

PUBLIC HEARING of the Burrillville Town Council held Wednesday, September 10, 2008 at 7:03 P.M. in the Council Chamber, Town Building, 105 Harrisville Main St., Harrisville for and within the Town of Burrillville.

PRESENT: Council President Nancy F. Binns, Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr. and Norman C. Mainville.

MEMBERS ABSENT: Councilor Cynthia L. Roe was excused due to personal illness.

Relative to considering and acting on the following proposed changes to the Revised General Ordinances of the Town of Burrillville:

Council President Nancy F. Binns read the proposed changes into the record:

The Town Council of the Town of Burrillville hereby ordains as follows:

The Revised General Ordinances, Town of Burrillville, RI, 2004, Chapter 8, Article II (Alcoholic Beverages), Division 3. Board of License Commissioners, §8-55. entitled Class B and C license rules is hereby amended by adding the following:

(b)(8) Notwithstanding any provisions contained above to the contrary, an applicant for an outdoor privilege for any establishment located within the Stillwater Mill Redevelopment District or the Downtown Pascoag Redevelopment District may seek a waiver from the 200 foot requirement from the Town Council acting as the licensing authority.

This ordinance will take effect upon passage.

NOTE: The notice of hearing was advertised in the legal section of the Woonsocket Call on Monday, September 8, 2008.

1. Comments/Input/Recommendation from the Ordinance Subcommittee

Councilor Margaret L. Dudley, Chair, Ordinance Subcommittee, reported that the ordinance had come to the Subcommittee upon a referral from Thomas J. Kravitz, Town Planner and Economic Development Coordinator. The original suggestion was to eliminate the 200' requirement, she said. The Ordinance Subcommittee considered the matter and recommended that the ordinance be amended to allow for a Town Council waiver of the 200' requirement for businesses within the Stillwater and Downtown Pascoag Redevelopment Districts.

2. Comments/Input/Recommendations by the Administration (Town Solicitor, Town Manager, Administrative Staff)

Thomas J. Kravitz, Town Planner and Economic Development Coordinator, supported the changes recommended by the Ordinance Subcommittee.

Michael C. Wood, Town Manager, discussed the potential impact on the community and residents near these establishments. Mr. Wood supported reasonable assistance to the Redevelopment Districts, emphasized that the ordinance allows for any request for outdoor privilege to be heard and considered individually, and suggested that initially limiting the privilege might best allow the Town Council to evaluate the provision.

3. Proponents: None

4. Opponents: None

5. VOTED to close the public hearing.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr. and Norman C. Mainville. Councilor

Cynthia L. Roe was excused.

6. Town Council Members Comments/Input/Deliberation

Councilor Kevin M. Blais suggested that the proposal provided unfair advantage to people in the Redevelopment Districts and recommended adopting amendments as originally presented. The matter was discussed.

7. Consider and take action on amending the Revised General Ordinances of The Town of Burrillville 2004, Chapter 8, Article II (Alcoholic Beverages), Division 3. Board of License Commissioners, §8-55. entitled Class B and C license rules §(b)(8).

MOTION that the Council adopt a policy of waiver of 200' to any licensed applicant who can apply for it and wishes to apply for it.

Motion by Councilor Kevin M. Blais. There was no second to the motion.

VOTED that the change as recommended by the Ordinance Subcommittee be adopted, as follows:

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This ordinance will take effect upon passage.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Norman C. Mainville. The motion carried, five in favor, one opposed, one excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, John M. Karmozyn Jr. and Norman C. Mainville. Councilor Kevin M. Blais voted in opposition. Councilor Cynthia L. Roe was excused.

Note: Councilor Kevin M. Blais asked that the record show that he voted in opposition as he believed it provides unfair advantage to some businesses.

8. VOTED to adjourn at 7:16 P.M.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr. and Norman C. Mainville. Councilor Cynthia L. Roe was excused.

The hearing was taped. The tape is on file with the record of the hearing.

Louise R. Phaneuf, Town Clerk