

PLANNING BOARD MINUTES

APRIL 2, 2014

Police Station Community Room, 123 Valley Road, Middletown, RI

Board members present:

Gladys Lavine, Chair

Betty Jane Owen Ron Wolanski, Planning Director

Charlene Cirillo Russ Jackson, Assistant Town Solicitor

Pete Marnane

The meeting was called to order by Ms. Lavine at 6:00pm.

1. Public Hearing – Peter Gallipeau, Proposed 12 lot Major Subdivision, Bailey Ave. & Sachuest Drive, Plat 126, Lot 4, Request for combined Preliminary & Final Plan approval.

The applicant was represented by Attorney David Martland. Attorney Vernon Gorton represented the Paradise Valley Homeowners Association.

Mr. Wolanski stated that the town solicitor has advised that only the Planning Board members on the Board at the time the current public hearing opened are able to vote on the application, which creates a potential problem with achieving a quorum, and deprives three current board members from participating in the review of the application. He also noted that the hearing has been open since August 2011, with the last substantive discussion before the board occurring in June 2012. The hearing has been continued repeatedly

for various reasons. It would be appropriate at this point for the applicant to provide a presentation of the application in order for everyone to be on the same page.

Mr. Jackson stated his concerns with maintaining a quorum of the required four members, and also noted the amount of time that has passed since the hearing was opened as a concern. He recommended that the board close the hearing without prejudice or decision on the application, and open a new hearing at a date and time to be determined.

Ms. Lavine asked if anyone in the audience wished to speak.

Mr. Gorton stated that on behalf of his clients, he objects to the closing of the current hearing. There is no reason that the four eligible members of the board could not complete the hearing and render a decision within one or two meetings. He noted that the purpose of having a seven member board is to be able to complete review of applications even when membership changes.

Ms. Lavine stated that given the amount of time that has passed and the concern with maintaining a quorum to complete the review, beginning a new hearing is appropriate. She stated that the full board should have the opportunity to participate in the review.

Mr. Martland noted that since the hearing opened there have been modifications to the plan, and ownership of abutting properties may have changed. Providing new notice to abutters and starting a new hearing is appropriate.

Ms. Owen stated that the full board should have an opportunity to participate in review of the application.

Mr. Marnane noted that rather than a board of seven, for the current hearing there is a board of four, and all four must be in attendance to conduct the hearing, which is problematic.

Motion by Ms. Owen, seconded by Ms. Cirillo, to close the public hearing without prejudice and without decision. Vote: 4-0-0.

Motion by Ms. Cirillo, seconded by Ms. Owen, to continue the review of the application, and advertise a public hearing to be held at a date and time to be determined. Vote: 4-0-0.

Meeting adjourned at 6:20 pm.

Respectfully submitted:

Ronald Wolanski

Planning Director