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Moves to limit regulation gather momentum in R.I.

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There is support among Rhode Island legislators for a single statewide standard for wetlands and septic system regulations.

That's the word from Gary Ezovski PE, a civil engineer for the last 40 years and a speaker at the recent economic summit for the state House of Representatives, held at Rhode Island College (RIC) on January 17th.

"It didn't take long for me to hear from three representatives who said they would like to see a statewide regulatory standard go forward," said Ezovski, who chairs the regulations subcommittee of the Annual Rhode Island SBA Economic Summit and represents no trade or interest group. He does not belong to the Rhode Island Builders Association.

The five-hour, January 17th event brought the 75 state representatives to RIC to hear from Rhode Island business leaders such as Ezovski, along with experts in business and education from Massachusetts and Connecticut. House Speaker Gordon Fox (D-Providence) said he hoped lawmakers would come away with specific policy ideas to address the state's economic problems during the current general assembly session.

As one of the answers to the state's economic downturn, RIBA supports a statewide set of regulatory standards because members currently face a labyrinth of local regulations that exceed state rules, complicate permitting, lengthen construction times and otherwise hinder the housing market.

Ezovski, a former vice-chairman of the North Smithfield Water Authority, said that he as a civil engineer has encountered the "cobweb" of regulations for years, and that it only harms the economy.

He also responded to an interview with Lorraine Joubert, director of Nonpoint Education for Municipal Officials (NEMO), which appeared in the February edition of The Rhode Island Builder Report. Joubert is in favor of continued environmental regulation by local communities that, where appropriate, exceed state regulations in order to protect local drinking water sources.

"Under their home rule charters, Rhode Island's communities have the right to establish their own governments that can act as needed. But in my environmental practice over the years, especially in dealing with the release of hazardous materials, I've learned that the waters these communities are trying to protect are actually under state jurisdiction," Ezovski said.

Groundwater and surface waters are all legally "waters of the state," he explained.

"It's the state's responsibility to protect these waters, which move at different rates and in different directions, and don't abide by town boundaries. The water in one place is not the same water that was there yesterday."

Cobweb of regulations

"The state is in a better position to protect these waters than the towns are. The state should be the

only one taking that responsibility so that we don't wind up with this cobweb of regulations that we can't even see through. If someone is trying to do some sensible development, something of benefit to the community, they have to make their way through this web. In some cases, it's a web that is focused more on no-growth than it is on water protection."

Ezovski disagreed with Joubert's contention that "one size does not fit all" when it comes to towns and water protection.

"In a state the size of Rhode Island, a single, statewide wetlands and septic system regulation is a fine example of how we can regionalize and have quality of life that is not impaired, and an efficiency that is needed," stated Ezovski, who said he has gained great experience over the years working with the Dept. of Environmental Management (DEM) as a septic system designer and installer.

"I have no reservations in saying that we have a very good DEM. We are one of the states that has led the country. We are a recognized environmental model in how to manage onsite sewage disposal. So by placing these local regulatory tasks in the hands of DEM, communities would be deferring to an agency that is leading the way."

Ezovski believes that DEM's 2010 Storm Water Design Manual already "does a fine job" addressing statewide regulation. Education is key to getting the ball rolling, he added

"I believe that simply educating people can be a simple solution to many of these issues."

Watch The Rhode Island Builder Report for more on this regulatory matter as it develops.

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