

STATE OF RHODE ISLAND
PROVIDENCE, SC.

COASTAL RESOURCES MANAGEMENT COUNCIL
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 116
Wakefield, RI 02879-1900

DECISION

Petition of: Town of Westerly

Docket No.: 2023-03-069

A CERTAIN LOT OR PARCEL OF LAND IN THE TOWN OF WESTERLY, RHODE ISLAND KNOWN AS EVERETT AVENUE.

A duly appointed Subcommittee of the Coastal Resources Management Council held a public hearing, pursuant to the Administrative Procedures Act, on February 11, 2025 and April 8, 2025 at the Department of Administration Building; Conference Room A, One Capitol Hill, Providence, Rhode Island. At that time, evidence was submitted and comments were received from interested parties. In addition, the Coastal Resources Management Council received a report from Attorney Anthony DeSisto, Coastal Resources Management Council's legal counsel, as to the title of the above-referenced parcel, hereinafter referred to as Everett Avenue in the Town of Westerly.

After deliberation upon all the evidence, testimony, and the entire record pending before it, the Subcommittee recommended to the entire Council that this parcel be designated as a right-of-way to the tidal waters of the State of Rhode Island.

Thereafter, the entire Council at a meeting held on November 25, 2025 at the Department of Administration Building; Conference Room A, One Capitol Hill, Providence, Rhode Island, took under consideration the record, the evidence therein and the recommendation of the Subcommittee. After careful deliberation upon the same and after a roll call vote that all the evidence, record and recommendation of the Subcommittee so submitted were read by the members of the Council, the entire Council hereby finds:

FINDINGS OF FACT:

1. The title attorney's report indicated that Everett Avenue is recognized as a public street of the Town of Westerly based on its inclusion in the plat entitled, "Map of Cottage Sites Everett Farm Watch Hill, Rhode Island, Made by Jacob S. Burnet, Lyneas Norton and Walter St. Johns Jones 1886...", and Westerly's Land Evidence Records reference to this right-of-way in the chain title for Lot.
2. During a hearing held on January 30, 1980, the full Council voted to designate Everett Avenue as a right-of-way to the tidal waters of the State of Rhode Island. This designation process was placed on hold to allow for abutting property owners to provide evidence contrary to the record evidence. The record is devoid of any such evidence ever being submitted.
3. Testimony at the Subcommittee hearing indicated that there has been public usage of Everett Avenue.

4. Evidence submitted at the Subcommittee hearing indicated that Everett Avenue extends to the shore of the Atlantic Ocean.
5. The title attorney's report and testimony during the Subcommittee hearing establish that the aforesaid parcel has been dedicated publicly as a right-of-way.

CONCLUSIONS OF LAW:

1. The Coastal Resources Management Council has been granted jurisdiction to designate public rights-of-way by reason of Title 45, Chapter 23 of the General Laws of the State of Rhode Island, as amended.
2. The records reflect the evidentiary burdens of proof, as set forth by the Right-of-Way Subcommittee Regulations and Chapter 46-23 of the General Laws have been met for the designation of this parcel as a public right-of-way.
3. Evidence as submitted and as reviewed by the Coastal Resources Management Council's legal counsel established that this parcel is a public right-of-way.

As a result of these Findings of Fact and Conclusions of Law, the Coastal Resources Management Council hereby designates this parcel, known as Everett Avenue in the Town of Westerly, as a public right-of-way and assigns the following Coastal Resources Management Council right-of-way designation number A-15.

FOR THE COUNCIL,



Jeffrey M. Willis, Executive Director

Dated: January 27, 2026