

Application File No. 2026-05-006 Westerly Municipal Land Trust Hearing Date September 29, 2026. Walter E. Reynolds 48 Harbor Drive Westerly, RI 02891 401-348-6500 blackduckgallery@verizon.net

I would like to begin by thanking the staff at CRMC for giving me this opportunity to express some of my concerns for the application being considered this evening. I will keep to just four of my concerns and ideas.

1. **Environmental Incompatibility.** I believe that 32 Harbor Drive is environmentally incompatible with the proposed project. 1/2 of the property is coastal wetlands, as determined by a dated, professional flagging performed in 2014. After 12 years, this area has likely expanded in size, and only one of the actual flags remains on site. The project plans allow the public to tramp thru 6,000 square feet of wetlands which include an existing fireplace and covered structure. The use of these facilities is not sanctioned, but what is going to prevent anyone from stopping off for a picnic and barbecue after having trampled their way back from the water 100 feet away? Or maybe they'll stop there and crack open some of their illegally harvested littlenecks, poached from the DEM spawning sanctuary that fronts the property. This proposal allows for no cutting or alteration of the wetland (see photo below, wetland inland edge). With the 6 foot mowed path from parking, ending 100 feet from the water's edge, how is anyone going to get thru the wetland, to get to the water, without any cutting or alteration?



2. **Zoning.** This property is located in a MDR-20 residential zone. On September 16, the Town responded to CRMC in response to my May 27 correspondence, in which I questioned whether the proposed uses fell within the sanctioned uses in a residential zone. In their response, the Town claims I missed looking at the “District Use Tables”. I do see that the table does examine 20 or so additional uses, however, I can find nothing about conservation land and the other uses cited by the Town. I certainly could be missing something here, and if so, I stand corrected. If not, my concerns remain.
3. **Road Ownership.** Despite the Town’s claims to the contrary, Harbor Drive is a private road and has been for the last 100 years. It is maintained by an HOA, see enclosed bill/notice, and cancelled checks. The Town does not maintain the road, nor provide snow removal. Furthermore, the last 500 feet of Harbor which includes 32 Harbor, (see photo below) has been solely maintained by myself since 1997. Regardless of ownership, this section of the road is only about ten feet wide, with a marsh on either side. I have concerns that should the road become inadvertently blocked, emergency services will be unavailable to my home at 48 Harbor.



In 2017, in response to a conditional approval of a “Preliminary Determination Request” File No. 2014-05-005 for this property, the Westerly Municipal Land Trust ordered a title search from Attorney Charles Soloveitzik. The results showed that the Town of Westerly has never taken title to Harbor Drive. Although, in an apparent attempt to give the Town what they were looking for, Soloveitzik theorized that the roads legal owner could have given the road to the Town, but no such transaction was ever recorded. What makes that theory highly unlikely, is my own research in Westerly Land Records shows that in 1974 an easement was granted by the development’s owner, Mary H. Damerel to the Town of Westerly for the installation of town water on 3 roads, one being Harbor Drive, see book 128-101. This confirms that the Town did not have ownership prior to 1974. No transfer is recorded after this time making Westerly’s claim of ownership invalid.

4. **Superior Alternative location.** In the past, CRMC has always welcomed suggestions for alternative locations in situations like this. With the Town’s recent acquisition of 7 acres of waterfront property having been added to their already owned Atlantic Avenue acreage, a quintessential gift has been presented for the creation of all the rooftop boating access that Winnapaug Pond could ever sustain. This property is far superior to Harbor Drive in every aspect, making it’s disruption an environmental crime. I hope the following comparison chart will make this quite clear.

Concerns	Harbor Drive	Atlantic Avenue
Road Access	Private	Public/state
Zoning	Residential	Commercial
Available Parking Spots	One proposed	Unlimited
Wetland Intrusion	6,000 square feet	None
Habitat Invasion	Severe	None
Shellfishing	Closed-Spawning Sanctuary	Allowed
Neighborhood Disruption	Some possibility	No change

In summary, the Town of Westerly is scurrying around trying to open up all of the waterfront access points it possibly can. While admirable, there needs to be more consideration given to environmental impact, alternatives, and less to submission to the demands of a small but very vocal group of ROW lobbyists. Harbor Drive is a small piece of surviving coastal wetlands. It deserves total protection. Atlantic Avenue is a far superior location for the proposed activities, and it’s there, ready and waiting. Why not add 1, 2, or even 10 spots to the already proposed 10 parking spaces on Atlantic?

In closing, I would like to once again ask the Town to consider withdrawing their application, and concentrate on Atlantic Avenue. Then, add a protective conservation easement to the deed of Harbor, or better yet, deed it to the Audubon Society, to guarantee it's survival. In the proposal before you tonight, it really comes down to either choosing public water access through an irreplaceable coastal wetland, or from an existing gravel parking lot.

To: All Harbor Drive & Shell Drive Residents and Landowners
From: Road Maintenance Association
Date: October 06, 2025
Re: Road Maintenance Dues

Over the past few years, our neighborhood roads; Nantucket Rd, Shell Drive and Harbor Drive have greatly improved due to the tireless efforts of Pete Hnatow and Doug Fernandez and the purchase of a new tractor/grader. In order to maintain these conditions, it is necessary to collect annual dues of \$200.00 per resident.

Road Maintenance includes:

- Equipment maintenance
- Grading the road and filling potholes
- Purchasing gravel fill
- Gas for equipment
- Brush trimming along these roads
- Postage and other small expenses.

Thank you all for keeping your speed down on these roads to avoid excessive dust and to keep the roads from deteriorating faster. If any of you have suggestions on how to make these improvements easier or better, your comments and suggestions are most welcome.

Please make your check payable to: **"Shell/Harbor Road Maintenance"**

Shell/Harbor Road Maintenance

5 Shell Drive

Westerly, RI 02891.

We would appreciate payment by November 1, 2025. Due's reminders will be mailed out each year. Thank you everyone for your support in this endeavor.

PD 10/27/25
\$ 200.
#1155

EILEEN M REYNOLDS
WALTER E REYNOLDS III
48 HARBOR DRIVE
WESTERLY, RI 02891

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57-85/115
1

12/3/24

Date

CHECK AMOUNT

Pay to the Order of SHELL/HARBOR ROAD MAINTENANCE \$ 250.00

TWO HUNDRED FIFTY + NO/100

Dollars

Photo Safe Deposit Box on Back



WASHINGTON TRUST

For

Eileen M. Reynolds

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Deposit Only

EILEEN M REYNOLDS
WALTER E REYNOLDS III
48 HARBOR DRIVE
WESTERLY, RI 02891

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11/27/25

Date

CHECK AMOUNT

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