

**TIVERTON PLANNING BOARD
MINUTES OF MEETING
August 6, 2013**

Chairman Stephen Hughes called the regular meeting of the Tiverton Planning Board to order at 7:00 P.M. at the Town Hall, 343 Highland Road. Members present were: Patricia Cote, Rosemary Eva, Carol Guimond, David Holmes and David Saurette. Board members Peter Corr, Peter Moniz and Stuart Hardy were absent.

Also in attendance were: the Planning Board's Clerk and Administrative Officer Kate Michaud and the Planning Board's Solicitor David Petraca, Esq. (substituting for Pete Ruggiero, Esq.).

1. Harkins Stafford Pond, LLC – c/o Harkins Development – 1907 East Main Road – Portsmouth, RI 02871 – Sixteen (16) Lot Major Subdivision (Roads Required) – Rural Residential Development – Preliminary Plan – Re-Advertised and Re-Noticed – Plat 216 / Lot 106 (Former: Map 4-9 / Block 113 / Card 103) – N/S Bulgarmarsh Road, West of Stafford Road – S/S Stafford Pond – R-60 Zoning District – Stafford Pond Watershed Protection Overlay District – Stafford View Farm (Time Clock Started 3/27/2012) Continued from July 16, 2013 (Time Clock = 09/15/2013) – Permit Status: RIDEM Wetlands Delineation Approved, RIDOT PAP Concept Approved, RIDEM RIPDES / Water Quality, Wetlands and Subdivision Suitability Pending No one was present on behalf of the petition. Ms. Michaud stated that an email had been received on August 5, 2013 (see file) from attorney Jeremiah Leary requesting a continuance to the September 3, 2013 meeting and extending the time clock to November 15, 2013.

Ms. Eva made a motion to continue this item to the September 3, 2013 meeting. Ms. Cote seconded the motion. The motion passed unanimously. Ms. Cote, Ms. Eva, Ms. Guimond, Mr. Hughes, Mr. Holmes and Mr. Saurette voted in favor of the motion.

A discussion ensued regarding the time clock, with the Chairman noting that the November Planning Board meeting would be held on November 19, 2013. Ms. Cote made a motion to extend the time clock to November 20, 2013 rather than the requested date. Mr. Saurette seconded the motion. The motion passed unanimously. Ms. Cote, Ms. Eva, Ms. Guimond, Mr. Hughes, Mr. Holmes and Mr. Saurette voted in favor of the motion. Ms. Michaud stated that she would contact Mr. Leary for a letter extending to November 20th instead of November 15th.

2. Town Planner & Administrative Officer

A. Administrative Officer's Report Ms. Michaud's July Report had been distributed. A brief discussion ensued regarding the roundabout that RIDOT had proposed at Bliss Four Corners and its upcoming meeting with the Town. Ms. Michaud stated that she would relay any new information to the Planning Board.

B. Town Planner Items

1. Update: Challenge Grant Project

a. Determine Next Steps & Schedule Meeting or Workshop The Chairman suggested that the Board discuss the draft report, and then send a collective list of questions and comments to the Cecil Group. Then a workshop could be scheduled with the Cecil Group to review the comments and the document in general. The Chairman asked Board members to send preliminary questions, comments and concerns to the Administrative Officer prior to the next meeting on September 3rd. A list would be compiled for discussion at the September 3rd meeting.

2. Update: Stone Bridge Abutment Repairs / Meeting Scheduled August 13, 2013 @ 9:00 A.M. – Town Hall The Stone Bridge Committee meeting date was announced. It was noted that it would be posted and open to the public.

C. Miscellaneous

1. Planning Board Special Meeting Schedule: Distributed There was no discussion on this item. The Special Meeting dates were tentatively set aside for the Carpionato / Tiverton Crossings petition.

2. Town Council Wind Energy Workshop – Recap A brief discussion ensued. It was noted that the members of the Wind Ordinance Subcommittee (Mr. Corr and Mr. Moniz) were not present, and the topic would be discussed when they were available.

3. Floodplain Management Program The existing and proposed Floodplain Management Ordinance was distributed for the Board member information, along with a newspaper article regarding changes in Flood Maps and Flood Insurance rates. The amended ordinance would be scheduled for public hearing by the Town Council. No action by the Planning Board was required.

3. Tiverton Planning Board

A. Comprehensive Community Plan Update

1. Decision Point: Short Term (2016) vs. 10 Year Update A draft outline of the update process was distributed. Ms. Michaud noted that Mr. Hardy had called the office and left a message indicating his preference for the short term update. A brief discussion ensued. Mr. Saurette made a motion to pursue the 10 year update. Ms. Cote seconded the motion. The motion passed unanimously. Ms. Cote, Ms. Eva, Ms. Guimond, Mr. Hughes, Mr. Holmes and Mr. Saurette voted in favor of the motion.

2. Discussion Regarding Work Plan The work plan was briefly reviewed. Mr. Hughes made a motion to authorize Ms. Michaud to notify Statewide Planning that the update process was beginning. Ms. Guimond seconded the motion. The motion passed unanimously. Ms. Cote, Ms. Eva, Ms. Guimond, Mr. Hughes, Mr. Holmes and Mr. Saurette voted in favor of the motion.

B. Legislation Pertaining to Planning & Development – Update / Status The Board discussed a legislative summary distributed by Ms. Michaud. Ms. Guimond inquired about H6167, pertaining to the Planning Board’s ability to ask for additional information. Mr. Petrarca stated that it did not prohibit the Board from amending checklists, but it did prohibit them for asking for anything that was not included in the checklists.

A brief discussion ensued regarding the legislation establishing an electronic notice registry. Ms. Michaud stated that she had seen two different versions of the bill that was passed (one was linked through an official legislative update email, the other was on the General Assembly’s website). It had yet to be determined which one had actually passed and been signed by the Governor.

Ms. Guimond asked for an interpretation of S0210, pertaining to mobile homes. A brief discussion ensued and it was suggested that Town Solicitor Andrew Teitz would advise as to its applicability in Tiverton.

C. Correspondence There was no correspondence to discuss.

D. Miscellaneous

1. Mr. Holmes noted that he had read the Planning Board’s advisory letter sent to the Building Official regarding the Tiverton Library petition. He noted that the discussion regarding the cost of the clock tower was not included in the letter. Mr. Holmes expressed concern regarding the fiduciary responsibility of the library and the costs associated with constructing and maintaining the clock tower. He asked if the Board had any ability to weigh in on the use of these funds, as the project was [partially] funded with public money and would become a Town owned building upon completion. Mr. Petrarca advised that this was not within the purview of the Planning Board.

2. Mr. Petrarca noted that the **Attorney General’s website** contains good information regarding the Open Meetings Laws and the discussion of **items not on the agenda**. He also noted that there had been a recent Supreme Court case regarding the Newport Zoning Board which was interesting. Mr. Petrarca noted that the Board could vote to add items to the agenda under the “Miscellaneous” heading, but only for discussion with no votes allowed.

E. Approval of Minutes:

May 7, 2013 The minutes were approved at the July 23rd Special Meeting.

F. Adjournment: Mr. Saurette made a motion to adjourn. The motion was seconded by Ms. Cote. The motion passed unanimously. Ms. Cote, Ms. Eva, Ms. Guimond, Mr. Hughes, Mr. Holmes and Mr. Saurette voted in favor of the motion. The meeting adjourned at 8:25 P.M.

(Italicized words represent corrections made on the approved date.)

Submitted by: _____
Kate Michaud, Clerk

Approval Date: October 1, 2013