

Lisa Turner

From: Anthony Palazzolo <palazzolo@thepatentsource.com>
Sent: Wednesday, September 23, 2026 1:50 PM
To: Cstaff; Amy Silva; Lisa Turner; Anthony M. Palazzolo Jr. Esq.
Subject: FW: OBJECTION TO CRMC ASSENT APPLICATION 2026-05-006 (32 HARBOR DRIVE, WESTERLY, RI)
Attachments: WINNAPAUG BEACH PARK PLAT SEC 2 WLER Bk6 Pg77.pdf; Excerpt from CRMC Application 2025-06-039 - Ocean House Private Emergency Vehicle Road.pdf; Westerly Police Chief and Watch Hill Fire Chief Letters - 2025-06-039.pdf; 2026 Screenshot of Westerly GIS - Showing Harbor Drive, Nantucket Avenue, Shore Road, and Shell Drive.jpg; Bk41 Pg533 - Instrument 1913-4301 - 1913 Deed To Damerel.pdf; Bk41 Pg533 - Instrument 1913-4311 - 1913 Deed To Damerel.pdf; Bk64 Pg163 - 1946 Deed Damerel To Gardella.pdf; Bk110 Pg276 - 1972 Deed Gardella To Couture.pdf; UNDATED - TOWN OF WESTERLY LIST OF ROAD NAME CHANGES.pdf; Bk786 Pg264 - 1999 Deed Couture To Easter Seals.pdf; Bk1905 Pg424 - 2011 Deed Easter Seals To Westerly Municipal Land Trust.pdf

Please see below. Resent as requested.

Sincerely,

Anthony M. Palazzolo Jr.



THE PATENT SOURCE

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

From: Anthony Palazzolo
Sent: Tuesday, September 22, 2026 7:13 PM
To: Csatff1@crmc.ri.gov; Anthony M. Palazzolo Jr. Esq. <palazzolo@thepatentsource.com>
Subject: OBJECTION TO CRMC ASSENT APPLICATION 2026-05-006 (32 HARBOR DRIVE, WESTERLY, RI)

To Whom It May Concern:

I hereby object to the above-identified CRMC assent application (and request an oral hearing regarding same) for the two reasons noted below.

First, a credible challenge to the subject application based on the Westerly Zoning ordinances has been asserted. Although the Westerly Town Engineer purports to respond to that challenge, his "response" includes no admissible evidence (everything the Town Engineer says about zoning is PURE HEARSAY). The Town Engineer has neither actual nor apparent authority to speak on behalf of the Zoning Board and/or the Zoning Enforcement Officer. More importantly, the Town Engineer doesn't even claim to speak for those entities. There are exactly no facts

suggesting that the Zoning Board met and voted to take any official position on this matter (and I doubt they would have jurisdiction to do so unless a specific application/complaint was brought to them). Nor is there a claim that the alleged statement was issued by the Zoning Enforcement Officer (and again I doubt such an officer has the authority to issue advisory opinions on matters not expressly presented to him/her for action). There might, perhaps, be some admissible evidence regarding Westerly Zoning if the Town Manager Shawn Lacey (who DOES have authority to speak on behalf of the Town) appeared at a CRMC hearing and testified under oath; since that has not happened, however, the objection to the application remains un rebutted and must be accepted.

Second, the proposed use of the site provides little benefit to the public and, on balance, actually presents a danger to the public. As discussed below, the harm to the environment in the buffer and setback areas (although minor) outweighs the alleged public benefit and, as such, the CRMC should not exercise its discretion in favor of the proposed use. First, the proposed use only calls for one parking place in the setback area. If one is acceptable in the setback area, then two should be as well and two would provide twice the benefit to the public. In my personal opinion, not only is 32 Harbor Drive a legitimate public right of way to the tidewaters of Winnapaug Pond, but so is the terminus of Shell Drive nearby. In fact, I intend to submit State ROW designation requests to the RI CRMC for both sites (like the seven others I have submitted for other ROWS in Westerly). The subject property (32 Harbor Drive), however, is the only one of these two access points where parking is possible. So the 32 Harbor Drive application should propose two parking spaces that would enhance public access to Winnapaug Pond there as well as at end of Shell Drive. THAT (two parking places within the setback area) is worthy of discretionary approval by the CRMC because THAT is a public benefit that outweighs the environmental considerations associated with clearing vegetation in the setback area.

Moreover, the proposed use of the site improperly encourages public use of a remote portion of Winnapaug Pond without the slightest consideration of emergency vehicle access for public safety. What's worse is that providing emergency vehicle access to the site is such a trivial matter that it easily could have been included in the subject application. In particular, the proposed use calls for shoreline access over a crushed stone path six feet wide. That's wide enough for people to get themselves into trouble but not wide enough for emergency vehicles to get them out of it. Indeed, pending CRMC application 2025-06-039 (Ocean House Hotel Partners in Watch Hill) asserts that a ten foot wide path is the minimum needed for emergency vehicle access to East Beach in Watch Hill. See attached excerpt of that application. Without 10 feet of width, the application argues, precious moments for emergency vehicles to reach precious oligarchs and their precious children could be lost. Importantly, the Watch Hill Fire Chief and the Westerly Police Chief both submitted letters of support for that application 100% agreeing with that Applicant. See attached letters. These are THE public safety officials in Westerly and they agree that a ten foot wide path is the minimum necessary for emergency vehicle access to the tidewater. Well, I say that the lives of the public writ large are just as important as the lives of their overlords. Therefore, the CRMC should reject the proposed use of the site as a matter of public policy for failing to provide a ten foot wide emergency vehicle path of crushed stone. This is especially appropriate because the Town merely needs to widen the proposed six foot path to ten feet to enable emergency vehicle access (and the difference in cost and effort is trivial).

Regarding public access to the tidewaters of Winnapaug Pond, it is undisputed that the Westerly Municipal Land Trust (hereinafter "THE TRUST") is the deeded owner of the subject property at 32 Harbor Drive. THE TRUST has an unbroken chain of title easily traceable back to the original developer (Mary S. Damerel) of the WINNAPAUG BEACH PARK residential subdivision. See attached Town-Clerk-certified deeds (to Damerel, then to Gardella, then to Couture, then to Easter Seals, then to THE TRUST). The recorded WINNAPAUG BEACH PARK sec 2 plat very clearly depicts all of: the subject property, Massachaug Avenue (now called Nantucket Avenue), Harbor Drive, and Cove Street (now called Shell Drive). See attached WINNAPAUG BEACH PARK sec 2 plat and 2026 Westerly GIS Screenshot. Moreover the 1946 Deed (Damerel to Gardella) expressly references the aforementioned plat. See attached 1946 deed. In my personal opinion, it is black-letter-law in Rhode Island that the original purchaser of the subject property obtained (as part of its purchase from the developer) an implied easement to use all of the aforementioned roads. E.g., *Robidoux v. Pelletier*, 381 A.2d 1150, 1156 (RI 1978) ("[W]e are reminded of the well-recognized rule which holds that a sale of a platted lot with reference to the plat will, as between the grantor and the grantee, give the latter a right to use all of the streets delineated on the plat * * * Such an easement is appurtenant to the property and passes with the conveyance of the property, unless specifically excluded, even though not mentioned in the deed."). Since

THE TRUST is the present owner of the subject property, THE TRUST now holds that implied easement to use all of the aforementioned roads. And, since it is also undisputed that THE TRUST is a public entity, the public writ large may use all of the aforementioned roads as long as THE TRUST owns the subject property. In my personal opinion, Westerly does not need to own and/or maintain these roads for public access to exist because public access exists by virtue of THE TRUST's ownership of the subject parcel and the associated implied easement to pass and repass on all of the roads shown on the WINNAPPAUG BEACH PARK plats. So there is a significant public benefit to be had here, but the CRMC should insist that it be pursued legally, safely, and wisely before putting its imprimatur on any particular proposal.

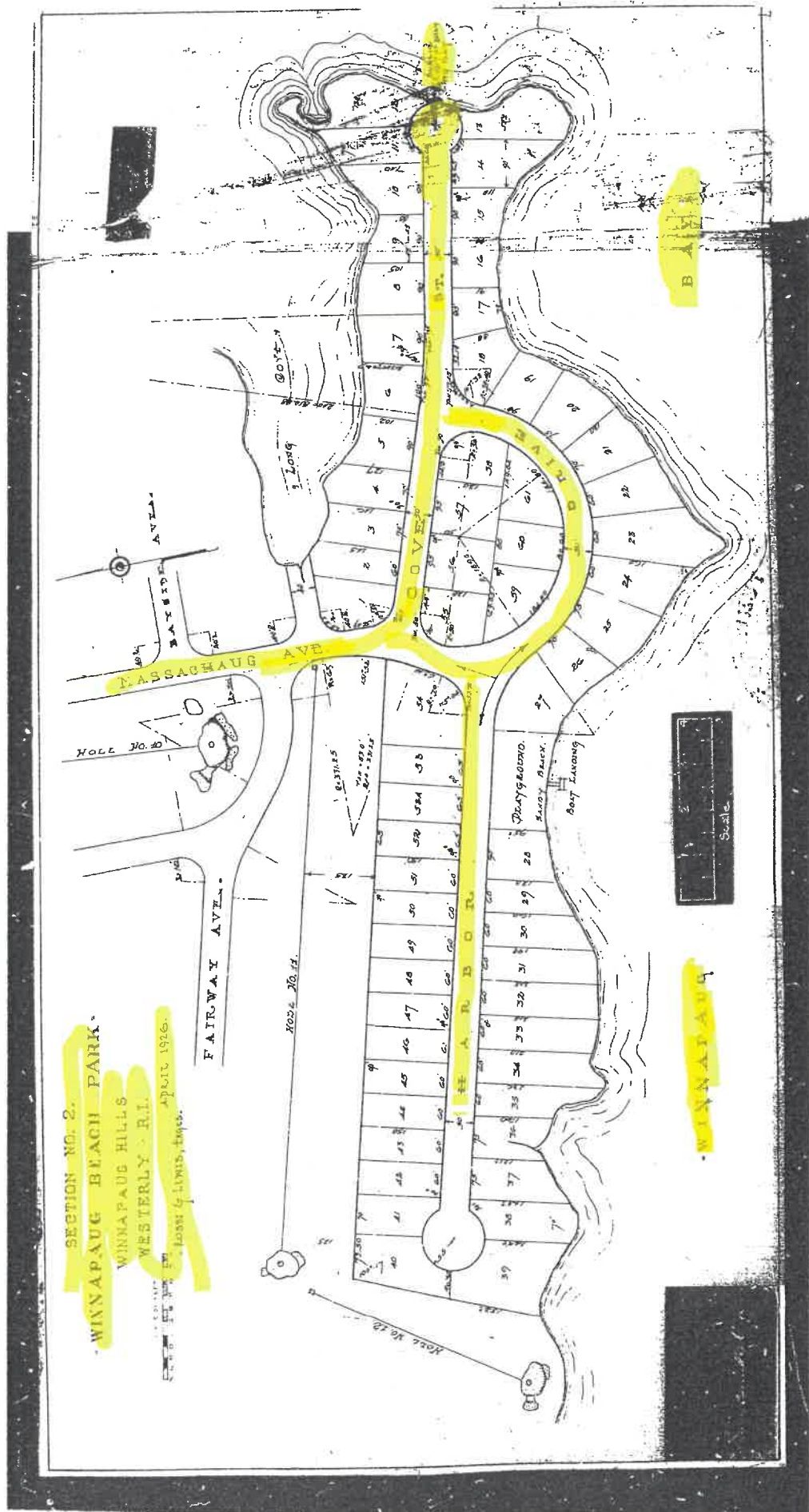
Importantly and relatedly, I am not aware of any express or implied right for the public writ large to park on Harbor Drive and/or Shell Drive. In my personal opinion, therefore, at least two parking spaces on the subject property at 32 Harbor Drive itself is, as a practical matter, essential for public access to Winnapaug Pond to exist via the subject property and/or Shell Drive.

I, therefore, object to the above-identified CRMC assent application and request an oral hearing regarding same.

Sincerely,
Anthony M. Palazzolo Jr.

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

This email and the attached documents are solely for use by the RI CRMC in connection with assent application 2026-05-006. Although I have been licensed to practice law in California and Connecticut for 30 years, I am not licensed to practice law in the State of Rhode Island and nothing herein should be construed to imply otherwise. I have no clients in Rhode Island. Any and all references to legalities are merely my personal opinions as a layman (not a professional). 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 subject property who is merely exercising his petition and free speech rights under the U.S. and Rhode Island Constitutions in connection with a matter of public concern.



SEP 17 2026

TRUE COPY DATED:

ATTEST: *Mary L. LeBlanc, MMC*

Mary L. LeBlanc, MMC

Westerly Town/Probate Clerk

9.7.3(A)(3) - All applicable review criteria specified in § 9.7.2 of this Part have been satisfied.

All review criteria in this section have been satisfied as the majority of the wetland standards have been met. This in addition to the avoidance and minimization narrative above exhibits that no significant change shall occur within the buffer zone that will lead to a negative outcome for wildlife, stormwater or water quality.

9.7.3(A)(4) - Due to the conditions at the project site, the applicable standard(s) cannot be met.

Due to the requirement of an access path, there is no opportunity to access the beach from the property without crossing a small portion of freshwater wetland and buffer zone.

9.7.3(A)(5): The relief requested by the applicant is the minimum variance to the applicable standard(s) necessary to allow a reasonable alteration or use of the site as required by §§ 9.7.3(A)(2)(a) and (b) of this Part above;

It is the applicant's position that the relief required to construct this access is the minimum necessary and is a reasonable alteration. The proposed access is ten feet wide which is the minimum required for safe vehicular travel.

9.7.3(A)(6):- The requested variance to the applicable standard(s) is not due to any prior action of the applicant or the applicant's predecessors in title.

The request for the second shoreline access path is not due to any action of the Ocean House. It is being proposed for the safety of its patrons and the general public at large who utilize the beach in this area of Watch Hill.

9.7.3(A)(7): Due to the conditions of the project site in question, the standard(s) will cause the applicant an undue hardship. In order to receive relief from an undue hardship an applicant must demonstrate inter alia the nature of the hardship and that the hardship is shown to be unique or particular to the site. Mere economic diminution, economic advantage, or inconvenience does not constitute a showing of undue hardship that will support the granting of a variance.

As previously addressed, the standard causes the applicant an undue hardship as there is currently no way for a vehicle to safely access the beach. In the event of an emergency, emergency response would need to access the beach at the terminus of Everett Avenue, a small sanded roadway unfit for vehicles. This would result in a delayed response to assist the patrons in the event of an emergency.

9.7.3(D): In those instances where a variance would be obviated or reduced if a variance for a setback were acquired from a local municipality, the applicant must first exhaust his or her remedies before the local municipality prior to submitting an application for a permit to the Department.



Westerly Police Department

60 Airport Road, Westerly, Rhode Island 02891 • (401) 596-2022 • Fax (401) 596-7501

Paul J. Gingerella
Chief of Police

November 6, 2025

Ms. Amy Silva,
Supervising Environmental Scientist
RI Coastal Resources Management Council
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879

RE: SUPPORT FOR OCEAN HOUSE SERVICE ACCESS ROAD

Dear Ms. Silva,

On behalf of the Westerly Police Department, I am writing to express our strong support for the continued existence and use of the Ocean House service access road connecting the Ocean House property to East Beach. This access point has proven to be an essential and reliable route for emergency response and coordination between law enforcement, emergency medical personnel, and Ocean House staff.

For decades, Ocean House has maintained a continuous lifeguard presence on East Beach, without interruption — even during periods of construction or renovation. Their lifeguard program has consistently collaborated with the Town of Westerly Police Department and other emergency agencies, contributing to numerous successful rescues and lifesaving operations. In addition, Ocean House staff have provided timely reports and call-ins regarding shark sightings and other marine hazards, which have aided greatly in protecting the public.

From an operational standpoint, the service access road provides critical, time-sensitive access to the beachfront area. In emergency situations, every second counts, and the ability to reach the beach quickly can mean the difference between life and death. The alternative routes — such as the Everett Avenue or Bluff Avenue right-of-way — are significantly less efficient and often congested, resulting in dangerous delays for emergency response vehicles. Accordingly, this roadway represents not only a logistical convenience but a public safety necessity. Its availability enhances coordination among first responders and ensures the most direct and safe access for police, fire, and rescue personnel.

For these reasons, the Town of Westerly Police Department strongly supports the continued authorization and recognition of the Ocean House service access road by the CRMC.

Should you require any additional information or wish to discuss this matter further, please feel free to contact me by phone at (401) 596-2022 or by email at pgingerella@westerlypolice.org.

Sincerely yours,



Chief Paul J. Gingerella
Westerly Police Department





WATCH HILL FIRE DEPARTMENT

**222 Watch Hill Road
Westerly, RI 02891
(401) 348-8932**

Dennis Reall Jr.
Chief of Department

November 6, 2025

Rhode Island Coastal Resources Management Council
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879

Subject: Support for Ocean House Service Access Road

Dear Members of the Council:

As Chief of the Watch Hill Fire Department, I am writing to convey our strong support for the continued existence of the Ocean House service access road, which extends between the Ocean House property and East Beach.

This access route plays a critical role in the timely and effective delivery of emergency fire, rescue, and medical services to this heavily used and geographically challenging portion of our coastline.

The Watch Hill Fire Department has worked closely with Ocean House for many years, and we recognize their longstanding commitment to beach safety, including a continuous and professional lifeguard presence on East Beach for decades. Even during the Ocean House construction phase, that lifeguard presence never lapsed.

The Ocean House lifeguard team has operated with professionalism, maintaining excellent communication and coordination with our emergency personnel. This has resulted in successful rescue and medical responses, as well as the implementation of preemptive measures to safeguard beach visitors. Ocean House staff routinely provide prompt and accurate reports of shark sightings and other marine hazards, allowing us to respond appropriately and address public safety accordingly.

From an operational standpoint, the Ocean House service access road is a dependable and necessary direct and practical route for fire and rescue apparatus to reach this section of the shoreline. The alternative access points, including Everett Avenue and Bluff Avenue, are each a distance away, which could be insufficient for a large-scale emergency response, especially under time-sensitive and high-pressure conditions.

Maintaining the Ocean House service access road is not simply a matter of convenience; it is a matter of public safety and operational necessity. The access road's availability ensures that fire and emergency personnel can reach victims and critical areas without delay, the access road better facilitates coordinate with Ocean House lifeguards, and the access road allows us to execute rescues and medical transports efficiently.



For these reasons, the Watch Hill Fire Department fully supports and endorses the continued authorization and maintenance of the Ocean House service access road as a vital public safety asset.

Should the Council require any further information or wish to discuss this matter in more detail, please do not hesitate to contact me directly at (401) 348-8932 or dreall@watchhillfire.com

Respectfully submitted,

Dennis Reall Jr.
Chief of Department





MBL : 154-22
Owner : WESTERLY MUNICIPAL LAND TRUST (THE)
Acres : 0.28
Land Use : MUNICIPAL MDL-00
Zoning : R20



Details Quick Map VISION Summary Card Street Side View

Full Extent Zoom In Zoom Out Prev Extent Next Extent Pan Parcel Information Simple Measure Path Measure Area Measure

Scale: 1 in = 400 ft

Rt State Plane NAD 1983 - X.Y 247827 89809

Town of Westerly, NE GEO

11021

533

Know all Men by these Presents, that We

Abby J. Weeden and

Mary Ann F. Brightman

both of the Town of Westerly in the County of Washington and State of Rhode Island, hereinafter called the Grantors, in consideration of Ten dollars and other valuable considerations to us paid by

Mary S Damerel

of said Westerly county and State aforesaid, hereinafter called the Grantee, the receipt whereof is hereby acknowledged, do hereby give, grant, bargain, sell and convey unto the said Grantee and her heirs and assigns forever

a certain tract or parcel of land containing by estimation one hundred and fifty acres with a dwelling house and other improvements thereon standing and bounded and described as follows to wit:- Easterly on land formerly belonging to Thomas Ray and land formerly belonging to Sumner Chapman, Southerly by land formerly belonging to Sumner Chapman and the "Salt Pond" so called, Westerly by land formerly belonging to Sumner Chapman and land of the heirs of Horace Brightman, and northerly by land of the heirs of Horace Brightman and land formerly belonging to Thomas Ray and land of Sally Barnes or however otherwise the same may be bounded This property is conveyed with the understanding that two highways run through the same

To Have and to Hold, the aforegranted premises, with all the privileges and appurtenances thereunto belonging, unto and to the use of the said Grantee, and her heirs and assigns, forever. And we the said Grantors, do hereby, for ourselves and for our heirs, executors and administrators, covenant with the said Grantee and her heirs and assigns that we are lawfully seized in fee simple of the said granted premises; that the same are free from all incumbrances that we have good right, full power and lawful authority to sell and convey the same in manner as aforesaid; that the said Grantee and her heirs and assigns shall by these presents at all times hereafter peaceably and quietly have and enjoy the said premises, and that we the said Grantors will, and our heirs, executors and administrators shall, warrant and defend the same to the said Grantee and her heirs and assigns forever against the lawful claims and demands of all persons.

In Witness Whereof, we have hereunto set our hands and seal this 14th day of May in the year of our Lord one thousand nine hundred and thirteen.

Signed and sealed in presence of

Eugene B. Pendleton

Abby J. Weeden

L.S.

Mary Ann F. Brightman

L.S.

STATE OF RHODE ISLAND,

County of Washington

In Westerly on the fourteenth day of May A.D. 1913

before me personally appeared Abby J. Weeden and Mary Ann F. Brightman to me known and known by me to be the parties executing the foregoing instrument, and they acknowledged said instrument, by them executed, to be their free act and deed.

Eugene B. Pendleton

Notary Public.

Received for Record June 25th. A.D. 1913, at 3.45 o'clock, P.M., and recorded.

Attest :

Eugene B. Pendleton

Town Clerk.

Know all Men by these Presents, that I

Ann D. Brightman

of the Town of Westerly, in the county of Washington and State of Rhode Island in consideration of the sum of Ten dollars to me paid by

534

Mary S. Damerel

of said Westerly County and State aforesaid the receipt whereof is hereby acknowledged, do hereby remise, release and forever QUITCLAIM unto her the said Mary S. Damerel her heirs and assigns forever, all the right, title, interest, property, claim and demand which I now have, or of right ought to have, or claim, in and to

a certain tract or parcel of land containing by estimation one hundred and fifty acres with a dwelling house and other improvements thereon standing and bounded and described as follows to wit: - Easterly by land formerly belonging to Thomas Ray and land formerly belonging to Sumner Chapman, Southerly by land formerly belonging to Sumner Chapman and the "Salt Pond" so called. Westerly by land formerly belonging to Sumner Chapman and land of the heirs of Horace Brightman, and Northerly by land of the heirs of Horace Brightman and land formerly belonging to Thomas Ray and land now or formerly of Sally Barnes, or however otherwise the same may be bounded. This property is conveyed with the understanding that two highways run through the same

To Have and to Hold the same, with all the rights, privileges and appurtenances thereunto appertaining, unto and to the use of her the said Mary S. Damerel her heirs and assigns forever. And I the aforesaid Ann D. Brightman for myself and for my heirs, executors, and administrators, do covenant with the said Mary S. Damerel her heirs and assigns, that I will warrant and defend the aforescribed premises unto the said Mary S. Damerel her heirs and assigns, forever, against the lawful claims and demands of all persons claiming by, through, or under me

In Testimony Whereof, I have hereunto set my hand and seal this 14th day of May in the year of our Lord one thousand nine hundred and thirteen

Signed and sealed in presence of

Eugene B. Pendleton

Ann D. Brightman

L.S.

STATE OF RHODE ISLAND,
County of Washington

In Westerly on the fourteenth day of May A.D. 1913

before me personally appeared Ann D. Brightman to me known, and known by me to be the party executing the foregoing instrument, and she acknowledged said instrument, by her executed, to be her free act and deed.

Eugene B. Pendleton

Notary Public.

Received for Record June 25th, A.D. 1913, at 3.45 o'clock, P.M., and recorded.

Attest :

Eugene B. Pendleton

Town Clerk.

KNOW ALL MEN BY THESE PRESENTS, THAT

The Riverside Park Company,

a corporation created under the laws of the state of Rhode Island, located and doing business in Westerly in the county of Washington in said state, hereinafter called the Grantor, in consideration of the sum of TEN DOLLARS (\$10.00) to said corporation paid by

The Public Playground Association of Westerly, Rhode Island,

a corporation created under the laws of said state and located in said Westerly, hereinafter called the Grantee, the receipt whereof is hereby acknowledged, do hereby give, grant, bargain, sell and convey unto the said Grantee, its successors and assigns forever,

A certain tract or parcel of land, situated in that part of said Westerly formerly known as Stillmanville, and bounded and described as follows: Commencing at the northwest corner of said tract at the highway known as Canal Street, at land now or formerly of the heirs of John B. Barber and on the northerly side of the bed of the canal formerly

SEP 03 2026

A TRUE COPY DATED

ATTEST: *Mary L. LeBlanc, MMC*

Mary L. LeBlanc, MMC
Westerly Town/Probate Clerk

11021

533

Know all Men by these Presents, that We

Abby J. Weeden and

Mary Ann F. Brightman

both of the Town of Westerly in the County of Washington and State of Rhode Island, hereinafter called the Grantors, in consideration of Ten dollars and other valuable considerations to us paid by

Mary S. Damerel

of said Westerly county and State aforesaid, hereinafter called the Grantee, the receipt whereof is hereby acknowledged, do hereby give, grant, bargain, sell and convey unto the said Grantee and her heirs and assigns forever

a certain tract or parcel of land containing by estimation one hundred and fifty acres with a dwelling house and other improvements thereon standing and bounded and described as follows to wit:- Easterly on land formerly belonging to Thomas Ray and land formerly belonging to Sumner Chapman, Southerly by land formerly belonging to Sumner Chapman and the "Salt Pond" so called, Westerly by land formerly belonging to Sumner Chapman and land of the heirs of Horace Brightman, and northerly by land of the heirs of Horace Brightman and land formerly belonging to Thomas Ray and land of Sally Barnes or however otherwise the same may be bounded This property is conveyed with the understanding that two highways run through the same

To Have and to Hold, the aforegranted premises, with all the privileges and appurtenances thereunto belonging, unto and to the use of the said Grantee, and her heirs and assigns, forever. And we the said Grantors, do hereby, for ourselves and for our heirs, executors and administrators, covenant with the said Grantee and her heirs and assigns that we are lawfully seized in fee simple of the said granted premises; that the same are free from all incumbrances that we have good right, full power and lawful authority to sell and convey the same in manner as aforesaid; that the said Grantee and her heirs and assigns shall by these presents at all times hereafter peaceably and quietly have and enjoy the said premises, and that we the said Grantors will, and our heirs, executors and administrators shall, warrant and defend the same to the said Grantee and her heirs and assigns forever against the lawful claims and demands of all persons.

In Witness Whereof, we have herunto set our hands and seal this 14th day of May in the year of our Lord one thousand nine hundred and thirteen.

Signed and sealed in presence of

Eugene B. Pendleton

Abby J. Weeden

L.S.

Mary Ann F. Brightman

L.S.

STATE OF RHODE ISLAND,
County of Washington

In Westerly on the fourteenth day of May A.D. 1913 before me personally appeared Abby J. Weeden and Mary Ann F. Brightman to me known and known by me to be the parties executing the foregoing instrument, and they acknowledged said instrument, by them executed, to be their free act and deed.

Eugene B. Pendleton

Notary Public.

Received for Record June 25th. A.D. 1913, at 3.45 o'clock, P.M., and recorded.

Attest :

Eugene B. Pendleton

Town Clerk.

Know all Men by these Presents, that I

Ann D. Brightman

of the Town of Westerly, in the county of Washington and State of Rhode Island in consideration of the sum of Ten dollars to me paid by

A TRUE COPY DATED: SEP 03 2026

ATTEST:

Mary L. LeBlanc, MMC

Mary L. LeBlanc, MMC

Westerly Town/Probate Clerk

Know All Men By These Presents, That I,

Mary S. Damerel,

of the Town of Westerly, County of Washington, and State of Rhode Island, hereinafter called the Grantor, in consideration of One (\$1.00) Dollar and other good and sufficient consideration to me paid by JOSEPH GARDELLA and REGINA M. GARDELLA,

husband and wife, both of the Town of Westerly, County of Washington and State of Rhode Island, as joint Tenants with the right of survivorship and not as Tenants in Common, hereinafter called the Grantees, the receipt whereof is hereby acknowledged, do hereby give, grant, bargain, sell and convey unto the said Grantees, and their heirs and assigns, forever, All that certain lot, place or parcel of land situate, lying and being in the Town of Westerly, County of Washington, and State of Rhode Island, and designated as Lot No. Thirty-one (31) as shown on Section No. Two (2) of "Plat of Winnapaug Beach Park Surveyed by Rossi & Lewis, Engre., said plat having been filed on January 17, 1928 with the Land Records of said Town of Westerly, Rhode Island, in Plat Book 6 page 77.

This conveyance is made and accepted subject to the following conditions, restrictions and limitations which shall run with the land:--

1. Not more than one building shall be erected on any one lot and no building shall be erected except a one family dwelling house costing not less than Two Thousand Dollars (\$2,000), and private garages, when constructed, shall be made a part of the dwelling house building, and no separate garage shall be erected except with the written permission of the Grantor. No cesspool shall be constructed or used on said lot, and sewage shall be disposed of by private septic tanks.

2. No business of any character shall be carried on on said lots or in any house or garage erected thereon.

3. The restrictions relating to the character of buildings and use thereof shall run until January 1, 1945, but said restrictions as to character of buildings and use thereof shall not apply to the group of lots designated or reserved by the Grantor for business and amusement purposes.

To Have and to Hold the aforegranted premises, with all the rights, privileges and appurtenances thereunto belonging, unto and to the use of the said Grantees, and their heirs and assigns, forever.

And I the said Grantor, do hereby, for myself and for my heirs, executors, and administrators, covenant with the said Grantees and their heirs and assigns that I am lawfully seized in fee simple of the said granted premises; that the same are free from all incumbrances except as aforesaid and that I have good right, full power and lawful authority to sell and convey the same in manner as aforesaid; that the said Grantees and their heirs and assigns shall by these presents at all times hereafter peaceably and quietly have and enjoy the said premises, and that, I the said Grantor will, and my heirs, executors and administrators, shall warrant and defend the same to the said Grantees and their heirs and assigns forever against the lawful claims and demands of all persons.

In Witness Whereof I have hereunto set my hand and seal this 8th day of August, in the year of our Lord one thousand nine hundred and forty-four.

Executed in the presence of

Bertha M. Brown

U.S.I.R.

Mary S. Damerel

(SEAL)

Mildred H. Bray

\$.55
stamps

STATE OF RHODE ISLAND

COUNTY OF Washington

In Westerly, on the 8th day of August, A. D. 1944 before me personally appeared the above named grantor, Mary S. Damerel, to me known and known by me to be the party

ABD 703

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executing the foregoing instrument, and acknowledged said instrument, by her executed, to be her free act and deed.

(L.S.)

Mildred H. Bray

Notary Public.

Received for Record June 14th, A. D. 1946 at 3:25 o'clock P.M. and recorded.

Attest:

Charles H. Connor
Town Clerk.

Know All Men By These Presents, That I,

Mary S. Damerel,

of the Town of Westerly, County of Washington, and State of Rhode Island, hereinafter called the Grantor, in consideration of One (\$1.00) Dollar and other good and sufficient consideration to me paid by

JOSEPH GARDELLA and REGINA M. GARDELLA,

husband and wife, both of the Town of Westerly, County of Washington and State of Rhode Island, as joint tenants with the right of survivorship and not as tenants in common, hereinafter called the Grantees, the receipt whereof is hereby acknowledged, do hereby give, grant, bargain, sell and convey unto the said Grantees, and their heirs and assigns forever All that certain lot, piece or parcel of land situate, lying and being in the Town of Westerly, County of Washington, and State of Rhode Island, and designated as Lot No. Thirty (30) as shown on Section No. Two (2) of "Plat of Winnapaug Beach Park Surveyed by Ross & Lewis, Engrs., said plat having been filed on January 17, 1928 with the Land Records of said Town of Westerly, Rhode Island, in Plat Book 6 page 77.

This conveyance is made and accepted subject to the following conditions, restrictions and limitations which shall run with the land:--

1. Not more than one building shall be erected on any one lot and no building shall be erected except a one family dwelling house costing not less than Two Thousand Dollars (\$2,000), and private garages, when constructed, shall be made a part of the dwelling house building, and no separate garage shall be erected except with the written permission of the Grantor. No cesspool shall be constructed or used on said lot, and sewage shall be disposed of by private septic tanks.

2. No business of any character shall be carried on on said lots or in any house or garage erected thereon.

3. The restrictions relating to the character of buildings and use thereof shall run until January 1, 1945, but said restrictions as to character of buildings and use thereof shall not apply to the group of lots designated or reserved by the Grantor for business and amusement purposes.

To Have and to Hold the aforegranted premises, withall the rights, privileges and appurtenances thereunto belonging, unto and to the use of the said Grantees, and their heirs and assigns, forever.

And I the said Grantor, do hereby, for myself and for my heirs, executors, and administrators, covenant with the said Grantees and their heirs and assigns that I am lawfully seized in fee simple of the said granted premises; that the same are free from all incumbrances except as aforesaid and that I have good right, full power and lawful authority to sell and convey the same in manner as aforesaid; that the said Grantees and their heirs and assigns shall by these presents at all times hereafter peaceably and quietly have and enjoy the said premises, and that, I the said Grantor will, and my heirs, executors and administrators, shall warrant and defend the same to the said Grantees and their heirs and assigns forever against the lawful claims and demands of all persons.

In Witness Whereof I have hereunto set my hand and seal this 5th day of January, in the year of our Lord one thousand nine hundred and forty-six.

ABD 703

SEP 03 2026

A TRUE COPY ATTEST:

Mary S. Damerel
Mary L. LeBlanc, MMC

Westerly Town/Probate Clerk

1705

BK110 PG 276

STATUTORY FORM WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That I, JOSEPH GARDELLA, of
Westerly, Rhode Island, for consideration paid, grant to my daughter,
DOLORES MARIE COUTURE, of 57 North Street, Norwich, Connecticut, with
WARRANTY COVENANTS:-

That certain lot or parcel of land, situated in the Town
of Westerly, County of Washington and State of Rhode
Island, being shown and delineated as Lot Numbered Thirty-
one (31) in Section Two (2) on that plat entitled, "Plat
of Winnapaug Beach Park, Surveyed by Rossi & Lewis, Engrs.",
which plat is recorded in Plat Book 6, at page 77 of the
Westerly Land Evidence Records, to which reference is
hereby had and made.

Being the same premises conveyed to Joseph Gardella and
Regina M. Gardella, as joint tenants, by deed of Mary
S. Damerel, dated August 8th, 1944 and recorded on June
14th, 1946 in Book 64, at page 163 of the Westerly Land
Evidence Records. Said Regina M. Gardella having de-
ceased complete title vested in this grantor.

This conveyance is made SUBJECT to conditions, restric-
tions and limitations of record.

And for the consideration aforesaid, I, JOSEPH GARDELLA, covenant
that I am unmarried.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 21st
day of July, 1972.

Joseph Gardella

STATE OF RHODE ISLAND
COUNTY OF WASHINGTON

In Westerly, on the 21st day of July, 1972, before me
personally appeared JOSEPH GARDELLA, to me known and known by me to be
the person executing the foregoing instrument, and he acknowledged said
instrument, by him: executed, to be his free act and deed.

Howard B. Bolm

Notary Public.

The consideration for this deed is such that no Rhode Island Transfer
Stamps are required.

Received for Record
July 24, 1972 at 12:06 PM
ATTEST Glenn L. Salmetich
Town Clerk Westerly

A TRUE COPY DATED:

SEP 03 2026

ATTEST:

Mary L. Salmetich, MFC
Westerly Town/Probate Clerk

TOWN OF WESTERLY PUBLIC NOTICE STREET NAME CHANGES

OLD STREET NAME	NEW STREET NAME	OLD STREET NAME	NEW STREET NAME
1. Ashley Drive	Sail View Court	Newton Place.....	Courtyard Circle
1. Avondale Terrace	Portside Drive	Ninigret Avenue (pt).....	Sand Trail
1. Alberto Avenue	Trackside Drive	Niantic Avenue (B).....	Village Road
1. Babcock Street (R of W off Pierce St)	Pierce Street	North Williams Avenue.....	Williams Avenue
1. Barberry Lane	Memory Lane	Oak Dell Court.....	Leahood Lane
1. Bayberry Lane	Snowberry Lane	Oak Hill Drive.....	Nutmeg Drive
1. Bayside Avenue	Brightman Way	Oceanview Avenue.....	Hydrangea Drive
1. Birch Street	Cypress Lane	Oceanview Heights.....	Cattail Drive
1. Canterbury Circle	Circle Drive	Old Boombridge Road.....	Autumn Lane
1. Chapman Way	Kings Way	Old Dunns Corners Bradford Road.....	Sweet Corn Lane
1. Charles Street	Emerald Street	Old Woody Hill Road.....	Fern Drive
1. Clarke Avenue	Uzzi Avenue	Oxford Drive.....	Canterbury Drive
1. Cottage Court	Cabin Court	Paulipaug Way.....	Overlook Drive
1. Cone Street	Shell Drive	Pierce St Lane.....	Lilac Drive
1. Davis Avenue	St. Claire Way	Plateau Road.....	Morris Road
1. Davis Street	Gilleo Drive	Pond Road.....	Wilder Avenue
1. Dogwood Drive	Whales View Drive	Pond View Drive.....	Egret Lane
1. Forest Dell Court	Sleepy Hollow Court	Riverdale Terrace.....	Silver Nipple Way
1. Forest Drive	Argyle Drive	Robin Road.....	Rip Tide Drive
1. Franklin Avenue	Fisherman's Avenue	Rock Street.....	Cobblestone Lane
1. Granite Avenue	Kent Avenue	Rose Avenue.....	Geranium Lane
1. Green Street	Cone Street	Rose Lane.....	Violet Lane
1. Greenman Heights	Marlner Heights	Sandra Drive.....	Bridgett Lane
1. Haven Court	Navis Court	Saunders Road.....	Rabbit Run
1. Holmes Circle	Holmes Street	School Drive.....	Moontlight Drive
1. Joseph St (north of Rt 78)	North Joseph Street	Seabury Lane.....	Seabury Drive
1. Joseph St (south of Rt 78)	South Joseph Street	Sherwood Court.....	Sablemont Court
1. Kings Way	Grassland Way	South Williams Avenue.....	Williams Avenue
1. Knowles Street	Country Road	Spring Avenue.....	Spray Rock Road
1. Langworthy Court	Tranquility Trail	Stewart Drive.....	Hydro Drive
1. Langworthy Terrace	Island View Court	Taylor Lane.....	Chapman Road
1. Laurel Court	Blossom Court	Thomas Drive.....	Cadbury Lane
1. Laurel Street	Daisy Avenue	Thompson Corners.....	Sosod Lane
1. Lawton Street	Yankee Drive	Ward Avenue.....	Terrace Avenue
1. Massachusetts Ave (Hwy)	Nantucket Avenue	Weekapaug Terrace.....	Clam Shell Drive
1. Mastusel Terrace	Olympia Way	West Drive.....	Rhody Drive
1. Meadow Drive	Wildflower Drive	Wicklund Avenue.....	Wilcox Avenue
1. Meadow Lane	Waters Edge Road	Winnapaug Avenue.....	Salt Pond Way
1. Misquamicut Road	Foster Cove Road	Winnapaug Court.....	Links Passage
1. Morrone Drive	Yankee Drive	Woodbine Drive.....	Hickory Lane
1. Morrone Lane	Family Lane	Woodland Terrace.....	Acorn Drive
1. Narragansett Drive	Arrow Drive	Woodlawn Avenue.....	Azalea Drive
1. Newton Court	Gravity Court	Woodline Drive.....	Osprey Lane

QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS, That I, DOLORES MARIE COUTURE, of the Town of North Stonington, County of New London and State of Connecticut, for consideration paid, grant to EASTER SEAL SOCIETY OF CONNECTICUT, INC., of the Town of Hebron, County of Tolland and State of Connecticut, with QUITCLAIM COVENANTS:

That certain lot or parcel of land, situated in the Town of Westerly, County of Washington and State of Rhode Island, being shown and delineated as Lot Numbered Thirty-One (31) in Section Two (2) on that plat entitled, "Plat of Winnapaug Beach Park, Surveyed by Rossi & Lewis, Engrs.", which plat is recorded in Plat Book 6, at Page 77 of the Westerly Land Evidence Records, to which reference is hereby had and made.

Being the same premises as conveyed to the within Grantor by Warranty Deed of Joseph Gardella, dated July 21, 1972 and recorded July 24, 1972 in Book 110 at Page 276 of the Land Evidence Records of the Town of Westerly, Rhode Island.

This conveyance is made SUBJECT to conditions, restrictions and limitations of record.

The consideration for this conveyance is such that no Rhode Island real estate transfer stamps are required.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 3 day of JUNE, 1998.

[Signature]
Witness

[Signature]
DOLORES MARIE COUTURE

[Signature]
Witness

STATE OF CONNECTICUT
COUNTY OF New London

SS:

In Norwich, CT, on the 3rd day of June, 1998, before me personally appeared DOLORES MARIE COUTURE, to me known and known by me to be the party executing the foregoing instrument, and she acknowledged said instrument, by her executed, to be her free act and deed.

[Signature]
Notary Public/Commissioner of
the Superior Court

My commission expires:

DONNA L. GIORDANO, CMC/AAL, TOWN CLERK
WESTERLY, RI RET. [Signature]
155 Tommy Dickel Dr.
North Stonington, Ct
06359

RECEIVED FOR RECORD
WESTERLY R.I.

Nov 01, 2011 at 01:28P

BOOK 1905 PAGE 424
DOC #: 00005270

QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS, That **Easter Seals Connecticut, Inc.**, formerly known as **Easter Seals Society of Connecticut, Inc.** and **Easter Seals of Connecticut, Inc.**, a Connecticut not-for-profit corporation with a principal place of business at **Camp Hemlocks, PO Box 198, Hebron, Connecticut 06248**, for consideration paid, **grants to Westerly Municipal Land Trust**, a **Rhode Island not-for-profit entity** with a principal place of business at **45 Broad Street, Westerly, Washington County, Rhode Island, 02891**, with QUITCLAIM COVENANTS:

That certain lot or parcel of land, situated in the Town of Westerly, County of Washington and State of Rhode Island, being shown and delineated as **Lot Numbered Thirty-One (31) in Section Two (2) on that plat entitled, "Plat of Winnapaug Beach Park, Surveyed by Rossi & Lewis, Engrs."**, which plat is recorded in **Plat Book 6, at Page 77 of the Westerly Land Evidence Records**, to which reference is hereby had and made.

Being the same premises as conveyed to the within Grantor by Quitclaim Deed of **Dolores Marie Couture, dated June 3, 1998, and recorded August 24, 1999, in Book 786 Page 264 of the Land Evidence Records of the Town of Westerly, Rhode Island.**

Express reference is made to the affidavit accompanying this deed which relates to the corporate name of the Grantor.

This conveyance is made SUBJECT to conditions, restrictions and limitations of record.

The consideration for this conveyance is such that no Rhode Island real estate transfer stamps are required.

IN WITNESS WHEREOF, Grantor has set its hand and seal by its President duly
authorized, this day of , 2011. PAGE 425

Easter Seals Connecticut, Inc.

Karen VanDerBeken
Witness

By: [Signature]
Larry J. Gammon, President

[Signature]
Witness

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

In Manchester, New Hampshire, on the 14th day of OCTOBER, 2011, before me personally
appeared Larry J. Gammon, President of Easter Seals Connecticut, Inc., to me known and known
by me to be the party executing the foregoing instrument, and he acknowledged said instrument,
by him executed, to be his free act and deed, on behalf of the corporation, being duly authorized
by it so to do.

Betty R. Burke
Print Name: BETTY R. BURKE, Notary Public
Notary Public My Commission Expires February 13, 2013
My commission expires:

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

AFFIDAVIT

BOOK 1905 PAGE 426

The undersigned, upon oath, duly sworn and cautioned, does hereby depose and say as follows:

(1) He is the President of Easter Seals Connecticut, Inc., a Connecticut not-for-profit corporation (*hereinafter referred to as "the corporation"*), current owner of unimproved real estate situated at 32 Harbor Drive, Westerly, Rhode Island, presently identified as Westerly Assessor's Plat 154, Lot 22 (*hereinafter referred to as "the subject real estate"*) and familiar with facts herein asserted;

(2) The corporation is one and the same entity formerly known as The Easter Seal Society of Connecticut, Inc., which formally changed its name to Easter Seals of Connecticut, Inc. on November 19, 1997, as demonstrated by the Articles of Amendment of the corporation, filed and accepted by the Connecticut Secretary of State, a relevant excerpt of which is attached hereto as Exhibit 1;

(3) The subject real estate was conveyed to the corporation by deed dated June 13, 1998 and recorded in Book 786, page 264 of the Westerly Land Evidence Records, which employed the corporation's former entity name, *to wit, Easter Seal Society of Connecticut, Inc.*, due to some inadvertence and/or mistake;

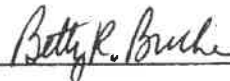
(4) Thereafter, Easter Seals of Connecticut, Inc. again formally changed its name to Easter Seals Connecticut, Inc. on February 28, 2002, as demonstrated by the Articles of Amendment of the corporation, filed and accepted by the Connecticut Secretary of State, a relevant excerpt of which is attached hereto as Exhibit 2;

(5) This affidavit is offered so that the Westerly Municipal Land Trust may rely in concluding that the June 13th 1998 conveyance of the subject real estate to Easter Seal Society of Connecticut, Inc. was effectively conveyed to one and the same entity now known as Easter Seals Connecticut, Inc. by the inadvertent or mistaken use of its prior entity name, and that said Easter Seals Connecticut, Inc. is the record owner of the subject real estate, having the lawful right to transfer and convey the same.



Larry J. Gammon, individually and as
President of Easter Seals Connecticut,
Inc.

Subscribed and sworn to before me at Manchester, New Hampshire, this 14th day of
October 2011.



Notary Public BETTY R. BURKE, Notary Public
My Commission Expires February 13, 2013

EXHIBIT 1

BOOK 1905 PAGE 427

CERTIFICATE OF AMENDMENT

NONSTOCK CORPORATION

Office of the Secretary of the State

30 Trinity Street / P.O. Box 150470 / Hartford, CT 06115-0470 / new/1-97

Space For (Office Use Only)

FILING #0001777093 PG 01 OF 07 VOL B-00157
FILED 11/19/1997 03:39 PM PAGE 01986
SECRETARY OF THE STATE
CONNECTICUT SECRETARY OF THE STATE

1. NAME OF CORPORATION:

The Easter Seal Society of Connecticut, Inc.

2. THE CERTIFICATE OF INCORPORATION IS (check A., B. or C.)

☐ A. AMENDED.

☒ B. AMENDED AND RESTATED.

☐ C. RESTATED.

3. TEXT OF EACH AMENDMENT / RESTATEMENT (include date on which each amendment was approved):

Pursuant to a vote of the Board of Directors of the Corporation at a meeting held on October 15, 1997, the Board of Directors duly approved the following actions:

- (1) That Article FIRST of the Certificate of Incorporation be amended by changing the name of the Corporation from "THE EASTER SEAL SOCIETY OF CONNECTICUT, INC." to "EASTER SEALS OF CONNECTICUT, INC."
- (2) That various other provisions of the Certificate of Incorporation be amended to comply with the Connecticut Revised Nonstock Corporation Act.
- (3) That the Certificate of Incorporation be restated in its entirety to read as set forth in the attached Exhibit A.

(Please reference an 8 1/2 X 11 attachment if additional space is needed)

EXHIBIT 2

BOOK 1905 PAGE 428

CERTIFICATE OF AMENDMENT

NONSTOCK CORPORATION

Office of the Secretary of the State

30 Trinity Street / P.O. Box 150470 / Hartford, CT 06115-0470 / Rev. 12/1999

FILING #0002384713 PG 01 OF 07 VOL B-00477
FILED 02/28/2002 08:30 AM PAGE 00511
SECRETARY OF THE STATE
CONNECTICUT SECRETARY OF THE STATE

1. NAME OF CORPORATION:

EASTER SEALS OF CONNECTICUT, INC.

2. THE CERTIFICATE OF INCORPORATION IS (check A., B. or C.):

☐ A. AMENDED

☒ B. AMENDED AND RESTATED

☐ C. RESTATED

3. TEXT OF EACH AMENDMENT / RESTATEMENT (include date on which each amendment was approved):

- (1) That Article FIRST of the Certificate of Incorporation be amended by changing the name of the Corporation from "EASTER SEALS OF CONNECTICUT, INC." to "EASTER SEALS CONNECTICUT, INC."
- (2) That the Certificate of Incorporation be restated in its entirety to read as set forth in the attached Exhibit A.

(Please reference on 8 1/2 X 11 attachment if additional space is needed)

A TRUE COPY DATED: SEP 03 2026
ATTEST: Mary L. LeBlanc, MMC WESTLEY TOWN CLERK
Mary L. LeBlanc, MMC
Westerly Town/Probate Clerk

Amy Silva

From: Amy Silva
Sent: Monday, September 14, 2026 7:33 AM
To: 'Walter Reynolds'
Cc: Laura Miguel
Subject: RE: 32 Harbor Drive 2026-05-006

Walter-

There is no prohibition against foot traffic in a wetland. There is for cutting/altering the wetland, so the formal 6' mown path with stop at the wetland edge. This is common within Buffer Zones.

Amy Silva
Supervising Environmental Scientist, CRMC (401)-783-3370p /(401)-783-2069f <http://www.crmc.ri.gov>

-----Original Message-----

From: Walter Reynolds <blackduckgallery@verizon.net>
Sent: Wednesday, September 9, 2026 4:35 PM
To: Amy Silva <asilva@crmc.ri.gov>
Subject: 32 Harbor Drive 2026-05-006

Hi Amy,

One quick question on this application. In the notice of the Council hearing I just received, and in your last contact with the Town, the text has the proposed path stopping at the wetland edge, not the water's edge. Your sketch also does not show it going to the water's edge. Can you clarify? If the intent is to get to the water, how is this going to happen without cutting the coastal feature, the wetlands, to create a path. There are no existing paths on the property. The proposal seems to offer no protection of the wetlands from foot-traffic.

Thanks,
Walter

Sent from my iPad

From: Amy Silva
Sent: Monday, July 20, 2026 1:50 PM
To: Cstaff
Subject: FW: 2026-05-006 Harbor Drive

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Oliver

For the file pls

Amy Silva
Supervising Environmental Scientist, CRMC
(401)-783-3370p / (401)-783-2069f
<http://www.crmc.ri.gov>

From: Shawn Lacey <slacey@westerlyri.gov>
Sent: Monday, July 20, 2026 11:52 AM
To: Walter Reynolds <blackduckgallery@verizon.net>; Amy Silva <asilva@crmc.ri.gov>
Cc: Jeff Willis <jwillis@crmc.ri.gov>; Laura Miguel <lmiguel@crmc.ri.gov>
Subject: RE: 2026-05-006 Harbor Drive

Good morning everyone, the outlined parcel is owned by the town and has been used as a public access point for several years and is supported by our Harbor Management Commission as well as the Town Council. As is the same for Harbor Drive, it is a paper road owned by the town, Shawn

Shawn M. Lacey
Town Manager
Westerly Town Hall
45 Broad Street
Westerly, RI 02891
Tel: (401) 348-2530
Email: slacey@westerlyri.gov
www.WesterlyRI.gov



From: Walter Reynolds <blackduckgallery@verizon.net>
Sent: Monday, July 20, 2026 11:29 AM
To: Amy Silva <asilva@crmc.ri.gov>
Cc: jwillis@crmc.ri.gov; Laura Miguel <lmiguel@crmc.ri.gov>; Shawn Lacey <slacey@westerlyri.gov>
Subject: 2026-05-006 Harbor Drive

Amy,

I am enclosing the following drawing of Harbor Drive to illustrate what happens when the determined buffer and setback zones for 32 Harbor are extended into the 50 foot road easement. I am assuming that the widening of Harbor to allow for street parking, would have to be considered new work, as it would far exceed the area of the existing "grandfathered" gravel road. Therefore, it would seem that an Assent, and maybe variances, would be required to accomplish this project. I also assume that such permitting would have to be applied for by the legal owner of Harbor Drive, which I reiterate, is not the Town of Westerly, as this has been shown in the 2017 title search commissioned by the Town.

Even if CRMC is willing to consider this application without addressing my road/parking concerns, perhaps a formal clarification in any granted approvals could include a stipulation that no expansion of Harbor Drive is being approved, and is actually prohibited, without additional permitting. The allowing of visitor street parking will be invasive and disruptive to a quiet residential neighborhood, serviced by a extremely fragile, privately maintained, gravel road system.

But really, this is the question that needs to be asked again. With only 1/2 of 1 percent of this property open to use without variances, and with multiple pond front acres available to the Town on other properties they own, why here? The acreage on Atlantic Avenue can provide all the public access for rooftop boaters that Winnapaug Pond could ever possibly hope to float. Given the problems that this property presents, shouldn't this application at least be moved out of Category A, so my objections, concerns and solutions can be presented to the full Council, if that becomes necessary?

I know you will consider my comments and perhaps you might even consider trying to persuade the Town to pursue developing their Atlantic Avenue property, instead of Harbor. Opening up and promoting Atlantic Avenue would help to satisfy all the pressures of public access that the Town and CRMC face on this issue. Explaining why Harbor Drive was/is not suitable for this project should be easy enough when dealing with anyone who cares about the coastal environment, and the rights of the residents of a residential neighborhood.

Walter

Oliver Allamby

2026-05-006

From: Amy Silva
Sent: Monday, July 20, 2026 1:50 PM
To: Cstaff
Subject: FW: 2026-05-006 Harbor Drive

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Oliver

Amy Silva
Supervising Environmental Scientist, CRMC
(401)-783-3370p/(401)-783-2069f
<http://www.crmc.ri.gov>

From: Amy Silva
Sent: Monday, July 20, 2026 12:21 PM
To: 'Walter Reynolds' <blackduckgallery@verizon.net>
Cc: Jeff Willis <jwillis@crmc.ri.gov>; Laura Miguel <lmiguel@crmc.ri.gov>; Shawn Lacey <slacey@westerlyri.gov>
Subject: RE: 2026-05-006 Harbor Drive

Walter-

To my knowledge there is no proposal to do any work on Harbor Drive. I have not done a site visit yet, and if I have questions about whether work will be done on harbor dr, I will contact the applicant accordingly.

The work right now represents a minor Variance for earthwork within the 50' Setback associated with creating the parking spot. CRMC regularly grants Variances of that type.

Your objections are recorded and a determination of Council hearing will be made.

Amy

Amy Silva
Supervising Environmental Scientist, CRMC
(401)-783-3370p/(401)-783-2069f
<http://www.crmc.ri.gov>

From: Walter Reynolds <blackduckgallery@verizon.net>
Sent: Monday, July 20, 2026 11:29 AM
To: Amy Silva <asilva@crmc.ri.gov>
Cc: Jeff Willis <jwillis@crmc.ri.gov>; Laura Miguel <lmiguel@crmc.ri.gov>; Shawn Lacey <slacey@westerlyri.gov>
Subject: 2026-05-006 Harbor Drive

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Even if CRMC is willing to consider this application without addressing my road/parking concerns, perhaps a formal clarification in any granted approvals could include a stipulation that no expansion of Harbor Drive is being approved, and is actually prohibited, without additional permitting. The allowing of visitor street parking will be invasive and disruptive to a quiet residential neighborhood, serviced by a extremely fragile, privately maintained, gravel road system.

But really, this is the question that needs to be asked again. With only 1/2 of 1 percent of this property open to use without variances, and with multiple pond front acres available to the Town on other properties they own, why here? The acreage on Atlantic Avenue can provide all the public access for rooftop boaters that Winnapaug Pond could ever possibly hope to float. Given the problems that this property presents, shouldn't this application at least be moved out of Category A, so my objections, concerns and solutions can be presented to the full Council, if that becomes necessary?

I know you will consider my comments and perhaps you might even consider trying to persuade the Town to pursue developing their Atlantic Avenue property, instead of Harbor. Opening up and promoting Atlantic Avenue would help to satisfy all the pressures of public access that the Town and CRMC face on this issue. Explaining why Harbor Drive was/is not suitable for this project should be easy enough when dealing with anyone who cares about the coastal environment, and the rights of the residents of a residential neighborhood.

Walter

From: Amy Silva
Sent: Monday, July 20, 2026 1:50 PM
To: Cstaff
Subject: FW: 2026-05-006 Harbor Drive

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Oliver

Amy Silva
Supervising Environmental Scientist, CRMC
(401)-783-3370p / (401)-783-2069f
<http://www.crmc.ri.gov>

From: Walter Reynolds <blackduckgallery@verizon.net>
Sent: Monday, July 20, 2026 1:37 PM
To: Amy Silva <asilva@crmc.ri.gov>
Subject: Re: 2026-05-006 Harbor Drive

Amy,
Thank you for the quick response. Would it be possible to meet with you when you visit the site, as having the opportunity to talk to you in person and hearing your feelings about the site as you walk it would be greatly appreciated. Harbor Drive is not a paper road, it has been in physical existence for close to 100 years, and 32 Harbor has never been used as public access, despite the harbor commission's claims, the relevance of which escapes me. My concerns over street parking stem from the request for only 1 parking spot on site, and the Town's possessive attitude about the road. Hope to see you soon-
Walter

Sent from my iPad

On Jul 20, 2026, at 12:21 PM, Amy Silva <asilva@crmc.ri.gov> wrote:

Walter-
To my knowledge there is no proposal to do any work on Harbor Drive. I have not done a site visit yet, and if I have questions about whether work will be done on harbor dr, I will contact the applicant accordingly.

The work right now represents a minor Variance for earthwork within the 50' Setback associated with creating the parking spot. CRMC regularly grants Variances of that type.

Your objections are recorded and a determination of Council hearing will be made.

Amy

Amy Silva
Supervising Environmental Scientist, CRMC
(401)-783-3370p / (401)-783-2069f
<http://www.crmc.ri.gov>

From: Walter Reynolds <blackduckgallery@verizon.net>
Sent: Monday, July 20, 2026 11:29 AM
To: Amy Silva <asilva@crmc.ri.gov>
Cc: Jeff Willis <jwillis@crmc.ri.gov>; Laura Miguel <lmiguel@crmc.ri.gov>; Shawn Lacey <slacey@westerlyri.gov>
Subject: 2026-05-006 Harbor Drive

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Even if CRMC is willing to consider this application without addressing my road/parking concerns, perhaps a formal clarification in any granted approvals could include a stipulation that no expansion of Harbor Drive is being approved, and is actually prohibited, without additional permitting. The allowing of visitor street parking will be invasive and disruptive to a quiet residential neighborhood, serviced by a extremely fragile, privately maintained, gravel road system.

But really, this is the question that needs to be asked again. With only 1/2 of 1 percent of this property open to use without variances, and with multiple pond front acres available to the Town on other properties they own, why here? The acreage on Atlantic Avenue can provide all the public access for rooftop boaters that Winnapaug Pond could ever possibly hope to float. Given the problems that this property presents, shouldn't this application at least be moved out of Category A, so my objections, concerns and solutions can be presented to the full Council, if that becomes necessary?

I know you will consider my comments and perhaps you might even consider trying to persuade the Town to pursue developing their Atlantic Avenue property, instead of Harbor. Opening up and promoting Atlantic Avenue would help to satisfy all the pressures of public access that the Town and CRMC face on this issue. Explaining why Harbor Drive was/is not suitable for this project should be easy enough when dealing with anyone who cares about the coastal environment, and the rights of the residents of a residential neighborhood.

Walter

<image001.jpg>

Lisa Turner

From: EILEEN REYNOLDS <blackduckgallery@verizon.net>
Sent: Sunday, September 27, 2026 11:59 AM
To: Lisa Turner
Subject: Fwd: Buffer Zones and Setbacks, and One More Concern
Attachments: ATT00001.txt; IMG_20260715_065801_7_burst_01.jpg

Lisa,

The enclosed email should have been included in file 2026-05-006's correspondence. If you could add it, it would be appreciated.

Walter

----- Original Message -----

Subject: Buffer Zones and Setbacks, and One More Concern
From: Walter Reynolds <blackduckgallery@verizon.net>
Sent: Thursday, July 16, 2026, 10:17 AM
To: Amy Silva <asilva@crmc.ri.gov>
CC:

Amy,

Believe me, I guess I will eventually surrender, but until I run out of ideas, I have to keep trying to protect this irreplaceable property.

So today's question: do established CRMC buffer and setback restrictions remain in affect after they leave an individual lot's boundries. To be clear, can the Town of Westerly clear the sides of Harbor Drive that fall within the buffer and setback lines established in the flagging of 32 Harbor for the purpose of providing parking?

Moving on, I have been debating whether or not to bring this up, or just wait to see what happens, but I want what is best for this property. Enclosed is a photo I took on Wednesday, for reference the covered structure is in the upper left. It was taken from the southerly wetland edge. It obviously shows there is no existing footpath to the water, nor has there ever been any footpaths on the property in the 29 years that I have lived as the property's neighbor. So how are these visitors going to get to the water without making a new path or maybe lots of new paths thru this virgin wetland? Who is going to control the public once they are told to go ahead and just go down to the pond? Obviously, this is why in 2014 Mr. DiOrio felt that the only solution to protecting the wetlands was to build an elevated boardwalk, thus controlling where people walk.

Let me stop here and say what I should have told you the other day. I realize that you are not done with this application and I am in most cases telling you nothing that you don't already know and may well be planning to do, or maybe not. But please, understand that I don't want to have any regrets about letting things go because of assuming someone will pickup on the little, or maybe bigger things. Anyway, once

again thank you for listening.
Walter



From: Amy Silva
Sent: Monday, July 13, 2026 11:28 AM
To: Cstaff
Subject: FW: File #2026-05-006 32 Harbor Drive

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Oliver

Please add to file.

Amy Silva
Supervising Environmental Scientist, CRMC (401)-783-3370p /(401)-783-2069f <http://www.crmc.ri.gov>

-----Original Message-----

From: Walter Reynolds <blackduckgallery@verizon.net>
Sent: Monday, July 13, 2026 11:25 AM
To: Amy Silva <asilva@crmc.ri.gov>
Cc: Laura Miguel <lmiguel@crmc.ri.gov>; Shawn Lacey <slacey@westerlyri.gov>
Subject: File #2026-05-006 32 Harbor Drive

Good Morning, Amy,
I would like to ask that this correspondence be added to file 2026-05-006-

After reviewing the file, it seems apparent that the Town will receive an Assent for some limited public use of 32 Harbor Drive. While I still believe that any public use of this property does require a zoning change or variance, the Town's ability to do so is a foregone conclusion. That said, I do have a few requests, suggestions, and clarifications, that I wish CRMC and the Town would consider.

1. I would like to see the maintained and unmaintained footpath clearly marked on the site plan.
2. I would like to see the wetland edge where the maintained footpath ends, clearly, and permanently marked, like buffer zones are marked in residential situations with 2-4 x 4's.
3. I would like to see a clear notation that no cutting of any of the existing trees or vegetation, particularly the red cedars, is allowed, only brush and grasses in the maintained section of the footpath, and whatever is necessary for the 1-10 x 18 parking space.
4. I think requiring the removal of the existing covered structure and fireplace makes sense, as their remaining on site encourages uses I assume is not being granted by this Assent, it's not a picnic site. Removing these items will improve site appearance, and allow for vegetation reestablishment, as well as removing temptation.
5. The Town's signage should make clear that visitors are not allowed to do any additional vegetation removal on the property. It would also be good to state that the waters in front of the site are closed to all shellfishing as it is a RIDEM spawning sanctuary.
6. This is, I assume, more directed to the Town than CRMC, but I think some assurance is necessary that the Town will not allow any street parking. While I know that the Town feels differently, Harbor Drive is a private road, its ownership remains in the original developer's estate, Mary Damerel, now the Gongaware estate. The Town does no maintenance or provides no services to it and the property owners pay all maintenance expenses.

I know my request will be given proper considerations, and I thank you for your help.

Walter

Sent from my iPad

From: Amy Silva
Sent: Wednesday, May 27, 2026 8:33 AM
To: Cstaff
Subject: FW: 32 Harbor Drive File 2026-05-006

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Oliver

-----Original Message-----

From: Walter E. Reynolds <blackduckgallery@verizon.net>
Sent: Wednesday, May 27, 2026 8:29 AM
To: Amy Silva <asilva@crmc.ri.gov>
Cc: Laura Miguel <lmiguel@crmc.ri.gov>; Jeff Willis <jwillis@crmc.ri.gov>
Subject: 32 Harbor Drive File 2026-05-006

Good morning Amy,
I would like to ask that this correspondence be added to the file 2026-05-006 32 Harbor Drive, Westerly.

Westerly zoning regulations for MDR-20, which regulate the permitted uses for 32 Harbor, state that the permitted uses for this zoning are as follows:

1)

Households.

(2)

Community residences.

(3)

Family day-care homes.

(4)

Accessory family dwelling units

It then goes on to state : "Uses not expressly permitted are prohibited. Any use not specifically permitted is prohibited unless the Zoning Official determines that such use is included in one of the categories set forth in the District Use Table." The 4 uses above make up that table.

It seems obvious that a "Recreational Structure-Public", and or any amount of public parking, does not fall under any of these 4 permitted uses, therefore the proposed application would seem to require a variance, or an actual zoning change, before any considerations of a CRMC Assent can proceed. I realize that because it is the Town making the application, they may be able to move this thru their system. However, it also would make sense that legally, they must have to go thru this variance process, in order to conform to their own regulations as would any property owner requesting the same. Westerly can not be exempt from their own laws; laws which were put in place to protect existing and future property owners.

The fact that 2026-05-006 appears to be in noncompliance with the Town of Westerly's own zoning regulations, consideration of rescinding the application, for not only being incomplete, but apparently legally flawed, seems appropriate. Thank you for considering my opinions on this matter.
Walter

From: Amy Silva
Sent: Tuesday, May 19, 2026 12:35 PM
To: Cstaff
Subject: FW: 32 Harbor Drive

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Oliver

2026-05-006

Amy Silva
Supervising Environmental Scientist, CRMC (401)-783-3370p /(401)-783-2069f <http://www.crmc.ri.gov>

-----Original Message-----

From: Walter Reynolds <blackduckgallery@verizon.net>
Sent: Tuesday, May 19, 2026 12:05 PM
To: slacey@westerlyri.gov
Cc: Laura Miguel <lmiguel@crmc.ri.gov>; Jeff Willis <jwillis@crmc.ri.gov>; Amy Silva <asilva@crmc.ri.gov>
Subject: 32 Harbor Drive

Shawn,

I am contacting you today to ask if you would be willing to reconsider opening up 32 Harbor to the public. In 2017 I had a lengthy conversation with then senior biologist David Reis, now retired, about his feelings on the project of a boardwalk and parking for a kayak access point at 32 Harbor. He was basically in favor of the project as he felt public access was very important. That said, he was also concerned about the environmental fragility at the site. At that point he told me that because of the site conditions, if a better alternative location was available, he would be comfortable moving in that direction, rather than Harbor. I suggested a few locations, one of which was the Town of Westerly's beach parking lot. At that time, the lot was being chained off, except during beach hours. Opening up the lot during off hours seemed to make a lot of sense. I do not know what happened between the land trust and CRMC, but they obviously dropped the project.

Moving on to today, the Town's acquisition of the former Water Wiz property provides an even better alternative than the Town parking lot site. Commercial property, with unlimited potential for all the public access to Winnapaug Pond that the public could demand. No neighborhood disruption, or subjecting the user's to the dilemma of all the water in front of the site on Harbor being permanently closed to shell fishing, as it is a DEM spawning sanctuary.

I realize there is a tremendous amount of pressure to open up every site possible to the public, but common sense may dictate that every site doesn't work as well as others, and when is more than enough necessary? I would like ask the Town to consider transferring ownership of this property, if possible, to the Rhode Island Audubon Society, so it could join the abutting acreage it already protects. This would hopefully satisfy the pressure on the Town to open up Harbor Drive, while at the same time, protect this fragile coastal environment.

I hope you will give my thoughts on this matter some consideration, and please feel free to reach out for more discussion.

Walter

Oliver Allamby

From: Amy Silva
Sent: Wednesday, May 27, 2026 8:33 AM
To: Cstaff
Subject: FW: 32 Harbor Drive File 2026-05-006

Follow Up Flag: Follow up
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2026-05-006

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I hope you will give my thoughts on this matter some consideration, and please feel free to reach out for more discussion.

Walter

Lisa Turner

From: Laura Miguel
Sent: Monday, May 11, 2026 9:05 AM
To: Lisa Turner; Brittany Spurlock
Cc: Amy Silva
Subject: FW: Concerns Regarding Proposed Public Access / Right-of-Way / Picnic Area at 32 Harbor Drive, Westerly, RI

Good Morning,
This email should be added to 2026-05-006.
Thank you.

Laura Miguel, Deputy Director
Coastal Resources Management Council
(401)783-3370
lmiguel@crmc.ri.gov

From: Dion Luzzi <dion@servpro9563.com>
Sent: Saturday, May 9, 2026 10:55 AM
To: Laura Miguel <lmiguel@crmc.ri.gov>; Jeff Willis <jwillis@crmc.ri.gov>
Cc: William Nardone <wan@onltlaw.com>
Subject: Concerns Regarding Proposed Public Access / Right-of-Way / Picnic Area at 32 Harbor Drive, Westerly, RI

Dion Luzzi
30 Harbor Drive
Westerly, RI 02891

Rhode Island Coastal Resources Management Council (CRMC)
4808 Tower Hill Road
Wakefield, RI 02879

RE: Concerns Regarding Proposed Public Access / Right-of-Way / Picnic Area at 32 Harbor Drive, Westerly, RI

To Whom It May Concern,

I am writing regarding concerns associated with the potential development or conversion of land near 32 Harbor Drive in Westerly, Rhode Island, including discussions surrounding a proposed public access passageway, right-of-way, and/or picnic area adjacent to our property located at 30 Harbor Drive.

My family purchased 30 Harbor Drive approximately two years ago and has since invested substantial time, money, and effort into renovating the property while complying with all CRMC regulations and Town requirements in order to obtain a Certificate of Occupancy. Throughout this process, we were required to adhere to extensive coastal and environmental restrictions, including but not limited to:

- Coastal setback requirements
- Vegetative buffer zone protections
- Limitations on deck and structure expansion
- Preservation and replacement of vegetation systems
- Wetland and shoreline protection compliance
- Variance and permitting requirements

As part of these requirements, we removed and modified portions of what was previously a maintained lawn area and implemented vegetation restoration systems specifically to comply with CRMC environmental protections and coastal buffer regulations.

It is therefore extremely concerning to now learn that there may be plans to remove existing vegetation, trees, and natural buffers on neighboring land associated with 32 Harbor Drive in order to create or expand a public access corridor, right-of-way passage, and/or picnic area for use by the public on what is otherwise a small private roadway and environmentally sensitive area.

It is important to note that Harbor Drive is a private road. To our knowledge, the Town does not own, maintain, or control the roadway, nor does it provide maintenance or assume responsibility for its upkeep, safety, or liability. This raises additional concerns regarding how increased public use, access, parking, traffic, maintenance, enforcement, security, and liability exposure would be managed on or around a privately maintained roadway and adjacent residential properties.

We respectfully request clarification and additional information regarding the following:

1. What specific approvals, applications, permits, exemptions, or CRMC determinations have been filed or approved for this proposed project?
2. What environmental reviews have been completed regarding impacts to wetlands, buffer zones, vegetation, drainage, shoreline stability, and habitat disturbance?
3. Under what statutes, regulations, or exemptions would a municipality or land trust be permitted to remove vegetation or disturb protected coastal buffer areas that private property owners are otherwise prohibited from altering?
4. Are municipalities or land trusts subject to different CRMC standards than private homeowners for projects of this nature?
5. What public notice and appeal rights exist for adjacent property owners affected by the proposal?
6. How will issues relating to security, maintenance, litter control, parking, trespassing, noise, public safety, and liability be addressed if the area is converted into a public gathering or access point?
7. Has consideration been given to the fact that there is already an existing or newly developed public access/right-of-way project across the pond that appears intended to provide shoreline access for residents and visitors?
8. What measures will be implemented to ensure that environmentally sensitive wetlands and coastal resources are not negatively impacted by increased public activity and infrastructure?

Additionally, from our perspective, the apparent inconsistency between the strict restrictions imposed upon private homeowners and the apparent flexibility being afforded for this proposed public-use project raises serious concerns regarding fairness, equal application of environmental regulations, and selective enforcement. As private property owners, we were required to comply with extensive CRMC and municipal requirements involving setbacks, vegetation protection, buffer zones, and limitations on

development, often at significant cost and loss of use of our property. It is therefore difficult to understand how the removal of vegetation and disturbance of environmentally sensitive areas for a public access or recreational use would now be considered acceptable. This situation creates the appearance of unequal treatment and potentially reckless decision-making with respect to the protection of wetlands and coastal resources that private homeowners are otherwise required to preserve.

Our concern is not only the impact on neighboring property owners and private road access, but also the apparent inconsistency between the strict environmental limitations imposed upon private homeowners versus what now appears to be proposed for municipal or public-use purposes.

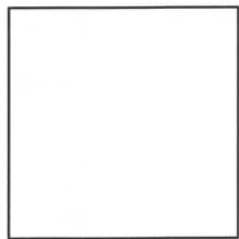
We fully support responsible environmental stewardship and public policy that protects Rhode Island’s coastal resources. However, we believe the process should be transparent, equitable, and consistent for all parties involved, including municipalities, land trusts, and private property owners alike.

We respectfully request copies of any applications, plans, approvals, environmental studies, meeting minutes, easements, right-of-way documentation, or CRMC filings associated with this proposed project so that we may better understand the scope of the proposal and our rights as adjacent property owners.

Thank you for your attention to this matter. We look forward to your response and additional clarification regarding this process.

Sincerely,

Dion Luzzi
30 Harbor Drive
Westerly, RI 02891



Dion Luzzi
CEO, SERVPRO Team Luzzi

☐ 401-742-3639

☐ SERVPRO Team Luzzi

☐ GSA MAS Contract#: 47QRAA22D00AC

☐ ☐ ☐

IMPORTANT: The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only. If you have received this email by mistake, please notify the sender immediately and do not disclose the contents to anyone or make copies thereof.

Lisa Turner

From: Laura Miguel
Sent: Monday, May 11, 2026 9:05 AM
To: Lisa Turner; Brittany Spurlock
Cc: Amy Silva
Subject: FW: Concerns Regarding Proposed Public Access / Right-of-Way / Picnic Area at 32 Harbor Drive, Westerly, RI

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Thank you.

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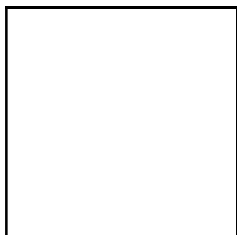
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Sincerely,

Dion Luzzi
30 Harbor Drive
Westerly, RI 02891



Dion Luzzi
CEO, SERVPRO Team Luzzi

☐ [401-742-3639](tel:401-742-3639)

☐ SERVPRO Team Luzzi

☐ GSA MAS Contract#: 47QRAA22D00AC



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Brittany Spurlock

From: Laura Miguel
Sent: Monday, May 4, 2026 1:50 PM
To: Brittany Spurlock
Cc: Lisa Turner
Subject: FW: 32 Harbor Drive Westerly 2026-05-06 2014-05-05

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Brit,
I just want to make sure this is added to the file.

Laura Miguel, Deputy Director
Coastal Resources Management Council
(401)783-3370
lmiguel@crmc.ri.gov

-----Original Message-----

From: Walter Reynolds <blackduckgallery@verizon.net>
Sent: Monday, May 4, 2026 1:27 PM
To: Laura Miguel <lmiguel@crmc.ri.gov>
Cc: Thomas Fitzpatrick <tfitzpatrick@crmc.ri.gov>; Jeff Willis <jwillis@crmc.ri.gov>
Subject: 32 Harbor Drive Westerly 2026-05-06 2014-05-05

Hi Laura,
Town of Westerly is trying to get a maintenance permit to open this property up to the public. First of all they tried to do this in 2014, see 2014-05-05 asking for a feasibility decision. Problems were presented by neighbors, including residential zone, private road, better location. They dropped this effort and are now trying to slip it by with this new approach. As you can see from the file from 2014, property was flagged, and almost all of it is within 50 feet of the coastal feature, therefore the proposed boardwalk, over the area. The new maintenance request claims there is an existing footpath, not true. They cut this path illegally, I believe on April 6, at which time they were also going to cut some very old red cedar trees and fill to make parking spaces, all in the 50 foot buffer zone. I stopped them. Also, there is no parking on the property to expand or improve as they are requesting. Simply put there is nothing to maintain. It seems logical that this new effort would have to go thru a compete application process, so all factors can be considered, including public comments. Given the property the Town now owns on Atlantic Avenue, this project seems even more inappropriate than in the past. I hope, as you have in the past so graciously, can be of help in keeping this from slipping thru the proverbial cracks.
Walter

Sent from my iPad