



TOWN OF PORTSMOUTH PLANNING BOARD

2200 East Main Road
Portsmouth, RI 02871
401-683-3717

PORTSMOUTH PLANNING BOARD Special Meeting January 30, 2019

Members Present: Guy Bissonnette, Luke Harding, Kathleen Wilson, Ryan Tibbetts, David Garceau and Michael James

Members Absent: Edward Lopes

Others Present: Gary Crosby, Town Planner, Michael Asciola, Assistant Town Planner, and Leon Lesinski, Administrative Officer, Portsmouth Planning Board
The Meeting was called to order by Mr. Bissonnette at 7:00 p.m.

1. Agenda Continuances/Modifications: none

2. Approval of minutes for Special Meeting of October 24, 2018 and November 28, 2018

MOTION: Mr. Harding made a motion, seconded by Mr. Tibbetts, to approve the minutes for the special meeting of October 24, 2018. All in favor. So voted.

MOTION: Mr. Harding made a motion, seconded by Mr. Tibbetts, to approve the minutes for the special meeting of November 28, 2018. All in favor. So voted.

3. Review of the final draft of the Comprehensive Community Plan

Gary Crosby, Town Planner gave an update on the status of the 12 completed element drafts for the Comprehensive Community Plan which he posted on the town website for review by the Planning Board members and the public. The Services and Facilities and the Energy elements have been sent to RI State Wide Planning for review. Mr. Crosby read letters from State Wide Planning, which set forth the review process with recommendations for submitting element drafts and the complete plan. Mr. Crosby suggested that he could commence with the public information hearings on the Comprehensive Plan to which the consulting firm is contracted to participate.

Mr. Bissonnette inquired as to when the missing pieces to the elements may be completed. Mr. Crosby responded stating that the major missing piece is a component on Low to Moderate Income Housing (LMI). He reiterated that it could be reviewed during the public hearings and its completion should not preclude their scheduling. Mr. Bissonnette inquired about advertising for the public hearings. Mr. Crosby suggested that the consulting firm could recommend

a robust advertising plan. In response to Mr. Garceau, Mr. Crosby explained how he developed the language for the lot merger provision actions described in the Land Use Element. He noted that the details would be incorporated into amendments to the Zoning Ordinance. Mr. Bissonnette called for public comment.

Frederick Marano, 200 Lepes Road, Portsmouth and member of the Citizens Interested in the Comprehensive Community Planning Process Committee (CICCPPC) first spoke as a private citizen, suggesting that the Planning Board advertise through the Town Council. Speaking on behalf of the CICCPPC, Mr. Marano presented a written recommendation that on page 14 of the Land Use Element (draft, November 18, 2018), additional wording be added to INCONSISTENCY #2 "...to emphasize that the focus here is on pre-existing non-conforming properties only." After discussion and clarification, Mr. Marano agreed to removing the phrase "...that the focus here is on..." from the recommendation.

Mr. Crosby explained that the creation of an R-5 Zone in the Island Park area is to reduce the number of non-conforming lots of record and ease the zoning approval process. Mr. Tibbetts noted that if there are exceptions to the CICCPPC recommendation, then it should not be considered.

Anne Fiore, 290 Frank Coelho Drive, Portsmouth asked if under the R-5 zoning, could a 10,000 square foot lot be subdivided into two R-5 zone lots. Mr. Crosby stated that it could not because the Future Land Use Map (FLUM) excludes the larger parcels from R-5 zoning.

The Planning Board did not act on the CICCPPC recommendation.

Mr. Marano presented a written recommendation from the CICCPPC for the Comprehensive Plan as follows:

"We recommend that the Planning Board have the Town Planner create a section in the Comprehensive Plan to provide assurance that there are guidelines for the Zoning Board to deal with new businesses that are concerned with materials and activities that were previously controlled more strictly"

Mr. Marano noted that the recommendation was made to respond to citizen concern expressed at a recent Town Council meeting over the potential legalization of marijuana in the state. Mr. Bissonnette stated that sales would be required to comply with state statute. Mr. Crosby noted that anyone with concerns could introduce an amendment to the Zoning Ordinance, regarding the land use tables. Mr. Bissonnette suggested that the recommendation is not typically something that would appear in a comprehensive plan and that the concern is more political in nature.

Peter Roberts, 80 Omerod Avenue, Portsmouth expressed his concerns for state statutes that may prohibit disclosure of cannabis propagation in private homes to local fire and safety authorities. Emphasizing the rationale behind the CICCPPC recommendation, he noted that the Portsmouth Prevention Coalition brought forth these concerns to the Town Council.

Mr. Bissonnette and Mr. Crosby agreed that the CICCPPC's concerns behind the recommendation are serious and valid but stated that the correct manner to address the problem is through petitions to the Town Council.

Speaking as a private citizen, Ms. Fiore said she supported the CICCPPC's recommendation because of a personal experience with a tenant who was engaging in prostitution and the lack of support from local authorities in removing the tenant. She stated that the recommendation is to support an awareness that the direction of the community is to protect the health and welfare of its citizens against the negative effects of sensitive, illegal or restricted activities and to empower local boards and authorities to be pro-active in reviewing such activities.

In response to Mr. James, Mr. Crosby stated that cannabis cultivation is covered under the agriculture use in the zoning ordinance. Mr. James noted the inconsistency because marijuana is still illegal in the state.

Discussion with comments from Mike Asciola, Assistant Town Planner, Mr. Crosby, Mr. Tibbetts and Mr. Bissonnette continued briefly on the issue. The Planning Board took no action on the CICCPPC's recommendation.

4. Review the Comprehensive Community Plan Workshop Schedule

Mr. Crosby stated that he is prepared to schedule the public informational hearing on the Comprehensive Plan, noting that he and the consulting firm would conduct the proceeding and that the Planning Board need not officially participate. Mr. Bissonnette asked Mr. Lesinski to put the hearing schedule and marketing plan on the Planning Board agenda for the February 13 regular meeting. He also emphasized to Mr. Crosby that the public should be presented with a primarily completed Comprehensive Plan at the hearing. Mr. Crosby stated that he doesn't anticipate the plan in that level of completion until May of this year.

Speaking for the CICCPPC, Mr. Marano inquired as to the role of the CICCPPC in the public hearing process going forward. The Planning Board members agreed that the CICCPPC should remain intake and participate in the public hearing process.

Ms. Anne Fiore suggested better promotion and networking through social media and the Comprehensive Plan Facebook page. She also suggested cross-branding with other organizations and their events to promote the public hearing

process.

At 7:57 p.m., a motion was duly made and seconded to adjourn the meeting. All in favor. So voted.

Respectfully submitted:
Dede Walsh
Recording Secretary for:

Leon Lesinski
Administrative Officer