

Watch Hill Fire District

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Dear WHFD Resident,

As many of you are aware, the Watch Hill Fire District (WHFD) and The Watch Hill Conservancy (WHC) filed a complaint on May 4, 2023 in Rhode Island Superior Court against the Westerly Town Council's efforts to declare a 20-foot wide right-of-way or road from Bay Street out to and across the Napatree Point dunes. Unfortunately, the Town Council, some members of the press, and certain advocates continue to mischaracterize our complaint and position on access to the Napatree Point Conservation Area. We write to correct the record.

The WHFD for decades, with assistance from WHC since its inception, has preserved and maintained Napatree in cooperation with the United States Department of Fish and Wildlife, RI Department of Environmental Management (DEM), and Coastal Resources Management Council (CRMC), but with no help from the Town of Westerly ("Town"). Unlike the Town, the WHFD placed its Napatree properties under a conservation easement that requires the WHFD and the WHC to protect the Conservation Area and permits public access across designated paths throughout that Conservation Area. In addition, WHFD has for many years provided free public access across other properties it owns that are outside of the Conservation Area.

The dispute is not about access. It is about property rights. We want to stress that Napatree Point Conservation Area is open to all members of the public, equally, 24 hours a day, 365 days a year, free of charge. The WHFD provides more free public access to Napatree Point than the Town provides to its own town beaches, or the State provides to Misquamicut State Beach. Each year, we welcome tens of thousands of visitors to Napatree. Most avail themselves, especially given the small size of our village, of considerable free and paid parking, much of which is preserved and maintained by the WHFD.

The Town's current efforts echo previous failed attempts to claim a right-of-way and allow vehicles on Napatree Point, which is legally protected conservation land. In 2007, even the Town's own lawyer told the Town that the land records provided no evidence of any public right-of-way or public road from Bay Street to and across Napatree Point. The only way to permanently resolve these costly, re-occurring and unfounded claims by the Town and others is to obtain a judgement from the courts.

Recently, Westerly residents have urged the Town Council to sit down with the WHFD and WHC to resolve the dispute, but the Town Council continues to rebuff such efforts, just as they rebuffed our efforts before we filed litigation. The current Town Council's actions are actually hampering ongoing efforts to maintain and enhance access. For example, the Town Council is actively blocking efforts to dredge the harbor where it abuts a pathway that leads to the Conservation Area, which would unclog the drains that help keep the pathway dry. This maintenance work has been done periodically for decades and is desperately needed to minimize flooding that now frequently blocks or hampers access to Napatree Point.

Consistent with the Conservation Easement, we have every intention to continue to provide access to all to the Napatree Point Conservation Area. Further, the Conservation Easement obligates us to take action to prevent the Town from destroying Napatree Point's fragile ecosystem.

We hope this information is helpful. More details and a history of Napatree will soon be posted on our website. If you are interested in staying up to date and learning more, we encourage you to visit the website at www.watchhillfiredistrict.org.

We hope everyone has a wonderful Thanksgiving!

Sincerely,



Joan Beth Brown
Moderator
Watch Hill Fire District