

The fortune cookie was right

8/11/92

IT WAS A TYPICAL night in Room 203 at the Rhode Island State House in March. The Land Use Commission meeting was set for 6 p.m. but the House of Representatives was still in session, so commission members from the House would be delayed. At 6:30, the meeting got under way.

Since this was going to be a three-to-four-hour meeting — not uncommon — someone thought to bring in some Chinese food. Served on paper plates, handed with greasy fingers and washed down with canned soda, this typical fare ended with fortune cookies. My fortune slip was perhaps the most propitious for the commission: "All your hard work will soon pay off."

And it has!

After five years of conscientious effort, lengthy and late night sessions, all-day meetings, changing membership, and constant revisions in the language and concepts, the last of the three major pieces of legislation wrestled together by the Commission to study the entire area of land use, preservation, development, and regulation has been approved by the General Assembly.

The Land Development and Subdivision Review Act of 1992, approved by the Senate on July 13, is the last in the triumvirate of land-use measures that will profoundly affect the future development in our state.

Now, with its passage, comes a sense of relief and satisfaction that this long-term commitment by this small band has borne fruit.

It has been a long and arduous task but with the passage of these subdivision regulations, Rhode Island will be in the forefront of those few states that have sought and obtained the means to have a measure of control over their destinies. Looking back to 1987 when the commission was formed, few people would have given it much chance to come to any agreement that would result in such sweeping changes.

The 23 original members of the panel were selected by top members of government, including governor, lieutenant

CHESTER E. SMOLSKI

governor, Senate majority leader and House speaker.

With backgrounds that represented serious conflicting interests, the membership included environmentalists, builders, developers, real estate agents, planners, lawyers, government officials, General Assembly members, architects, an academician.

It is a tribute to his leadership abilities that Rep. Robert Weygand of East Providence, who led the commission for nearly five years, could cajole, push and act with efficiency and provide words of encouragement to bring the group together.

Rep. Edward J. Smith of Tiverton filled that role when Rep. Weygand resigned as chairman this year because of other commitments.

The toughest piece of proposed legislation by the commission was the very first one — the *Comprehensive Planning and Land Use Regulation Act of 1988*. Try to imagine 23 people representing very diverse and opposing interests sitting down to talk and do battle, and trying to come to agreement on what is best for the state, yet provide a measure of protection for their groups.

It was not easy; it took long hours and required many changes in concepts and language. But over time came a respect for each other and a better understanding of different points of view. The result was one of the finest pieces of comprehensive planning legislation anywhere in the nation. This was expressed by planners and government officials from other states. Rhode Island's legislation was also recognized with an award from the New England Chapter of the American Planning Association.

An Act Relating to Cities and Towns — Zoning Enabling Statute did not make it through the General Assembly in 1990 on its first try but succeeded in 1991. Zoning is a tedious, difficult task to define, implement and enforce. A subcommittee worked many hours to bring

existing legislation up-to-date and provide some order out of what was a chaotic jumble of piecemeal measures, some of which dated back to the 1920s.

The professionals in the State Planning Division who provided support for the Commission were also an important part of the whole process. Making changes, submitting draft after draft, doing the research and helping to guide some Commission members through the complex task made the work simpler and helped move it along. These staff members as well as those planners, architects and other professionals and members of the general public who examined the proposed legislation, who testified and who attended workshops and public hearings also deserve praise for their interest, expertise and support.

Is the Commission now finished? Maybe. The Subdivision legislation of 1992 also includes amendments to the Comprehensive Planning Act of 1988 because complex legislation must be monitored to ensure that all works as anticipated. Or sometimes practices may occur that were not anticipated. Is the Commission the best group to do this?

How about the persons in various communities who are elected to address questions of planning, zoning and subdivision control? For example, are they qualified? Should they be required to take instruction in implementing these measures? Should the Commission seek to address such questions in its quest to work for improvement in the way we use and regulate the land on which live, work and play? Or is this the time to say "A Job Well Done" and wait to see how effective these measures are?

There are many other people interested in working for the betterment of our communities, state and nation and who spend unpaid time and effort in doing so. And it is thanks to these good people that change takes place. The Land Use Commission is made up of such persons.

Chester E. Smolski is director of urban studies and professor of geography at Rhode Island College, and a member of the Land Use Commission.