in original).

Inconsistencies in plats can raise questions as to the intent of the drafters. In *Drescher v Johannessen*, a 1986 plat showed an area labeled as a “proposed road” which was drawn using both solid and dashed lines. 45 A.3d 1218, 1231 (R.I. 2012). The trial justice determined that the intent to dedicate the roadway was unclear, because of inconsistencies in the lines depicted on the plat. *Id.* The Supreme Court affirmed, holding that there was no clear intent to dedicate the road to the public. *Id.*

In another examination of inconsistencies, the Rhode Island Supreme Court in *Kilmarten v. Barbuto* held that an area of beach was not dedicated to the public due to “vast differences between ... boundary lines”. 158 A.3d 735, 747-48 (R.I. 2017). One boundary line was ““thick, straight, uninterrupted”” while another area had ““a series of very narrow undulating lines.”” *Id.* at 748. Furthermore, in *Robidoux v Pelletier*, a road was drawn with broken lines, while others were drawn with solid lines. 120 R.I. 425, 435 (1978). The court held, “while several inferences

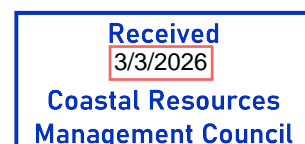


may be drawn about the different manner of representing Hey Road from other roadways and public areas, the trial justice concluded that the drafters' choice to use broken lines indicated that Hey Road, unlike the other thoroughfares, was not meant to serve the general public." *Id.* The Supreme Court affirmed the decision. *Id.* at 439.

Unlike in *Drescher*, *Kilmarten*, and *Robidoux*, the Everett Farm Plat contains no inconsistencies with how the roads are depicted. Niantic Avenue, including the area where the pathway is located, is delineated with solid lines and labeled clearly as "Niantic Avenue" with no language which reflects on intention to keep the pathway private or reserved. **Like *Newport Realty*, Niantic Avenue, including the location of the pathway, is also drawn consistently with other streets on the plat. This is enough to show that there was an incipient dedication as a matter of law. On the face of the document, it is the opinion of the Solicitor's Office that the Everett Farm Plat appears to fulfill the requirements of a dedication.** It is possible that additional documents not reviewed by the Solicitor's Office may show a contrary intent. It is possible that something in the titles may reveal an intent for the pathway to be private. However, a review of other documents, such as deeds and other instruments, should only be done by the factfinder if the plat itself is determined to be ambiguous.

After a road is dedicated, it must be accepted by public use or official action. *Drescher v Johannessen*, 45 A.3d at 1230-31 (R.I. 2012), see also *Gammons v. Caswell*, 447 A.2d 361, 366 (R.I. 1982) (citing *Parrillo v. Riccitelli*, 84 R.I. 276, 123 A.2d 248 (R.I. 1956); *Marwell Construction Co. v. Mayor and Board of Aldermen of Providence*, 61 R.I. 314, 200 A. 976 (R.I. 1938)). There is little Rhode Island case law that delves into what constitutes "official action", though it is an official, affirmative act, taken on behalf of the Town, such as a vote of the Town Council. *Davis v. Town of Exeter*, 285 A.3d 15, 18 (R.I. 2022) ("Estate Drive was officially accepted as a public road by the town council".) Most of the case law lies in analysis of public use.

The Rhode Island Supreme Court has discussed the process of public use to accept a dedication: "To complete such a dedication and establish as public highways the streets that appear on the recorded plat, there must be an acceptance on the part of the public. Such an acceptance may



be accomplished by public user or by appropriate action on the part of public authorities.” *Newport Realty*, supra at 1034 (internal citations omitted). Furthermore, “the acceptance of such dedication, *by using it*, on the part of the public, must also appear. Where these two facts concur, the dedication is complete.” *Union Co. v. Peckham*, 16 R.I. 64, 12 A. 130, 130 (1888) (citing *Fairfield v. Morey*, 44 Vt. 239,243 (1872)) (emphasis added).

In *Sartor v. Coastal Res. Mgmt. Council*, 542 A.2d 1077, 1078 (R.I. 1988), the court heard a dispute on whether petitioner’s predecessor in interest dedicated a portion of a parcel now held by petitioner as a public right-of-way. The right-of-way was found on maps as early as 1931, was included on tax assessor’s plats as a right-of-way, and “[t]estimony [...] asserted [the] public right-of-way was used as such for fishing up until the time that petitioner’s immediate predecessor acquired the parcel, at which point the right-of-way was blocked off.” *Id.* at 1079. The Rhode Island Supreme Court held “that the evidence submitted establishes that the passageway in question is a public right-of-way by dedication and usage.” *Id.* at 1084. In our case, it is clear Birch Drive has been used by the public, it has shown on tax assessor’s plats since at least the 1970s, and the town has maintained the road for the benefit of the public.

In *Newport Realty*, the Supreme Court held that the trial justice was in error for overlooking the uncontested fact that the public had used the streets and ways on the wharf, “accordingly, the second prong [public use] of the analysis has been conclusively established.” *Id.* at 1035.

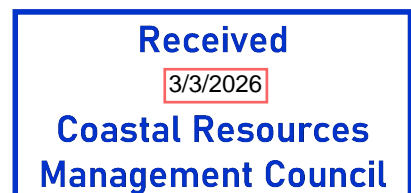
Here, the Solicitor’s Office has some documents that could indicate official acts taken by the Town to accept the dedication, but the records are incomplete, such as the 1940 ROW Committee reports. Without an extensive precedent on examining “official action” in Rhode Island, it is impossible to determine if a Court would find that the Ordinances that merely reference a ROW is an “official action”.

The Solicitor’s Office also does not have any documents on the extent of public use of Niantic Avenue. It is possible that the CRMC files that the Solicitor’s Office has requested have transcripts of the 1978 hearings that include public testimony. The Solicitor’s Office has reviewed aerial photographs included in the files submitted, as well as independently reviewed aerial

photographs on the State archives. The aerial photographs clearly show a worn footpath in the location of Niantic Avenue. However, it is impossible to determine *who* used the footpath based on the aerial photographs alone. Individuals who own property on a plat are not considered members of the public, so their use alone cannot establish public acceptance. The Solicitor's Office suggests that individuals with knowledge of public use to please provide such information to the Town, such as the names and contact information of individuals who use the pathway.

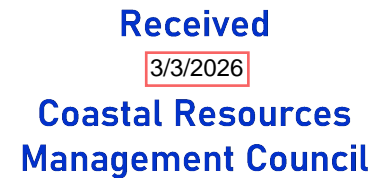
RECOMMENDATION

The Solicitor's Office finds, based on the Everett Farm Plat, that it is persuasive that a dedication was offered. Furthermore, since the CRMC reviewed the matter in 1978 and made an initial determination that Niantic Avenue was a public right-of-way, yet never made its final decision, the Solicitor recommends that a request be made to CRMC to re-open the file and make a final decision on the status of the Niantic Avenue pathway.



621 A.2d 697 (1993)

Dennis F. O'REILLY et al.
v.
TOWN OF GLOCESTER.



No. 91-238-Appeal.

Supreme Court of Rhode Island.

March 2, 1993.

698 *698 Bradford Gorham, Gorham & Gorham, Providence, John F. McDonough, North Providence, for plaintiffs.

Mildred Doar, pro se.

Salvatore Scialo, pro se.

Matthew Callaghan, Jr., North Kingston, Robert Karmen, Flanders & Medeiros, Providence, for defendant.

OPINION

MURRAY, Justice.

The plaintiffs in this case are several landowners in the town of Gloucester whose properties abut a right-of-way. The plaintiffs brought suit in Superior Court, seeking to have the court order the defendant, town of Gloucester (Gloucester), to locate, mark, and repair this right-of-way so that it would be safe for travel. The trial justice denied the plaintiffs' complaint, and the plaintiffs' appealed to this court.

We begin with a review of the background and history of this case. The right-of-way that is the subject of plaintiffs' lawsuit is a trail or path known as a driftway. Driftways were common forms of rights-of-way created by Rhode Island towns in the early part of this state's history and established in areas where the placement of roads would be expensive for the town and inconvenient for the abutting landowners. A 1772 enactment of the colonial General Assembly empowered towns to create driftways. It states:

"AN ACT empowering the several Town-Councils, in this Colony, to lay out Drift-Ways in their respective Towns.

699 *699 "*WHEREAS it frequently happens that Ways for the passing of People and Carriages are necessary to be made through Places where the laying out Highways will be very inconvenient, and burthensome to the Proprietors of the Land, and expensive to the Towns; and the laying out Drift-Ways will answer the End:*

"*BE it therefore Enacted by this General Assembly, and, by the Authority thereof, It is Enacted, That the several Town-Councils in this Colony be, and they are hereby, empowered to lay out Drift-Ways in their respective Towns, in such Places, and of such*

Width, as they shall think necessary, as fully as by Law they are empowered to lay out Highways: That such Drift-Ways be laid out in the same Manner, and be under the same Regulations, in every Respect, as Highways are: That the Damages shall be ascertained by the Town-Council, in the same Manner as in laying out Highways: That it shall be in the Power of the Town-Council to order and direct who shall be at the Charge of maintaining Gates and Bars, where any such Drift-Way or Drift-Ways shall be laid out: And that, for the future, when a Committee shall be appointed to lay out any Highway or Drift-Way, such Committee may be sworn by the Town-Council, or the Justice of the Peace appointed to attend upon them." 1772 R.I. Acts & Resolves 47-48.

This statutory provision also appears in the Public Laws of 1822 entitled "An act for laying out Highways." This 1822 enactment substituted for the words "in this Colony" the words "in this State" and thereby empowered town councils to create driftways in the newly formed State of Rhode Island. P.L. 1822, § 3 at 287.

In 1829 the Gloucester Town Council created the driftway at issue in this case. The trial justice found as follows:

"On April 11, 1829 the Town Council of Gloucester appointed a committee `to lay out a drift or bridleway from the Turnpike road, west of Benjamin Dexter's by Oliver Cornwell's and William Cook[e]'s to the road that leads from the Foster line to Cyprus Burlingame's in the best place, and where it will due [sic] the least damage, they keeping up good gates and bars.' The committee thereupon, according to their report, `proceeded to the southwesterly part of said Town of Gloucester and therein surveyed[,] bounded[,] and marked out a drift or bridle way.' On May 8, 1829, the committee submitted its report to the council, including a description of the course of the way it marked out, and annexing an `exact draft or plan of said driftway.' The return of their report was accepted, approved and ordered to be recorded at a council meeting on May 9, 1829."

The trial justice also found that there was a right-of-way located in the approximate location set out in this 1829 report to the town council. The course of this driftway appears in both a tax assessor's map of this area (see Appendix) as well as in the committee report published in the Gloucester town records. There was also testimony before the trial justice concerning actual use of the driftway in the early part of this century. Mildred Lucy Doar, a plaintiff in this case, stated that she drove over the driftway in a 1936 Chevrolet automobile.

The evidence demonstrated that by 1965 the driftway had fallen into disrepair, having become overgrown by trees and brush. The bridges and culverts along the driftway are and were partially broken. The trial justice noted that many decades have passed since any automobile drove over the right-of-way. Moreover the general public had ceased to use the right-of-way. The only users of the driftway were the abutting landowners who walked and occasionally searched for blueberries along its path.

Notwithstanding this prolonged period of nonuse and government failure to maintain, this driftway is ascertainable. The trial justice wrote, "[A] modern surveyor should have no great difficulty in reconstructing the location of the original driftway. * * * The Court finds as a fact that there is a public driftway presently in existence *700 in the Town of Gloucester as laid out and surveyed in the Committee

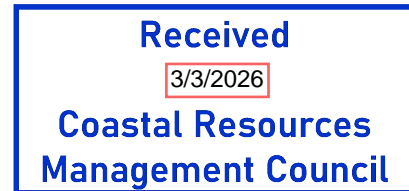
700

report of May 8, 1829."

Glocester does not contest the trial justice's finding that the town legally created this driftway in 1829. Glocester nevertheless refused plaintiffs' request to locate, mark, and repair the driftway. Glocester argues (1) that the town council successfully "abandoned" the driftway in 1968, (2) that even if the town council never abandoned the driftway, under current law the town has no obligation to repair the driftway, (3) that the doctrine of laches precludes plaintiffs from suing the town, and (4) that the General Assembly's enactment of G.L. 1956 (1989 Reenactment) § 24-6-5, as enacted by P.L. 1990, ch. 511, § 1, eliminates any remedy otherwise available to plaintiffs. We address each of these issues on this appeal.

I

THE ABANDONMENT PROCEDURES



The first issue we address is whether Glocester ever officially abandoned the driftway at issue in this case. The law is clear in Rhode Island that a town cannot abandon its obligation to maintain a right-of-way by simply failing to fulfill its maintenance obligations. Wall v. Eisenstadt, 51 R.I. 339, 345, 154 A. 651, 653 (1931); Knowles v. Knowles, 25 R.I. 325, 330-31, 55 A. 755, 757 (1903). General Laws 1956 (1989 Reenactment) chapter 6 of title 24 contains a number of requirements that a town must fulfill before successfully abandoning a right-of-way.

We start with § 24-6-2, which requires any town attempting to abandon a right-of-way to provide notice to landowners whose land abuts the right-of-way of the pendency of the abandonment proceedings. Pursuant to § 24-6-2 a town must hold a hearing so that these landowners may argue against the abandonment and present evidence concerning the damage the landowners will incur if the abandonment proceedings go forward.

In addition to preabandonment notice, § 24-6-1, as amended by P.L. 1992, ch. 55, § 1, and P.L. 1992, ch. 298, § 1, requires a town to provide the public with postabandonment notice. This notice must come in two forms. First, the town must post a sign stating, "Not a public highway," on the right-of-way in question. Second, the town must publish notice of the abandonment for three successive weeks in a newspaper circulated in the city or town. These notice provisions help ensure that the general public will be aware that the town has terminated its obligation to maintain the right-of-way. Section 24-6-1 also provides that successful abandonment of a right-of-way causes title to the land on which the right-of-way sits to revert to the owners of the property adjacent to the right-of-way.

Finally, §§ 24-6-3 and 24-6-4 are damage provisions that entitle an abutting property owner to an assessment of damages once a town officially abandons its obligation to maintain a right-of-way.

On March 14, 1968, Samuel Cate, a plaintiff, and Hazel Aubin, a predecessor in title to some of the abutting landowners, petitioned Glocester to abandon the driftway officially pursuant to these statutory provisions. A hearing was held and the town council took the position that it would not abandon the driftway unless Samuel Cate, one of the petitioners, granted Glocester an easement to use the driftway. The minutes to a town council meeting held on July 12, 1968, state:

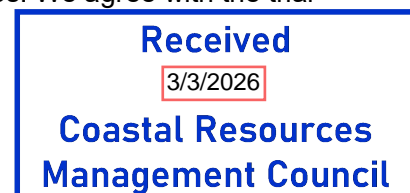
"It was VOTED that the petition to abandon the driftway running through the Amos W. Cooke farm and the Hazel Aubin Property be granted on the condition that Samuel Cate grant to the Town of Gloucester an easement to the said Dexter Farm from Mt. Hygeia Road satisfactory to the Town Council."

701 The trial justice noted in his decision that there were two possible reasons why Gloucester chose to attach this condition to the abandonment of the driftway. First, Gloucester may have been attempting to preserve the rights of the general public to use the driftway. Second, Gloucester held tax title to one of the properties that abuts *701 the driftway. Gloucester may have been attempting to maintain the value of this property by ensuring that some right-of-way would exist so that future owners of the land would have access to the property.

Regardless of Gloucester's motivations, Samuel Cate never granted Gloucester an easement to use the driftway. The abandonment proceeding did not go forward. Gloucester never posted notice on the driftway concerning its abandonment, nor did Gloucester publish notice in a newspaper. The petitioners never collected damages as a result of this conditional abandonment.

In the lower court proceeding, Gloucester argued that somehow the town could waive the condition of the easement and thereby substantially comply with the abandonment statutes. We agree with the trial justice that Gloucester never abandoned the driftway.

II



GLOCESTER'S DUTY TO MAINTAIN THE DRIFTWAY

In addressing the second legal issue, whether Gloucester has a legal duty to locate, mark, and repair this right-of-way, we once again return to the 1829 town council records concerning the driftway. The records indicate that the town council, by vote on June 6, 1829, imposed the duty to repair this driftway upon highway district No. 48. At the time, Gloucester divided the town into over forty highway districts with each district repairing and maintaining its own rights-of-way.

Starting in 1896, Gloucester began reducing the number of highway districts, and the town provided for the maintenance of rights-of-way on a townwide basis. In 1896 Gloucester reduced the number of highway districts to four. Finally in 1900 Gloucester consolidated the remaining highway districts into one district, with the town assuming the duty to maintain all rights-of-way within its borders.

The General Assembly imposed the duty to maintain rights-of-way upon towns by a statute found in the Public Laws of 1822. It is difficult to cite to the Public Laws of 1822 because the compilation is not organized by title or chapter. One will find, however, on page 286 of this compilation a section entitled "Highways." On page 290, one will find "An act for the Mending of Highways and Bridges." It states:

"That all highways, townways, causeways and bridges lying and being within the bounds of any town, shall be kept in repair and amended from time to time, so that the same may be safe and convenient for travelers with their horses, teams, carts and carriages, at all seasons of the year, at the proper charge and expence of such town, under the care and direction of the surveyor and surveyors of the highways." P.L. 1822 at 290.

This statutory provision has been controlling law in Rhode Island throughout the state's history and, with few changes, is codified today at G.L. 1956 (1989 Reenactment) § 24-5-1.

Glocester focuses on the precise language found in the modern version of this 1822 "act for the Mending of Highways and Bridges" in arguing that the town has no duty to maintain the driftway. Glocester asserts that because § 24-5-1 expressly mentions "causeways, highways, and bridges" as falling within a town's maintenance obligations, the omission of the word "driftway" eliminates all maintenance obligations of the town with regard to this type of right-of-way.

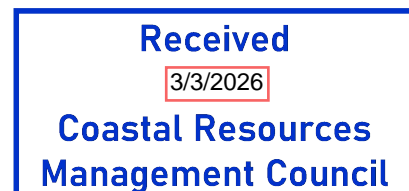
Glocester's interpretation of "An act for the Mending of Highways and Bridges" and § 24-5-1 is without merit. In the Public Laws of 1822, three pages before "An act for the Mending of Highways and Bridges," one will find "An act for laying out Highways." P.L. 1822 at 286. As noted earlier in this opinion, this enactment empowers towns to create driftways and equates driftways with highways. It states that "such driftways, be laid out in the same manner, and be under the same regulations in every respect, as highways are." P.L. 1822, § 3 at 287. The General Assembly has never repealed this statute, and its meaning controls. Since the town has an express duty to maintain highways, and since towns are to treat driftways in *702 the same manner as highways, it follows that the town's maintenance duties also extend to driftways.

The practice of the town of Glocester in regard to this driftway confirms this interpretation of the statute. Glocester kept records of the town's maintenance of this driftway in 1829. These records indicate that Glocester interpreted the Public Laws of 1822 as imposing upon the town a duty to maintain the driftway.

We believe that the language found in the enactment creating driftways that equates driftways with highways and Glocester's behavior in response to this enactment indicate that Glocester has and has always had a duty to maintain this driftway.

III

LACHES



Thus far our opinion has been in complete accord with the decision of the trial justice. Glocester legally established a driftway in 1829, Glocester has never abandoned this driftway, and Glocester continues to have a duty to maintain and repair this driftway. We must now turn to the crux of plaintiffs' lawsuit — whether these plaintiffs have a right to compel the town to open and repair this right-of-way.

In addressing this issue, the trial justice cited our decision in Wolfe v. City of Providence, 77 R.I. 192, 200, 74 A.2d 843, 848 (1950), wherein we held that landowners whose property abuts a right-of-way own the fee of a public highway adjacent to their property to the middle of the way. This court went on to hold in *Wolfe* that abutting property owners have a right to sue towns to remove obstructions in a public right-of-way. *Id.* at 203, 74 A.2d at 849. Thus the trial justice recognized that precedent exists for affording plaintiffs relief. Notwithstanding this precedent, the trial justice denied plaintiffs' claim to have Glocester reopen the driftway on the ground of laches.

Laches is an equitable defense that precludes a lawsuit by a plaintiff who has negligently sat on his or

her rights to the detriment of a defendant. Fitzgerald v. O'Connell, 120 R.I. 240, 245, 386 A.2d 1384, 1387 (1978). A court applying the defense of laches must use a two-part test. First, there must be negligence on the part of the plaintiff that leads to a delay in the prosecution of the case. *Id.* Second, this delay must prejudice the defendant. *Id.* In Chase v. Chase, 20 R.I. 202, 203-04, 37 A. 804, 805 (1897), this court stated:

"Laches, in legal significance, is not mere delay, but delay that works a disadvantage to another. So long as parties are in the same condition, it matters little whether one presses a right promptly or slowly, within limits allowed by law; but when, knowing his rights, he takes no steps to enforce them until the condition of the other party has, in good faith, become so changed that he cannot be restored to his former state, if the right be then enforced, delay becomes inequitable and operates as an estoppel against the assertion of the right. The disadvantage may come from loss of evidence, change of title, intervention of equities and other causes; but when a court sees negligence on one side and injury therefrom on the other, it is a ground for denial of relief."

Applying this test to the facts of this case, the trial justice concluded that laches barred plaintiffs' lawsuit. The trial justice wrote:

"This marked inertia by abutting landowners for at least a quarter century, and probably longer, plainly lulled the town government into ignoring this way entirely. Obviously, if there had been some move to open this way back in the 1940's or 1950's, when it just began to develop its impassability, the town could economically have followed the statutory route for abandonment. The compensation to the abutters might well have been significantly less than they are today or would have been, even in 1974 or 1975, when the plaintiffs first petitioned for the opening of the way. The negligence of the plaintiffs, and their predecessors in title, in failing to assert their rights is plain for this Court to see. The injury to *703 the Town is likewise apparent. The cause of that injury is the long-standing inaction of the abutters in asserting their rights. The application of the doctrine of estoppel by laches is inescapable."

703

We recognize that the application of the defense of laches is generally committed to the discretion of the trial justice. Nickerson v. Cass, 93 R.I. 495, 498, 177 A.2d 384, 385-86 (1962). We believe, however, that the trial justice incorrectly concluded that laches barred plaintiffs' lawsuit.

Many courts faced with the application of laches have disfavored this equitable defense in situations wherein the plaintiff's lawsuit seeks to vindicate rights of the general public. See United States v. California, 332 U.S. 19, 39-40, 67 S.Ct. 1658, 1668-69, 91 L.Ed. 1889, 1899 (1947); United States v. Summerlin, 310 U.S. 414, 416, 60 S.Ct. 1019, 1020, 84 L.Ed. 1283, 1285 (1940). These Courts have found that laches does not operate as a defense in cases of public interest for two basic reasons: (1) the importance of rights at stake when the interests of the public are asserted and (2) the determination that those rights cannot be compromised or forfeited by the negligent or illegal acts of public officials who fail to carry out their government obligations. Student Public Interest Research Group of New Jersey v. P.D. Oil & Chemical Storage, Inc., 627 F. Supp. 1074, 1085 (D.N.J. 1986).

This reluctance of courts to apply laches in cases of public interest arises in two contexts. First, the doctrine of laches generally does not apply when the government sues a private party to assert a public

right. The Federal District Court in Rhode Island addressed such a case in *Violet v. Picillo*, 648 F. Supp. 1283, 1295 n. 10 (D.R.I. 1986). In *Violet* the Attorney General of Rhode Island sued a generator of hazardous waste under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. §§ 9601(32), 9607. *Violet*, 648 F. Supp. at 1285. The court held that the defendant could not assert the defense of laches against the government when the government seeks to protect to public interest. *Id.* at 1295 n. 10.

A second context wherein this concern for the public interest arises is where a private individual, as opposed to the government, asserts rights of public importance. See *Lake Michigan Federation v. United States Army Corps of Engineers*, 742 F. Supp. 441, 446-47 (N.D. Ill. 1990) (holding that laches does not bar a suit by a private plaintiff seeking to ensure that the government acts in accordance with the public interest); *Connecticut Fund For the Environment, Inc. v. Upjohn Co.*, 660 F. Supp. 1397, 1413-14 (D.Conn. 1987). In both these contexts, courts have taken the position that when public rights are at stake, courts should disfavor the defense of laches.

Although this court has not addressed the importance of public rights in the context of laches, this court has employed analogous reasoning in the context of adverse possession. In a number of cases we held that the public cannot lose its right to use public land on the basis of an adverse-possession claim by a private party. *Wall*, 51 R.I. at 345, 154 A. at 653; *Knowles*, 25 R.I. at 330-31, 55 A. at 757. See also *Hall v. Nascimento*, 594 A.2d 874, 877 (R.I. 1991) (holding that all state-owned land is held in "trust" by the government for the benefit of the public and cannot be extinguished by a private right of action based on adverse possession). As in the context of laches, these precedents rest on the belief that the public right to use government property cannot be forfeited by the nonuse on the part of the public or the failure of the government to maintain the property.

This reasoning applies with equal force to the facts of this case. Chapter 6 of title 24 of the General Laws establishes the procedures a town must follow when seeking to remove rights-of-way from the public domain. These procedures are exclusive. The public could not lose the right to use this driftway on the basis of an adverse-possession claim by the abutting landowners. *Wall*, 51 R.I. at 345, 154 A. at 653. *704 Moreover, the public cannot forfeit its right to use the right-of-way on the basis of the equitable defense of laches. The public interest in this case precludes the use of this defense.

In concluding that equity required the barring of plaintiffs' claims, the trial justice found that the application of laches was especially apt because the public interest in having the town open the driftway was minimal. The trial justice stated that there is "no evidence of any deprivation of any *public* right to travel" since an alternative route runs parallel to the driftway along Mt. Hygeia Road.

We disagree that there has been no injury to the public. The evidence clearly established that the driftway was in a complete state of disrepair. How is the public expected to use a right-of-way that is not fit for travel? Indeed, it is likely that any lack of public interest in this right-of-way is a direct consequence of Gloucester's failure to maintain it. Moreover, if the town were to conclude that there is little public interest in the use of this driftway, the appropriate method for removing this right-of-way from the public domain is to follow the statutory abandonment procedures. Gloucester cannot extinguish its obligation to maintain this driftway, or in the alternative, to provide abutting landowners with damages, by failing to fulfill its maintenance obligations for a prolonged period of time.

We also do not believe that a straightforward application of the laches defense, ignoring the public

interest in this case, leads to a different result. In order for laches to apply, plaintiffs must have failed to do something that equity would require them to do. See, e.g., United States v. Olin Corp., 606 F. Supp. 1301, 1309 (N.D.Ala. 1985). The obligation of towns to maintain rights-of-way, however, does not derive from a requirement that citizens complain when the government fails to fulfill its maintenance obligations. The obligation to maintain rights-of-way is a legal obligation imposed upon towns by the General Assembly. See § 24-5-1 and its legislative history. Although plaintiffs may have been negligent in failing to assert their rights sooner, Gloucester was equally negligent in failing to fulfill its statutory obligation to maintain the right-of-way. Any prejudice Gloucester will suffer by repairing this driftway is prejudice occasioned by its own failure to act. Accordingly we conclude that laches does not operate as a defense to plaintiffs' lawsuit.

IV

THE CONSTITUTIONALITY OF § 24-6-5



Our resolution of the laches issue does not end our review of this case. On July 13, 1990, less than two months after the trial justice issued his decision and less than one month after plaintiffs filed a notice of appeal to this court, the General Assembly enacted § 24-6-5. It states:

"SECTION 1. CHAPTER 24-6 OF THE GENERAL LAWS ENTITLED 'ABANDONMENT BY TOWNS' IS HEREBY AMENDED BY ADDING THERETO THE FOLLOWING SECTION:

"24-6-5. *Abandonment by nonuse.* — Notwithstanding the foregoing provisions of this chapter, when a public way of any kind in the town of Gloucester has ceased to be used by the public and maintained by the town of Gloucester for a period of twenty (20) years or more it shall be deemed abandoned and the abutting landowners shall not be entitled to recover damages against the city or town. Upon such abandonment the abutting landowners shall have a private right of access to their land along the abandoned way.

"SECTION 2. This act shall take effect upon passage and shall apply retroactively to July 1, 1970." P.L. 1990, ch. 511, §§ 1, 2.

This statute is controlling law in this case even though the statute was not in effect at the time of trial and the trial justice never addressed it in his decision. Under Rhode Island law if the General Assembly changes the law while a case is pending appeal, the law in effect at the *705 time of the appeal controls the case. See Rekowski v. Cucca, 542 A.2d 664, 666 (R.I.1988).

The more difficult question is whether we can constitutionally apply the retroactivity provision found in § 24-6-5. At the outset, we comment on two remarkable characteristics of this legislation. First, § 24-6-5 affords to Gloucester residents fewer rights than those held by property owners in other towns in Rhode Island. The General Assembly has given the town councils in every other town two options with regard to the town's regulation of roads and other rights-of-way. A town can choose to repair and maintain the right-of-way pursuant to its statutory obligation. See § 24-5-1. In the alternative, if the town does not want to continue to maintain the right-of-way, and the public has ceased to use the right-of-way, the town can follow the abandonment procedures set forth in chapter 6 of title 24. Should the town choose to follow the abandonment procedures, however, the town must pay damages to abutting landowners as a

consequence of this removal of the right-of-way from the public domain. See §§ 24-6-3 and 24-6-4.

Gloucester, according to § 24-6-5, does not face this dilemma. Gloucester can choose not to maintain the right-of-way. In addition Gloucester can avoid the abandonment procedures, including its obligation to pay damages to the abutting property owners. According to § 24-6-5, after Gloucester has failed to maintain a right-of-way for twenty consecutive years, Gloucester owes no duty to compensate its residents following the abandonment of a public way.

The second remarkable characteristic of the legislation is its retroactivity provision. Section 2 of this act makes § 24-6-5 retroactive to July 1, 1970. To understand the effect of this retroactivity provision, it is helpful to contrast the prospective application of this legislation with its retroactive application. Prospectively, the twenty-year abandonment period provided by § 24-6-5 would begin to run on July 13, 1990, the date the statute became law. Abutting property owners in Gloucester would be on notice that after twenty years of nonuse by the public, the right-of-way adjacent to their land would no longer be maintained by the town and they would no longer be entitled to damages following its removal. Abutting landowners in Gloucester would then be aware of the impending devaluation of their property that would result from this removal of the road, turnpike, or driftway.

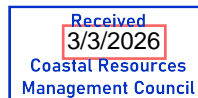
Retroactively, § 24-6-5 has a much more onerous effect. Section 24-6-5 became law on July 13, 1990. Yet the statute is retroactive to July 1, 1970, and hence the twenty-year abandonment period begins to run from that date. For these plaintiffs who for close to twenty-five years have asserted their right to live adjacent to a maintained right-of-way, § 24-6-5 extinguishes their right to maintenance and repair without any advance notice. Section 24-6-5 devalues these people's properties and never affords them an opportunity, in advance, to sell their property or make alternative arrangements for its use consistent with the town's removal of the right-of-way.

We agree with plaintiffs that this court cannot apply § 24-6-5 retroactively without violating the due process clause of the Fourteenth Amendment to the United States Constitution. This court, following United States Supreme Court precedents, has stated that retroactive legislation, like prospective legislation, must meet the test of due process. Brennan v. Kirby, 529 A.2d 633, 639 (R.I. 1987). See Usery v. Turner Elkhorn Mining Co., 428 U.S. 1, 16-17, 96 S.Ct. 2882, 2893, 49 L.Ed.2d 752, 767 (1976). In deciding whether due process has been met, this court must uphold the legislation if a rational legislative purpose justifies the retroactive application of the statute. Brennan, 529 A.2d at 640 (citing Pension Benefit Guaranty Corp. v. R.A. Gray & Co., 467 U.S. 717, 731, 104 S.Ct. 2709, 2719, 81 L.Ed.2d 601, 612 (1984)).

In the past, when examining the validity of retroactive legislation, we have applied a balancing test to determine whether the retroactive application of the statute is rationally based. In Lawrence v. Anheuser-Busch, Inc., 523 A.2d 864 (R.I. 1987), we quoted with approval the approach suggested by Professor Charles B. Hochman in *The Supreme Court and the Constitutionality of Retroactive Legislation*, 73 Harv. L.Rev. 692 (1960). Professor Hochman wrote,

"[F]rom an analysis of the cases it becomes apparent that it is impossible to reduce the potentially infinite variety of situations in which the problem of retroactivity can arise to a single common denominator. However, it is just as clear that the factor most often appearing in these cases is the extent to which the parties have laid reasonable reliance on the law existing at the time of the conduct whose legal consequences the retroactive

statute would alter. The importance of this element is apparent when one considers that in very general terms the two major factors to be weighed in determining the validity of a retroactive statute are the strength of the public interest it serves and the unfairness created by its retroactive operation, and the reliance of the parties on preexisting law is perhaps the most accurate gauge of the latter." Lawrence, 523 A.2d at 870.



Professor Hochman's test simply balances the public interest in the retroactive application of the statute with the reliance interest of the parties on the preexisting law.

The United States Supreme Court decision in Usery, 428 U.S. at 17, 96 S.Ct. at 2893, 49 L.Ed.2d at 767, also inquired into a party's reliance on preexisting law. In *Usery*, the Supreme Court examined the retroactive portions of the Federal Coal Mine Health and Safety Act, as amended by the Black Lung Benefits Act of 1972, which required coal mine operators to compensate workers suffering from pneumoconiosis, a lung disease, which inflicted the worker before the enactment of the statute. *Id.* at 16-17, 96 S.Ct. at 2892-93, 49 L.Ed.2d at 766-67. The Supreme Court wrote:

"the justification for the retrospective imposition of liability must take into account the possibilities that the Operators may not have known of the danger of their employees' contracting pneumoconiosis, and that even if they did know of the danger their conduct may have been taken in reliance upon the current state of the law, which imposed no liability on them for disabling pneumoconiosis." *Id.* at 17, 96 S.Ct. at 2893, 49 L.Ed.2d at 767.

A more recent United States Supreme Court case dealing with retroactive legislation, Pension Guaranty Benefit Corp., 467 U.S. at 730, 104 S.Ct. at 2718, 81 L.Ed.2d at 611, did not employ this balancing test, nor did the Court inquire into the reliance interests of the parties. The Supreme Court held that retroactive legislation meets the test for due process if it is supported by a rational legislative purpose. *Id.* In making this determination, a court may inquire into whether retroactive application of the statute leads to a "particularly harsh and oppressive result." *Id.* at 733, 104 S.Ct. at 2720, 81 L.Ed.2d at 613-14.

We believe that under either formulation of the test for retroactivity, the retroactive application of § 24-6-5 violates due process. The first step is to examine the public purpose justifying the retroactive application of the statute. Gloucester maintains that "[r]ural towns like Gloucester are replete with ancient roads and driftways that long ago have fallen into disuse." Gloucester asserts that if all the abutting landowners sued to have these roads opened, the result would be financial calamity for the state.

Even a cursory review of this legislation reveals that this statute is not rationally related to this stated public purpose. In the present case these plaintiffs will likely be the only plaintiffs burdened by the retroactive application of this statute. On its face this statute only applies to the small town of Gloucester, and within that small town, only to plaintiffs whose property abuts a right-of-way that the town has failed to maintain. Moreover, by making this legislation retroactive for twenty years, the statute cuts off the rights of these plaintiffs who have been trying to have the town open this driftway. We believe that the General Assembly enacted this legislation not with the intention of forwarding the broad public purpose of *707 shielding itself from damage claims on a statewide basis but for the singular purpose of eliminating the rights of these plaintiffs to live adjacent to a maintained right-of-way — or in the alternative, to an award of damages. We do not believe this is a rational legislative purpose.

Under the approach employed in *Pension Guaranty Benefit Corp.*, this conclusion is sufficient to find the

retroactivity provision of this statute unconstitutional. Yet our conclusion finds even more support from the fact that application of the retroactivity portion of this statute would lead to a "harsh and oppressive result." 467 U.S. at 733, 104 S.Ct. at 2720, 81 L.Ed.2d at 613-14. In 1968 Samuel Cate, a plaintiff in this case, and Hazel Aubin, a predecessor in title to many of the parties in this case, had an opportunity to take part in the official abandonment of this driftway and obtain damages. They chose not to agree to the abandonment because Gloucester wanted an easement to use the driftway, and instead plaintiffs sought to have Gloucester fulfill its statutory obligation to maintain the right-of-way.

Section 24-6-5 retroactively eliminates both these avenues for redress. In 1990, after close to twenty-five years of trying to have Gloucester open this driftway, plaintiffs learn not only that they are not entitled to have Gloucester maintain the right-of-way, but also that they are not entitled to damages. Clearly, Samuel Cate and Hazel Aubin would have accepted the offer to abandon the driftway in 1968 and obtained the damages available if they knew that their failure to accept Gloucester's offer would result in the General Assembly's extinguishing their rights to maintenance or damages with regard to the driftway. We believe that plaintiffs did rely on preexisting law and that the retroactivity portion of § 24-6-5 unfairly prejudices them in violation of due process.

V

VIOLATION OF FEDERALLY PROTECTED RIGHTS

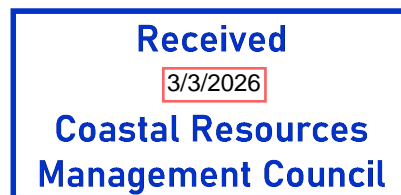
A vague allusion is made in plaintiffs' brief that the town's failure to repair the driftway may have deprived them of federally protected rights, including the right to due process. Rule 16(a) of the Supreme Court Rules of Appellate Procedure provides that issues that are not briefed or argued will be deemed to be waived. We are of the opinion that plaintiffs have not adequately briefed or argued the issue of federally protected rights in this case. Consequently this issue is deemed to have been waived, and we shall not address it.

VI

THE REMEDY

Having found that Gloucester owes plaintiffs a duty to maintain this driftway and that § 24-6-5 does not eliminate their right to relief, we now must address the appropriate remedy. As noted throughout this opinion, in many respects this driftway resembles a road or highway. The Gloucester Town Council established it in the same manner as a road or highway. In addition, the 1822 "act for laying out Highways" indicates that driftways are to be regulated in the same manner as roads.

This language does not mean, however, that driftways are roads in each and every respect. As the original 1772 enactment of the colonial General Assembly makes clear, towns established driftways in areas where roads would be expensive. This enactment states that "*[w]hereas it frequently happens that Ways for the passing of People and Carriages are necessary to be made through places where the laying out Highways will be very inconvenient * * * Drift-Ways will answer the End.*" 1772 R.I. Acts & Resolves 47.



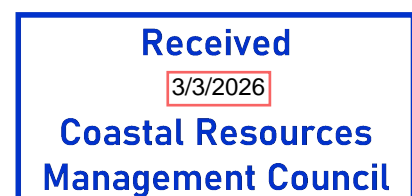
Pursuant to this language, the duty that Glocester owes toward driftways is different from the duty the town owes toward highways or turnpikes. David Dumas, a historian and title expert, testified at trial that the duty a town owed to a driftway was most likely the duty to keep it open. We agree, and accordingly we order the town of Glocester to locate, mark, and repair this driftway so that it is passable and
708 available for use by "People" and "Carriages."^[1] *708 We note that this order does not foreclose Glocester's ability to follow the abandonment procedures. In the event Glocester chooses to abandon the driftway, the town must provide the plaintiffs with damages.

For these reasons, the plaintiffs' appeal is sustained, and the judgment of the Superior Court is reversed. The papers in this case may be remanded to the Superior Court for entry of judgment in accordance with this opinion.

709 *709

[1] We exempt this order from the regulations of the Department of Environmental Management to avoid any conflict that this order may have with already existing agency rules and procedures.

Save trees - read court opinions online on Google Scholar.



1
2
3
4
5

Town of Westerly Harbor Management Plan 2016



6
7
8
9
10

As Adopted by the Westerly Town Council, October 22, 2018

Received
3/3/2026
Coastal Resources
Management Council

1 Site #5- Everett Avenue, Watch Hill- (Town-designated) Located just north of the Ocean
2 House, this ROW is a path 30 feet wide and 260 feet long. There are private homes on
3 both sides of the right-of-way. There is a sign posted at the right-of-way itself,
4 designating this as a beach entry point, but no sign at the entry to Everett Avenue. This
5 access-point is heavily used in the summer season and has been utilized as a vehicular
6 beach-entry point by fishermen during the off-season.

7
8 Site #6- Niantic Avenue, Watch Hill (one-way street/ town-designated)- This is a wide
9 path leading from this one-way street. The right-of-way covers 35, 520 square feet,
10 according to the town list, but there are no linear dimensions listed. This right-of-way is
11 posted with a town sign. It is heavily used in the summer season.

12
13 Site #7- Manatuck Avenue, Watch Hill—(*State-designated ROW—CRMC #A-3*). Located
14 at the beach-end of Manatuck Avenue, this is a wide sandy path leading to the
15 beachfront. It is posted with a RI CRMC right-of-way sign. It is heavily used during the
16 summer months as a beach-access and used as a vehicular entry-point during the off
17 season.

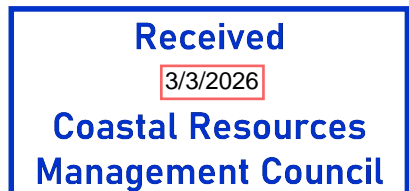
18
19 Site #8- Atlantic Avenue, Misquamicut- (Town-designated) This right-of-way is located
20 at the very end of Atlantic Avenue, going west. It is, technically, the hurricane-eroded
21 extension of Atlantic Avenue that once led to several summer cottages. There is a town
22 sign posted, and a chained-and-posted entry-point. It has been historically utilized as a
23 pedestrian and vehicular right-of-way, used heavily by the public both during the summer
24 and in the off-season.

25
26 Site #9- Atlantic Ave, Misquamicut- (*Town-designated*). Located on the western end of
27 Atlantic Avenue near pole #154, this is a ten-foot wide path to the shore, marked by a
28 town ROW sign. It is bordered by a wooden fence and a thick growth of beach roses.
29 There are private homes on both sides. This ROW is used moderately in the summer
30 months as a beach-entrance.

31
32 Site #10- Atlantic Avenue, Misquamicut—(*State-designated ROW, RI CRMC #A-13*)
33 Located near pole #91 near Atlantic Beach Park on the north side of the State Beach,
34 between two buildings (Windjammer Lounge and a 3-story residential condominium).
35 This right-of-way appears to coincide with a private parking-lot entrance. It is marked
36 with a state shoreline access sign and appears to be utilized at least moderately in the
37 summer season. It has also been used as a vehicular entry-point in the off-season.

38
39 Site #11 Atlantic Avenue, Misquamicut—(*State-designated ROW, RI CRMC #A-11*)
40 Located near pole #72 on the east end of Atlantic Avenue, this right-of-way is marked
41 and posted with a sign. It is well-marked and heavily-used in the summer season.

42
43 Site #12 Atlantic Avenue, Misquamicut—(*Town-designated, State-designated, RI CRMC*
44 *#A-6*)- Located on the east end of Atlantic Avenue near pole #54, this right-of-way is a
45 long sandy path to the beachfront. It is marked with a CRMC access sign and bordered



**Town of Westbury
Zoning Ordinance
2016 Revised 10/28/19**



As Adopted by the Westbury Town Council October 28, 2019

Received
3/3/2026
Coastal Resources
Management Council

access-point is heavily used in the summer season and has been utilized as a vehicular beach-entry point by fishermen during the off-season.

Site □6- Niantic Avenue, Watch Hill (Determined to be Private ROW)

This right-of-way was once posted with a Town sign, however a title search has revealed that the pathway is privately owned.

Site □7- Manatuck Avenue, Watch Hill—(*State-designated ROW—CRMC #A-3*). Located at the beach-end of Manatuck Avenue, this is a wide sandy path leading to the beachfront. It is posted with a RI CRMC right-of-way sign. It is heavily used during the summer months as a beach-access and used as a vehicular entry-point during the off season.

Site □8- Atlantic Avenue, Misquamicut- (*Town-designated*) This right-of-way is located at the very end of Atlantic Avenue, going west. It is, technically, the hurricane-eroded extension of Atlantic Avenue that once led to several summer cottages. There is a town sign posted, and a chained-and-posted entry-point. It has been historically utilized as a pedestrian and vehicular right-of-way, used heavily by the public both during the summer and in the off-season.

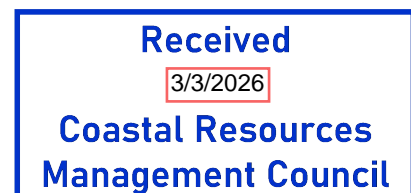
Site □9- Atlantic Ave, Misquamicut- (*Town-designated*). Located on the western end of Atlantic Avenue near pole □54, this is a ten-foot wide path to the shore, marked by a town ROW sign. It is bordered by a wooden fence and a thick growth of beach roses. There are private homes on both sides. This ROW is used moderately in the summer months as a beach-entrance.

Site □10- Atlantic Avenue, Misquamicut—(*State-designated ROW, RI CRMC #A-13*) Located near pole □91 near Atlantic Beach Park on the north side of the State Beach, between two buildings (Windjammer Lounge and a 3-story residential condominium). This right-of-way appears to coincide with a private parking-lot entrance. It is marked with a state shoreline access sign and appears to be utilized at least moderately in the summer season. It has also been used as a vehicular entry-point in the off-season.

Site □11 Atlantic Avenue, Misquamicut—(*State-designated ROW, RI CRMC #A-11*) Located near pole □72 on the east end of Atlantic Avenue, this right-of-way is marked and posted with a sign. It is well-marked and heavily-used in the summer season.

Site □12 Atlantic Avenue, Misquamicut—(*Town-designated, State-designated, RI CRMC □A-6*)- Located on the east end of Atlantic Avenue near pole □54, this right-of-way is a long sandy path to the beachfront. It is marked with a CRMC access sign and bordered with a snow-fence. This right-of-way has been used historically. It is used moderately in the summer season.

Site □13 Atlantic Avenue, Misquamicut—(*Town-designated, State-designated, RI CRMC □A-7*) Located on the east end of Atlantic Avenue (near pole □46), this right-of-way is





Conley, William J. <wconley@conleylawri.com>

Fwd: Spring Avenue right-of-way: cases not referenced in title opinion that is being relied on by the town

1 message

William J. Conley, Jr. <wconley@wjclaw.com>
To: Tom Liguori <tomliguori@cherenzia.com>

Wed, Jul 21, 2021 at 5:44 PM

fyi

Sincerely,

William J. Conley, Jr.

Law Office of William J. Conley, Jr.
123 Dyer Street, Unit 2B
Providence, RI 02903
(401) 415-9835
(401) 415-9834 facsimile
www.williamconleylaw.com



****CONFIDENTIALITY NOTICE: The information contained in this electronic message, as well as in any and all files attached hereto, is for the sole use of the individual(s) named above and may contain confidential and privileged information. Any unauthorized use, review, disclosure or dissemination of this communication or the information contained herein or attached hereto is strictly prohibited. If you are not the intended recipient of this electronic message, please contact the sender immediately and delete this message. Thank you.

----- Forwarded message -----

From: **Michael Rubin** <mike.rubin54@gmail.com>
Date: Wed, Jul 21, 2021 at 11:41 AM
Subject: Spring Avenue right-of-way: cases not referenced in title opinion that is being relied on by the town
To: William Conley <wconley@wjclaw.com>
Cc: <kpecchia@wjclaw.com>

MICHAEL RUBIN

Attorney

232 Raleigh Avenue, Pawtucket, Rhode Island 02860

(401) 439-0345 — mike.rubin54@gmail.com

Attorney Conley,

As a concerned citizen (who happens a lawyer), I commend to you these three cases, each of which states that a platter (or successor) cannot revoke an incipient dedication-by-plat except by one, and only one, means, — obtaining the agreement of all who purchase on that plat (or their successors). I believe the Town of Westerly has not been so advised.

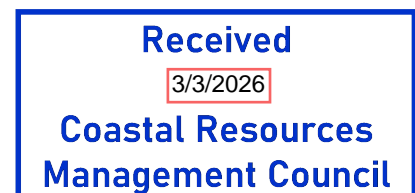
Mike Rubin

3 attachments

 **Marwell Const Co v Mayor and Board of Aldermen of City of Providence.pdf**
167K

 **Newport Realty Inc v Lynch.pdf**
576K

 **Samuel Nardone And Co v Bianchi.pdf**
163K



SOUTH COUNTY BUREAU

Westerly harbor commission members to resign in protest over unaddressed concerns with town solicitor



by Alex Nunes
September 12, 2023



Westerly Town Solicitor and former state senator William Conley at a Westerly Town Council meeting Monday night. Credit: Alex Nunes/The Public's Radio

Members of the Westerly Harbor Management Commission announced at a town council meeting Monday night they will resign from their positions at their next meeting on Thursday. The decision to step down in protest was prompted by the town solicitor's handling of a records request seeking to shed light on his



Town Solicitor William Conley, a former state senator from East Providence who served as chairman of the Senate Finance Committee, has faced sharp criticism from shoreline access advocates in South County because of what they say are questionable actions he's taken in recent years on beach access cases in Westerly's exclusive coastal communities.

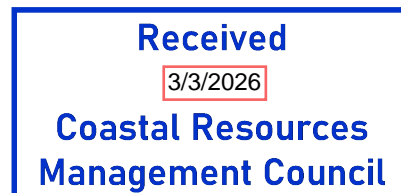
The issue came to a head after a court filing in August revealed some of Conley's email communications with an attorney for the Weekapaug Fire District about a path now being considered by the Rhode Island Coastal Resources Management Council for potential state designation as a public right-of-way to a barrier beach where access is currently restricted.

In the communications, Conley concurs with the opinion of the fire district legal counsel that the so-called Sand Trail was already a "completely resolved matter." A 1997 agreement between the district and town says the fire district owns the road, but the general public is allowed to walk on the road without leaving it to go on adjacent beachfront property.

"We are in full agreement that we have no confidence in the town solicitor's ability to effectively represent the town in right-of-way matters," commission member Jason Jarvis said to town councilors on Monday, with his four other committee members standing at his side. "All the members of the commission are planning on resigning on Thursday."

Town Councilor Joy Cordio had sought additional emails between Conley and Weekapaug Fire District attorney Thomas Liguori after their limited exchanges were made public when the Weekapaug Fire District filed a motion in Rhode Island Superior Court to hold Westerly in contempt of the legal agreement signed with the fire district in 1997 that governs the use of the Sand Trail path going down the center of the Quonochontaug Barrier Beach.

A judge later denied the district's motion.



Councilor Cordio initially made her request last month after Conley did not include a key exhibit showing the emails when he provided council members with paperwork related to the case ahead of a closed door briefing.

Cordio said she asked for all emails between Conley and Liguori since Conley began as town solicitor, and was told Conley would need to hire a technician to pull his correspondences and have a legal assistant review them, and that would come at a significant expense that would need to be approved by a vote of the town



At Monday night's meeting, Cordio said concerns raised about Conley by the Harbor Management Commission members point to a "very serious issue with serious implications."



"We need to look at it," Cordio said.

Shoreline access advocates have previously criticized Conley for what they say is his lax or weak approach to handling shoreline access cases. They point to another closely-watched case in Weekapaug in which Conley told members of a previous town council he did not see evidence that the blocked-off Spring Avenue was ever accepted by the town as a public right-of-way to the shore.

That path was eventually sent to CRMC to be investigated further, and Rhode Island Attorney General Peter Neronha has officially entered the case on behalf of the public, arguing "uncontradicted evidence" shows Spring Avenue is a public right-of-way to the Weekapaug shoreline. The CRMC review is still ongoing.

In raising their concerns about Conley, shoreline access advocates are also pointing to invoices filed by Weekapaug attorney Liguori to the fire district that show in 2021, when Liguori was working to prevent public access to the Quonochontaug Barrier Beach on behalf of his client, he was teleconferencing with Conley.

In one line item seeking payment for work done prior to submitting a legal memorandum to CRMC arguing Spring Avenue is private property owned by the fire district, Liguori writes "finish draft memo and email to Bill Conley."

Shoreline access advocates say that disclosure, which came as the result of a public records request, raises questions about whether Conley was assisting the fire district in its effort to kill off a potential public right-of-way to a coveted barrier beach and fishing area.

"That is something that somebody that is working with somebody would do," Ben Weber, an access advocate and member of the Westerly Harbor Management Commission, said at Monday's town council meeting.

More recently, shoreline access advocates argued town councilors should hire outside legal counsel to handle a lawsuit filed by the Watch Hill Fire District and Watch Hill Conservancy over access to the Napatree Point beach and conservation area, where Westerly designated a public right-of-way through a town council resolution in 2008.



experience with land use cases in the past, and his status as a Rhode Island Lawyers Weekly Hall of Fame honoree.

In recent weeks, shoreline access advocates have said they are disappointed the town council has not moved more forcefully to address concerns with Conley after the council was reorganized following the resignation of former Council President Edward Morrone.

Morrone was under criticism for his connection to the Watch Hill community and previous work for the Watch Hill Fire District as a consultant who was paid \$30,000.

At the town council meeting Monday night, Conley defended himself, saying, “half truths and selective narratives have led this council and perhaps even part of the public in the town of Westerly to have a very skewed and unfair vision of the work that I’ve done.”

“I have never done anything as an attorney for this council, or for this municipality, that I am not proud of,” Conley said. “It’s been a privilege for me to be able to be of service to this town.”

Alex Nunes can be reached at anunes@thepublicsradio.org

© 2026 The Public’s Radio | Rhode Island PBS Foundation/The Public’s Radio is a 501(c)(3) non-profit organization. Federal Tax ID: 22-2859005
Powered by Newspaper



LOCAL, SHORELINE ACCESS, SOUTH COUNTY BUREAU

Is Westerly's solicitor botching legal work on shoreline access? Town councilors want answers.

Requests to review Solicitor William Conley's handling of work related to the Watch Hill Lighthouse come amid mounting frustration over his law firm's failure to send legal research and analysis to the federal government prior to the transfer of the popular fishing spot to a private non-profit.



by Alex Nunes
September 13, 2024

Received
3/3/2026
Coastal Resources
Management Council





Westerly Town Solicitor William Conley. Credit: Alex Nunes/The Public's Radio

Some members of the Westerly Town Council are questioning whether the town misspent taxpayer money on legal research into a closely-watched public access matter involving the Watch Hill Lighthouse that wasn't submitted before a critical deadline and still hasn't been released to the public. The matter is expected to come up at a special town council meeting Sept. 16.

Recent calls for an explanation from the town solicitor's law firm relate back to a controversy that started more than a year ago when [the federal government announced it planned to transfer the Watch Hill Lighthouse to a private non-profit.](#)

That news sparked pushback from fishermen and shoreline access advocates who worried the ownership



At the time, the town council instructed [Town Solicitor William Conley](#) to research the status of the access road leading to the lighthouse land. Property owners in the area maintain Lighthouse Road is private, but access advocates argued the town hadn't adequately examined whether a public right-of-way exists there.

Conley made contact with the federal agency executing the deed, the deadline for transferring the property was delayed, and Conley's office promised the town council and U.S. government it would send a report and legal analysis to federal lawyers in charge of finalizing the transfer.

But while the town paid nearly \$50,000 for the legal work, documents newly released by the U.S. General Services Administration, or GSA, and Westerly show the research documents and written report were never actually submitted to the federal government. The failure has caused two councilors to question Conley's handling of several pricey shoreline access legal fights, and his arrangement as solicitor for the town.

"How do you trust anything else being done?" Westerly Town Council member Mary Scialabba said in an interview. "If this was deliberate, then you've got to question everything that he's working on. You just have to. If you don't, then you're the fool."

Blown deadlines and 'worthless' legal work



Town officials began asking questions about Conley's work on Lighthouse Road in March, when Westerly's Harbor Management Commission requested copies of all documents sent to the GSA and town council on the issue. The commission is responsible for advising the town council on coastal matters.

Conley responded that the information couldn't be shared with other town officials because it would waive the town council's attorney-client privilege and attorney work product protections.

When The Public's Radio sent a public records request to the town seeking communications between Conley's office and the GSA, Westerly also refused to release the information. But a parallel federal records request revealed Conley never provided the promised documents to the GSA.

Instead, communications between Conley's office and the federal government show growing frustration at the GSA over the solicitor's failure to produce the research that was promised.

"I was under the impression we would be getting information back from you regarding the status of



Chirico added, “To put a closing off 4+ months from the date we receive the recommendation from the Secretary of Interior is highly unusual, and we were hoping to have your research available prior to closing.”

Garcia replied, “Understood” and said he and his colleagues “hope to double back as soon as possible.”



The Watch Hill Lighthouse in Westerly. Credit: Alex Nunes/The Public's Radio

While the solicitor’s office failed to provide the documents to the GSA, the email communications indicate a last minute conference call was held between Conley’s office and federal officials a few days before the deed was signed over.

Conley then presented his written findings to the town council in a January executive session, just days after



“The research was done, but it was worthless because it never was submitted,” Westerly Town Council member Joy Cordio said. Cordio wouldn’t discuss the details of Conley’s findings because they are still confidential but said the report “could have made a difference” if it was sent to the federal government in time.



Conley did not respond to a request for comment for this story.

Billings from an outside law firm hired to conduct Lighthouse Road research show the town was charged \$28,000 for the firm’s work. Solicitor Conley doesn’t make the details of his invoices available for public inspection, but Cordio says her conservative estimate is Conley’s firm charged the town an additional \$20,000 for Lighthouse Road legal work.

“That’s taxpayer money,” Cordio said. “I do believe that this was a serious break in trust.”

Like Scialabba, Cordio raised the question of whether Conley deliberately failed to submit the material to the federal government, an outcome some shoreline access advocates thought was possible even before the property was transferred. Cordio said she is skeptical, in part, because of Westerly’s track record of bending under pressure from shoreline fire districts that control large swaths of beachfront property.

“There has been historically, factually, a lot of accommodations for the fire districts in Westerly: ordinance changes that benefit only them, loss of rights-of-ways [to the shore], privatization of rights-of-ways,” Cordio said. “Different things like that happened legally through an attorney being involved ... You just have to wonder: who’s in control here?”

Town’s handling of records request raises other questions

Cordio and Scialabba also said they are concerned about the town’s handling of the records request submitted by The Public’s Radio under the Rhode Island Access to Public Records Act, or APRA.

The town originally refused to release the documents on the grounds that they were shielded by the attorney-client privilege. After the federal government released the documents under the U.S. Freedom of Information Act, or FOIA, the town backed away from the privilege claim, said it would release “certain records,” but then raised new inapplicable grounds to say documents could still be withheld.



written report to the federal government. Denying the records request on inapplicable grounds was a mistake, Conley said.

John Marion, executive director of the good government group Common Cause Rhode Island, called the town's treatment of the records request "puzzling."

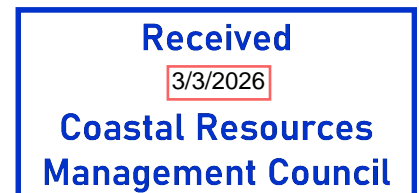
"It feels like the denial of the APRA request may have been an effort to hide the fact that the analysis was never done," Marion said.

Marion said Conley, a former state senator, longtime municipal solicitor and former legal counsel to the Rhode Island Ethics Commission, "advertises his expertise in things like compliance with the public records law."

"So it's hard to believe that it was a lack of familiarity with the law," Marion said. "It's hard to believe such an experienced attorney would make such simple mistakes."

The solicitor's response to the APRA request from The Public's Radio cost Westerly \$4,700, according to a source in town government.

The Attorney General's Open Government Unit has not yet said whether it will pursue fines against Westerly for improperly handling the records request.



Town councilors at odds over Conley's work

At a Sept. 9 town council meeting, Councilor Kevin Lowther requested that the Lighthouse Road matter be placed on a future agenda for council members to hear from Conley in executive session about the handling of the public records request and details about his office's communications with the federal government.

The matter has been placed on the agenda for a special meeting Monday night as a possible executive session discussion on the public records request. The meeting was called for the solicitor to give updates on a long list of legal cases involving the town, including shoreline access litigation with the Watch Hill and Weekapaug fire districts.



Councilor Robert Lombardo, who commonly sides with Watch Hill property owners and recently said shoreline access advocates “deserve to be belittled,” opposed holding the executive session, saying he didn’t want to “sit there for three hours listening to nothing.”

“I don’t believe that this town council should have a lot of oversight over what an attorney does for the town of Westerly on lawsuits,” Lombardo, a lawyer, said at the Sept. 9 meeting. “Because councilors have no basic understanding in the law, they’re gonna always be confused.”

Several councilors now say they’d like the town council to consider releasing the findings of the Lighthouse Road research. Councilor Phil Overton said he’s interested in sharing the information as a matter of transparency.

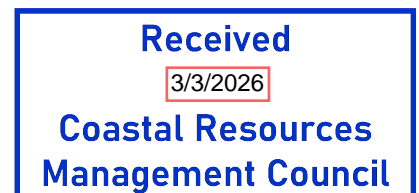
But Overton – who once said in a meeting “Attorney Conley, I think you’re awesome” – wants to speak with the solicitor first.

“We need to be conscious of potential litigation, so that’s why I always defer on these issues to the solicitor,” Overton said in an interview. “He’s an expert. I have great confidence in him to give the council good advice.”

Scialabba has a different take on Conley’s work. She said the solicitor’s failure to submit documents to the federal government has caused her to doubt the council’s decision earlier this year to renew Conley’s contract for another two years and with a 50% raise.

“It makes me question – did we do the right thing by rehiring him?” Scialabba said.

© 2026 The Public’s Radio | Rhode Island PBS Foundation/The Public’s Radio is a 501(c)(3) non-profit organization. Federal Tax ID: 22-2859005
Powered by Newspaper



LOCAL, SHORELINE ACCESS, SOUTH COUNTY BUREAU

Westerly Town Council holds 'infomercial' for embattled solicitor, prevents public comment at meeting

The Westerly Town Council departed from its advertised agenda Monday night to allow its solicitor to publicly defend his handling of a shoreline access matter that was the subject of a recent investigation by The Public's Radio.



by Alex Nunes
September 17, 2024

Received
3/3/2026
Coastal Resources
Management Council





Westerly Town Solicitor William Conley, center, presents to the Westerly Town Council on Sept. 16, 2024. Conley is joined by attorneys Sarah O'Toole, left, and Diony Garcia at right. Credit: Westerly town meetings portal

Westerly Town Solicitor William Conley Monday night defended himself against criticism from the public and some members of the Westerly Town Council over his office's failure to submit legal research and analysis to the federal government prior to [the transfer of the Watch Hill Lighthouse](#) to a private non-profit earlier this year.

Conley also denied accusations from one councilor that the town council was not adequately updated on the status of his research and communications with the GSA. He said he and the attorneys in his office did "what excellent lawyers do."

Conley's hour-long presentation and discussion with councilors came in response to an [article published Friday by The Public's Radio](#) reporting the failure publicly for the first time. The town council had



Monday night was the third time under the current town council Conley was given meeting time to respond to continued public criticism.

The Watch Hill Lighthouse controversy began more than a year ago when the federal government announced it intended to transfer the property to the Watch Hill Lighthouse Keepers Association. The news prompted pushback from fishermen and public access advocates who worried the change of ownership could jeopardize access to the property.

The town council instructed Conley's office to research the legal status of the access road leading to the property, Conley made contact with the agency transferring the deed, and his office vowed to share a report and legal analysis with the U.S. General Services Administration, or GSA.

Received
3/3/2026
Coastal Resources
Management Council

But documents released to The Public's Radio through federal and state public records requests show Conley's office never shared the documents, to the frustration of the GSA.

On Monday, Conley said he didn't provide his research findings and analysis to the GSA because he wouldn't share information with a third party before he gave it to his client first, and was mindful of other legal obligations to the town. Conley's written findings on Lighthouse Road were presented to the council in a January executive session, a few days after the property was officially transferred.

"We never represented, and could not and would not represent, that any of our legal analysis and findings would be provided to a third party before they would be provided to our client, this town council," Conley said, forcefully emphasizing his words.

"Why would any lawyer present its work product for its client, its legal analysis, to a third party before providing it to his own client?" Conley said. "It was clear to us that the GSA was ... working with the Lighthouse Keepers Association as well, and any research information that would be provided [to] them would be provided to that third party as well."

Conley's narrative of events skirted around clear commitments his office made in writing to the town council and the GSA before ownership of the property was transferred to the Lighthouse Keepers.

In one update letter sent to the town council months before the transfer was complete, Conley's associate Diony Garcia said Conley's office spoke with the GSA and "stated that within the next few weeks we would



transaction.”

In one email sent to a GSA attorney, Garcia said, “We are working on a preliminary report to provide you with some of our findings, and will share after it is completed ... Once we share it, and you have a chance to review it, then we would like to circle back and meet again to assess.”

That never happened. In explaining the challenges faced by his office in compiling and completing the report, Conley said attorneys were still examining all of the research relevant to the complex case as the GSA was nearing completion of the property transfer.

Conley, who said he was speaking about the issue in open session to give the public “the truth,” did not respond to a request to be interviewed for Friday’s story and has not contacted The Public’s Radio to say any information in the report should be corrected.

Conley did not respond to an interview request about Monday night’s meeting.



Conley told council members the town needed to be cautious about releasing information involving shoreline access matters because lawyers representing their opponents are “playing three dimensional chess.” He went so far as to say colleagues in his office joke that people pursuing the release of information “must be the secret agents of the other side.”

After his presentation, Conley and Councilor Joy Cordio engaged in a testy back and forth in which Conley accused Cordio of misrepresenting his statements.

“I am not having another telephone conversation or one-on-one conversation with you again,” Conley said sternly to Cordio. “I will have somebody present every time.”

Cordio called out Conley for dedicating most of his discussion to his handling of the Lighthouse Road legal research when the agenda item was for discussion of a public records complaint pending before the Attorney General, although related to Lighthouse Road communications.

“This whole thing is supposed to be about an APRA request and then appeal, and then an AG complaint, which the public knows nothing about,” Cordio said, referring to the state’s Access to Public Records Act.



Other members of the town council expressed support for Conley on Monday. Robert Lombardo, who regularly criticizes shoreline access advocates in public meetings, praised the work done by Conley’s law firm as “beyond reproach.”

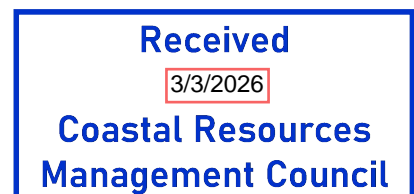
Because the special meeting was advertised as dedicated to possible executive session matters without any opportunity for public comment, members of the public expressed surprise and outrage about the last minute change and not having an opportunity to weigh in.

“This was basically an ‘infomercial’ for Solicitor Conley, not an ‘open meeting discussion’ for the benefit of the public,” Westerly resident and Harbor Management Commission member Ellen Kane posted on a coastal access Facebook page.

“Well, this is a surprise,” shoreline access advocate Dan Davidson wrote on the town of Westerly Facebook page. “I didn’t see anything on the agenda regarding the lighthouse road title search and the solicitors submission to the GSA, but here is the Westerly solicitor talking about this matter and it was not advertised.”

Steven Brown, executive director of the Rhode Island affiliate of the American Civil Liberties Union, said he found the town’s handling of the meeting “troubling.”

“If they regularly hold public comment periods during regular town council meetings and they used this as a ruse to prevent public comment, it’s very disturbing,” Brown said.



SOUTH COUNTY BUREAU

Watch Hill group says it 'cannot legally' guarantee public shoreline access under lighthouse property transfer



by Alex Nunes
August 23, 2023



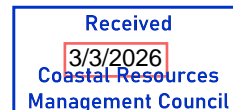
The Watch Hill Lighthouse property in Westerly, R.I. Credit: Alex Nunes/The Public's Radio

The Watch Hill Lighthouse Keepers Association says it would be unable to guarantee public access to an historic property and popular fishing area if the land were transferred from the federal government to the



The document was obtained by The Public's Radio through a Freedom of Information Act request earlier this month.

In July, Rhode Island U.S. Sen. Jack Reed announced the Lighthouse Keepers had been selected to become the new owners of the Coast Guard's Watch Hill Lighthouse and surrounding land under a program enabled by the National Historic Lighthouse Preservation Act intended to transfer surplus federal lighthouse properties to nonprofits and state and local governments.



That announcement July 9 prompted outcry from shoreline access advocates who fear the transfer would threaten public access in a coastal area they say is being increasingly privatized. The news also led the Westerly Town Council to pass a resolution last month seeking ownership of the lighthouse property land by the town instead of giving it to the Watch Hill Lighthouse Keepers Association, or WHLKA.

The Lighthouse Keepers says it intends to maintain public access at the property and statements being made by critics about the impending transfer are unfounded. But in a letter submitted to the National Park Service in response to a request for more information on public access to the property, an attorney for the Lighthouse Keepers, Jacqueline O. Kaufman, of the Connecticut-based firm Carmody Law, says there is “no express access easement of record to the Property” through a presumably private road leading from the Watch Hill village to the Watch Hill Lighthouse property.

In the May 31, 2022, letter, Kaufman says “should a question in the application require commitment from the WHLKA to provide public access, as of today, it cannot legally do so...”

Kaufman adds that her client has the “desire and intent” to provide public access to the property and has ordered title searches for properties on the peninsula where the lighthouse is located and will further supplement its application when more information is available.

The Lighthouse Keepers' 830-page application documents released under FOIA do include limited land records, as well as accounts by the federal government detailing questions about access to the property going back decades, but those exhibits immediately following Kaufman's letter do not include any accompanying opinion saying the documents demonstrate the public has an expressed right to access the lighthouse property over Lighthouse Road.

Kaufman does not include references to other documents that suggest the existence of potential public rights



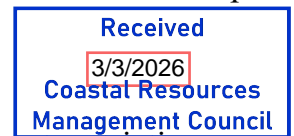
That deed was included in a 1958 report by the state of Rhode Island’s Special Commission to Discover Rights of Way that’s been largely lost to history, even as the issue of shoreline access has come to the fore in recent years and the state Coastal Resources Management Council has publicly stated its commitment to shoreline access in Rhode Island.

A 1906 map from the Westerly land evidence records also shows a pathway titled “PRESENT DRIVEWAY LEADING TO GOVT. LAND” running directly from the main road to the lighthouse property.

The Lighthouse Keepers group has helped maintain and operate the property since it entered into an agreement with the federal government in 1986. That maintenance has included work to reinforce the property’s retaining wall, and the group says it would make further improvements to the lighthouse property that are expected to cost millions of dollars in the coming years.

The Lighthouse Keepers’ application says the group’s mission “is to rehabilitate and operate the historical Watch Hill Light Station Property for educational, historic, recreational, and cultural programs open to and for the benefit of the general public,” although a sign posted at the property, which is used regularly by people who fish for sport and sustenance, says activities on the property are limited to “sightseeing and casual strolling” only.

Under the visitor information section of its website, the group says “No Recreational Activities” are permitted on the property.



Shoreline access advocates say they are concerned about the transfer because of current restrictions on access to the property and others put in place in the past.

In an affidavit signed by Lighthouse Keepers Association President Ann Snowden Johnson on June 1, 2022, and included in the application, Johnson writes, “To the best of my knowledge, the public’s use of the Private Road to access the Property has never been interrupted.”

In 2020, vehicle access to the property was restricted to weekends only after an uptick in activity at the property during the COVID-19 pandemic. An article in The Westerly Sun from that time quotes Johnson as saying the group was having “enormous trouble” with crowds, “difficult people,” and “illegal” parking.

During a recent tour of the property, Johnson told a reporter the decision to institute temporary restrictions



and people with disabilities. All others can access the property by foot on Lighthouse Road.

In a phone interview, Westerly shoreline access advocate Ben Weber called the Lighthouse Keepers' application "proof in the pudding" of the group's lack of meaningful guarantees of public access.

"They could have all the intent, but they're not willing to commit to anything," Weber said. "That's the problem."

He added, "They can't be trusted."



On Tuesday, U.S. Department of Interior Communications Director Melissa Schwartz said an interview request from The Public's Radio had been shared with the National Park Service, although that agency has not yet responded.

Earlier this month, Sen. Reed sent a letter to Deb Haaland, secretary of the Interior Department, which oversees the National Park Service, notifying Haaland of the town of Westerly's desire to own the land at the Watch Hill Lighthouse property and asking that Haaland or a senior staff member contact the town.

A spokesperson for Sen. Reed, Chip Unruh, who previously said public access was "central" to the Watch Hill Lighthouse Keepers Association application, defended the group's proposal in an email Tuesday, highlighting areas of the application that state a desire to maintain public access and a section that says the "exclusive nature" of the road leading to the lighthouse has not been an impediment to public access.

When asked in a followup email if Sen. Reed is concerned that the Watch Hill Lighthouse Keepers Association says it can't make a legal commitment to maintaining public access, Unruh wrote, "Senator Reed supports public access because it's the right thing and because it's federal law. If lawyers at the National Park Service and GSA [U.S. General Services Administration] determine that cannot be achieved, then they can revoke any approval."

Rhode Island U.S. Sen. Sheldon Whitehouse's office did not respond when emailed for comment on Tuesday. In an Aug. 11 email sent to constituent and shoreline access advocate Scott Keeley, who shared the communication, Whitehouse said the Watch Hill Lighthouse Keepers Association was chosen by the National Park Service to "continue its stewardship of the property under certain conditions, including preserving public access to the property."



It's unclear if Whitehouse is aware of the group's disclosure that it believes it cannot legally guarantee public access.

Westerly Town Councilor Kevin Lowther, who has been in contact with the Lighthouse Keepers since the transfer was announced and recently visited the property, said the news that the group is not legally committing to public access at the property is "disappointing."

Lowther said he previously asked the Lighthouse Keepers for a copy of the application and was told he couldn't have it because it's not a public document. In the copy of the application released to The Public's Radio, federal officials redacted portions dealing with financial information.

Lowther said he still thinks Lighthouse Keepers officials are operating "in good faith," but he would like them to be more open with the public about their plans going forward.

"I think the ball is really in their court right now," Lowther said. "If they're not able to communicate, people may begin to think badly about the intent that they have for shoreline access, which is unfortunate."

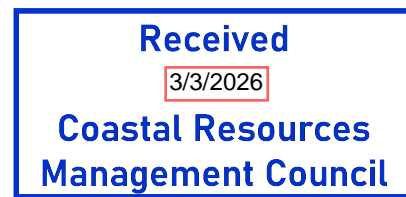
Under the National Historic Lighthouse Preservation Act, a property given to a nonprofit can revert back to federal government ownership if the property "ceases to be available for education, park, recreation, cultural, or historic preservation purposes for the general public at reasonable times and under reasonable conditions which shall be set forth in the eligible entity's application."

Given that the law bases property reversions on commitments made in an application, it's unclear what happens when a group says it cannot make legal commitments to public access.

In a brief phone call Tuesday, Johnson, the Lighthouse Keeper's president, said she could not comment on the group's application because "it's going through the legal process."

Before the property can be officially transferred by deed, the U.S. General Services Administration needs to finalize the agreement.

Alex Nunes can be reached at anunes@thepublicsradio.org



Received
3/3/2026
**Coastal Resources
Management Council**



THEY PULLED OUR FUNDING. LET'S PULL TOGETHER. DONATE NOW!



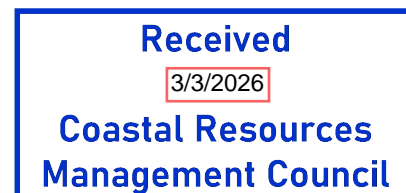
SOUTH COUNTY BUREAU

Feds complete Watch Hill Lighthouse transfer, and public access guarantees aren't included

The official transfer of the property deed to a private nonprofit comes after months of delays and legal research that didn't result in public access protections to the historic property and popular fishing grounds.



by Alex Nunes
January 4, 2024



Received
3/3/2026
Coastal Resources
Management Council



The Watch Hill Lighthouse in Westerly. Credit: Alex Nunes/The Public's Radio

The U.S. General Services Administration said this week it has finalized the transfer of the historic Watch Hill Lighthouse to a private nonprofit and officially executed the deed to the property for its new owner, the Watch Hill Lighthouse Keepers Association.

The planned transfer was first announced last July by U.S. Sen. Jack Reed. It set off an **outray for months from fishermen and shoreline access advocates** who worried giving the federal land to a private nonprofit in Watch Hill would threaten future public use of the popular fishing spot.

The Lighthouse Keepers said it intended to maintain public access to the property but would not share the application the group submitted to the National Park Service for the property.



public access to the property, because it did not believe explicit public rights existed over the narrow Lighthouse Road that's long been presumed to be private.

Reed's office contacted the National Park Service and General Services Administration to reiterate "that continued public access must be central to a conveyance agreement," his spokesperson, Chip Unruh, said last year.

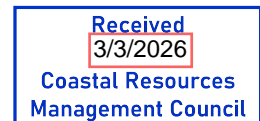
But the General Services Administration said it was unable to include public access guarantees to the roughly four-acre property over the access road after looking for potential public rights in real estate records and communicating with [Westerly Town Solicitor William Conley, who was tasked with investigating the status of Lighthouse Road](#).

"After extensive research the government determined that there was no instrument on record regarding public access in Lighthouse Road that can be incorporated into the deed," GSA spokesperson Paul Hughes said in an email Wednesday.

Hughes was unable to provide a copy of the deed to The Public's Radio before deadline, but by law the transfer is required to be consistent with the Lighthouse Keepers' application for the property.

This is the second time in recent years Reed has been unable to protect coastal access rights in the Watch Hill area. In 2020, he and Rhode Island's other U.S. senator, Sheldon Whitehouse, facilitated through legislation [the deauthorization of Watch Hill Cove as a federal navigation area](#), which ended decades of federal public mooring access protections and allowed the Watch Hill Yacht Club to control the majority of moorings in the cove.

Unruh did not respond to multiple requests for comment emailed to him this week about the lighthouse transfer.



News of the official transfer without public access guarantees came as a blow to shoreline access advocates as well as some Westerly Town Council members who had made [a last minute effort to take ownership of the lighthouse](#). That attempt was largely seen as an improbability because of the strict transfer process outlined under the National Historic Lighthouse Preservation Act.

"We fought the law and the law won," Councillor Dylan LaPietra said Wednesday. "Somebody with clout



LaPietra said the lighthouse issue will likely be taken up by the Westerly Town Council during the executive session period of their next meeting on Monday night. The town still has the option of using its legal research on Lighthouse Road to pursue a public right-of-way to the lighthouse property, although that could lead to future litigation.

Property owners along Lighthouse Road had submitted matching letters of support to the National Park Service for the Watch Hill Lighthouse Keepers Association, saying they favored the group because they trust the organization “to manage the public access in a safe manner that balances the public interest in the historic lighthouse and grounds with the private interests of the Lighthouse Road owners.”

The Watch Hill Lighthouse Keepers Association has helped run the property since the 1980s under an agreement with the federal government. Rules posted at the property ban recreational activities aside from “casual strolling” and sightseeing. The group’s president said last year the Lighthouse Keepers can’t prevent fishermen from using public trust land adjacent to the lighthouse property.

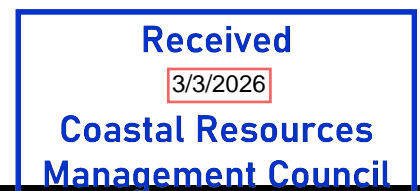
Shoreline access advocates and fishermen are wary of the Lighthouse Keepers because of current policies that block fishermen after hours and actions taken by other Watch Hill groups they say are aimed at privatizing the shore. Last year, [the Watch Hill Fire District and Watch Hill Conservancy filed a lawsuit against the town of Westerly and state of Rhode Island](#), challenging the public’s right to access Napatree Point and asking a judge to invalidate a town-designated right-of-way to the popular beach and conservation area.

When reached for comment about the lighthouse transfer on Wednesday, Jim Milardo, of the Rhode Island Mobile Sportfishermen, expressed disappointment and referred to different Watch Hill entities as if they were one and the same.

“The fire districts have the money, which gives them the power, and they do whatever the hell they want,” said Milardo, who has also opposed the Weekapaug Fire District on shoreline access issues. “It’s the same thing we know that keeps happening decade after decade with this Westerly [shoreline] access stuff.”

“They get those legal documents and the legal right to do what they want to do,” Milardo said. “Time is gonna show what happens next spring [at the Watch Hill Lighthouse property] and everything like that when the fishermen want to go out there. We’ll have to see what they do.”

Alex Nunes can be reached at anunes@thepublicsradio.org



Received
3/3/2026
**Coastal Resources
Management Council**



LOCAL, SHORELINE ACCESS, SOUTH COUNTY BUREAU

Westerly voters seek to oust town council president over beach access settlement talks

Critics of Council President Chris Duhamel say any deal with a shoreline fire district that cedes a right-of-way in Watch Hill would violate Westerly's town charter.



by Alex Nunes
May 20, 2025

Received
3/3/2026
Coastal Resources
Management Council





Shoreline access advocate Ben Weber speaks at a Westerly Town Council meeting on Monday, May 19, 2025. Credit: Courtesy of Joy Cordio

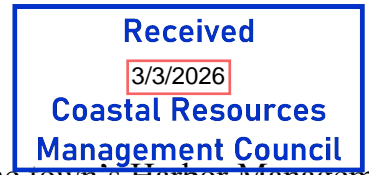
Shoreline access advocates who want to remove Westerly Town Council President Chris Duhamel from office have initiated the process to force a recall election, submitting a “declaration of intent to petition for recall” at Monday night’s council meeting.

The declaration was formally submitted towards the end of a public comment period in which numerous speakers excoriated the council president over what they believe to be the direction of [ongoing settlement talks](#) in the [legal case over the Fort Road right-of-way to Napatree Point](#).

The town is currently in litigation with the Watch Hill Fire District and Watch Hill Conservancy over the access path beachgoers use to get from the main commercial road in Watch Hill to the entrance of the



is owned by the fire district, and the conservancy helps manage the area.



On Monday, multiple speakers criticized Duhamel for comments he made to the town's Harbor Management Commission that they believe question the town's authority to designate rights-of-way to the shore.

Duhamel told the commission only the state Coastal Resources Management Council could "determine" a right of way, according to the Harbor Management Commission's draft meeting minutes.

Speakers said Duhamel's comments to the commission were grounds for removal because Westerly voters overwhelmingly approved an amendment to the town's charter in 2024 that forbids the town from conveying or abandoning its rights-of-way to the shoreline.

Access advocates have said they fear Duhamel and Town Solicitor William Conley may be working to undercut the 2008 resolution to position the town to relinquish public rights at the Fort Road right-of-way while pre-emptively protecting the council against accusations its members violated the charter.

Jim Tarbox, who submitted the recall petition, accused Duhamel of committing "a blatant violation of his oath to uphold the charter, and the public believes that this is a blatant violation of the charter and is sufficient grounds for removal."

An animated crowd of roughly 80 people came out to Monday's town council meeting, many wearing white shirts to demonstrate their support for shoreline access. Speakers gave testimony about using Napatree Point for generations and the need to preserve public access to the beach.

Westerly resident Daniel Roy said he enjoys taking his children to the beach but has had difficulty enjoying certain areas in the exclusive Watch Hill and Weekapaug sections of town.

"Our councilors have not to date protected access," Roy said. "I hope that our assembly here tonight makes all of you who are intending to protect our access feel encouraged to do so and know that you're doing the right things – and for those of you who are not, or who may have other motives, that you are ashamed of yourselves."

To hold a recall election, 35 electors must file a "declaration of intent to petition for recall," then file a written petition within 45 days with signatures of qualified voters amounting to no less than 20% of votes cast in the



recall election, according to the town charter.

On Monday night, Duhamel defended himself against the public criticism, saying the council is committed to protecting public access to Napatree Point. He also denied an accusation that he was rolling his eyes during the public comment period.

Duhamel, who is liaison to the Harbor Management Commission, downplayed criticisms about his communication with the commission members. He said he takes their questions seriously and brings them to the town's legal counsel.

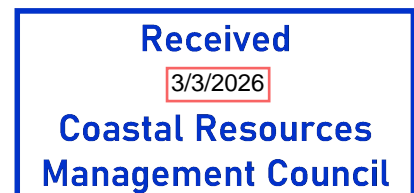
"No one's trying to hide anything or twist anything," he said.

"The bottom line is we're not changing any access issues," Duhamel said. "This council's dedicated to providing the continued access, and I emphasize: 'continued.' We're not trying to lose any of our access. We wouldn't stand for it."

The Watch Hill Fire District and Watch Hill Conservancy filed a lawsuit against the town in 2023, asking a judge to invalidate the Fort Road right-of-way.

The two Watch Hill entities say they have no intention of blocking the public from accessing the Napatree Point beach and conservation area but have taken legal action to protect the fire district's property rights and ensure the preservation of the area.

The fire district and conservancy filed their lawsuit after the previous town council began discussing marking the Fort Road right-of-way to make it more visible to visitors.



LOCAL, SHORELINE ACCESS, SOUTH COUNTY BUREAU

Property owner suing RI over beach access law faces vandalism charges

Westerly police say David M. Roth, a plaintiff challenging Rhode Island's new shoreline access law, repeatedly vandalized a right-of-way sign near his beach house in Watch Hill.



by Alex Nunes
September 16, 2024

Received
3/3/2026
Coastal Resources
Management Council





David M. Roth is pictured in this arrest photo from the Westerly Police Department. Credit: Westerly Police Department

A Westerly property owner making a legal challenge against Rhode Island’s new shoreline access law has been charged with repeatedly vandalizing a beach right-of-way sign near his home.

Police say David M. Roth, who owns a \$10.8 million property in Watch Hill with his wife but resides in West Hartford, Conn., spray-painted a beach access sign four times since May.

Chief Paul Gingerella said Roth, 76, was arrested Aug. 29 after an officer spotted him at night near the newly-replaced sign and witnessed Roth throw a can of Rust-Oleum spray paint into nearby bushes.

“We’re assuming he was going to get ready to do it again,” Gingerella said by phone.



Gingerella said.

Gingerella said the department had replaced the sign after it was spray-painted on May 3, Aug. 9, Aug. 11, and Aug. 15 because of the extent of the damage. Eventually, the department had to elevate the sign and protect it with plexiglass. Roth's police report values a single right-of-way sign at \$200.

"How many times can we keep replacing the thing?" Gingerella said. "It cost us time to go to do it – cost money, obviously, to replace the sign."



A newly elevated right-of-way sign protected with plexiglass is pictured at Everett Avenue in Westerly. Credit: Alex Nunes/The Public's Radio

The punishment for vandalism in Rhode Island is up to a \$1,000 fine and/or imprisonment not to exceed one



Court records show Roth was arraigned on Friday. He pleaded not guilty on all counts and was released on \$4,000 personal recognizance. A pretrial conference has been scheduled for Sept. 27.

When reached by phone, Roth's attorney, Peter DiBiase, did not provide comment beyond the information contained in the court record.

"Here's the elaboration: he's pled not guilty," DiBiase said. "His position is that he's not guilty."

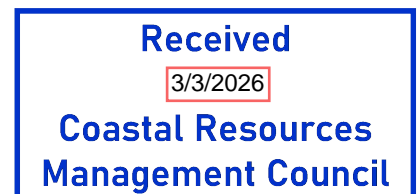
Last year, Roth and his wife filed a lawsuit against the state of Rhode Island, arguing the new shoreline access law allowing the public to be on the beach up to 10 feet beyond the seaweed line was an unconstitutional taking of private property and enacted in violation of the state's separation of powers doctrine.

In July, a [Superior Court judge denied the Rhode Island Attorney General's motion to dismiss the case](#) and said she agreed with the plaintiff's argument. The judge, Sarah Taft-Carter, did not prevent the state from enforcing the law.

Roth's beachfront property on Niantic Avenue borders a town-designated right-of-way at Everett Avenue, where the sign was vandalized. His attorney in the shoreline access case, Gerald Petros, did not respond to an email Monday asking if Roth contests the legitimacy of the designated right-of-way to the beach.

Roth previously came before the Westerly Town Council in 2017 to speak against the proposed addition of beach drop-off points in Watch Hill. Roth said the area already had a problem with drinking, traffic, trash and fighting dogs, and approving the proposal would make the situation worse.

"To be a little mean-spirited, I suppose: if you're really concerned about access to the beach, maybe you should take the town of Westerly beach and not limit it to taxpayers of Westerly," Roth told the town council. "Open it to everybody. What's good for the goose is good for the gander."



SOUTH COUNTY BUREAU

Westerly Town Council president resigns amid turmoil in town government



by Alex Nunes
August 8, 2023



Edward Morrone and Kevin Lowther, who replaces Morrone as acting council president, are pictured at a Westerly Town Council meeting earlier this year. Credit: Alex Nunes/The Public's Radio

Westerly Town Council President Edward Morrone has submitted a letter of resignation, saying he is stepping down entirely from the council about eight months after taking office, according to multiple council members and a copy of the letter forwarded to The Public's Radio



shoreline access in the coastal town. Morrone had also been under scrutiny for an aggressive outburst at a recent town council meeting and past work he did for a shoreline fire district that critics said presented a conflict of interest in an ongoing lawsuit.

In his letter announcing his resignation, Morrone said discord over shoreline access in Westerly had influenced his decision.

He cited a July 31 vote on the future of the Watch Hill Lighthouse in which Morrone was the only council member to vote against the town requesting that the federal government give the lighthouse land to the town instead of the private non-profit Watch Hill Lighthouse Keepers Association.

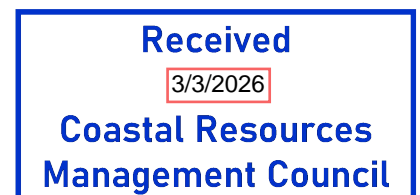
Morrone said he took issue with the vote coming in a special meeting called because of the impending transfer to the Lighthouse Keepers instead of a regular meeting where representatives of the organization could make their case.

Councilors and members of the public were concerned ownership by the Lighthouse Keepers could result in a loss of public shoreline access in the future, which the organization denies.

“That meeting confirmed for me the troubling division in our community and the callous agenda that some have sought, promoted, and achieved,” Morrone said in the statement. “I can no longer participate in a governing body that refuses to recognize and will not fully respect the rights of all its citizens.”

Morrone added, “Despite my best efforts early on to create an environment of collaboration and mutual respect among councilors, the current dynamics do not allow for that.”

Morrone did not respond to a request for comment Tuesday afternoon.



Morrone had previously served as town council president and in state government before deciding to run again last year. He was voted in as president after the council took office last November.

Kevin Lowther, who was the Westerly Town Council vice president, said he now becomes acting town council president, although that could change based on a future vote to reorganize the council. Lowther said he was “surprised and saddened” by Morrone’s decision to leave office.



Tensions had been running high at council meetings in recent months because of legal cases involving shoreline rights-of-way in the exclusive Weekapaug and Watch Hill sections of Westerly.

Morrone, a Watch Hill property owner, had worked as a consultant for the Watch Hill Fire District and the Watch Hill Conservancy, earning \$30,000 from the fire district alone, according to public records.

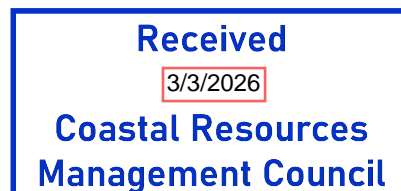
Those payments became a source of controversy after the Watch Hill Fire District and Watch Hill Conservancy filed a lawsuit in Rhode Island Superior Court in May, seeking to invalidate a town-designated right-of-way to the Napatree Point beach and conservation area.

Advocates for shoreline access asked Morrone to recuse himself from the case, which he refused to do, saying his past work did not pose any current conflicts. Morrone sought an ethics advisory opinion on the matter, and the Rhode Island Ethics Commission cleared Morrone to participate in the case.

Morrone, who defended himself against accusations he was anti-shoreline access, once called a shoreline access advocate “despicable” for requesting documentation of potential fire district payments made to Morrone’s family members.

On Tuesday, that activist, Anthony Palazzolo, Jr., echoed the sentiments of other shoreline access advocates who were glad to see Morrone go.

“He was despicable,” Palazzolo said in a phone interview.



“I am not going to miss Ed Morrone,” said Conrad Ferla, a shoreline access advocate who publicly called out Morrone over his work for the Watch Hill Fire District during public comment before the council.

Ferla added, “I’m glad that somebody who has so many conflicts of interest regarding shoreline access in Westerly will no longer have power in the local government.”

In addition to the lighthouse matter, the town of Westerly is involved in several cases before the Rhode Island Coastal Resources Management Council dealing with possible designation of public rights-of-way to the shore, including the high profile Spring Avenue case involving the Weekapaug Fire District that Rhode Island Attorney General Peter Neronha has intervened in on behalf of the public.



During a council meeting on Monday, shoreline access advocates asked the town council to use the motion as an opportunity to reexamine the consent judgment and hire outside counsel to ask a judge to void the agreement on the grounds that the town hadn't properly abandoned a town road when it signed the judgment declaring the Weekapaug Fire District the owner of the Sand Trail.

At the meeting, Westerly Town Solicitor William Conley also found himself under scrutiny from coastal access advocates after an email exhibit in the fire district's motion revealed Conley previously acknowledged in writing to the fire district that he agrees with its counsel's interpretation of the consent judgment now at the heart of the case. Conley, who was also criticized for not including the exhibit in materials on the case he gave to councilors, tried to defend his actions during the open portion of the council's meeting Monday night but was told to hold the discussion for executive session.

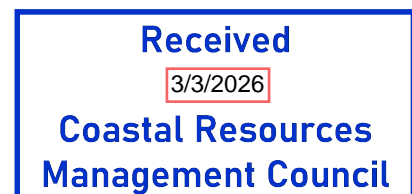
Morrone's decision to resign comes roughly two weeks after he issued a statement at a regular meeting of the town council saying he regretted his behavior at a meeting July 10 when he went on a "profanity-laced tirade," according to other councilors, and challenged another councilor to "step outside" with him.

One councilor, Joy Cordio, said she also witnessed Morrone throw his briefcase during the outburst that immediately followed an executive session.

Under the Westerly charter, Morrone's vacated seat on the council is to be filled by the next top unelected vote-getter in the last election – in this case Robert Lombardo, a local attorney known for using town council public comment periods to make provocative and controversial statements.

Alex Nunes can be reached at anunes@thepublicsradio.org

© 2026 The Public's Radio | Rhode Island PBS Foundation/The Public's Radio is a 501(c)(3) non-profit organization. Federal Tax ID: 22-2859005
Powered by Newspack



SOUTH COUNTY BUREAU

Ethics Commission issues opinion on ethics questions around Westerly Town Council president, but issues in shoreline access case remain unresolved



by Alex Nunes
May 16, 2023



A view from Napatree Point shows a town-designated right-of-way through a parking lot owned by the Watch Hill Fire District. Credit: Alex Nunes - The Public's Radio

An advisory opinion issued Tuesday by the Rhode Island Ethics Commission says Westerly Town Council



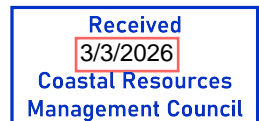
The Rhode Island Ethics Commission said its response is based on information Morrone provided to the agency. In his written request for an opinion sent April 19, Morrone disclosed that he previously worked as a consultant for the Watch Hill Fire District between June 2019 and May 2022, earning \$30,000 for monitoring issues concerning the district at the town and state level.

In its advisory opinion, the commission said, under Rhode Island’s Code of Ethics, public officials are prohibited from participating in matters that can affect them financially, or affect their family members, or business associates. But the commission said it does not consider public entities, like a quasi-municipal fire district, to be “business associates.”

The commission goes on to say it has also permitted officials to participate in issues that could impact a former business associate or former employer, if the relationship has ended and a future business relationship isn’t expected. Morrone no longer works as a consultant for the fire district or the Watch Hill Conservancy, which also hired him to monitor issues related to the vacation home community.

In a phone interview Tuesday, Morrone said the opinion “confirms” what he had already heard from Westerly’s town solicitor, William Conley, who didn’t object to Morrone participating in discussions on Fort Road at recent meetings.

But the advisory opinion is unlikely to settle the heated controversy over Morrone’s ties to Watch Hill, and it does not address other concerns raised at recent town council meetings.



Shoreline access advocates and some of Morrone’s fellow councilors say he should recuse himself from discussions on Fort Road, because he is also a property owner in the Watch Hill Fire District, and a previous Ethics Commission opinion said a Westerly Town Planning Board member who owns property in the Weekapaug Fire District should not participate in discussions or votes related to a contested right-of-way that district says it owns and can legally prevent the public from using to access to the Quonochontaug Barrier Beach.

In that opinion, issued in 2020, the commission said actions by the planning board member, Richard Constantine, could affect his property’s value. In that case, having a town-designated right-of-way would open up a stretch of beach largely blocked off to the public in the summer months. In contrast, Napatree Point is open to public use, and the fire district does not stop pedestrians from accessing the beach through the path it denies is a legal public right-of-way.



In Morrone’s written request to the Ethics Commission, he does not disclose that he owns a home in the Watch Hill Fire District or ask about the relevancy of the opinion regarding the town planning board member.

In an interview Tuesday, Morrone said he had disclosed his status as a Watch Hill Fire District property owner over the phone to an ethics commission attorney. When asked if he had spoken with the commission about the advisory opinion for Constantine, Morrone said, “I wasn’t interested in the Constantine thing. I was interested in me.”

Westerly Town Councilor Joy Cordio, who has been the leading voice calling for Morrone to recuse himself from the Fort Road issue, says the decision by the ethics commission “does not change anything at all.”

“Because my request for recusal was not based on his work and payments received from the fire district,” Cordio said in a phone interview. “My request for recusal was based on the Constantine ruling and property ownership. Nothing has changed.”

When issuing an advisory opinion, the Rhode Island Ethics Commission works solely off of information provided by the public official seeking an opinion and does not investigate the case as it would when a complaint is filed.

An attorney for the ethics commission did not respond to an email asking if the agency has received any formal complaints against Morrone, including any pertaining to potential violation of a state revolving door regulation that says no municipal official may seek or accept employment from a municipal agency within the municipality they serve for at least one year after leaving office. Morrone began his consulting work for the Watch Hill Fire District less than a year after ending his previous term as town council president in 2018.

When asked about that regulation Tuesday, Morrone told a reporter to speak with the ethics commission about the subject.

Morrone’s connections to Watch Hill have come under closer scrutiny in recent months as debate has heated up over the town-designated Fort Road right-of-way that leads to the popular Napatree Point beach and conservation area in Watch Hill.

The town council took action recently to request a survey of the area to accurately mark a path going through a fire district parking area to get to Napatree Point. Then, on May 4, the Watch Hill Fire District, along with



The fire district argues there is no evidence in the title history that justifies the 2008 resolution, and the district says a designated right-of-way is unnecessary because beachgoers regularly access the area without being stopped by the fire district, which owns much of the land on and around Napatree Point. Shoreline access advocates fear the fire district could someday restrict or charge for access if there is not a guaranteed public right-of-way to Napatree Point.

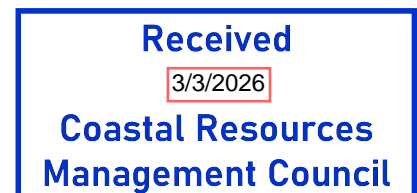
The state of Rhode Island, which also owns property on Napatree Point, along with the town, was named as a defendant in the fire district's lawsuit.

Rhode Island Attorney General Peter Neronha's office is now an official party in the case and will need to file a response to the lawsuit by July 7. A spokesperson from the Attorney General's office would not comment further on the pending litigation when contacted Tuesday.

The Westerly Town Council went into executive session on Monday night to discuss the lawsuit. Those deliberations are closed to the public.


Alex Nunes can be reached at anunes@thepublicsradio.org.

© 2026 The Public's Radio | Rhode Island PBS Foundation/The Public's Radio is a 501(c)(3) non-profit organization. Federal Tax ID: 22-2859005
Powered by Newspack



SOUTH COUNTY BUREAU

In Westerly, town councilor's work for coastal fire district raises questions about potential conflicts of interest

 by Alex Nunes
April 4, 2023

Received
3/3/2026
Coastal Resources
Management Council



The entrance near the town-designated Fort Road right-of-way in the Watch Hill section of Westerly. Credit: Alex Nunes - The Public's Radio

Two Westerly Town Council members and shoreline access advocates are raising questions about recent financial connections between the council's president, Edward Morrone, and the Watch Hill Fire District. The

state attorney and shoreline access advocate, Anthony Palazzolo, Jr., show the district paid Morrone \$30,000 for work done between June 1, 2019, and May 31, 2022, a period that began less than a year after Morrone left office as town council president and ended roughly six months before he came back on the town council and was elected president.

Issues related to shoreline access in Watch Hill have come up at several meetings since the new council took office in November, but Morrone had not acknowledged during those discussions his previous work for the fire district, which owns about 65 acres of coastal land, including beach and parking areas. The district is also actively questioning the legitimacy of a popular town-designated right-of-way to the Napatree Point Conservation Area called Fort Road.

Councilor Joy Cordio said she was unaware of Morrone’s recent financial ties to the fire district prior to last week, and she called on him to recuse himself from discussions on the contested Fort Road right-of-way at the council’s meeting Monday night and ask the Rhode Island Ethics Commission for input on how he should proceed going forward.

“I would hope that you will seek an advisory opinion,” Cordio said to Morrone. “But until then, I would ask that you would recuse [yourself] based on the appearance of impropriety.”

Cordio was also concerned about the potential applicability of a 2020 Rhode Island Ethics Commission opinion that said a Westerly Planning Board member shouldn’t participate in discussions and votes on a contested right-of-way in the Weekapaug Fire District because of the potential impact those actions could have on his property’s value. Morrone owns a home in the Watch Hill Fire District.

Councilor Dylan LaPietra said at the meeting he did not object to Morrone listening to speakers talk about shoreline access in Watch Hill during public comment periods, but he has concerns about Morrone taking part in a future vote that could have an impact on the fire district.

“Because human nature says when you get some monies for something, you tend to be a little biased,” LaPietra said. “When it comes time to vote, it’s something that I think I’m gonna bring up again.”

Morrone responded, “I’ll look forward to that.”

The other town councilors present—Kevin Lowther, Mary Scialabba, and William Aiello—did not weigh in



meeting, and Morrone said he did not see a reason to remove himself from discussions.

“I will not make apologies for my stepping to the plate for a place that I love,” Morrone said of Watch Hill. “I will not make apologies for standing by the issues that concern the Watch Hill Fire District.”



Monday night was not the first time Morrone faced criticism over his actions related to coastal access.

During his last tenure as town council president, Morrone was among a majority of councilors who voted to ask Rhode Island’s congressional delegation to help deauthorize what was a federally-designated mooring area in Watch Hill Cove, stripping the cove of federal public access protections. More recently, Morrone has spoken in agreement with the Watch Hill Fire District, saying a 2008 town resolution designating a public right-of-way at Fort Road does not mean the path is a settled public access point.

Morrone said in an interview he began doing consulting work for the fire district and Watch Hill Conservancy, which also contests the legitimacy of the Fort Road right-of-way, after they approached him to help “monitor issues pertaining to both within the town.”

When asked what monitor issues means, Morrone asked a reporter, “What would you have it mean?”



improve access to Napatree Point, the area where the district says no credible publicly-designated access path exists.

Morrone said he did not have any contact with town councilors while consulting for the fire district and conservancy, and he does not believe his work for the two entities violated state ethics law.

Morrone's invoices to the fire district do not indicate the specific work he was doing. A financial disclosure statement filed with the Rhode Island Ethics Commission shows Morrone worked as a consultant for the Watch Hill Fire District and Watch Hill Conservancy but says no services were rendered and leaves blank the area for dates and nature of services.

At Monday's meeting, Morrone refused to answer when Palazzolo, the attorney who obtained records of Morrone's payments from the fire district, asked Morrone to disclose how much he was paid by the Watch Hill Conservancy, whose financial documents are not subject to the Rhode Island Access to Public Records Act. Morrone also criticized Palazzolo for filing an APRA request for potential documents demonstrating whether Morrone's family members were paid by the Watch Hill Fire District.

"The fact that you would ask for documentation from my late brother and my late sister—sir, you are despicable," Morrone said.

The Fort Road issue came into the spotlight recently after the Watch Hill Yacht Club submitted a dredging application to the state's Coastal Resources Management Council that did not mention the nearby Fort Road right-of-way. Shoreline access advocates pushed the council to submit a written objection over the omission to CRMC. Council debate on the issue, led by Morrone, eventually evolved into consideration of the merits of the right-of-way and a vote to have the town manager research maps related to Fort Road.

Councilor Cordio says she now believes Morrone was intentionally trying to delay action that would protect the town right-of-way in service of the fire district and conservancy.

"He's actively working to privatize a town right-of-way. It's that simple. The questions he raised regarding our 2008 resolution, the stalling that occurred in just sending a letter to CRMC regarding the Watch Hill Yacht Club dredging project," she said. "That's a dereliction of duty."

Cordio added, "The appearance of impropriety puts a stain on this whole council."



access to Napatree Point “shall continue...as long as such public accessibility and use is consistent with the ecological preservation [of the area].”

The fire district says the stances of some council members who support the existence of a right-of-way are misguided, not based in legal facts, and causing unnecessary division in Westerly.

On Monday, Morrone said anyone who disagrees with his involvement in the council’s discussion of the Fort Road right-of-way should file an ethics complaint with the Rhode Island Ethics Commission.

“I’ll be happy to give you the address,” he said.

Alex Nunes can be reached at anunes@thepublicsradio.org

© 2026 The Public’s Radio | Rhode Island PBS Foundation/The Public’s Radio is a 501(c)(3) non-profit organization. Federal Tax ID: 22-2859005
Powered by Newspack

Received
3/3/2026
**Coastal Resources
Management Council**



Watch Hill Cove: How Congress changed the law to benefit private interests

 by Alex Nunes
November 2, 2022

Received
3/3/2026
Coastal Resources
Management Council



The view of Watch Hill Cove from Napatree Point Conservation Area in Westerly. The cove was once a federally authorized anchorage area, where U.S. law required access be open to all boaters on equal terms. Credit: Alex Nunes/The Public's Radio

If Watch Hill Cove is anything, it's highly desirable. Boaters, kayakers, swimmers, fishermen, tourists, vacation homeowners, and year-round residents of Westerly all want to get to the sheltered inlet at the end of the Pawcatuck River, right by the open waters of Block Island Sound.



Watch Hill's central village.

But this coveted spot now lacks federal regulations meant to protect public access, thanks to the work of government officials at the local, state, and federal levels that benefited private interests in Watch Hill.

When town officials learned in recent years that federal law required public access to boat moorings in the cove, they did not use that as an opportunity to expand access to the water. Instead, an investigation by The Public's Radio found officials lobbied Rhode Island's congressional delegation to change federal law and keep the moorings in use by private hands.



0:00 / 0:00



'A high crime'

Watch Hill Cove looks the way it does today because of work done by the federal government decades ago. A spokesperson for the Army Corps of Engineers said the U.S. government dredged the cove as part of a federal navigation project in the area in 1948 and 1949. According to an Army Corps information guidebook, the total work cost the federal government what would amount to more than \$2 million in today's money.

Because federal tax dollars paid for the dredging, Watch Hill Cove was designated a federal anchorage area, where access is required to be open to all boaters on equal terms. That means access should have been managed in "the general public interest" and in a way that "made no arbitrary distinction or requirement of any kind," according to U.S. Army Corps of Engineers standards.

But what emerged over time was something different. The cove filled up with moorings and boaters claimed them as their own, effectively blocking other boaters from much of the area. Eventually the Watch Hill Yacht Club, founded in 1913, and its members came to own most of these moorings.

"There was no authority, it seemed, that was in Watch Hill Cove. And people characterized it as literally a 'pirate cove,'" said former Westerly Town Council member Jean Gagnier. "They were squatting. The squatters show up and they don't have any authority, but they're there."

Then in 2018, the Army Corps of Engineers decided to put pressure on the town of Westerly to address the



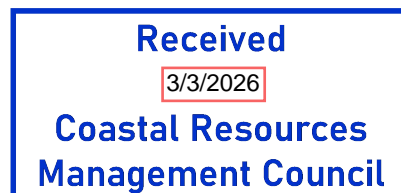
“Membership in a specific yacht club should not be a prerequisite for obtaining a mooring in the Federal anchorage area,” Conde wrote. “The Town must ensure proper use and access to the Federal resource...”

Town officials realized if action wasn’t taken, they ran the risk of the Army Corps removing the moorings in Watch Hill Cove entirely. At that time in 2018, the town was working to draft an official harbor management plan that spells out its current and proposed regulations around public shoreline access, water quality, storm preparedness, and mooring management. In Rhode Island, harbor management plans need to be approved by the state’s Coastal Resources Management Council. CRMC, though, would not approve Westerly’s plan if its moorings policies in Watch Hill Cove violated federal law.

Westerly faced a choice: work with the yacht club to force open and equitable public access in the cove, or ask Congress to remove the federal designation and free the interests in Watch Hill of the protections inherent to a federal anchorage area. That would also mean the federal government would no longer be responsible for the upkeep of the area and would not be required to foot the bill for any future dredging projects, for instance.

Kevin Cute, an official with the Rhode Island Coastal Resources Management Council, cautioned the town at the time, saying deauthorization would “essentially accommodate the people in Watch Hill Cove who have absconded with public property for decades while keeping the public out,” according to minutes from a September 2018 Westerly Planning Board meeting.

The minutes add, “Mr. Cute said from his perspective this is a high crime.”



Jean Gagnier, one of the town councilors at the time, said he preferred to delay a deauthorization vote until the town council took up its harbor management plan.

The town could have used the uncertain future of the moorings, he said, as a way to force concessions from the yacht club on greater public access.

“I always viewed deauthorization to be linked to the harbor management plan, because it gave the council, and it gave the town, the maximum leverage,” Gagnier said in a recent interview.

Gagnier said on another occasion the council voted to send the congressional delegation its written objection to a federal railway plan, but he did not remember the town ever lobbying federal lawmakers to change U.S. law at any other point during his two terms on the town council.





Received
3/3/2026
Coastal Resources
Management Council

Less than two weeks after CRMC’s Kevin Cute advised the town’s planning board that deauthorization would allow private interests to capitalize on public goods, Westerly’s town council voted to send a letter to Rhode Island’s congressional delegation requesting that lawmakers change federal law to strip Watch Hill Cove of its federal designation and its associated public protections.

The resolution passed the town council in a 4-to-3 vote, formalizing the town’s intent to seek “the assistance of the Rhode Island Congressional delegation in getting Congress to enact legislation deauthorizing the anchorage portion of the Federal Navigation Project at Watch Hill Cove.”

At that meeting, then-Town Council President Edward Morrone, a longtime property owner in Watch Hill, said the vote was the first step “to get us off the block.”

“All of the intricacies and the mechanics of the operation of the harbor management plan will come forth as the project evolves,” Morrone said during the brief debate before the council’s 2018 vote.

In a recent interview, Morrone, who is running again this year to get back on the town council, said



“I think we took the best advice we could on a very touchy subject matter, obviously,” he said. “I think that we were open and forthright with regards to the meetings that were held to listen to the concerns of citizens.”

Then-Westerly town councilor William Aiello said recently that he voted for the deauthorization in 2018 because he thought CRMC’s Kevin Cute supported it and that deauthorization would lead to more parking options and better public access to Watch Hill Cove. Aiello is also running for town council again this year. Current Town Council President Sharon Ahern, who voted for the deauthorization as a town councilor in 2019, did not respond to an interview request.

In the end, the Coastal Resources Management Council backed the deauthorization. In an email sent days before the town council vote and recently obtained by The Public’s Radio, CRMC’s Kevin Cute shared the draft resolution with staff from the office of U.S. Senator Sheldon Whitehouse and told them “I wish to assure you that CRMC supports the resolution.”

CRMC would not make Cute available for comment. In an interview, CRMC spokesperson Laura Dwyer said, “I can only speculate that Kevin, or whoever, is trying to help the process along” so the town can have “an approved harbor management plan.”

When asked for CRMC’s current position on the deauthorization, Dwyer said only that the agency has not completed its review of the town’s harbor management plan, which the town submitted in 2019. She said the agency doesn’t have the resources at this time to properly review and approve Westerly’s plan.

Deauthorized during the pandemic

Despite Council President Morrone’s urgency to approve the deauthorization in September 2018, the state’s congressional delegation did not immediately act on it.

In 2019, a staff member from Rhode Island U.S. Senator Jack Reed’s office contacted the Westerly town manager and director of development services by email to see if the town approved of language the office intended to use to deauthorize Watch Hill Cove. The new town council, which had taken office in November 2018, voted unanimously to reaffirm the deauthorization request. Reed and Whitehouse then inserted deauthorization language into a federal bill focused on waterways, which was later folded into the 2021 appropriations bill, a massive spending and Covid relief bill, and voted into law. When President Trump signed the Consolidated Appropriations Act of 2021 in December 2020, federal protections vanished.



consultative process with the public, just as every coastal community in Rhode Island must under state and local laws and procedures.”

The Army Corps of Engineers declined several interview requests. Spokesperson Bryan Purtell said in an email the Army Corps reviewed the deauthorization request and okayed it because the town wanted more local control of the cove and deauthorization would relieve the U.S. government of the responsibility of paying to dredge the cove in the future.

‘It seems to be working’

The Watch Hill Yacht Club was an obvious beneficiary of the deauthorization. Today it controls 72 moorings in Watch Hill Cove.

The town now runs an annual permitting process for moorings. The yacht club pays the town for the permits to the moorings and rents them to its members. There are a limited number available for transient boaters passing through the area. And when yacht club members leave for extended periods of time, the club lets others use those spots on a transient basis.

The yacht club’s commodore and vice-commodore did not respond to multiple interview requests for this story. The yacht club’s general manager declined to comment.

Roughly 50 boaters using other moorings prior to deauthorization were allowed to keep them. Ten of those will be phased out over time. The town has established a waitlist for boaters who want permits when the other 40 moorings in Watch Hill Cove become available. The current estimated wait time is three years.

“We have a program in place and it seems to be working,” said Kimberlie Rayner-Russell, Westerly’s assistant harbormaster, who also served on the Harbor Management Commission that helped draw up the town’s new moorings policy.

Rayner-Russell said the new system actually opens up the cove for more public access. The moorings permitted to the yacht club can be used for transient boaters. The waitlist for the other moorings ensures members of the public have a path to access their own mooring permits, even if there is a years-long wait.

Rayner-Russell said she doesn’t understand why the Watch Hill Yacht Club is being singled out for scrutiny, ▼



Much of the recreational land and parking around Watch Hill Cove is controlled by the Watch Hill Fire District, a quasi-municipal entity that owns about 65 acres of property, most of it along the shore. The yacht club rents a parking lot along Watch Hill Cove from the fire district. A security guard is stationed there in the summer to block vehicles from entering. It's hard for an average boater to use a mooring in the cove, even if they have a permit.

When you look at the total picture, Rayner-Russell says, the way the town handled the situation with moorings in Watch Hill Cove is appropriate and fair.

“When something’s been going on for 50 years, and [the mooring users in Watch Hill Cove have] not done anything wrong — they’ve gone through the channels that were in place at that time — why do they get penalized?” Rayner-Russell said. “It doesn’t make sense, and it would have made a lot, a lot of work for a lot, a lot of people. We just didn’t think that that was going to be in the best interest of our plan.”

Rayner-Russell said, “My point is that it’s not this big group of people that are being disserved by what was decided upon.”





On a recent day, he stood in the rain at the state-run Quonochontaug Breachway Boat Launch in Charlestown. It's one of the spots Jarvis tows his boat to so he can get out to the ocean to fish.

He's on the waitlist to get a mooring in Watch Hill Cove, which he said could save him hours every day because the area is so close to Block Island Sound. But he's at spot number 23 on the waitlist, and he says he doesn't expect a mooring permit until "I'm about 82 years old, if I see it at all."

He says other fishermen would love a mooring in Watch Hill Cove, but the powers of exclusion in Watch Hill, enabled by town officials willing to appease them, are working against him and other boaters.

"We're an eyesore," Jarvis said. "You know, you want to eat the fish, but you don't want to see the commercial fishermen. You know, not in my backyard."


Alex Nunes can be reached at anunes@thepublicsradio.org

© 2026 The Public's Radio | Rhode Island PBS Foundation/The Public's Radio is a 501(c)(3) non-profit organization. Federal Tax ID: 22-2859005
Powered by Newspack



SOUTH COUNTY BUREAU

'Let's go outside': Westerly Town Council president threatens other councilor after closed door meeting, witnesses say

 by Alex Nunes
July 21, 2023



Westerly Town Council President Edward Morrone at a council meeting in 2023. Credit: Alex Nunes/The Public's Radio

A Westerly Town Council member is calling for the council to be reorganized and a new president elected because of an “unglued, profanity-laced tirade” directed at him immediately after an executive session



“repeatedly challenged me to go outside and fight him.”

“He told me that, even though he was 74 years old, he would kick my a– outside,” LaPietra said. “He challenged me to a fight so many times that I had to actually reply to him: ‘No, I don’t want to go outside.’”

LaPietra added, “It was very unprofessional, disconcerting, and shows behavior, I would say, wouldn’t be fit for his position.”

Morrone did not respond to a request for comment on Friday. Another council member present, William Aiello, said he could not recall specific words that Morrone used after the executive session, including if Morrone specifically said fight, but he confirmed Morrone made threats to LaPietra and was acting in a physically intimidating manner.

“I do know that he called him outside – ‘step outside,’ or ‘let’s go outside,’ or something to that effect,” Aiello said. “I don’t recall if Ed actually poked Dylan or not. But obviously he got in his face...I just call it the puffy chest behavior.”

Aiello called Morrone’s behavior “shocking” and “explosive,” and said that he couldn’t believe what he was witnessing.

“We’ve all seen each other a little upset now and then, but I’ve never seen the verbal and physical actions to that degree,” Aiello said, referring to council dynamics.

LaPietra and Aiello would not comment for this story on what led to the outburst, because it followed a closed door discussion.

But LaPietra said he didn’t say anything to Morrone “outside my town council duties that would have warranted a response like that.”

Aiello said LaPietra maintained his composure during Morrone’s outburst and didn’t escalate the situation.

[DISCLOSURE: LaPietra is a tax preparer at Westerly Tax Group and has previously prepared the author’s income taxes.]



Under Rhode Island public records law, The Public's Radio sought copies of non-privileged audio recordings from the executive session and audio recorded after the executive session ended but was denied on both requests.

The council had gone into executive session to discuss a personnel matter, and two separate cases under litigation. One of the agenda items was the lawsuit filed against the town of Westerly and state of Rhode Island by the Watch Hill Fire District and Watch Hill Conservancy, seeking to invalidate a right-of-way to the Napatree Point beach and conservation area Westerly designated public in 2008.

The lawsuit, filed in May, has caused division in Westerly and on the town council, and focused new public scrutiny on Morrone, who owns a home in the Watch Hill Fire District and previously worked as a consultant for the fire district and conservancy. Public records show he was paid \$30,000 by the fire district prior to returning to the council in 2022.

Shoreline access advocates have called on Morrone to recuse himself from the case, which he has refused to do, citing guidance from the town solicitor, William Conley. More recently, activists have been pushing for the council to seek outside counsel in the case because of skepticism about Conley's history handling rights-of-way issues in Westerly and questions about his experience. That criticism led Conley to publicly defend his credentials at a council meeting last month in which he cited his firm's litigation caseload and a Hall of Fame honor he received from Rhode Island Lawyers Weekly.

When the town council returned to its open meeting following the closed door session on July 10, Morrone was no longer present and LaPietra voted not to seal the minutes related to discussions about the Watch Hill right-of-way case. He was out-voted by the other councilors.

The Westerly Town Council meets again on Monday, and could go into executive session on the fire district lawsuit, which was put on the agenda as a possible subject for closed door discussions.

Both LaPietra and Aiello said they haven't spoken with Morrone about the outburst at the July 10 meeting.

When asked if he thinks councilors should consider reorganizing the council following Morrone's outburst, Aiello said, "I think the behavior that was exhibited, the verbal and physical, needs to be addressed. This isn't something that we can just ignore. I think it's something that the council needs to address with whatever outcome."





All Things Considered
Listen Live | 89.3



Pg.0348

Received
3/3/2026
Coastal Resources
Management Council



SOUTH COUNTY BUREAU

Town of Westerly will request ownership of Watch Hill Lighthouse property



by Alex Nunes
July 31, 2023



The Watch Hill Lighthouse property. Credit: Alex Nunes/The Public's Radio

The Westerly Town Council is formally requesting that the U.S. government transfer ownership of a roughly 4-acre shoreline property in Watch Hill to the town instead of the Watch Hill Lighthouse Keepers Association.



Reed's office did not immediately respond to a request for comment Monday night.

Before Monday's meeting, the Watch Hill Lighthouse Keepers Association President Ann Snowden Johnson and Vice President Buck Barber expressed disappointment with the current town council's direction on the matter, saying the town was right when it initially passed on the property when it had an opportunity to seek ownership.



During a tour of the grounds, which the Watch Hill Lighthouse Keepers Association has been managing under an agreement with the federal government since 1986, Barber pointed out cracked areas in the seawall that goes around the peninsula and said repairs to reinforce the barrier are expected to cost millions of dollars over the coming years.

He and Johnson said their group was prepared to take on the responsibility of making necessary repairs and pointed out a more than 200 foot section of seawall that was rebuilt after Superstorm Sandy with state grant



“We’re rebuilding what’s falling apart,” Barber said.

Johnson said, “I can’t stress enough how much this is pure devotion and love.”

Johnson said public access would be maintained at the property under the ownership of the non-profit, as required by the federal law that guides the transfer of government lighthouses.

The National Historic Lighthouse Preservation Act says organizations that assume ownership of lighthouse properties need to make the areas accessible to the general public “at reasonable times and under reasonable conditions.” Shoreline access advocates argue that language is vague and leaves too much open to chance in Watch Hill, where the town and state are now being sued over an access point to another shoreline area in a separate case.

The Lighthouse Keepers shared the “use plan” section of their federal application when asked for documentation on plans for public access in the future. The plan included current policies, like the hours the property is currently open to the public, but not specific commitments for public access to the land that surrounds the lighthouse going forward.

Local fishermen are particularly concerned by the prospect of the transfer to the Lighthouse Keepers because, they say, a gate to the property blocks them from fishing at night. The land is reachable by foot and only accessible by vehicle to people who are elderly or have disabilities.

Current policies posted near the entrance to the property grounds say the area is “only for sightseeing and casual strolling.”

When asked if that means fishing isn’t allowed on the property, Johnson said people can fish on the public trust land adjacent to the lighthouse property.

Johnson would not say whether she was willing to partner with the town going forward, if Westerly wants to own the land. She said she was operating under the conditions that the Watch Hill Lighthouse Keepers Association was selected to take ownership of the property and is working toward finalizing its agreement.

Alex Nunes can be reached at anunes@thepublicsradio.org





LOCAL, SHORELINE ACCESS, SOUTH COUNTY BUREAU

Westerly drops vandalism case against beachfront property owner

Westerly's part-time prosecutor said he dismissed the case against David M. Roth because he believes in giving second chances to people who make "foolish" decisions. Police say Roth admitted to spray-painting over a shore access sign that directs the public to use a right-of-way he thinks is private.



by Alex Nunes
September 27, 2024





David M. Roth is pictured in a police body cam video at the Westerly Police Department headquarters on Aug. 29, 2024. Credit: Westerly Police Department

The town of Westerly has dismissed a criminal case against a beachfront property owner police say repeatedly spray-painted a shoreline right-of-way sign in Watch Hill.

Last month, police charged David M. Roth, 76, with four counts of vandalism. Police believe Roth was responsible for vandalizing a sign that needed to be replaced multiple times over the summer because of the damage to it.

The sign is at the town-designated Everett Avenue public right-of-way next to Roth's \$10.8 million property. According to a police report, Roth told police he was upset about the sign's placement at the access path,



Despite the evidence police say they gathered, Westerly's prosecutor, Robert Craven, said he decided to dismiss the case after Roth agreed to pay the town \$1,010.90 in restitution.

Craven made the decision under a rule that gives prosecutors discretion to dismiss cases, called Rule 48(a). Craven said he has dismissed other vandalism cases since being hired as Westerly's part-time prosecutor in 2022.

In explaining his decision to dismiss the case, Craven mentioned Roth's age, that he prefers to be lenient when someone does something "uncharacteristic and foolish" and no one gets hurt, and that Roth "admitted he did something wrong" by paying restitution.

"If the same fact pattern presented itself tomorrow, I would do the same thing," Craven said.



Patrol led to arrest

Last week, the Westerly Police Department released Roth's full police report, revealing accounts of an



All Things Considered
Listen Live | 89.3



Pg.0356

Received
3/3/2026
Coastal Resources
Management Council



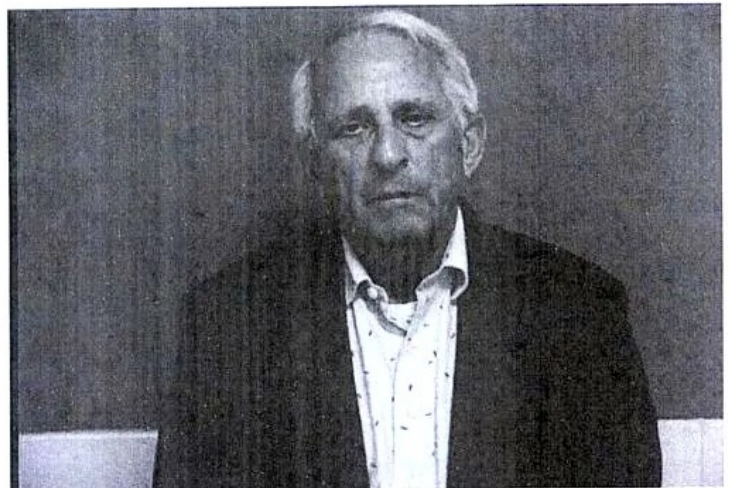
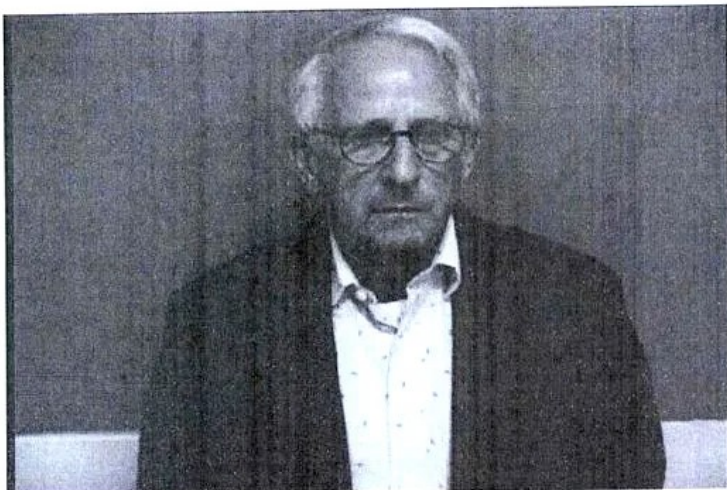
near the Everett Avenue right-of-way and saw a “shorter male, wearing a dark, dress style jacket.” Carrier said the man, later identified as Roth, had his jacket over his head and what appeared to be a white spray-paint can in his right hand.

“As I continued to approach the subject, I observed him turn around and look at me then quickly walk into the bushes in an attempt to conceal himself and the white can in his hand,” Carrier wrote in his official report.

When Carrier told Roth to walk towards him, the officer said he saw Roth wearing a medical facemask. Roth became “extremely nervous,” when Carrier asked him what he was doing, the officer said. Roth was brought to Carrier’s cruiser, patted down for weapons, “with negative results,” read his Miranda warnings, and taken to police headquarters, according to the report.

Carrier said Roth told police he had found a spray-paint can in his front yard and went to the right-of-way sign to see if it had been spray-painted.

“Roth then stated that he had the jacket over his head because there was a bee in the area and he did not want to get stung,” Carrier wrote.



Received

3/3/2026

Coastal Resources
Management Council



Police photographs of David M. Roth. Credit: Westerly Police Department

Police say Roth admitted to spray-painting the sign on a separate occasion but did not admit to vandalizing the sign multiple times between May and August. Roth expressed that he was upset about the shore access path and “felt as though it wasn’t a true right of way open to the public,” Carrier said.

“Roth stated that because of the ongoing issue and people ‘abusing’ the beach and his property, he had taken a can of paint to cover the sign,” Carrier said.

According to the report, police had set up trail cameras because the right-of-way sign was being repeatedly vandalized. That led to images of a suspect who matched Roth’s description, the report said.

“The suspect was consistent in each obtained photo, appearing to be a thin, smaller built white male,” a statement from Sgt. Brian Bruno reads. “In these images the suspect would cover himself up with a jacket over his head.”

Roth’s defense attorney, Peter DiBiase, did not return a call seeking comment on the dismissal of the case. Roth pleaded not guilty earlier this month.





A newly elevated right-of-way sign protected with plexiglass is pictured at Everett Avenue in Westerly. Credit: Alex Nunes/The Public's Radio

Roth has 'strong feelings' about shoreline access

Last year, Roth and his wife, Linda, filed a lawsuit against the state, challenging Rhode Island's new shoreline access law that says people have the right to be on the beach up to 10-feet landward of the seaweed line.

The couple says the new law is an unconstitutional taking of private property without just compensation and was enacted in violation of Rhode Island's separation of powers doctrine. In July, a Superior Court judge sided with the couple. Lawyers following the case expect the Rhode Island Supreme Court will eventually issue a decision on the law.

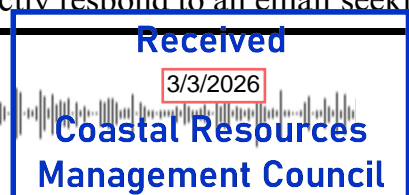
In 2017, David Roth spoke out against a town proposal to add vehicle drop-off points for beachgoers in Watch Hill.

The vandalism episode follows recent action taken by the town that could further solidify public beach access near Roth's home. Last year, the Westerly Town Council referred the Everett Avenue right-of-way to the Rhode Island Coastal Resources Management Council for consideration as a state-designated right-of-way to the shore.

The police report says Roth was aware of the state review and believes the path is private and for property owners in the "Everett Farms Estate."

"Roth revealed that he has strong feelings towards the right of way sign," Sgt. Bruno said in his statement. "Roth admitted that he did not like people seeing the sign and knowing it was a right of way."

Roth's attorney on shoreline access matters, Gerald Petros, did not directly respond to an email seeking



Craven, who is also a state representative from North Kingstown, pushed back on accusations already being made by some shoreline access advocates that he gave a special break to Roth in dismissing the case. Roth is a noted philanthropist from West Hartford, Conn, with a background in real estate investing, in addition to owning a substantial beachfront property in Watch Hill.

“I don’t ask how much money you have in your wallet when I make a decision that a case should be dismissed,” Craven said in an interview. “I’m looking at him as: What did he do? Is he a threat to society? And do you allow someone of this nature, or do you extend to someone of this nature, an opportunity to have a second bite at the apple so that he won’t have a criminal record?”

© 2025 The Public’s Radio | Rhode Island PBS Foundation/The Public’s Radio is a 501(c)(3) non-profit organization. Federal Tax ID: 22-2859005
Powered by Newspaper



LOCAL, SHORELINE ACCESS, SOUTH COUNTY BUREAU

Westerly beach parking bans are being called forms of 'bigotry'

Westerly's Harbor Management Commission is recommending the town council begin addressing "exclusionary" parking policies in shoreline areas. An attorney for Watch Hill property interests calls suggestions of discrimination "absurd."



by Alex Nunes
March 12, 2024

 LISTEN



Received
3/3/2026
Coastal Resources
Management Council





Fisherman Jason Jarvis, chair of the Westerly Harbor Management Commission, stands by his boat at his home in Westerly. Jarvis says restrictive parking policies in shoreline areas perpetuate racial discrimination.

You could almost call this a tale of two towns, within the confines of one municipality.

In downtown Westerly and nearby areas, drivers riding in two-way traffic pass between rows of vehicles parked on both sides of the street. Pedestrians stroll along sidewalks, and trucks make delivery stops in the middle of the road.

But in upscale shoreline vacation areas, like Watch Hill, parking is widely prohibited and drivers are banned from pulling over at a beach right-of-way to let passengers out.



prohibitions are “exclusionary” and may have an “unequal impact on people of color, the economically disadvantaged, disabled people, partially disabled people, [and] elderly people.”

The Harbor Management Commission made that conclusion in a 13-page letter it approved at its meeting on Monday. The Westerly Town Council will likely discuss the letter at its meeting next week.

In a candid interview with The Public’s Radio, the Harbor Management Commission’s chair, Jason Jarvis, who is Black, went beyond the conclusions in the letter, saying parking restrictions are consistent with an attitude of people in shoreline areas who don’t want people of color in their communities.

“It’s just another form of discrimination and bigotry, and it’s really disheartening,” Jarvis said. “From my own personal experience, as a person of color, I have definitely been involved in conversations related to race, in my access to go fishing ... It’s disparaging, racist remarks that I’ve heard from others while fishing.”

Jarvis said, “You could do a social experiment, if you want, and just grab a busload of kids from the city and pull into the parking lot in Watch Hill and get out ... I don’t imagine that’s gonna go over too well.”

The advisory letter from the Harbor Management Commission points out that [the town’s comprehensive plan](#) identifies concerns about parking availability in the shoreline fire districts of Watch Hill, Misquamicut, Shelter Harbor, and Weekapaug. It calls on the town councilors to “promote and enhance non-discriminatory coastal access for the public writ large by amending its ordinances to permit parking on or near ROWs [rights-of-way].”

The commission recommends the town begin this process by creating four parking spaces on the south end of Waters Edge Road, a town-owned road within the Watch Hill Fire District that terminates at Watch Hill Cove.

[Water access at the cove is generally difficult](#) for people who aren’t members of the Watch Hill Yacht Club or do not hold mooring permits, which are limited. Much of the land adjacent to the cove is owned by the quasi-municipal Watch Hill Fire District, which operates parking lots along the cove and has filed a lawsuit to invalidate a town-designated right-of-way at the southern side of Watch Hill Cove.

The commission’s recommendation for Waters Edge Road is already prompting strong pushback from Watch Hill. An attorney representing property interests on Waters Edge Road and the adjacent Pawcatuck Avenue has attended recent Harbor Management Commission meetings where commission members discussed the



At a Feb. 7 meeting, the attorney, Thomas McAndrew, accused one commission member of having a conflict of interest in seeking parking spots “to advance his personal interest” and hinted at the possibility of legal action over adding parking.

“We don’t want litigation,” McAndrew told commission members at the meeting.

In an interview Monday, McAndrew said the addition of parking would break an agreement he says he and his clients had with the town, as evidenced by the state Coastal Resources Management Council approving a kayak rack at the right-of-way without parking and the previous town manager acknowledging the terms of the approval in an email.

McAndrew, who said he also met recently with the current town manager to talk about the issue, said the process for discussing the parking proposal has not been sufficiently collaborative. And he dismissed suggestions that parking restrictions amount to exclusionary or discriminatory policies.

“Class-based and race-based?” McAndrew said with a suppressed laugh. “It doesn’t hold water. ... I mean, that’s absurd.”

“It’s been this way for 100 years. There’s a reason for that,” McAndrew said, arguing that the restrictions on Waters Edge Road are in place for safety reasons and pointing out that parking is also prohibited along Elm Street, a residential street of large homes near downtown Westerly.

“You mean to tell me people are being discriminated against because they can’t park on Elm Street in Westerly?” McAndrew said. “What’s that all about? So I don’t see that this is exclusionary at all.”

Jarvis, the Harbor Management Commission chair, responded negatively to the suggestion that parking restrictions are acceptable because they’re longstanding.

“That’s disturbing,” Jarvis said. “Racism has been around – we were brought here in slave ships. And the only reason the U.S. even exists is because of slave labor. And we continue slave labor right through the 13th Amendment, just by jailing more minorities than caucasians. But, hey, that’s the way it’s always been, so that’s okay. Let’s exclude access to the shoreline from poor people and people of color, because that’s the way it’s always been.”



includes outreach to the public.

In its letter, the Westerly Harbor Management Commission, or WHMC, also cites [a statement made last year by Rhode Island Attorney General Peter Neronha](#), indicating his office may get involved in cases “where entities are making vertical access [to the shore] effectively impossible through parking restrictions.”

The commission’s letter states that “common characteristics of discriminatory exclusionary parking ordinances may have emerged,” citing alleged double standards for parking rules inland versus at the shore, and the presence of landscaping trucks or cars parked for private parties near the beach where the public is not allowed to park.

In the past, drivers have parked without being ticketed where it’s prohibited on Bluff Avenue to visit the Watch Hill Chapel and Ocean House hotel. The area is a short walking distance from a public right-of-way to the Atlantic Ocean.

The commission’s letter references “the modern understanding that exclusionary parking bans are inherently classist and racist.”

“To be clear,” the letter reads, “the WHMC is not stating that an equal protection violation has occurred or is occurring, but the HMC is encouraging the Town to seek legal advice on that and related questions.”

Westerly Town Council member Kevin Lowther said he thinks the addition of four parking spaces to Waters Edge Road is “incredibly reasonable.” Lowther, who is Black, said shoreline access is an equity issue but was reluctant to characterize it as a racial justice issue.

“I just don’t see that there is a particular racial component to this. It seems to me to be an issue that really affects people who do not live near or on the shoreline,” Lowther said. “I think lots of people get their hair up when anybody brings up any issue of race. It’s because we don’t always know people’s intentions. And so I’m trying to keep my focus on: What do we think is good for the community?”

When asked if systemic racism exists if parking restrictions result in an area being predominantly white, Lowther said, “I think it is inequitable in a number of different ways that intersect with each other.”

“I understand the temptation to try to make it about a certain type of inequality,” Lowther said. “My point is



at Westerly beach areas, whether it be buses coming from the northern part of the state or trolleys running from downtown Westerly.

“Definitely one in Watch Hill, definitely one at the [Misquamicut] state beach, maybe one for Weekapaug,” he said of possible drop-off spots. “I think a bus option could potentially address equity issues, and it could also help with our traffic patterns.”

© 2026 The Public’s Radio | Rhode Island PBS Foundation/The Public’s Radio is a 501(c)(3) non-profit organization. Federal Tax ID: 22-2859005
Powered by Newspack



ATTORNEY-CLIENT MEMORANDUM

Date: January 24, 2019
To: Mark Rooney, Town Manager
From: William J. Conley, Jr., Town Solicitor
Kyla Pecchia, Esq.
RE: Municipal Responsibility of Maintenance of Private Roads

As requested, the Legal Department researched the issue of whether the Town has a responsibility to maintain private roads. Our response is provided herein.

Definitions from Local Ordinances and R.I.G.L.

The Town of Westerly Code of Ordinances, Chapter A261 entitled Land Development and Subdivision Regulations, lays out definitions concerning "private and public streets". In Article II, a "street" is defined as:

"A public or private thoroughfare used or intended to be used for passage or travel by motor vehicles. Streets are further classified by the functions they perform. See definition of street classification."

Article II delineates a difference between private streets and public streets. A **public road** is defined as follows:

"All public property reserved or dedicated for street traffic."

Private streets are defined as:

"A thoroughfare established as a separate tract for the benefit of multiple, adjacent properties and meeting specific improvement standards for private streets in these regulations. This definition shall not apply to driveways."

Section IV of the same Chapter A261 creates even more distinction between private and public streets, and lays out four (4) categories of street classification in subsection (5)(b). Subsection (5)(b)(3) states that a **public street** is defined by its primary function: carrying traffic between local and arterial streets, and providing access to abutting properties. A **private street** is identified as having the function of providing access to abutting properties. (5)(b)(4).

Rhode Island General Laws also recognize a difference between private and public streets, defining a "private road or driveway," as "every way or place in private ownership that is used for vehicular travel *only by the owner* and by those others having express or implied permission from the owner." R.I.G.L. §31-1-23(g), [emphasis added]. A "local highway" means every street or highway other than a state highway, private road, or driveway. R.I.G.L. §31-1-23(f).

It is clear that the Town of Westerly and the State recognize a difference between private and public streets. The question of maintenance, however, is not codified within Town ordinances or state statutes; therefore, we also look to case law for authority and guidance on the issue.

Relevant RI Case Law

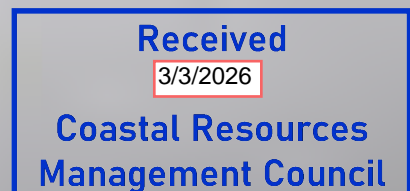
Upon an extensive review of Rhode Island case law, there is no case directly addressing the issue of whether a municipality has responsibility to maintain private roads

For example, Rhode Island courts have consistently held that a municipality owes no duty to individuals who are injured on private roads. See generally, Blair v. Granger, 24 R.I. 17, 19-21, 51 A. 1042, 1043 (1902); see also Cole v. Barber, 33 R.I. 414, 418, 82 A. 129, 131 (1912). In fact, in those circumstances in which it was determined that no duty existed on behalf of the municipality, the courts stated that the plaintiffs could not recover without a showing that they were injured on a public street, rather than a private street. In its holding, the court in Chapman v. Cook stated that “towns are required to keep their highways in such condition that people exercising ordinary care, reasonably prudent men, may pass along them. . . with safety and convenience,” and concluded that the town’s duty towards the particular plaintiff ceased when the plaintiff left the “public highway.” 10 R.I. 304 (1872).

Therefore, we can conclude that: (1) municipalities do not have a duty to maintain any roads that are not recognized as public and, (2) that liability ends when a road is “private.”

Accordingly, it is our opinion that the Town has no duty to maintain private roads within the Town, and particularly from a liability perspective, any such maintenance should cease to exist so the Town does not put itself in a position where it could be responsible for any damage associated with such maintenance. While we understand that the Town has historically provided services, such as snow removal and salting/sanding for these private roads and that residents of the Town may expect same in the future, the Town cannot subject itself to liability by using Town resources to maintain private roads. Particularly since such private roads may not conform to the same standards that are required on public roads. Damage could occur to persons or property located thereon, and the Town could ultimately be responsible for said damage related to its maintenance thereof. If the Town wishes to continue to provide said services on private roads, the Town should require a hold harmless agreement or enter into some form of a service contract with the private owners of such a roadway in order to protect the Town from potential liability.

Please let us know if you have any additional questions or concerns.



534 TOWN
24 STATE
35 PAPER
82 PRIVATE 9 maintained

675 TOTAL

136 Miles TOWN
18 Miles PRIVATE
13 Miles PAPER
40 Miles STATE

207 TOTAL

Hydro Dr
Lanphier Rd
Thomas Ln
Michaels Way
Vero Rd
Gavitt Ave
Gualino
Maggio
Trackside

} Same owner

Received
3/3/2026
Coastal Resources
Management Council