



Rhode Island Department of Housing
315 Iron Horse Way
Providence, Rhode Island 02908

March 15, 2023

Mr. Kyle Bennett
Chair, Housing Resources Commission

RE: Report Pursuant to R.I. Gen. Laws § 45-53-13

Dear Chair Bennett:

Thank you for your ongoing partnership in addressing housing related issues, including accelerating the development process, in Rhode Island.

As we've discussed, R.I. Gen. Laws § 45-53-13 requires the Housing Resources Commission ("HRC") to submit a report regarding the State Housing Appeals Board by March 15th of each year to the General Assembly. This report is to contain the annual status of all active cases and appeals pending before the State Housing Appeals Board. With gratitude to Rhode Island Housing for managing the State Housing Appeals Board through December 2022 and for assisting in the collection of this data, the enclosed attachment includes the summary of appeals addressed by the board in 2022.

Together with the Department of Housing, the HRC, and other partners, I look forward to discussing ways we can continue to provide useful information to advance housing development in Rhode Island. Should you have questions regarding this report, please contact me at Hannah.moore@housing.ri.gov.

Respectfully submitted,

Hannah Moore
Executive Director, Housing Resources Commission

Attachment 1: Appeals Addressed by the State Housing Appeals Board in 2022

CC: The Honorable Daniel J. McKee, Governor of the State of Rhode Island
The Honorable K. Joseph Shekarchi, Speaker of the House of Representatives
The Honorable Dominick J. Ruggerio, President of the Senate
Stefan Pryor, Secretary of Housing, Rhode Island Department of Housing

Carol Ventura, Executive Director, Rhode Island Housing and Mortgage Finance Corporation

**Attachment 1:
Appeals Addressed by the State Housing Appeals Board in 2022**

The total number of appeals pending before the board as of 12/31/22	3
The number of appeals for which a decision was rendered, were settled by agreement, or were otherwise disposed of during the previous calendar year and the status of those cases.	2 Withdrawn
The length of time for the board to decide appeals in the previous calendar year aggregated by:	
Appeals decided by the board within 6 months	-
Appeals decided by the board within 6 to 9 months	-
Appeals decided by the board in more than 9 months	-

Appeals pending as of 12/31/2022

Women’s Development Corporation v. Town of Lincoln and Abutters – filed 12/1/20 and written decision issued 1/11/23. This appeal was delayed by the pandemic, recusals in SHAB’s membership and vacancies. The appeal was complex which further required additional time.

Last Ever Realty v. Town on Warren Planning Board – appeal filed 9/7/21. On February 15, 2023, SHAB heard and orally decided an appeal captioned. The written decision is pending. The case was delayed by several continuances requested by the developer’s counsel.

Atlantic East v. Town of Narragansett. This case is pending on the SHAB’s docket and – as shown on SHAB’s website – has a long history dating back to 2008. The appeal of the preliminary plan appeal is scheduled to be heard by SHAB in April 2023.

Appeals decided in 2022

N/A

Appeals withdrawn in 2022

Staniunas Companies, LLC v. Town of Charlestown Planning Commission – filed 8/23/21 and withdrawn by the developer (as noted in SHAB dismissal order entered on 12/27/22). There were prolonged delays in the transmission of the local review board’s records. As the matter was being briefed and approaching a hearing, the developer elected to withdraw the appeal.

4772 Post Road LLC v. Town of Charlestown – filed 7/5/22 and withdrawn by the developer (as noted in SHAB dismissal order entered on 12/27/22). The developer elected not to pursue its appeal.