

**Western Route 2/102 Intersection Area, North Kingstown, RI  
Proposed Stakeholder Visioning Process**

**FOR REVIEW BY THE NORTH KINGSTOWN TOWN COUNCIL**

Drafted by the Consensus Building Institute  
Revised July 27, 2012

## **1. Overview**

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This document proposes an approach to creating a joint vision for the future of the westernmost Route 2/102 Intersection in North Kingstown, RI. In early July, the North Kingstown Town Council asked Ona Ferguson at the Consensus Building Institute (CBI), a non-profit mediation and facilitation organization based in Cambridge, MA to scope and design a process for a stakeholder group to work together on this topic.

Since that time, Ona Ferguson of CBI (author of this memo) has spoken with many people from the area to better understand the situation and to get feedback on what type of visioning effort might make sense. Those conversations with people of varied and diverse perspectives have shaped the proposal put forward in this document. Prior to putting out a draft version of this document on July 23, I spoke via formal phone interview or informal call with: Tom Brandt, David Caldwell, Jr., David Campanella, Frank Digregorio, Liz Dolan, Jerry Duffy, Alan Goulart, Mark Hawkins, Kevin Maloney, Steve Moran, Vaughn Oatley, Colin O'Sullivan, Chip Palmer, Jon Reiner, Rit Schartner and Jeff Zucchi. Some of these conversations were brief, many were lengthy. I asked people about their understanding of current zoning, what they hope for the area, their thoughts on the proposed process, and their suggestions for who should be part of a stakeholder group. Many thanks to everyone who took the time to talk with me about how to make this process work best.

On July 23, I released a draft version of this to the public for feedback. I got feedback via email, voicemail and phone call from 36 people. The major themes of that feedback are listed here. I've done my best to address this feedback and other suggestions through revisions to this document and its recommendations.

- 16 people indicated support for the process as proposed. A few other people expressed concern that this process is designed to lead to a particular outcome.
- Several people thought that a decision was being made on Monday July 30 about how the Rt. 2/102 intersection should be zoned. *[This is not the case.]*
- About a quarter of the respondents had specific suggestions for how they'd like the intersection developed and what types of issues should be discussed by the stakeholder group.
- A few people indicated concerns about possible threats to property rights.
- Many people had comments and suggestions about the proposed participants in the stakeholder group and the balance among different interests. See final section of this document for more detail.

- Some people described various sources of mistrust among different stakeholders and among stakeholders and different town and state bodies based on experiences in the past few years.
- A couple of people expressed a desire for this effort to be part of a broad North Kingstown Master Planning process including a review of where North Kingstown is investing resources.
- Several people noted concern about the short turnaround time for public feedback on the draft document and expressed their hope that public involvement during the process will provide more time for the community to meaningfully participate.
- Someone suggested an executive summary of the situation and how this process would help, which I haven't written due to limited available time and the complexity of the situation.

**What happens next?** This revised document will be made public, and on July 30 the North Kingstown Town Council will decide whether this process should continue as proposed.

## ***2. Proposed Stakeholder Group Process***

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### ***A. Interview Findings***

This section describes what I heard when I talked with people before July 23. Many of these points were echoed by people who gave feedback on this approach between July 23-26.

People said that it does make sense to take some time to talk together about what should happen at this intersection – to plan deliberately together. People generally think there is a need to resolve several different issues related to the Rt. 2/102 intersection and that it might be the right time to try to work through them by jointly developing a shared vision.

*Cohesive Decision Making* - They raised many concerns about how planning and zoning decisions have been made in the past in North Kingstown and in that intersection in particular. People talked about practices they perceive as problematic, when one community investment or decision counteracts another, such as development efforts in different areas working in opposition instead of in concert with one another. People also talked about fairness and the need for planning decisions to be made in a unified and cohesive way for the benefit of the community as a whole. I heard several examples in which people felt decisions were made not based on a system or shared plan but on individual circumstances. People would like clear guidelines for future decisions to be made so they can trust that decisions are fairly made. People also discussed the fact that North Kingstown's Comprehensive Plan is not currently in compliance with the Rhode Island Plan because of a question related to what the town wants to see at this intersection, and said that could mean a loss of funds from the state until North Kingstown is again coordinated with the state. Many said that zoning changes should be made only for the benefit of the community. People also expressed concern that some of the current planning tools such as Transfer of Development Rights and the Compact Village District zoning either aren't working as anticipated or may not work as planned.

*Multiple Interests* - The people I talked with shared a suite of different hopes for what will happen to the area near the intersection based on the varied contexts from which they experience the activities at the intersection. These aspirations and concerns were focused on protecting their hopes and dreams for their homes, businesses and community. People also

talked about their legal rights and their expectations for how things are likely to proceed. People's interests included a focus on:

- The quality of life of the people living near the intersection today and in the future related to traffic and impacts on residential home values
- The tax and financial impacts of development in this area to the whole town.
- The rate of development in North Kingstown over the last decade and a desire to be systematic in investments across the town.
- The financial investments of people who own parcels in the intersection.
- Adequate infrastructure (water/sewer) at Rt. 2/102 and water supply for the whole town.

*Relationships and an Appropriate Process* - There is a great deal of distrust among many different individuals and groups with a stake or say in what happens at the Rt. 2/102 intersection based on past history. In order for any process to move forward, the vast majority of people who review the approach will need to trust it and believe it to be a legitimate effort to work together. There was concern from many different sides of efforts to "stack the deck" by having an imbalance of members representing one of several different interests. There are also some relationships that are especially charged among certain individuals and groups that will likely make it challenging for people to work together. Most people indicated that a collaborative process in which everyone at the table was honestly trying to come to a shared outcome, with some give and take, could lead to a positive result. They also talked about the many different ways they will otherwise continue to advance their interests away from a collaborative visioning effort.

*Input on Process* - I described a draft process to the people I spoke with, and they generally thought it made sense and was a sound approach. Many people noted regarding timing that it is more important to do it right than to do it quickly, indicating their concern that the timing seemed aggressive, while some indicated that it should be as efficient as possible so that people can move on with clarity about the intersection. Several noted that there are people with incentives to slow the process down so that the Town Council makes its final decision on this after the November election. Others noted that there is some incentive for the current Town Council to want to move too quickly on this so they can make the decision while in office.

The initial proposed process included a small planning team to design the process in the second half of July, but people expressed concern about a lack of transparency of this approach. Based on that feedback, this proposal was instead shared in written form with the public for feedback from anyone who chose to give it. Several people noted that the Town Council must commit to seriously considering and/or adopting their recommendation if a multi-party stakeholder group reaches agreement. Several individuals described their alternative to participating in a collaborative process such as the town continuing to lose money for being out of compliance with state planning, lawsuits, or building out parcels as currently allowed.

### ***B. Proposed Process***

This is what I propose as a way forward. The goal is for this process to be sound enough that people from different perspectives are willing to come to the table to try to jointly develop a vision for the Rt. 2/102 intersection. Its outcomes will need to be workable within state and

local law, specifically consistent with Land Use 2025 and the North Kingstown Comprehensive Plan, and coherent with planning guidelines.

This process includes numerous ways for people to participate. For those who are most intimately involved, have time and are able to represent key perspectives, there will be a stakeholder group that will meet multiple times to try to work through differences and develop some joint options for a future vision. This will be a representative body of a few people who are seen as legitimately able to represent the major interests in what happens in the area near the intersection. This will take a commitment of time and willingness to listen and try to work together to get an outcome that is better than any one participant or group could get by themselves. These meetings will be designed for participant participation, but will be open to the public.

For those who want to weigh in and give their opinions in other formats, there will be likely two public workshops that the stakeholder group would help plan and I would run. The purpose of the workshops would be to first gather information from the public about what they hope to see and to then build on their input with some responses and options and again get their input. There will also be a way to give input online for people who are not able to attend public meetings or prefer to participate online. Finally, there will likely be at least one focus group in the neighborhood(s) nearby at which neighbors have an opportunity to give their input. At any time during the process, anyone would be welcome to contact me with questions or concerns.

The table below describes the proposed activities and timeline in greater detail.

Purpose of Stakeholder Group and Process

The stakeholder group will need a clear purpose to its work. The stakeholder group will seek input and agreement on what should happen in the area by the western Rt. 2/102 intersection in North Kingstown, RI. They will be asked to (a) seek public input and (b) seek agreement and write up comprehensive plan language that can be adopted by the Town Council about:

- How growth should be managed at the Rt. 2/102 intersection
- The appropriate scale of development
- The appropriate intensity of development

<b>PROPOSED PROCESS STEPS</b>		
<b>Approx. Dates (2012)</b>	<b>Activity</b>	<b>Detail</b>
2nd half of July	Test draft process with the public for feedback	Share the draft process and draft stakeholder group participant list (this document) with the public to get feedback and suggestions
July 30 Joint Planning Commission and Town Council meeting	Update Town Council & seek approval of stakeholder group process & membership	Provide recommendations and discuss next steps with Town Council. Town Council decide whether to approve the process and appoint the stakeholder group
Aug – mid-Sept	Convene stakeholder group and meet several times	Stakeholder group meet a limited number of times in person (2-3?) to talk through concerns, ideas, and develop options to share in public workshops. Begin with joint learning about

		what is currently possible, what tools exist, legal and regulatory context, and other related topics.
Sept. 15 – early Oct	Public workshops	Public engagement in a few forms, likely: <ul style="list-style-type: none"> <li>• A couple of public workshops open to everyone. Likely two different meetings where participants first review ideas and discuss concerns and issues then come back to see revisions or refinements. Purpose is a significant amount of engagement and review of options in a discrete amount of time.</li> <li>• Some online engagement for people unable to attend the public meetings.</li> <li>• Possibly joining people at their own meetings (focus groups with neighborhood associations).</li> </ul>
Oct – Nov	Stakeholder group seek agreement on recommendation	Stakeholder group meet 2-3 more times to work with results from public workshops, consider public input and seek agreement on what they think the development option at this intersection should look like and why. Develop recommendations and forward to the Town Council, possibly with a description of areas where consensus cannot be reached.
Nov	North Kingstown Planning Process Review	Town Council review the stakeholder group recommendations at a workshop meeting. Town Council then forward to the Planning Commission for a recommendation at a public hearing. Then Town Council review and decide about approving the recommendation at a public hearing.

Other Process Details and Recommendations

- All meetings would be open to the public.
- Meeting notes will be written by the facilitator, without attribution, to assist the group in its work.
- The facilitator is neutral on the content of the outcome, and will work to manage a fair and appropriate process in which participants can work productively.
- The stakeholder group will develop groundrules / operating procedures at the first meeting.
- Stakeholder group participants will determine their decision rule early in the process, possibly something such as a 75% agreement (seeking “overwhelming agreement”) rather than unanimity or majority + 1.
- The Planning Commission and Town Council will be kept updated throughout process.

- The Town Council retains final decision making authority in this process, but must commit to take any agreement the group reaches under serious consideration.

### Roles & Support

For this process to be efficient and effective, the stakeholder group will need several types of supporting resources. We believe these are in place, and that the stakeholder group will have the support of:

- North Kingstown Planning Department – Planning Department staff will support the process, participating in all project planning and all stakeholder group meetings and advising/supporting Horsley Witten in writing any final plan language. Planning Department staff will create GIS maps, compile data and help manage meeting logistics.
- Horsley Witten – Horsley Witten to be a co-lead for the process, participating in all project planning and supporting all stakeholder group meetings, helping write up any comprehensive plan language and any other text or language, assisting in producing materials for the stakeholder group and public engagement effort including technical GIS mapping as needed. Horsley Witten has worked on multiple past projects for North Kingstown including Healthy Places by Design, Transfer of Development Rights, Planning for the Post Road Corridor, Villages and Transfer of Development Rights and modifying.
- Consensus Building Institute – CBI to be a co-lead for the process, facilitating all stakeholder group meetings, producing meeting summaries and tracking next steps, working to plan stakeholder group meetings between meetings, and assisting the stakeholder group to write up its final recommendations. CBI has limited past project experience in North Kingstown; a former CBI employee worked with the Town of Exeter’s Heart and Soul project, and I did an initial assessment of this conflict and visioning potential in May 2011.
- Dodson and Associates – Dodson and Associates to assist by generating representations of the intersection and area under different development scenarios for the stakeholder group and the public to work with. Dodson’s past projects in the area include the above mentioned Villages and Transfer of Development Rights project.

### **C. Public Feedback**

During the public comment period, people didn’t generally express many concerns about the process itself as described here beyond those described in the Overview. A few people suggested it might take longer than indicated here. Some asked about the process for making decisions in the stakeholder group, and someone noted the Town Council’s ultimate authority to make a final decision. A few other people suggested giving more information in a few places, which I have sought to do.

## **3. Proposed Stakeholder Group Participation**

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### **A. Interview Findings**

In the initial interviews before July 23, people indicated a variety of thoughts about who should make up the stakeholder group. This section describes that process. Among the opinions

expressed were that it is important that members of the stakeholder group include the following.

- A significant number of people who live in the area and can articulate the rural/residential perspective.
- A significant number of people who can articulate the business/development perspective on behalf of those who own land at or near the intersection.
- People who can articulate some general town-wide issues and interests.
- People who can speak for Exeter, which is also affected by the Rt. 2/102 intersection.
- People who are able to legitimately represent their constituencies.
- People who can speak for the nearby neighborhood associations (Wickford Highlands Home Owners' Association, Mountain Laurel Home Owners Association and Heritage Hills).
- People who would be affected by the outcome.
- People who are knowledgeable about the area and the process to date.

I began my conversations with a very rough draft list of possible participants, and adjusted it over the course of the interviews to address concerns people raised. People gave feedback of all kinds about the list of proposed participants on (a) the balance of different voices at the table, and (b) the individuals proposed. Many wanted to ensure that those at the table represent the perspective they are intended to represent. I heard arguments for and against including all different types of perspectives, but for the most part people were trying to be sure those voices they thought were most important were adequately represented (rather than trying to get people representing other interests removed). The list of proposed participants has changed numerous times. While it is always likely to be seen as imperfect, those I talked with before July 23<sup>rd</sup> indicated that the balance and people proposed were just about right.

From an initial list, intended to provide people a starting point for conversation, I reduced the number of people who are planners or have a background serving on the planning commission, as people thought there were a disproportionately high percentage of such people proposed. I reduced the number of developers so that all developers (I think) are now in the Business/Development seats. I increased both the Rural/Residential and the Business/Development seats to number six each for balance, and decreased the proposed number of seats representing other village wide activities.

There was significant discussion about the fact that some of the people most intimately involved in the discussion about this site are also running for Town Council, namely Mark Hawkins, Kevin Maloney and Colin O'Sullivan. I tested with interviewees both the option of keeping them on the stakeholder group, as they are now, because they have such obvious interest and knowledge about the intersection, and removing them, as some were concerned that their participation would politicize the work of the stakeholder group. In the end, they are included in this proposed list of participants because they are so intimately involved, because there was a desire for some of the most local large landowners to be at the table, and because two of these individuals have been selected by their neighborhood associations as representatives on this issue.

During interviews, people said the group was generally the right size and if anything could be a bit smaller. They want the stakeholder group to be small enough so participants can really learn from each other and work hard together.

## **B. Public Feedback**

I heard many different comments and perspectives about the stakeholder group during the public review of this document. Many are hopeful that the right people coming together to solve problems for the benefit of the community could lead to a positive outcome, while some raised concerns about who the best representatives would be. Some of the feedback on the proposed stakeholder group included the following.

- Many gave feedback on the individuals proposed in the stakeholder group. 5 indicated their support for the current make-up of the stakeholder group as proposed. 8 indicated support in particular for the residential representatives proposed. Several local business owners indicated a need to be added to the stakeholder group (see more on this below).
- There was a request to know more about the proposed stakeholder group members (their affiliations) and a concern about possible conflicts of interest. I have indicated general affiliations the table below, though the affiliations have not been vetted.
- Others reflected on the balance of participants on the proposed list. Three people indicated their support specifically for the balance of seats proposed. Someone requested more women on the stakeholder group. A couple of people suggested the need for more residents to represent the perspectives of other parts of town, while many indicated that it is appropriate to have the local community work on creating the local vision with the broader public weighing in through the public workshops. Several people felt very strongly that there should be more people representing the immediate landowners from the intersection on the stakeholder group.
- Many people shared divergent views about who has or does not have a real stake in the outcome.
- Someone suggested that the group be smaller in order to work more effectively.

Given all of this feedback, I think much of the proposed list of participants in the table below works for people generally. I've made the following changes:

- Indicated that the Business / Development names still need to be finalized (see discussion that follows in section 3D).
- Added affiliations to the extent that I know them, but haven't yet vetted them as listed with anyone due to time constraints.
- Adjusted the list of available experts.
- Corrected a misspelled name.
- Combined the two village-wide committee members into one category.

## **C. Proposed Stakeholder Group Membership**

Here is the proposed membership list for the stakeholder group as it stands, including 16 members plus four ad-hoc, non-voting members. *Note that there is a question about how to best represent the Business / Development interests that needs to be resolved, described in Section 3D below.*

<b>Proposed Stakeholder Group Membership</b>		
<b>Total #</b>	<b>Interest Represented</b>	<b>Proposed Representatives with affiliation in parenthesis (note some may have multiple affiliations)</b>
<b>FULL MEMBERS</b>		
6	Business / Development	To Be Determined. Those suggested in the July 23 draft were Mike Baker (Lafayette Mill), Mark Hawkins (Rolling Greens), Steve Moran (Meadows Business Park), Vaughn Oatley (Oatley's), Martha Pugh (NK Chamber of Commerce) and Rit Schartner Sr (Schartner Farms)
2	Conservation	Ahren Cohen (Conservation Commission) and Meg Kerr (environmental professional)
6	Rural / Residential	Bob Beatty (Mountain Laurel Home Owners Assn), Jerry Duffy (MLHOA), Tom Kolling (MLHOA), Kevin Maloney (Wickford Highlands Home Owners' Assn), Colin O'Sullivan (MLHOA) and Jeff Zucchi (Heritage Hills)
2	Healthy Places Working Groups	John Nosatch (walk/bike workgroup) and Ted Walls (walk/bike workgroup)
<b>NON-VOTING / AD-HOC MEMBERS</b>		
2	Exeter Planning	David Schweid (Planner), TBD (Planning Commission)
2	N. Kingstown Planning	Jon Reiner (Planner) and Paul Dion (Planning Commission)
<b>16 Voting Members + 4 Non-Voting / Ad-Hoc Members = 20 Total Participants</b>		

*Other Expertise* – People indicated that it might make sense to have some people with other expertise available to the stakeholder group as it does its work. Ideally, any experts the group consults will be people who are widely trusted and seen as able to answer technical questions in a credible way. Among the suggestions of types of expertise and who might be able to provide such input were:

- Strategic and Long-Range Land Use Planning
- RI Aquifers: Ken Burke (RI Water Resources Board), Prof Urich (retired URI professor)
- Water: Susan Licardi (North Kingstown), Tim Cranston (North Kingstown)
- Nitrate Loading: Russel Chateauneuf (Division of Wetlands and Septic Systems at DEM)
- Scenic Highways: Myrna George (South County Tourism Council)

***D. Business / Development Membership Question***

There is one outstanding issue that needs to be addressed for this visioning process to move forward: the selection of individuals to represent the Business / Development seats at the table. I heard from several local land owners who feel very strongly that the proposed list does not include enough of the business / land owners who own land right at the Rt. 2/102 intersection and that without more of these voices they feel that the group is weighed against them. Some of them said that all of the land owners in the area under discussion ought to have their own seats at the table and suggested replacing a few of the proposed people in that category who do not own land that is immediately adjacent to the intersection. Of the people who own land

right near the intersection, Rich Schartner II was insistent that he would like a seat on the stakeholder group in addition to that his father was proposed to occupy. Chet Matteson and Matt Richardson also indicated concerns about the process and proposed group, but we never had a chance to talk to explore their concerns in depth and to discuss how they would want to participate. Other local landowners seem comfortable with representation as proposed.

*Principles* - Given this situation, here are the principles that I think need to be weighed in developing this stakeholder group:

- Balance – The stakeholder group needs to be balanced among different interests in a way that makes sense to people from diverse backgrounds. (Currently many people have indicated an appropriate balance while some on the local business/development perspective want more representation.)
- Size – The stakeholder group should be designed to be small enough that people can work together effectively in a limited window of time. (I think it can't get much bigger than its proposed size or it will start to be unwieldy.)
- Representation – The point of a multi-stakeholder group is to have the core interests under discussion represented by a group of people that can be widely seen as appropriately representing those interests. (Currently a few people from one specific perspective who feel inadequately represented.)

*Options* - Here are some options for consideration by the North Kingstown Town Council:

1. *Ask representatives from the local business community caucus to select the six people they feel can best represent their interests in this process.* I recommend including in that conversation at least the people listed in the July 23 draft proposal (Mike Baker (Lafayette Mill), Mark Hawkins (Rolling Greens), Steve Moran (Meadows Business Park), Vaughn Oatley (Oatley's), Martha Pugh (NK Chamber of Commerce), Rit Schartner Sr (Schartner Farms)) plus Matt Richardson (tree farm south of Bald Hill Nursery), Chet Matteson (Corner Tavern Restaurant), Ronn Mann (Bald Hill Garden Center) and Rich Schartner Jr. (Schartner Farms)). They should think about what group of individuals can best represent the range of key views within this interest group while working effectively with people with other perspectives. Once the process is underway, it might also be productive for people in this interest group (and the others) to meet between meetings to think and prepare together.

I think this is probably the best approach to moving forward. It may not be the perfect solution, and ideally I would have had more time to discuss the options with people, but it has the benefit of allowing people in this interest group to determine who they are most comfortable having representing them. The downside is that it could take a little more time to get the group up and running.

2. *Enable participants to have alternates.* Each seat could have the option of having both a member and an alternate. Meetings will be open to the public, so having an alternate who, if the member is absent, is fully up to speed on the issue and is able to sit at the table on behalf of the member is one way that two people with similar interests can participate together in multi-stakeholder groups such as this one. This is most common in processes when there are only a very small number of people (1-3) at the table representing each interest area, whereas this process already has six people

representing two different groups, so its possible those other five individuals could be trusted to represent the sixth person when needed. While this might theoretically work to combine two people with similar interests, this option seems not to meet Rich Schartner II's needs.

3. *Add another seat to the Business / Development representatives*, potentially to give Rich Schartner II a seat at the table. If this happened, I expect another seat would need to be added to the Rural / Residential perspective for balance, and at this time it isn't clear who would be next in line to join that interest group. While the advantage of doing this would be that it would allow Rich onto the committee, the disadvantages are that (a) it isn't clear at this time whether there are more people with a similar interest and perspective who would also want to join the committee, (b) the group is likely to start getting unwieldy with two additional seats and certainly with any more. Ideally this stakeholder group should be a small, well-rounded stakeholder group that can focus and get a lot of work done. At some point its size will make it increasingly difficult to accomplish discrete tasks together effectively in a limited period of time.
4. *Leave final membership to the stakeholder group to finalize at their first meeting*. This would mean likely going with the membership proposed in the July 23 draft and letting that group decide at its first meeting whether its membership needs to be adjusted. The advantage of this is it lets the group do a bit of its own business. The disadvantage is that there is uncertainty and that resolving this membership issue could take up valuable time in which the group could be discussing issues and interests.

Again, the next steps to move this forward are now for the Town Council to make a decision on July 30 on how to proceed.