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House Judiciary Committee  
One Capitol Hill  
Providence, RI 02903

RE: H5795

Dear Chair Craven and Members of the Committee,

I write today to share my firsthand knowledge of one of the development quirks in Rhode Island. This Legislature has laudably made great efforts in the last few years to ease development review procedures to spur additional housing construction throughout the state. This has eased development in instances where the zoning review process by the municipality is clear.

However, when processes are not clear, a developer is unable to secure clear guidance from a municipality under the existing zoning enabling act. Under the current system, a developer must spend tens of thousands of dollars to produce building plans for review by the zoning official under a building permit application. If the developer disagrees with the zoning official, the appeal goes not to the zoning board of review, as it does with enforcement, but nine times out of ten to the state building board of appeals (a few municipalities still have their own building boards of appeals). Building boards of appeal are not equipped to review zoning determinations.

This bill would amend Rhode Island General Law § 45-24-54 to require municipalities to provide information to the requesting party as to its determination regarding the review process for a proposed development.

I am in strong support of this bill. I think it could be further enhanced with reference to the appeal process in § 45-25-63(a) and clarifying that the zoning determination shall be issued in the same timeframe as the zoning certificate.

Sincerely,



Peter Friedrichs