

Camp Meehan Zoning Remains Open Space Until Appeal Is Heard In Supreme Court

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NORTH PROVIDENCE - Developer John Petrarca's intention to build houses on the wooded parcel of land known as Camp Meehan has been put on hold.

A stay issued April 15 in Superior Court by Judge Patricia Hurst stops her earlier judgment from taking effect. In the Feb. 24 judgment, Hurst had said the town's 1999 zoning ordinance amendment was invalid, and therefore the land was zoned residential, not open space.

The open space designation remains valid while the town pursues an appeal in Rhode Island Supreme Court.

The town's appeal filed April 7 will be heard in the Supreme Court in one to two years, said Lauren Jones, who is representing the town in the appeal.

North Providence's appeal would be the first case to reach the Supreme Court on the question of whether a town's zoning ordinance amendment to conform to its comprehensive plan is general or specific, according to Anthony Gallone, the town's solicitor.

According to the attorney representing Generation Realty, Kelley Nickson Morris, North Providence failed to send out mailed notice to the property owner specifically for that property at the time of the zoning ordinance amendment in 1999.

But Gallone maintains that the town adopted a general amendment to its zoning ordinance, rather than a specific amendment, so mailed notice was not required.

With the land zoned as open space, Generation Realty cannot go forward with submitting its master plan application to build 47 single family homes on the parcel that touches the Wenscott Reservoir, abuts Gov. Notte Park, and abuts open space land in the town of Lincoln.

The nonprofit Capital City Community Centers owns the land, and has operated a summer day camp for children on the property. Generation Realty wants to buy the 15-acre property from Capital City if a favorable zoning change would be granted.

The developer and the nonprofit agency had filed the lawsuit in Superior Court. Public opposition to the plan has been vocal, as the proposal would build on one of the town's last remaining parcels of pristine land.

Mayor Charles A. Lombardi has conducted a lengthy campaign against the development, and said he wants the land preserved for "our children, and our children's children." Single family homes, op-

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ponents have said, would add an influx of children into the public school system that the town cannot afford.

Lombardi's attempt to take the property by eminent domain failed in the state legislature. Lombardi has said the outcome was due to Petrarca's influence; his son is Rep. Peter Petrarca, and his consultant on the project is former state lawmaker Vincent Mesolella.