

The Planning Process. . . Town Boards, Commissions, Departments and Offices Related to Development

The **Director of Business Development, 643-0382**, is tasked with supporting new and existing businesses in Portsmouth. This includes providing guidance on what may be needed to build a new commercial/industrial facility, expand an existing location or to convert an existing facility to a new use. The Director of Business Development can indicate which town officials are available to answer questions and make interpretations and rulings. This office is also the source for information on benefits available through the Enterprise Zone program.

Any business operating with a trade name must register in the Town Clerk's office. A new start-up business can obtain information on business registration and requirements from the **RI Secretary of State, 222-3040, <http://sos.ri.gov/>**

Two initial key determinants are: What is the property zoned? Is the planned use allowed on the property? All official information on allowed uses as well as the application and permitting process are contained in the Zoning Ordinance of the Town of Portsmouth. The Zoning Ordinance, Design Review Guidelines and Subdivision Regulations can be purchased from the **Town Clerk, 683-2101**.

There will be many questions and considerations as plans for a project develop. It is extremely valuable to contact appropriate town officials before a permit application is finalized. They can provide you with a wealth of information and lessons learned from previous proposals that should help permitting proceed smoothly. Working with this process on a day-to-day basis, town officials can provide general advice on what specific issues must be addressed, how long the permitting process may take, what conditions may be required as part of the approval process and may be able to offer an opinion on the chances of success of a project. Seeking advice in the initial stages of development can avoid lengthy and costly delays if changes or modifications are needed during permitting. **All offices are in Town Hall, 2200 East Main Road, unless otherwise noted.**

The **Building Inspector, 683-3611**, is the Town Zoning Officer. He determines whether a project will need Zoning Board of Review approval of a special use permit or a

variance. He issues permits for building, electrical, plumbing, occupancy and signs. The Building Inspector's office is also the source for flood plain information.

The **Town Planner, 683-0888**, does not review development applications, but is a great source for discussing projects in advance of making an application. The Planner can provide guidance on land use and development standards including: design, streetscape, materials, parking, signage and traffic. The Town Planner is helpful in explaining the possible uses of Planned Unit Development (PUD) for larger acreage (+5 acres or +2 acres in Town Center) property. Utilizing a PUD can provide flexibility in layout and land use for both the applicant and the Planning Board. The Planner drafts for approval by other agencies new land use regulations for the town and provides advisory support to the Planning Board and Town Council as requested.

All commercial/industrial projects will require appearances before the Design Review Board, the Planning Board and the Zoning Board of Review.

The **Design Review Board** reviews all commercial and multi-family projects in order to make recommendations to the Planning Board and Board of Review. The review includes critique of plans and suggestions on: building design, including mass, colors, materials, grading, circulation, parking, signage, landscaping, streetscape and visual appeal. The Design Review Board encourages discussion of a planned development in the initial stages before finalizing plans. The recommendations of the Design Review Board become advisory opinions to the Planning Board and the Zoning Board of Review. The Design Review Board meets the first Monday evening of the month. Contact point is **Building Department, 683-3611**.

The **Planning Board** is responsible for approving subdivisions, creating lots and moving lot lines, Planned Unit Development projects and jurisdiction over cluster development. They give advisory opinion to the Zoning Board of Review for special use permit applications. The **Planning Board Administrative Officer, 683-3717**, is available most mornings to answer questions and discuss plans and procedures prior to formalizing an application. The Planning Board meets the second Wednesday evening of the month.

The primary function of the **Zoning Board of Review** is to consider variances from the zoning ordinance and rule on requests for special use permits. Variances may only be based on hardships due to the physical condition of a lot.

Variances due to economic reasons cannot be considered. Special use permits are for uses that may be granted if evidence submitted to the board establishes that the proposals meet the criteria set forth in the Zoning Ordinance. Contact point is the **Building Department, 683-3611**. Applications to the Zoning Board of Review are submitted to the Building Department. The Zoning Board of Review meets the third Thursday evening of the month.

Note – All of the boards will consider scheduling a special meeting for larger projects and/or lengthy presentations. To request a special meeting, file an application, appear when scheduled and state the reasons for requesting a special meeting.

The **Town Council** is the overall governing body for the town. They also sit as the Board of Licensers. The Town Council has no authority over issuing of building permits, zoning permit approvals or subdivision approvals. The Town Council is the authority for zoning changes and amending the Zoning Ordinance by holding public hearings after the Planning Board has provided an advisory opinion. The Council also functions as the Building Inspection Board of Review for appeals from Building Inspector decisions. The Town Council meets the second and fourth Monday evenings of each month. Deadline for submitting a council agenda item is noon of the Tuesday prior to a Monday meeting. Council meeting and agenda questions should be directed to the **Town Clerk's office, 683-2101**.

Other town departments that will review or advise:

The **Department of Public Works, 683-0362 is located off 143 Hedley Street**, (an area behind the police and fire stations). The Director of Public Works advises the Building Inspector and Planning Board on issues related to work being performed in the public right-of-way, including curbs, storm water connections, excavating and design of new roads.

The **Fire Department, 683-1200, at 2300 East Main Road** reviews building and site plans for compliance with the State Fire and Safety Code and applicable town ordinances such as fire lanes. They approve street names (to prevent duplication) and street address numbers. They advise the Building Inspector of compliance with applicable codes before permits or certificates of occupancy are issued. They review building plans. The department provides advisory opinions on projects to the Zoning Board of Review, Planning Board and Water and Fire District on issues of road design, emergency access and fire hydrant location.

The **Police Department, 683-0300, at 2270 East Main Road** advises all boards and departments on public safety issues, especially traffic, curb cut location, crosswalks and sidewalks impacted by a project.

Other important offices and sources of information:

The **Portsmouth Water and Fire District** is not part of town government legally or administratively. It is a quasi-municipal government agency created to provide and maintain a supply of water for the extinguishing of fire, and for distribution to the inhabitants of the district, for domestic use and for other purposes. It is responsible for approving tie-ins, which are required for subdivision approval, as well as certification of public water availability and quality. Contact is **Portsmouth Water and Fire District, 1944 East Main Road, 683-2090**.

Rhode Island Department of Environmental Management (DEM) grants permits for subsurface sewage (septic systems/Individual Sewage Disposal Systems (ISDS), private water supplies, and hazardous waste removal. The town does not have jurisdiction over these systems and related environmental issues. Subsurface sewage disposal suitability determination and design, ISDS, must be made prior to any building permit request and before subdivision approval. Regulations stipulate minimum distances of buildings and septic systems from wetlands. Wetland location, as first determined and submitted by the developer's engineer, is verified by the DEM. Wetlands are not considered suitable areas for development. Contact

RIDEM, 235 Promenade Street, Providence, RI, 02908, <http://www.dem.ri.gov> (401) 222-6800. After hours emergencies 222-3070.

The **Wastewater Manager, 643-0380**, is responsible for management and enforcement of the Town wastewater ordinance that was enacted to ensure the proper management, inspection, use and maintenance of on-site wastewater treatment systems. It recognizes that properly developed and implemented systems can provide an efficient, environmentally safe and cost-effective alternative to municipal sewers. The **Wastewater Manager** is available on the second floor of Town Hall to answer question on both existing systems and new developments

The Rhode Island Coastal Resources Management Council (CRMC) has jurisdiction over areas within 200 feet of coastal features and wetlands as delineated on a map titled "The Wetlands Jurisdiction Boundary Map." The map is available for viewing in the Building Inspector's office. **CRMC, Stedman Government Center, Suite 116, 4808 Tower Hill Road, Wakefield, RI 02879, <http://www.crmc.ri.gov> (401) 783-3370, fax (401) 783-3767**

We Welcome Your Business!

The Town of Portsmouth is committed to be responsive to the current and prospective residents and businesses of the town.

We endeavor to ensure the permitting process supports the overall improvement of the town and its private and business residents.

WELCOME TO PORTSMOUTH, RI

A Business-friendly
Community

Doing Business in Portsmouth

An Informal User's Guide



Town Web Site:

www.portsmouthri.gov

Director of Business
Development

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*It is hoped that the information in this guide will be helpful to anyone considering a building project in the Town of Portsmouth. It does not constitute legal advice. For such advice you must consult with an attorney.