

Town of Westerly  
Rhode Island

DEPARTMENT OF  
DEVELOPMENT SERVICES  
OFFICE OF PLANNING



Westerly Town Hall  
45 Broad Street  
Westerly, RI 02891

*The vision for the town of Westerly is to preserve Westerly's quality of life for all generations as a safe and friendly community with a distinctive heritage, extraordinary cultural and natural resources, and fiscally-sound government." – 2010 Comprehensive Plan*

Consistent with its predecessor, the 2020-2040 Comprehensive Plan states:

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*The vision for the Town of Westerly is to preserve and enhance its quality of life for all generations as a safe, resilient, and compassionate community with a healthy environment, a distinctive heritage, extraordinary cultural and natural resources, a strong, stable, equitable economy, and a responsible and publicly-engaged government.*

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## MEMORANDUM

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**To:** President Christopher Duhamel and Honorable Members of the Town Council  
**From:** Chairman James Hall and Members of the Planning Board  
**Cc:** J Mark Rooney, Town Manager  
Lisa Pellegrini, Director of Development Services  
**Date:** November 23, 2020  
**Subject:** Revised 2020-2040 Comprehensive Community Plan from November 17, 2020 Public Hearing

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Due to a great deal of public input during the Town Council Public Hearing on the Comprehensive Plan on October 6-14, the Town Council requested further review from the Planning Board on two subjects: commercial recreation zoning/golf courses and rights-of-way to the shore/river.

The Planning Board held a public hearing on the Comprehensive Plan during a special meeting on Tuesday, November 17, 2020. Testimony from several members of the public, as well as the Westerly Economic Development Commission, was considered in examining these focused sections of the Comprehensive Plan.

As a result of this public discussion, the Planning Board made several revisions to the October 16, 2020 Draft of the 2020-2040 Comprehensive Plan. Revised pages with redlined changes indicating the revisions made during the November 17, 2020 Public Hearing are enclosed for your review. Revised pages include the following:

- ✓ Part I, Chapter 3, Section 3.3, Subsection 3.3.4 – Recreation Districts (page 41)
- ✓ Part II, Chapter 2, Section 2.5, Table 2-11 – Town- and State-Designated Rights-of-Way to the Shore (page 140)

- ✓ Mapped Figure REC-M3 – Westerly Harbor Management Plan Rights of Way to the Shore (page MF47)

During the Public Hearing on the Comprehensive Plan, sections of the Comprehensive Plan that relate to ROWs and Commercial Recreation were discussed at length. The Planning Board emphasized that the Comprehensive Plan is intended to be “living document” and also an aspirational guidance document, not specific regulatory document. They determined that only ROWs that have been included in the Westerly Harbor Management Plan (WHMP) should be included in the Comprehensive Plan, and that revisions can be made to the Comprehensive Plan as the WHMP is updated. Several changes to the mapped figure REC-M3 and Table 2-11 in Section 2.5 were made to ensure consistency with the WHMP and provide clarity that some of the ROWs identified are still under investigation. The Planning Board concurred that the paragraph added to Section 2.5 during the Town Council Public Hearing provided sufficient language to demonstrate that Westerly will be investigating additional ROWs as well. The Board and staff discussed potential changes to the Commercial Recreation zone definition, found on page 41 of the current Comprehensive Plan. Recommended language provided by the Economic Development Commission (EDC) was considered and modified to ensure a balance between development and preservation of the golf course.

Following the Public Hearing, the Planning Board was unanimous in their recommendation to Town Council:

“The Planning Board hereby recommends the Town Council replace, in its entirety, ‘The Town of Westerly Comprehensive Plan dated December 2009 and adopted on February 8, 2010’ with ‘The Town of Westerly, Rhode Island Comprehensive Community Plan 2020-2040’ (the 2020 Comprehensive Plan) in accordance with the document, dated October 14, 2020 with final revisions in accordance the following findings and recommendations:

#### Findings and Recommendations

1. The Planning Board finds that the policy of balancing public access to the shore/river with the right of landowners and the value of environmental conservation demonstrated in the 2020 Comprehensive Plan is consistent with the goals, policies, and objectives of the Westerly Harbor Management Plan. To remain consistent, the information contained in Part II, Chapter 2, Section 2.5 – Water Access (pages 137-140) and specifically REC-M3 and Table 2-11 shall be consistent with the Rights of Way to the Shore identified on pages 42-45 of the WHMP.
2. To ensure that the rights-of-way to the shore/river depicted in the Comprehensive Plan are consistent with the WHMP, the following determinations have been made:
  - i. ROW #17 Spray Rock Road (Spring Avenue) is removed from REC-M3 and Table 2-11.
  - ii. An asterisk to Town ROW #6 Niantic Avenue and the language ‘Determined to be Private ROW’ is added to REC-M3 and Table 2-11.
  - iii. Fort Road shall remain as indicated on REC-M3 and Table 2-11.
  - iv. ROW #16 Spray Rock Road on REC-M3 will be revised to ‘Ninigret Ave/Sand Trail’ and will include a depiction of the sand trail leading to a point at the Westerly/Charlestown border.
  - v. On REC-M3, the legend entitled ‘Town-Designated Rights-of-Way’ shall include a subheading that reads ‘(Some of which may be under investigation)’

In no way is the Planning Board action intended to preclude investigation of additional shoreline access.

‘The Town will continue to identify and prioritize opportunities to both add and maintain public access points to the shore and the Pawcatuck River with consideration and sensitivity to private property owners. The Harbor Management Plan identifies several sites, including street extensions,

easements, and paper streets, for possible public access to the shore.’ (Comprehensive Plan, page 137).

3. The Planning Board finds that the directive for reviewing potential changes, including mixed-use with residential, within the Commercial Recreation zone, is a conscientious determination made to advance the following Goals and Policies of the Comprehensive Plan and is a step in the implementation of Action Item HSNG-1.2.I. ‘Develop standards for achieving a mix of residential uses into mixed use districts.’

**GOAL LUZ-1:** Preserve the predominant residential character of Westerly, while providing open space, commercial, industrial, and recreational land uses to serve the needs of residents and businesses.

**Policy LUZ-1.1:** Emphasize the redevelopment of underutilized parcels in areas with adequate infrastructure and access to public services.

**Policy LUZ-1.2:** Ensure future development is compatible with adjoining land uses, the natural environment, available or planned community services, and existing historic and cultural features.

**GOAL REC-1:** Recreation will increase in value as an essential component of Westerly’s quality of life and attractiveness.

**GOAL HSNG-1:** A broad range of integrated, inclusive, age-friendly, and affordable housing options town wide will securely meet the needs of all households and individuals in the community.

**Policy HSNG-1.1:** Continue towards achieving the State requirement for a minimum of 10% of the total year-round housing stock to be subsidized, deed-restricted, and occupied by LMI households.

**Policy HSNG-1.2:** Assure current and future residents that a broad range of opportunities to live in the community will be available.

**Policy HSNG-1.3:** Promote the development and rehabilitation of integrated affordable-by-design housing throughout the community.

**GOAL ECON-1:** A place-based approach to economic development will attract broad opportunities for all participants in the local economy.

**Policy ECON-1.1:** Focus on unique features and existing community assets to draw new investment.

**Policy ECON-1.3:** Ensure that new economic development opportunities preserve community assets and character.

**Policy ECON-1.4:** Encourage the creation and retention of high-quality, well-paying workforce opportunities.

4. The Planning Board finds the recommended language provided by the Economic Development Commission (EDC) creates a balance between development and preservation of existing recreational facilities and supports many of the Goals and Policies of the Comprehensive Plan outlined above. The Board members express their gratitude to the EDC members for their assistance.

6. The Planning Board provides the following recommendation to the Town Council for the revision of the definition of Commercial Recreation zoning for inclusion on page 41.

**'CR (Commercial Recreation)**

The Commercial Recreation zoning district, which consists of approximately 760 acres (or 3.8% of the total land area within the Town), is intended for areas that have historically been reserved for commercial recreational facilities. ***In the future, and only to the extent that they do not substantially compromise the primary recreational use, mixed uses may be considered (such as hospitality and residential use) in order to ensure the continued vitality of CR, as an economic sector.*** These areas include the four golf courses in Westerly, The Misquamicut Club, Winnapaug CC, Weekapaug CC and Shelter Harbor GC, and the Westerly Yacht Club.'"

Sincerely,

*s/James Hall*

James Hall  
Chairman, Westerly Planning Board

be incorporated into an LI district, while properties that are not suited for an industrial use should be considered for re-zoning into a more appropriate use category, such as Open Space/Recreation (OS/R).

#### **LI (Light Industrial)**

The LI zoning district, which consists of approximately 615 acres (or 3.1% of the total land area within the Town), is designed for areas that have historically been reserved for industrial development in proximity to businesses and residences and that would be incompatible with more extensive industrial use. There are two (2) LI locations in the urban core north of Railroad Avenue and Oak Street. Additional LI zones, including the largest tract, are in Bradford.

#### **GI (General Industrial)**

The GI zoning district, which consists of approximately 1,000 acres (or 5% of the total land area within the Town), is intended for industrial and manufacturing uses that must be segregated because of their incompatibility with other land uses and is designed to provide for the infrastructure and operational requirements necessary for such uses. Stone quarries, landfills, the airport, and large factories are uses currently located in the GI zoning district.

### **Subsection 3.3.4 – Recreational Districts**

Special districts are those districts which do not fall into any of the previous categories. These districts protect areas for parks and open space or dedicate areas for commercial recreation. Over one third (34%) of the Town's area falls into one of these zoning districts.

#### **OS/R (Open Space and Recreation)**

The Open Space and Recreation zoning district, which consists of approximately 4,000 acres (or 19.9% of the total land area within the Town), is intended for areas in use as open space and recreation. This district covers a variety of uses including the Town's well fields, major parks and recreation areas, portions of the barrier beaches, and cemeteries. These districts are scattered across the Town. Aside from parks and cemeteries, nearly all of these land areas are protected through deed restrictions and/or conservation easements held by state, town, and non-profit institutions.

#### **CR (Commercial Recreation)**

The Commercial Recreation zoning district, which consists of approximately 760 acres (or 3.8% of the total land area within the Town), is intended for areas that have historically been reserved for commercial recreational facilities. ~~and in the future, and only to the extent that they do not substantially compromise the primary recreational use, mixed uses may be considered~~ ~~may include~~ (such as hospitality and residential uses) in order to ensure their continued vitality of CR, as an economic sector. These areas include the three (3) golf courses along Route 1A, Route 1, a fourth course on Ocean View Highway, and the Westerly Yacht Club.

### **Subsection 3.3.5 – Other Districts**

The [Rhode Island Zoning Enabling Act of 1991](#) specifically permits modern zoning tools such as planned development. Planned development districts become mapped for a particular area of land by a zone change granted in conjunction with approval of a master plan of development for that particular area of land. Planned development districts include requirements and regulations specific to that land. While Westerly once had a process for Planned Unit Development (PUD), it was repealed in 1998 because of the mixed-use possibilities in such districts and political sensitivities at that time. The planned developments that are identified on the existing zoning map are not mixed-use but entirely residential communities. Developed during the period that the PUD provision existed, an increase in residential density allowed under the former PUD ordinance was chosen over the permitted mix of uses. Currently, approximately 20 acres (or less than half of one percent of the total land

**Table 2-11 Town- and State-Designated Rights-of-Way to the Shore**

| Designation No.<br>(Depicted on Figure REC-M3) | Town or RI CRMC<br>Right-of-Way | Location                                 | Water<br>Accessible*              |
|--|---------------------------------|--|-----------------------------------|
| 1  | Town                            | Avondale Road (CRMC A-14)                | Pawcatuck River                   |
| 2  | Town                            | Waters Edge Road North                   | Foster Cove                       |
| 2A   | Town                            | Waters Edge Road South                   | Watch Hill Cove                   |
| 3  | Town                            | Fort Road                                | Watch Hill Cove                   |
| 4  | Town                            | Bluff Avenue (CRMC A-2)                  | Block Island Sound                |
| 5  | Town                            | Everett Avenue                           | Block Island Sound                |
| 6  | Town                            | Niantic Avenue                           | Refer to Harbor Management Plan** |
| 7  | Town                            | Manatuck Avenue (CRMC A-3)               | Block Island Sound                |
| 8  | Town                            | Atlantic Avenue                          | Block Island Sound                |
| 9  | Town                            | Atlantic Avenue                          | Block Island Sound                |
| 10   | Town                            | Atlantic Avenue (CRMC A-13)              | Block Island Sound                |
| 11   | Town                            | Atlantic Avenue (CRMC A-11)              | Block Island Sound                |
| 12   | Town                            | Atlantic Avenue (CRMC A-6)               | Block Island Sound                |
| 13   | Town                            | Atlantic Avenue (CRMC A-7)               | Block Island Sound                |
| 14   | Town                            | Atlantic Avenue West                     | Block Island Sound                |
| 14A  | Town                            | Atlantic Avenue East                     | Block Island Sound                |
| 15   | Town                            | Spray Rock Road                          | Block Island Sound                |
| 16   | Town                            | <a href="#">Ninigret Ave</a> /Sand Trail | Refer to Harbor Management Plan   |
| <del>17</del>                                  | <del>Town</del>                 | <del>Spray Rock Road</del>               | <del>Block Island Sound</del>     |
| A-2  | RI CRMC                         | Bluff Avenue                             | Block Island Sound                |
| A-3  | RI CRMC                         | Manatuck Avenue                          | Block Island Sound                |
| A-6  | RI CRMC                         | Atlantic Avenue (1)                      | Block Island Sound                |
| A-7  | RI CRMC                         | Atlantic Avenue (2)                      | Block Island Sound                |
| A-8  | RI CRMC                         | Atlantic Avenue (4)                      | Block Island Sound                |
| A-9  | RI CRMC                         | Atlantic Avenue (5)                      | Block Island Sound                |
| A-10   | RI CRMC                         | Atlantic Avenue (6)                      | Block Island Sound                |
| A-11   | RI CRMC                         | Atlantic Avenue (7)                      | Block Island Sound                |
| A-12   | RI CRMC                         | Atlantic Avenue (8)                      | Block Island Sound                |
| A-13   | RI CRMC                         | Atlantic Avenue (9)                      | Block Island Sound                |
| A-14   | RI CRMC                         | Lotteryville Marina/ Avondale Road       | Pawcatuck River                   |

\* Refer to Westerly Harbor Management Plan (HMP) for details regarding water access.

\*\* [Determined to be private ROW.](#)

Sources: Westerly Harbor Management Plan 2016, Revised October 28, 2019

RICRMC Annual Designation of Public Rights of Way to the Tidal Areas of the State Report, 2017-2018

Maintenance of these public access points is a priority for the Town of Westerly and will be implemented through regular inspection and clear identification through permanent boundary markers, vegetation control, signage, and public information.

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



# 2020 Comprehensive Plan

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

STONINGTON

NORTH  
STONINGTON

HOPKINTON

CHARLESTOWN

### Town-Designated Rights-of-Way

(Some of which may be under investigation)

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

\* Refer to Section 2.5 - Water Access.

### Legend

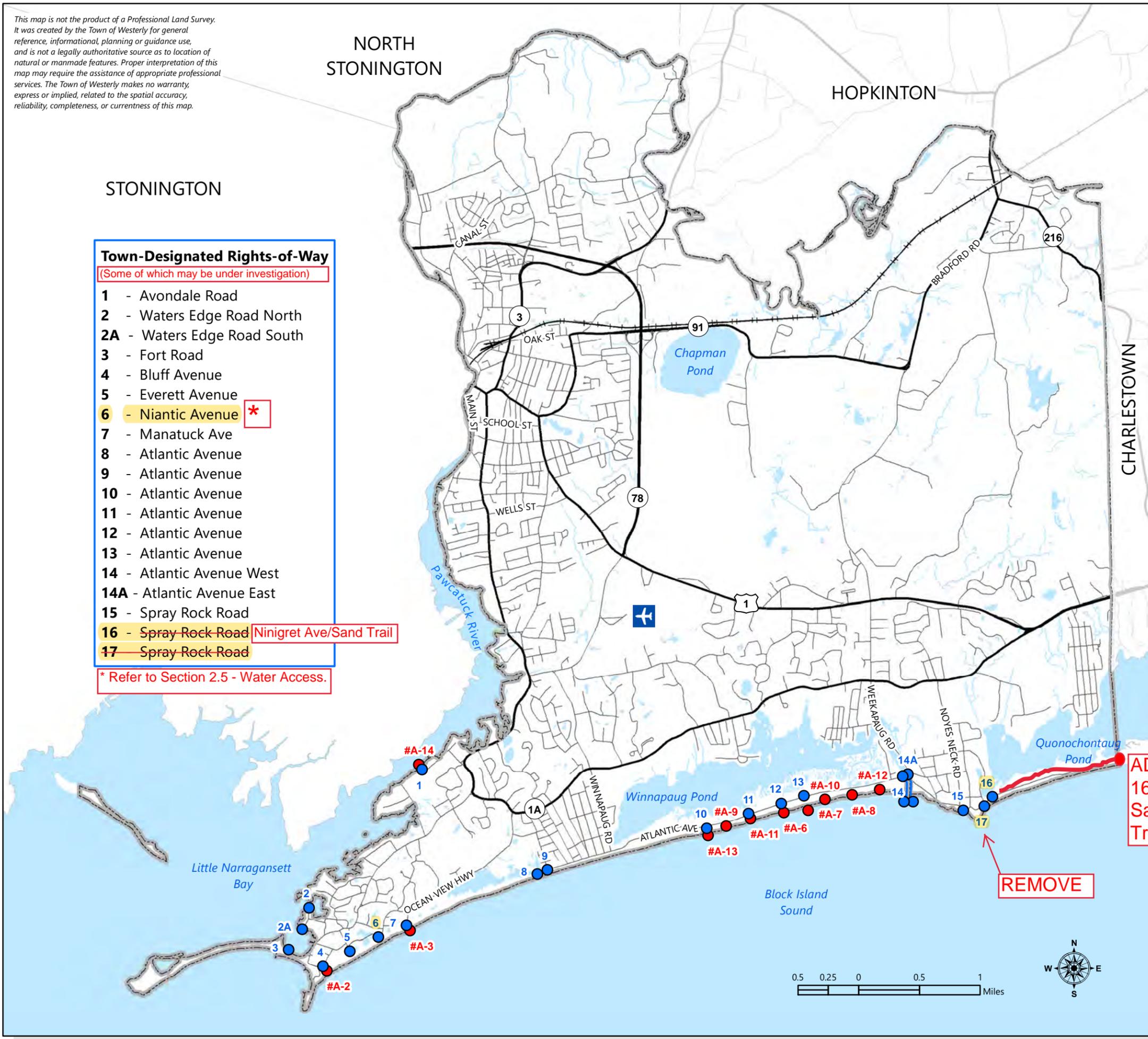
- Town-Designated Right-of-Way
- RI CRMC-Designated Right-of-Way
- River or Stream
- Lake or Pond
- Town Boundary
- Westerly State Airport
- Major Roads
- Minor Roads
- Railroad

### RI CRMC-Designated Rights-of-Way

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

**ADD  
16 &  
Sand  
Trail**

**REMOVE**



September 2020