



Narragansett

TOWN RESIDENTS ASSOCIATION

TO: Narragansett Planning Board
FROM: Harold Schofield, Chair, NTRA
SUBJECT: November 27, 2023 Planning Board Meeting Agenda Item 2R
DATE: November 27, 2023

Dear Planning Board Members,

This written testimony is respectfully submitted on behalf of the Narragansett Town Residents Association, in support of changing the definition of our Four Unrelated's Ordinance to three (3) unrelated persons, so as to be compatible with our newly enacted Three-Student Ordinance.

As former chair of the Ad Hoc Subcommittee on Zoning that developed and originally proposed the Four Unrelated's Ordinance, please recall my verbal and written testimony at the June 1, 2023 Planning Board Meeting, that addressed our newly enacted Three-Student Ordinance.

At that meeting I testified that the Ad-hoc Subcommittee on Zoning that I chaired in 2014 and 2015 was steered away from the term "student" by then Town Solicitor Dawson Hodgson. Further, both the Solicitor and one town council member would only support a limit of four persons (not three), so as to distance this ordinance from the 1994 Fortunato decision in *DeStefano v. Haxton*.

Since then, the RI Supreme Court confirmed in 2020 (*Federal Hill Capitol vs. City of Providence*) that students are not a "protected" class, thereby legitimizing municipal zoning restrictions that limit the number of students, as well as the number of unrelated individuals, who can live in a single-family home or dwelling. This paved the way for Narragansett and other towns to adopt similar ordinances to the one adopted in Providence.

Given our newly adopted Three-Student Ordinance, which was heavily supported by our NTRA membership, it is now inconsistent to limit the number of unrelated individuals who can inhabit a single-family residence to four. Therefore, NTRA now supports and recommends changing our current Four-Unrelated's Ordinance to a Three Unrelated's Ordinance, so as to conform with our new Three-Student Ordinance.

As I previously testified, a three-unrelated persons limit was the original goal of the Ad Hoc Sub-Committee on Zoning back in 2015. We changed it to four at that time for the reasons reiterated above.

Respectfully Submitted on behalf of NTRA

A handwritten signature in black ink that reads "Harold Schofield". The signature is written in a cursive style with a long horizontal flourish at the end.

Harold Schofield
Chair, Narragansett Town Residents Association (NTRA)