

Catherine E. Graziano
ATTORNEY AT LAW

July 2, 2021

Kevin Nelson, Supervising Planner
Division of Statewide Planning
235 Promenade Street Suite 230
Providence, RI 02908

Re: Charlestown – Comprehensive Plan Update ID#: CHA-CP-21

Dear Mr. Nelson,

I write to formally object to the approval of the Charlestown Comprehensive Plan (“the Plan”) as submitted by the Charlestown Planning Commission to your department.

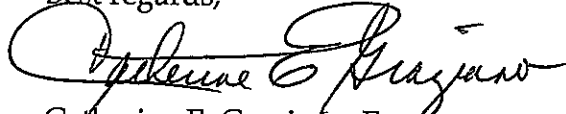
This Plan, at a cursory glance, appears to address all pertinent goals and requirements of state and local law for community comprehensive planning. Unfortunately, substantively, this Plan is lacking in almost every chapter. This should not surprise anyone familiar with the town of Charlestown.

This Plan is woefully late and riddled with factual inaccuracies regarding, for example, Ninigret Park. This Plan is the result of a Planning Commission which after 7 years, and in the midst of a global pandemic, suddenly felt the need to rush this version through. The fact that a town-wide survey is imminent is easily identified as the motivating cause for this stampede to the finish line. It is ironic that this Plan cites “residents input” when the survey they refer to had approximately 87 responses out of over 5500 mailings, many years ago.

I watched some of the ‘hearings’ with complete disgust. This group brushed aside the Economic Improvement Commission’s recommendations, ignored resident callers’ concerns, and insulted the Town Council members who advocated for residents and tried to effect amendments and corrections. The Federal government representatives, notified late in the proceedings, were astonished that the Planning Commission and certain council members would not extend any courtesy to them for time to review it. This Plan is litigation in the making in its current state.

I have attached Rhode Island General Law 45-22.2-3 (c) of the "Rhode Island Comprehensive Planning and Use Act - Statement of Goals" for reference only, as I know from your background with the state, you are well versed with these provisions. I strongly suggest your department return the Plan to Charlestown's Planning Commission with this statute attached and the "goals" highlighted, specifically, Number 10.

Best regards,

A handwritten signature in cursive script, appearing to read "Catherine E. Graziano". The signature is written in black ink and is positioned above the printed name.

Catherine E. Graziano, Esq.

19 Shore Drive

Charlestown, RI 02813

TITLE 45

Towns and Cities

CHAPTER 45-22.2

Rhode Island Comprehensive Planning and Land Use Act

SECTION 45-22.2-3

§ 45-22.2-3. Legislative findings and intent – Statement of goals.

(a) *Findings.* The general assembly recognizes these findings, each with equal priority and numbered for reference only, as representing the need for effective planning, declares that:

- (1) Comprehensive planning by municipal government is necessary to form a rational basis for the long-term physical development of a municipality and to avoid conflicting requirements and reactive land use regulations and decisions.
- (2) Municipal government is responsible for land use, and requires accurate technical information and financial resources to plan for orderly growth and development, and the protection and management of our land and natural resources.
- (3) *Land, water, and air are finite natural resources.* Comprehensive planning is needed to provide for protection, development, use, and management of our land and natural resources.
- (4) Comprehensive planning and its implementation are needed to promote the appropriate use of land. The lack of comprehensive planning and its implementation could lead to the misuse, underuse, and overuse of our land and natural resources.
- (5) Comprehensive planning is needed to provide for the coordination of growth and the intensity of development with provisions for services and facilities.
- (6) Comprehensive planning is needed to provide a basis for municipal and state initiatives to ensure all citizens have access to a range of housing choices, including the availability of affordable housing for all income levels and age groups.
- (7) Comprehensive planning is needed to recognize and address potentially conflicting land uses as well as shared resources in contiguous municipalities and encourage cooperative planning efforts by municipalities.
- (8) Comprehensive planning is needed to provide a basis for improved coordination so that local plans reflect issues of local, regional, and statewide concern. Municipalities must have a role in the formulation of state goals and policies.
- (9) Improved coordination is necessary between state and municipal governments to promote uniform standards and review procedures as well as consistency in land use regulations.

(b) *Intent.* The general assembly declares it is the intent of this chapter to:

- (1) Establish, in each municipality, a program of comprehensive planning that is implemented according to the standards and schedule contained in this chapter; comprehensive plans shall be maintained and amended as

necessary in order to achieve the goals established within this section.

(2) Provide financial assistance for the formulation and implementation of the comprehensive plan.

(3) Provide financial assistance to establish and maintain a uniform data and technical information base to be used by state and municipal governments and their agencies.

(4) Establish standards and a uniform procedure for the review and approval of municipal comprehensive plans and state guide plans and their consistency with overall state goals, objectives, standards, applicable performance measures, and policies.

(5) Establish and maintain a procedure for coordinating planning at state and municipal levels including addressing potentially conflicting land uses as well as shared resources in contiguous municipalities and encouraging cooperative planning efforts by municipalities.

(c) *Goals.* The general assembly hereby establishes a series of goals to provide overall direction and consistency for state and municipal agencies in the comprehensive planning process established by this chapter. The goals have equal priority and are numbered for reference only.

(1) To promote orderly growth and development that recognizes the natural characteristics of the land, its suitability for use, the availability of existing and proposed public and/or private services and facilities, and is consistent with available resources and the need to protect public health, including drinking water supply, drinking water safety, and environmental quality.

(2) To promote an economic climate which increases quality job opportunities and overall economic well being of each municipality and the state.

(3) To promote the production and rehabilitation of year-round housing and to preserve government subsidized housing for persons and families of low and moderate income in a manner that: considers local, regional, and statewide needs; housing that achieves a balance of housing choices, for all income levels and age groups; recognizes the affordability of housing as the responsibility of each municipality and the state; takes into account growth management and the need to phase and pace development in areas of rapid growth; and facilitates economic growth in the state.

(4) To promote the protection of the natural, historic and cultural resources of each municipality and the state.

(5) To promote the preservation of the open space and recreational resources of each municipality and the state.

(6) To provide for the use of performance-based standards for development and to encourage the use of innovative development regulations and techniques that promote the development of land suitable for development while protecting our natural, cultural, historical, and recreational resources, and achieving a balanced pattern of land uses.

(7) To promote consistency of state actions and programs with municipal comprehensive plans, and provide for review procedures to ensure that state goals and policies are reflected in municipal comprehensive plans and state guide plans.

(8) To ensure that adequate and uniform data are available to municipal and state government as the basis for comprehensive planning and land use regulation.

(9) To ensure that municipal land use regulations and decisions are consistent with the comprehensive plan of the municipality, and to ensure state land use regulations and decisions are consistent with state guide plans.

(10) To encourage the involvement of all citizens in the formulation, review, and adoption, or amendment of the comprehensive plan.

(11) [Deleted by P.L. 2011, ch. 215, § 1, and by P.L. 2011, ch. 313, § 1].

History of Section.

(P.L. 1988, ch. 601, § 1; P.L. 1990, ch. 431, § 2; P.L. 2004, ch. 286, § 7; P.L. 2004, ch. 324, § 7; P.L. 2011, ch. 215, § 1; P.L. 2011, ch. 313, § 1.)