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March 2, 2022

Via email

Jack Haire

Chairman

Little Compton Charter Review Commission

40 Commons - P.O. Box 226

Little Compton, RI 02837

jackhaire@msn.com

RE: Little Compton Housing Trust

Dear Chairman Haire and Honorable Members of the Charter Review Commission:

Thank you for your inquiry dated February 23, 2022 and received by this office on Friday, February 25, 2022. I have attached a copy of your inquiry. In addition, we have enclosed copies of Charter Section 103 (Town Property). We have also enclosed relevant sections involving the Little Compton Agricultural Conservancy Trust and the Little Compton Housing Trust.

Comparison of Housing Trust to Agricultural Conservancy Trust

Your request for an opinion understandably makes comparisons between the AG Trust and the Housing Trust. Although the comparison is instructive, the comparison begins to fray when one considers the genesis of the two different Trusts.

The AG Trust was created by the joint efforts of the Rhode Island General Assembly, the Little Compton Financial Town Meeting(s), and the Little Compton Town Council. Townspeople were actively involved.

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Years ago, the birth of the AG Trust gave rise to state wide concerns. Naturally, proponents of open space, farming, etc. were in favor of the AG Trust.¹

Conversely, *some* commercial builders, residential builders, etc. initially expressed concern about Little Compton's AG Trust and how it might instigate other land trusts in other communities and/or otherwise diminish development. (This is only my oversimplification of some of the issues).

Nonetheless, after many meetings, improvements, concessions, etc. the AG Trust was finally formed and became a Public law, was included in the Town Code, and also included in the Town Charter.

Whereas the Housing Trust, to my knowledge, has been the product of the Town Council, and it has been discussed at Financial Town Meetings, and meetings of The Charter Review Commission. There was also a state agency that helped the town develop the Housing Trust. I cannot recall the name of that state agency.

In short, the AG Trust and Housing Trust are different on many levels. Simply put, the AG Trust seeks primarily to preserve land, encourage farming, etc. The Housing Trust has many goals including but not limited to, providing affordable housing.²

Your Request for an Opinion Regarding Section 103 (Town Property)

Charter Section 103 has been the topic of many discussions, debates, and on occasion, revisions. At this stage, I do not recommend that the Charter Review Commission move to amend or change Section 103.

I believe that the Housing Trust needs to be further defined in terms of possible acquisitions and implementation. Thus, the only change that I *might* recommend to the Town Council would be the addition of a new section designated the Town Code Section 2-9.5 entitled *Town Council Oversight*. Perhaps a general statement should be included to

¹ Pursuant to Section 1, the General Assembly established the Little Compton Agricultural Conservancy Trust for "the primary purpose of acquiring development rights to agricultural property within the town. The Trust shall have as a secondary purpose the acquisition of agricultural property, and/or other property, or interest therein, to preserve open spaces, fresh and saltwater marshes, estuaries and adjoining uplands, groundwater recharging areas, land providing access to the ocean, land for bicycle paths and land for future public recreational facilities and use."

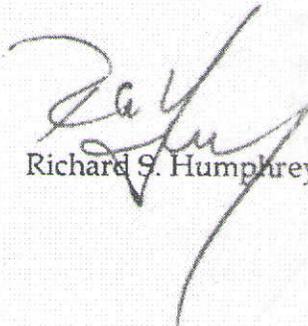
² For a full definition of the purpose of the AG Trust and the Housing Trust, see attached Charter sections relative to the purpose of each agency.

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indicate that the Town Council³ will, when necessary, meet with the Housing Trust to clearly define goals, process of implementation, management of approved Affordable Housing acquisitions, goals of protecting those with low or moderate income, diversifying the housing stock, providing for people with special needs, providing housing for the elderly, etc., and limitations, if any, on financing, etc.⁴

Warmest regards,



Richard S. Humphrey

RSH/ks

Cc: Robert Mushen

³ Chapter 5 of Title 45 Section 45-5-1 provides that "[t]he town council of each town shall have full power to manage the affairs and interests of such town and to determine all such matters and things as shall by law come within their jurisdiction."

⁴ The purpose of the Housing Trust is discussed in Section 2-9.1 of the Charter as follows: ". . . the purpose [] is to serve as an advocacy group for any person or group desiring to address the problem of housing affordability or housing for the elderly, those with special needs and families of low and moderate income. The Housing Trust shall generally oversee the implementation of the Affordable Housing plan of the community, shall monitor long term housing affordability for the community, and advise the Town of Little Compton in its efforts and support the Town's goal of diversifying the housing stock. The Housing Trust shall also advise the Town in its amendment of the Affordable Housing Plan."