

Minutes of a Town Council meeting held on March 24, A.D. 2016 at 7:00 o'clock PM in the Wilbur McMahon School, Auditorium/Gymnasium, 28 Commons, Little Compton, RI. Members present: Charles N. Appleton, Jr., Fred M. Bodington, III; Paul J. Golembeske, Gary S. Mataronas and Robert L. Mushen. Also present: Fire Chief R. Petrin, Police Chief A. Marion, III, Tom Dunn, Business Manager, William Moore, Building Official/Zoning Zoning Enforcement Officer/DPW Director and Richard S. Humphrey, Town Solicitor and Girard Galvin, Esq. Alternate Solicitor for Stone House matters.

Pledge to the Flag.

The Council President acknowledged the need to change the location of the meeting due to the volume of attendees exceeding the posted capacity of the Council Chambers. (There were approximately 162 attendees for this meeting)

In an effort to allow the agenda items to be considered more efficiently the following was voted:

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To move Entertainment License Item #2 – StoneHouse Resort, Inc. d/b/a Stone House to Item #1 which will move Item #1 – Dionysus Acquisition LLC d/b/a Carolyn's Sakonnet Vineyard to be handled after the Stone House matters have

been considered.

The Town Council sitting as the Board of License Commissioners considered the following:

The Council President called to order a Remonstrant's Hearing for the purpose of considering an application by the StoneHouse Resort, Inc. d/b/a Stone House for a Class BV retail beverage license for premises located at 122 Sakonnet Point Road. The Council President explained that he asked the Police Chief to conduct a Background Criminal Investigation (BCI check) on the applicant as per Title 3 of the RI General Laws. The Police Chief reported that no issues were found. Individuals were then given an opportunity to speak on the proposed application. Receiving no public comments the following was voted:

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant a Class BV Beverage License to the StoneHouse Resort, Inc. d/b/a Stone House for premises located at 122 Sakonnet Point Road, Little Compton, contingent upon meeting all state and local requirements.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant a Victualing License to

the StoneHouse Resort, Inc. d/b/a Stone House for premises located at 122 Sakonnet Point Road, Little Compton, contingent upon meeting all state and local requirements.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant a Holiday Sales License to the StoneHouse Resort, Inc. d/b/a Stone House for premises located at 122 Sakonnet Point Road, Little Compton, contingent upon meeting all state and local requirements.

Richard S. Humphrey asked that the record show that he recused himself from all matters involving the Stone House.

The Town Council acknowledged the large volume of written comments received concerning the Stone House proposal for an Entertainment License. The Council President noted that although some were in support and some were opposed of the proposal all had a common theme of a desire to see the Stone House brought back into an operating business in Little Compton. The Stone House representatives amended the Entertainment License application based on some of the concerns raised. The following comments were made during public discussion:

- William Moore, Zoning Official – believes the present application is an intensification of use**

- **Councilor Mataronas acknowledged volume of comments and wishes to work through issues**
- **Amy Chafee – 99 Sakonnet Point Rd – Wishes to see the Stone House succeed, but concerned about size of events, parking and the roadway being able to handle more traffic**
- **Councilor Appleton acknowledged the parking needs to be worked on further**
- **Susan Hall Mygatt – Round Pond Rd – concerned over parking**
- **Howard Garsh – 10 California Rd – In his seventeen (17) years of living nearby the Stone House he has never had issues with the events noting that there was a limit of 140 guests at one point in time.**
- **Stetson Eddy, Esq., representing the Stone House – his clients are responding to the concerns raise and continue to desire to work with the town asked that the license be granted**
- **Steven Linder – 120B Sakonnet Point Rd – never had problems with the operation of the Stone House until the previous owners who caused problems with large delivery vehicles and the size of events**
- **Mike Steers – 8 Pennsylvania Rd – concerned over intensification and the proposed “tent” which would be erected for approximately a 4 month period. He feels the owners should expand the barn to allow the events to remain indoors or go to the Zoning Board for a variance**
- **Kevin Vendituolli – representing the Stone House – developed a plan to handle volume of traffic and reduce vehicles to require larger events to hire a trolley to transport their guests, feels they are working hard to do the right thing and asks for a little bit of trust**
- **Scott Spear, Esq. of Blish & Cavanagh, representing Preserve Little**

Compton a group opposing the expanded intensified use of the Stone House. He feels the zoning certificate issued previously needs to be re-issued based on current conditions. Mr. Spears asked that the application be allowed to be withdrawn without prejudice and sent to the Zoning Board for a variance

- **Betsy DuHamel – 19 Goodrich Ln – traffic concerns, children riding in the area especially on Saturday's, feels you should limit attendance to 150**

- **Kevin Vendituolli – respond to Attorney Spear comments. The zoning certificate is on file and he does not believe it needs further definition.**

- **Mike Hudner – West Main Rd – philosophically these types of economic growth has never happened in Little Compton, but we need to keep the character of the Town. We, the Town, should be proactive. He wishes to return to the past operations, but not become a wedding mall.**

- **Stephanie Derbyshire – life long resident, understands concerns raised and see's a division happening among residents over this matter.**

- **Councilor Mushen feels a significant concern is the zoning matter raised by Bill Moore.**

- **Sally Smith – feels that if the new owners had consulted the neighbors first they might have been able to avoid some of this angst. She would like to see the barn restored.**

- **Charles Dunn – Bailey's Ledge Rd – wishes to bring the Stone House back into operation, but we are not Newport, we are different**

and a 4000 sq ft tent structure would be out of place on this lot

- **Maureen Eddy – 6 June Way – her children worked at the Stone House and she doesn't like the summer residents dictating how the town is developed.**
- **Peter Tirpaeck – feels all speakers are correct, but not everything is possible, not all suggestions can be permitted; he believes they need a commercial entity to operate the business.**

- **Attorney Girard Galvin – the Council has three (3) options:**
 - **Deny the application – zoning certificate was from January and once a new application is filed a new certificate would be due**
 - **Make exceptions despite Mr. Moore's opinion. Basically disregarding his concerns**
 - **Delay action to obtain more input and allow concerns to be addressed before consideration**

Councilor Mushen suggests the Council meet earlier than the next regularly scheduled Council meeting to allow officials to work with the applicant in an attempt to reach a mutual consensus. A Motion was made and seconded to postpone until March 31, 2016, discussion continued:

- **Sayles Livingston – why can't the license be issued? Answer: The proposed tent structure.**
- **Councilor Golembeske asked Bill Moore, Zoning Official if the tent was not permanent and removed after each event would he issue the**

zoning certificate. Bill Moore responded that a removable, less permanent tent structure would be acceptable and he would issue a certificate.

- Councilor Mataronas asked if the Council should grant with contingencies. Attorney Galvin believes they should not take that action.

- Paul Clifford – 6 West Main Rd – can the Council discuss ripping the ceiling out of the barn during their discussions? Council Mushen said he would discuss that with the applicants.

Motion made by Councilor Golembeske, receiving a second by Councilor Mushen, voting in favor (Appleton, Bodington, Golembeske, Mushen) Councilor Mataronas opposed: To postpone action until March 31, 2016 on an application for an Entertainment License for StoneHouse Resort, Inc d/b/a Stone House for premises located at 122 Sakonnet Point Road in order to allow town officials to work with the applicant toward a resolution to their concerns.

Councilor Mushen announced that he suggested a limited Entertainment application be submitted in an effort to move forward to resolve the request for waivers of eight (8) weddings to be held at Carolyn's Sakonnet Vineyard. His fellow Councilors have not had an opportunity to review the revised application which was received late today.

Discussion:

- **Lenny Lopes reminded the Council that they were seeking a waiver to the closing hour of outdoor entertainment by one (1) hour only, not seeking any waivers to the noise ordinance decibel levels. All weddings proposed are scheduled to take place on lot 8-10 which does not have LC Agricultural Conservancy Trust restrictions.**
- **A couple of brides were in attendance requesting that the matter be voted upon this evening. Councilor Mushen stated the matter needed to be postponed for further review.**
- **Ray Holland, Esq., representing Carolyn's Sakonnet Vineyard explained that the application before the council was for the nine weddings, eight seeking waivers and not other intended events, all on lot 8-10 without restrictions.**
- **Mr. Sunny asked when the draft management plan would be available. Since it is not a Town Council document a firm answer could not be given, although it was hopeful that the LCACT meeting of April 6 should result in a final plan.**
- **Mr. Tumber wants more details in the plan regarding lights and traffic.**
- **Mr. Lopes stated that those matters are intended to be addressed in the LCACT plan.**

At 8:46 PM Girard Gavin, Esq. left the meeting.

- **John Larue of Oak Forest Drive says the music is too loud and he is not in favor of an extra hour extension.**

- **Amy Veri – 120 West Main Rd – feels LCACT land will still be affected and this application should not be heard without the LCACT sign-off. Feels like they are trying to circumvent the full license.**
- **Mr. Holland, Esq. the LCACT does not own the roadways, nor are any LCACT restricted properties affected with the request for 8-10. There are no intentions to circumvent the license that will cover the LCACT land**
- **Christopher D'Ovidio, Esq., representing Brian Eliason of 21 Burchard Ave – concerns over concert series, billboard advertising, Alex & Ani, weddings, zoning certificates, building permits issued in 2011, Right-To-Farm Act failure to amend legislation to allow permission to hold weddings as an allowed use, desire to mitigate sound and move events further west not closer to the east**
- **Mr. Holland, Esq. clarified there were never any denials for the Vineyard to hold weddings, also weddings have always taken place on lot 8-10 and there are no LCACT restrictions on this lot.**

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To continue until March 31, 2016 consideration of an application for an Entertainment License for Dionysus Acquisition LLC d/b/a Carolyn's Sakonnet Vineyard for lot 8-10 on property owned by the Vineyard in order to allow town officials to work with the applicant toward a resolution to their concerns.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant annual Entertainment Licenses to the following businesses, contingent upon meeting all state and local requirements:

M & K LLC d/b/a The Barn Restaurant for premises located at 13 Main Street

The Crow LLC d/b/a Crowther's Restaurant for premises located at 90 Pottersville Rd

Simmons Café & Marketplace LLC d/b/a Simmons Café & Market for premises located at 78 Crandall Rd

Young Family Farm LLC for premises located at 260 West Main Rd

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To approve, as written the March 10, 2016 Town Council meeting minutes for two meetings.

Councilor Mushen announced that special tipping fees can be arranged if an Earth Day Cleanup is organized. He encouraged anyone wishing to organize a cleanup to notify the Director of Public Works.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington,

Golembeske, Mataronas, Mushen): To accept with regret the resignation of Andrew Moore as Assistant Moderator and to appoint Suzanne Madden to fill the vacancy of Assistant Moderator for the remainder of the term based on the recommendation of the Town Moderator, Scott Morrison.

Motion made by Councilor Mataronas, receiving a second by Councilor Appleton, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To remove Fire Fighter Samuel Hussey from probationary status effective April 1, 2016 based on the recommendation of the Fire Chief.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To authorize the Town Treasurer to issue check(s) to the US Postal Service for postage on mailing of the Budget Committee Reports.

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To grant permission to the United Congregational Church to hold its Summer Fair and Road Race on July 9, 2016 allowing the use of the South side of the Commons triangle to create a pedestrian only street for craft vendors, Veteran's Field, the baseball diamond area and Pike's Peak for the event, contingent upon continued communications with the Police and Fire

Departments in preparation for the event.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To refer to the Little Compton Housing Trust a communication received from the RI Office of Housing and Community Development announcing the approval for Little Compton to apply to use RI Community Development Block Grant Affordable Housing Set Aside funds.

Motion made by Councilor Mataronas, receiving a second by Councilor Golembeske, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To place on file consent calendar #1 - Copy of a resolution adopted by the Warren Town Council regarding transportation categorical aid to regional school districts.

Motion made by Councilor Golembeske, receiving a second by Councilor Bodington, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): That the bills be allowed and ordered paid as follows: \$36,083.01

WBMason - Various Departments \$224.28

Direct Energy - Adamsville Street Lights \$24.58

Direct Energy - Public Safety @ Transfer Station \$185.95

Direct Energy - Town Dock \$49.06

Direct Energy - Street Lights \$13.25

Direct Energy - Meeting Hall \$23.33
Direct Energy - Town Hall \$486.22
Direct Energy - I.O.O.F. \$11.41
Nationalgrid - Peckham Lot \$11.45
Nationalgrid - Public Safety @ Transfer Station \$172.51
Nationalgrid - Adamsville Street Lights \$32.73
Nationalgrid - Town Hall \$224.30
Nationalgrid - I.O.O.F. \$21.32
Nationalgrid - Meeting Hall \$22.86
Nationalgrid - Street Lights \$13.56
Nationalgrid - Town Dock \$36.36
Petro - Gasoline/Public Safety \$998.60
EastBay Newspapers - Probate \$80.00
EastBay Newspapers - Transfer Station \$37.80
Richard Petrin - Computer \$51.99
Cox Communications - 32 Commons \$34.24
RI Div. of Motor Vehicles - Maintenance \$16.50
United Site Services - Transfer Station \$115.00
Petro - Diesel \$451.91
Xerox - Town Clerk \$207.00
Wilbur's General Store - Public Safety Complex \$10.79
Rob's Auto Care Inc. - Police Dept. \$2,865.57
Cox Communications - Police Dept. \$180.39
Cox Communications - Police Dept. \$71.99
Rob's Auto Care Inc. - Police Dept. \$15.00
Rob's Auto Care Inc. - Police Dept. \$45.00

Rob's Auto Care Inc. - Police Dept. \$45.00
Kevin's - Police Dept. \$140.00 \$3,362.95
Paychex - Treasurer \$451.00
Belmont Springs - Town Hall - 30 Commons - Transfer St. \$126.39
Valcourt Heating - Public Safety Complex \$90.00
Griggs & Browne - Fire Dept. \$50.00
Cox Communications - Fire Dept. \$149.92
FCOARI - fund 406 Fire Dept. \$25.00 \$224.92
Verizon - Ambulance Reimbursement Fund \$122.85
Ocean State Truck & Diesel - Amb. Reimb. Fund \$324.98
Firex Inc - Ambulance Reimb. Fund \$67.00
Southcoast Hospitals Group - Amb. Reimb. Fund \$1.74
Boundtree Medical - Amb. Reimb. Fund \$24.10
Boundtree Medical - Amb. Reimb. Fund \$444.14
Zoll Medical Corp. - Amb. Reimb. Fund \$1,400.00
Dawson Group - Amb. Reimb. Fund \$725.29
Vic's Car Washes - Amb. Reimb. Fund \$28.50
Tiverton Auto Body Inc. - Amb. Reimb. Fund \$45.00 \$3,183.60
Paychex - Treasurer \$328.24
Tiverton Sign Shop - Highway Dept. \$532.00
Weston Thurston - Highway Dept. \$1,836.00
David Sisson Contracting - Highway Dept. \$3,190.00
Goulart Petroleum Inc. - Public Safety Complex \$1,141.82
Tom's Lawn & Garden \$41.09
RM Construction - Highway Dept. \$298.00
Maguire Equipment Inc. - Transfer Station \$15,230.00

Valcourt Heating - Public Safety Complex \$2,490.00

Motion made by Councilor Golembeske, receiving a second by Councilor Mataronas, voting in favor (Appleton, Bodington, Golembeske, Mataronas, Mushen): To adjourn at 9:12 PM.

Carol A Wordell, Town Clerk