



## **Westerly Planning Board – Workshop Meeting Minutes** **Thursday, October 5, 2017 – 7:30 p.m.**

Development Services Conference Room, Westerly Town Hall  
45 Broad Street, Westerly, RI 02891

### **A. CALL TO ORDER**

The meeting was called to order by Jack Armstrong, Chair, at 7:30 p.m.

**Members Present:** John Armstrong, Chair; Richard Constantine, Vice Chair; Catherine DeNoia, Christopher Lawlor and James Hall, Auxiliary

**Members Absent:** Salvatore Zito, Secretary; Kenneth Sorensen and Daniel Joubert

**Staff Present:** Jason Parker, Town Planner; Nancy Letendre, Assistant Solicitor for Planning and Zoning

### **B. APPROVAL OF MINUTES**

### **C. DRAFT COMPREHENSIVE PLAN REVIEW**

#### **1. Joint Meeting with Comprehensive Plan Citizens' Advisory Committee**

**Present:** Joseph MacAndrew, Vice Chair, Comprehensive Plan Citizens' Advisory Committee

Mr. MacAndrew confirmed he was present to represent the committee. He read comments prepared by Gail Mallard, Chair, Comprehensive Plan Citizens' Advisory Committee which outlined the history of the committee's involvement in preparing the Comprehensive Plan update and noted the committee had been told by Town staff committee officers did not need to be elected and did not meet for a period of six months during which time some committee members resigned. The committee found the draft plan submitted was missing material and contained material which was out-of-date and had met every other week for more than a year to review the draft plan and provide revisions as needed.

Mr. Armstrong requested a copy of Ms. Mallard's written statement and Mr. MacAndrew confirmed he would supply a digital copy.

Mr. MacAndrew stated he and Ms. Mallard were the only members of the committee which had served on the preceding Comprehensive Plan Citizens' Advisory Committee. He stated the plan had been anticipated to be an update but was a rewriting with inaccurate information and he noted the committee had not been supplied copies of the draft plan or allowed to elect officers upon request. He stated the draft plan had eliminated policies included in the 2010 Comprehensive Plan such as a prohibition of Highway Commercial zoning expansion and the establishment of a River Corridor Overlay District. He confirmed for Mr. Constantine some changes included in the draft plan were due to requirements of new Rhode Island General Laws. He confirmed for Mr. Lawlor the 2010 Comprehensive Plan and the draft plan were both prepared by contractors. He stated the committee intended to supply the Planning Board a well-thought-out draft.



## 2. Appendix I, Chapter 1: Existing Land Use and Zoning

Ms. Letendre noted the value of the committee's work and stated differences between the draft plan and the 2010 Comprehensive Plan were intentional due to requirements of new Rhode Island General Laws enacted after the adoption of the 2010 Comprehensive Plan. She stated Comprehensive Plans were now ordinances in the State and thus under different legal interpretation. She stated the Primary Report would serve as the ordinance and recommended the Board review the Land Use and Zoning chapter of Appendix I after reviewing other chapters. She overviewed her involvement in the draft plan as an employee of the contractor, Mason & Associates, and noted the contractor was initially contracted to facilitate meetings of the committee and the contractor later was requested to prepare and submit a draft plan due to the upcoming deadline. She noted David Westcott and Benjamin Delaney were also employees of the contractor involved in the draft plan along with Town staff. She stated certain policies were left unincluded to allow the Planning Board to discuss what policies should be included. She overviewed the contractor's discussion with Planning staff regarding the Low and Moderate Income Housing Act and determination that the Town's rental housing stock and rental occupancy made it close to an exemption through the act and the Town had so far unsuccessfully sought an amendment to the act to allow an exemption. She identified the act for Mr. Hall and outlined the requirements of the act for Mr. Constantine, including that ten percent of the year-round housing stock of the Town must be subsidized for deed-restricted occupancy by households of low or moderate income and monitored annually. She stated for Mr. Armstrong she did not identify any significant deviation from the submitted draft resulting from revisions by the committee.

Mr. Parker stated the Planning Board would be able to see all revisions to the draft plan made by the committee.

Mr. Armstrong noted his expectation items of concern for the committee would be included in Ms. Mallard's and Mr. MacAndrew's written comments.

Ms. DeNoia stated a side-by-side comparison of the 2010 Comprehensive Plan and the draft plan had not been performed at committee meetings and confirmed some comments identifies such items of concern.

Ms. Letendre confirmed all subcommittees reviewed the 2010 Comprehensive Plan for revisions.

Ms. DeNoia stated the large majority of public comments heard by the committee regarded Westerly State Airport.

Ms. Letendre stated discussions also took place regarding creating a specific chapter for public schools and social services as well as neighborhood planning but neither were ultimately developed further in the draft plan. She noted her belief neighborhood planning could be performed based on the draft plan.

Mr. Parker noted the Board had left off its review at the description of the LDR-43 Zoning District.

Ms. Letendre noted each description was taken from the Zoning Ordinance and stated her agreement with the revisions made by Mr. Parker. She recommended any results of discussion by the Board, such as whether a zoning district should be revised to be more protective of agriculture, should be resolved in the Primary Report.



Mr. Parker noted his concern the statement on agriculture could be better discussed for LDR-60 rather than LDR-43.

Ms. Letendre recommended the Board return to the Land Use and Zoning chapter for review after reviewing other chapters and noted a discussion on agriculture was included elsewhere in the appendices.

Mr. Constantine, citing discussion at the last meeting regarding whether dimensional requirements of existing zoning were meeting the needs of the community, questioned where such a discussion should be inserted in the draft plan if wanted.

Ms. Letendre recommended an analysis be conducted to determine the number and/or percentage of dimensionally non-conforming lots in a zoning district. She noted density changes may have been warranted at the time due to a lack of municipal infrastructure in the area or other factors which had more recently been addressed. She also noted the community was nearing its buildout based on existing zoning.

Mr. Constantine noted the sliding-scale discussed by Mr. Parker at the previous meeting and questioned where such an option would be discussed.

Ms. Letendre recommended the option be discussed in both the appendix chapter and the Primary Report. The latter would include what activity the Town should undertake.

Mr. Parker stated in addition to a sliding-scale, the Town of Narragansett also adopted a gross floor area ratio between stories to improve the aesthetic quality of some neighborhoods.

Ms. Letendre recommended the list of lots cited in the draft be reviewed and recommended for rezoning as needed.

Mr. Parker noted the area of industrially-zoned land in Town was limited and questioned if an industrially-zoned lot should be rezoned or used for a non-industrial activity.

Ms. Letendre stated a top implementation policy would be reviewing the Zoning Ordinance for modernization.

Mr. Parker clarified his statement at the previous meeting regarding commercial zoning expansion was for a specific segment of Route 1 between two Highway Commercial zoning districts rather than to generally allow expansion of the zoning district.

Mr. Armstrong stated the Town should consider how much retail was wanted or needed due to current and anticipated in the retail market.

Mr. Lawlor noted his concern with businesses vacating old locations for new locations in the community.

Mr. Parker stated the most recent update he had regarding the Shoppes on Franklin development was that the developer was awaiting approvals from the Rhode Island Department of Transportation. He stated another concern he had was split-zoned lots.

Ms. Letendre stated a tool the Town could use would be a ten percent leeway.

Mr. Parker suggested another tool would be a requirement that any future subdivisions be required to be request appropriate changes in zoning districts to reflect lot lines.

Ms. Letendre stated for Ms. DeNoia a discussion should be included in the appendix and the action would be a resolution to the discussion, such as seeking a study.



Mr. Parker stated for the Board that planning staff had recently identified all preserved open spaces in town as part of the town’s voluntary participation in the Community Rating System.

Mr. Armstrong questioned what differences existed between the DC-I and DC-II Zoning Districts.

Mr. Parker stated DC-II was a transitional zoning district whereas DC-I was more commercial. He stated his belief the DC-II should continue to exist to allow for transitional areas between commercial and residential zones. He clarified for Mr. Constantine indirect access to the water was the ability to view the water. He cited locations for possible changes to zoning to allow greater consistency. He confirmed for Ms. Letendre the Zoning Ordinance cited all changes to zoning since adoption of the ordinance.

A motion to postpone adjournment by 15 minutes was made by Mr. Hall and seconded by Mr. Lawlor.

The motion was **CARRIED** by unanimous vote.

Mr. Armstrong noted only a few small segments of land abutting the Pawcatuck River were zoned MC.

Ms. Letendre stated the zoning designations appeared to be designated to reflect existing uses.

Mr. Armstrong questioned how potential abandonments of non-conforming uses could be addressed in cases where the non-conforming use was beneficial to the area.

Ms. Letendre cited allowing the use through a special use permit in the zoning district could be a sufficient resolution. She noted uses between the GI and LI zoning districts were largely the same and that quarrying operations remained a major concern for the Town. She stated it would be beneficial for the Town to identify economic activities it should invite into the local and regional economy.

Mr. Parker stated for Mr. Armstrong there were lots zoned as PUD which were developed as residential and suggested the PUD zoning district be eliminated.

Ms. Letendre stated re-designation of PUD zoning districts was discussed in the Future Land Use section of the draft Primary Report and concurred with Mr. Parker.

**D. DISCUSSION**


None.

**E. ADJOURNMENT**

A motion to adjourn was made by Mr. Hall and seconded by Mr. Lawlor. The motion was **CARRIED** by unanimous vote at 10:21 p.m.

Respectfully submitted:

Reviewed for submission:

  
Benjamin Delaney  
Planning Associate

*Not Present at Meeting*

Salvatore A. Zito  
Board Secretary