CHARLESTOWN PLANNING COMMISSION

SPECIAL MEETING MINUTES

Wednesday May 13, 2026 at 7:00 p.m.

Charlestown Town Hall, Council Chambers
4540 South County Trail, Charlestown, RI 02813

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1. CALL TO ORDER

Chair, Ruth Platner called the meeting to order at 7:02 P.M.

2. ROLL CALL

Members present: Ruth Platner, Frances Topping, Sarah St Laurent, Glenn Babcock, Patricia Stamps, Laura Rom, and Carol Mossa

Others: Sean Henry, Town Planner

3. MINUTES APPROVAL

A. Minutes from April 22, 2026 Regular Meeting

The Commission reviewed the April 22, 2026 Regular Meeting minutes.

A motion was made by Ms. Topping to approve the minutes as written. Second, by Ms. St Laurent. Motion carried with Ms. Stamps abstaining.

4. WORKSHOP DISCUSSION – Inclusionary zoning

Ms. Platner began by explaining the Commission first discussed inclusionary zoning last year. Since that time, Attorney Petrarca has put a packet together incorporating the new law. Ms. Platner explained they were ready to pass a version in 2011, but then there was a lawsuit filed regarding fee-in-lieu of, she did not have details. It has taken years and she is uncertain of when it was resolved. Ms. Platner said she felt it was a good topic to discuss because of the pressure Towns are under due to the housing crisis.

Discussion began with Ms. Platner giving an example explaining inclusionary zoning: The State requires a minimum of 15% affordable units for inclusionary zoning. if you have a six-lot subdivision you multiply it by .15 which gives you 0.9, which is then rounded up to 1. A six-lot subdivision would give you one affordable unit, and the developer would get one more lot. The

affordable unit can be built by Habitat for Humanity or any other non-profit entity. She said the previous version pointed that out to the applicant so that they were aware of that requirement. It must be built contemporaneously with the rest of the subdivision. She noted the Commission does not require that developers build houses. This ordinance would not require a developer to build the affordable home, but it would have to be built by Habitat or another non-profit entity.

Ms. Topping questioned if there was a timeline for the affordable house to be built during the construction of the rest of the subdivision. Ms. Platner said that the previous version stated that if you were working with a non-profit and they were unable to complete the home within the allotted timeframe, there was a method to address that issue. She said the current version did not speak to that issue.

Ms. Rom said she felt that the construction of the affordable house would take longer if it were a Habitat house because it relies on volunteers to build and there should be some type of provision for that.

Mr. Babcock asked if the affordable houses could be prefab. Ms. Platner answered that they could be prefab, but the State inserted language that states they must be of the same style as the other homes in the subdivision.

Mr. Henry reviewed with the Commission the discussion and summary sheet. He explained it breaks down what the issues are with respect to compliance with State law and the items that the Town would like to include.

The Commission briefly discussed the inclusionary "set-aside" topic as listed under "Key statutory changes since the 2011 draft". Ms. Platner said when calculating the number of affordable units in a subdivision, it is not always a whole number. She questioned, when that occurs, if the applicant could pay the remaining fraction for the fee in lieu of? Mr. Henry responded that he believed it could. He explained the law change at the state level that broke inclusionary zoning said you cannot round down. He thought it had changed to allow the fee in lieu of for the fractional units.

The Commission discussed the "trigger threshold" and what Charlestown felt that number should be. Current law mandates that a local inclusionary trigger must be specified but cannot be higher than 10 dwelling units. Currently, Charlestown has a 6-unit trigger, but Charlestown can raise it up to 10 if the Town chooses to do so.

Ms. Platner stated that inclusionary zoning is not meant to punish the developer. The developer is adding houses and every time they add a house they are adding to the number of affordable houses the Town is required to build. Every time a house is constructed, it is another tenth of an affordable house that is needed. Inclusionary zoning is a way to provide affordable housing that goes with a development. The developer can choose to construct the affordable dwelling or sell (or give) the lot to a non-profit like Habitat to build. The negotiations for the lot would be between the developer and the non-profit.

Mr. Henry said that another consideration, because the laws have been changed and when referring to lots, is it may not mean one dwelling unit, a duplex could be situated on that one lot.

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Ms. Topping commented that single family units that are submitted under inclusionary zoning cannot be limited to below 3 bedrooms. Ms. Platner stated that was true for all affordable housing now. Ms. Platner was concerned that an applicant reading this requirement, as written, might think that they must build a 3-bedroom home.

Ms. Rom clarified that the Town cannot dictate that an applicant must build a 2-bedroom dwelling, unless it is compatible with their design development.

Ms. Platner stated that for communities that have reached their 10% affordable housing goal, inclusionary zoning is now mandatory. If you are under 10%, you would still fall under the Comprehensive Permit.

The Commission discussed using the fee-in lieu of option and how to utilize it when it pertains to inclusionary zoning and the calculation with respect to lots.

Ms. Topping questioned if a subdivision had HOA fees, would the affordable unit pay the fee as well. Ms. Platner answered that the fee would become part of the affordable price. Rhode Island Housing sets the price, and it includes what the HOA fee is.

Ms. Platner explained the advantage of inclusionary zoning to the Town is that as you continue to build more housing you are not acquiring more of a debt.

Members of the affordable Housing Commission joined the Commission discussion at this time.

Mr. Henry briefly explained to the Affordable Housing Commission members that inclusionary zoning would apply to a development of six units or more, the developer would have to include an affordable unit under State law. It would be a deed restricted unit that restricts owners to a certain percentage of the median income.

Ms. Platner continued by explaining to the Affordable Housing Commission that new State law requires that we cannot go below 15% affordable units for a subdivision with inclusionary zoning. This would only apply to subdivisions greater than 6. She gave the example, with a 6-lot subdivision, the developer would be required to create one additional lot for affordable housing. In the case of a 7-lot subdivision, the calculation: 7 lots x 15% = 1.05. State law requires you to round up; therefore, the developer of a 7-lot subdivision would be required to create two additional affordable housing lots. She said one of the things the Commission has been discussing is rather than having to create two additional lots due to having to round up if they could take the fraction (in this case, .05 or 5%) and put that in as a fee in lieu of.

The gentleman from the Affordable Housing Commission asked why they would not want the second unit. He said if he were a developer, he would go for a comprehensive permit and not inclusionary zoning, he would get that bump regardless.

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Mr. Henry explained that with a comprehensive permit, the requirements are 25% so it is a higher percentage of affordable units as opposed to market rate units that they are required to include. In addition, inclusionary zoning would be applied to all subdivisions of 6 lots or greater.
Ms. Platner said the Commission is trying to figure out, and it is going to be a legal question, whether the 0.15 multiplier creates too many affordable units from the developer's perspective. That is why they are trying to determine if a developer could pay the .05 fraction of the calculation as a fee in lieu of. The concern is that inclusionary zoning will not get passed at all, if it is perceived as too punitive.

Mr. Henry said that several of the State laws regarding affordable housing compel municipalities to allow things such as a density bonus. However, the State itself is not subject to those requirements. For areas in Charlestown in the special areas management plan (SAMP) for the salt ponds, CRMC reviews those applications and they are not required to approve those density bonuses.

Ms. Platner said that under Housing 2030, the Town was given a level of housing production. Charlestown is supposed to do 22 units per year and of those 22 units 15% of that is supposed to be affordable. If the Town has inclusionary zoning, then the Town has 15% built into whatever housing is being produced and we can comply with housing 2030. It is going to be hard for Charlestown to get affordable housing from Comprehensive Permits.

Ms. Platner stated that Charlestown only has 3700 year-round dwelling units so adding 1500 units is a huge increase. She felt that the model of just having 15% of all housing production is affordable makes much more sense.

Mr. Henry said that some legislators at the State House have been introducing, the idea that if you adopt inclusionary zoning in the Town and guarantee that 50% of the new housing units created going forward are affordable, then you will be exempt from the Comprehensive Permit process. He said it is unrealistic, but it shows there are other pathways to establish affordable housing.

Ms. Rom asked at what point the State would be satisfied with the goal they have set for the towns to achieve with regards to affordable housing.

Mr. Henry explained that the 10% goal was established in 1991 and there are people that think that 10% is insufficient. It started out as the goal, but the goal posts will always keep moving. The inclusionary ordinance gives you a pathway to over time, at a slower pace get affordable units as opposed to Comprehensive Permits.

The Commission continued their detailed inclusionary zoning discussion. It was the consensus that there was a need for mandatory inclusionary zoning if Charlestown was ever going to get near the 10% affordable goal the State has set.

Ms. Platner asked the Commission if they agreed that they set the threshold for subdivisions at 10 lots or more, they would be required to include affordable housing units, the number of units would be dependent on the subdivision size. The calculation would have to be run by Attorney Petraraca to see if the fraction of the calculation could be used for a fee in lieu of, rather than an additional

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lot. This would then have to be approved by the Legislature. Ms. Mossa said it made sense to her.
Ms. Rom said in principle she does not like mandates, but we have mandates because the State has mandates. She felt it satisfies what the Town must do without making it horribly painful.

Mr. Henry said he will speak with Attorney Petrarca and get the legal questions answered and determine what the next step should be.

5. PLANNING ISSUES AND CONCERNS

A. Chair Comments

Ms. Platner had nothing additional to add.

B. Planner Comments

Mr. Henry said the agenda for the regular May 27th meeting is being finalized. He is anticipating there will be three applications; two being pre-application so it will be a full agenda.

6. ADJOURNMENT

A motion was made by Ms. Topping to adjourn at 9:10 PM. Second by Mr. Babcock and carried by unanimous vote.

Respectfully Submitted,

Janet Lombardo
Planning Assistant

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