

Case continued for resident of Beavertail lighthouse

By Dotti Farrington

The civil eviction case by the town against Beavertail Lighthouse tenant Richard Shutt has been continued until Nov. 27 to enable Shutt's recently hired lawyer, Russell Wolfgang-Smith, time to prepare his case.

Associate Town Solicitor Lauriston Parks filed for the eviction on Sept. 5 on a vote of the Town Council in executive session in August. The town claims Shutt has "remained beyond the period specified in the notice of termination served on him earlier this year."

The town wants Shutt out because it believes the lighthouse should be used as short-term affordable housing. They reviewed 14 applications in May and named a family that was to have moved into the apartment in September.

The Beavertail State Park Advisory Committee has protested the town's use of the lighthouse premises as affordable housing because they say terms of the town's acquisition of the property do not allow such a use or designation. Town officials believe they have the right to follow the affordable housing plan. The committee also expects terms governing the property to change in 2007, thereby affecting any new lease.

The Beavertail Lighthouse Museum Association has protested the use for affordable housing on similar grounds. Its officers are concerned about the apartment's occupancy as the association gets closer to a multi-agency goal of acquiring the lighthouse and improving museum operations there. Some citizens have questioned the council's ending arrangements with Shutt, a highly-praised caretaker of the property, and turning the apartment over to a new resident with a family of four children to live there.

Shutt agreed to a three-year lease, renewable for three years that started in 2002. A legal opinion at that time was that the terms of the lease were vague, according to council minutes. At renewal time in 2005, disagreements arose, leading to the Shutt's not vacating and the town's suit. The council

originally voted 3 -1, with one absent, in May to ask Shutt to leave by Aug. 31.

Shutt filed court documents last month before he hired an attorney. In his papers, he said the town's charge is untrue and that the town was guilty of "fraud, duress, misrepresentation" and other wrongful doings. He countersued for \$72,000 for breach of contract. He wrote that the fraud charge reflected his being "deceived regarding the type, conditions, and terms of tenancy."

The town denied his claims and asked for a trial. Shutt asked for and was given time to hire a lawyer. His lawyer filed Oct. 23. The hearing was set for Nov. 13, but court was closed for Veterans Day and the date was reset for Nov. 27.

Parks told the council that he expected the court to grant the town's request for Shutt to vacate the apartment by mid-December.

The 7.35-acre lighthouse property is federally owned and governed in part under a five-year-renewal lease with the town involving the lighthouse, related buildings, and acreage. Lease arrangements affect the keeper's quarters, used by a custodian, and the assistant keeper's quarters, used as the museum.

Opinions of residents who have spoken at council meetings about the uses of the lighthouse and the lighthouse museum improvement plans have included full support for preservation. Opinions on the housing issue have ranged from praise for the affordable housing designation to speculation about its value as a rental property.

Help with PTO bake sale

Bakers are needed to fill the tables at the annual PTO Bake Sale, which will be held Saturday, Dec. 2, at the Melrose Avenue School in conjunction with the Conanicut Island Art Association Craft Sale.

Baked items can be dropped off at the Melrose school between 8:30 and 9 a.m.

Call Pat Holtzman at 423-0477 or Susan Baccari at 423-1200.



'38 Survivors

The Jamestown Historical Society is compiling oral histories of islanders who remember the Great Hurricane of 1938. Among them are Alcina Blair, Dolores Christman, and Roselyn Fraley. Photo by Andrea von Hohenleiten

Mass times change at St. Mark

Beginning Dec. 2, St. Mark Church will hold their Saturday weekend Mass at 4 p.m., with the sacrament of reconciliation being heard on Saturdays from 3:30 to 4 p.m.

Sunday Masses are unchanged, and will be said at 8:30 and 10 a.m. each week.

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