

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

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

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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

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Supervising Environmental Scientist, CRMC
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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.

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

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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.

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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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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>

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

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

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.

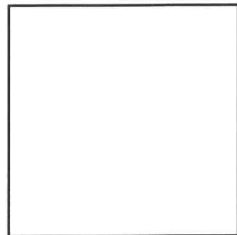
We fully support responsible environmental stewardship and public policy that protects Rhode Island’s coastal resources. However, we believe the process should be transparent, equitable, and consistent for all parties involved, including municipalities, land trusts, and private property owners alike.

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.