

D R A F T

**TIVERTON PLANNING BOARD  
MINUTES OF SPECIAL MEETING  
April 28, 2015**

Chairman Stephen Hughes called the special meeting of the Tiverton Planning Board to order at 7:00 P.M. at the Tiverton High School Auditorium, 100 North Brayton Road. Members present were: Vice Chairman Stuart Hardy, Patricia Cote, Rosemary Eva, Susan Gill, Carol Guimond, Edward Campbell and David Saurette. Also in attendance were: the Planning Board's Clerk and Administrative Officer Kate Michaud and Town Planner Marc Rousseau. The Board's legal counsel Stephanie Federico was also present.

NOTE ON AGENDA: *Items on the agenda may be taken out of order as needed. The Public Information Meeting comment periods have been closed by a vote of the Planning Board. Therefore, there can be no further comment by the applicant or the public. Consideration of any item on the agenda may include a vote or votes.*

**1. Carpiionato Group, LLC, Applicant – 1414 Atwood Avenue – Johnston, RI 02919 – Master Plan Review – Public Informational Meeting (Closed) – Major Land Development – Request for Zoning Ordinance & Map Amendment – Recommendation to the Town Council – S/S Souza Road, N/S Route 24, E/S Main Road – R-40 Zoning District – Plat 110 / Lot 102 (Vacant), Plat 301 / Lot 220 (Vacant), Plat 301 / Lot 221 (1148 Main Road) – Tiverton Crossings – Mixed-Use Major Land Development – Phased – (Retail / Office / Residential / Hotel / Restaurant) – Time Clock = 5/11/2014 / Revised Master Plan Submitted 11/6/2014**

**A. Zoning Ordinance Amendment Request (Map & Text)**

- **Review and Approval of Draft Written Recommendation**
- **Adoption of Development Standards and Guidelines**

The Chairman stated that he would like to address the Development Standards and Guidelines first; specifically the corrections recommended by Ms. Eva. Ms. Eva stated that she would recommend changes to make the document consistent with other documents. She recommended removing "A Pattern Book" from the title, and to remove the hyphen from "Mixed Use". Other typographical and capitalization corrections were reviewed and noted.

The written advisory opinion regarding the zoning amendments was reviewed, with typographical corrections noted. Ms. Eva suggested changing "may" to "shall" with regard to licensing of exterior seasonal tents. Mr. Saurette suggested that perhaps the "may" was more appropriate since there were exemptions to licensing (tents under a certain size). Ms. Federico opined that "shall" was appropriate.

Mr. Hughes made a motion to approve the written recommendation notice as amended. Mr. Hardy seconded the motion. The motion passed unanimously. Mr. Hughes, Mr. Hardy, Ms. Cote, Ms. Eva, Ms. Gill, Ms. Guimond, Mr. Campbell and Mr. Saurette voted in favor of the motion.

Mr. Hughes made a motion to adopt the Mixed Use Development District Development Standards and Guidelines as amended. Mr. Hardy seconded the motion. The motion passed unanimously. Mr. Hughes, Mr. Hardy, Ms. Cote, Ms. Eva, Ms. Gill, Ms. Guimond, Mr. Campbell and Mr. Saurette voted in favor of the motion.

**B. Revised Master Plan Application**

- **Review and Approval of Draft Written Decision Notice – Conditional Approval of Master Plan**

Typographical corrections were noted. Ms. Eva suggested changing a reference on page 1 from "town" to "Planning Board". On page 3, the Chairman suggested adding "Mixed Use Development District" to the reference to "Development Standards and Guidelines". Ms. Eva stated that she would like to see all offsite work

completed and approved as part of Phase 1. Discussion ensued. Ms. Federico stated that without Preliminary Plan approval the applicant could not obtain permits for the off-site improvements and could not satisfy this proposed requirement. Ms. Eva corrected a reference to the Comprehensive Community Plan.

Mr. Hardy stated that he had a substantive deletion to propose. He stated that he would like to delete his previously proposed conditions regarding requiring a blasting report. He stated that he believed that there were not any safety issues with lowering the elevation of the property. He added that the applicant would need to obtain State permits for excavation and that he did not want to add an expense that was out of the ordinary. Mr. Hardy clarified that he was raising a low impact development issue and not a safety issue, and that the land is buildable. He stated that he was suggesting that there could be an alternative to blasting and that he would like to discuss the issue further at Preliminary Plan. He suggested that it would be a win-win to reduce the amount of blasting.

Mr. Hardy made a motion to delete the proposed condition regarding blasting. Mr. Saurette seconded the motion. The motion passed unanimously. Mr. Hughes, Mr. Hardy, Ms. Cote, Ms. Eva, Ms. Gill, Ms. Guimond, Mr. Campbell and Mr. Saurette voted in favor of the motion.

Mr. Hughes made a motion to approve the draft written decision for a Conditional Master Plan Approval with corrections as noted. Mr. Hardy seconded the motion. The motion passed 7-1. Mr. Hughes, Mr. Hardy, Ms. Cote, Ms. Gill, Ms. Guimond, Mr. Campbell and Mr. Saurette voted in favor of the motion. Ms. Eva was opposed.

## **2. Tiverton Planning Board**

### **A. Miscellaneous**

- 1. Recommendation to the Town Council Regarding Town Code Chapter 74 – Division 5 – Economic Development Real Estate Exemptions: Pertaining to the Tiverton Crossings / Tiverton Glen Petition** The Chairman stated that he would propose that this tax stabilization program should not be allowed within the Mixed Use Development District and suggested that the Planning Board should send a recommendation to the Town Council. He stated that the Planning Board had discussed this with the applicant and the applicant had said that they would only use the program for office uses. The Chairman noted that a follow-up letter from the applicant stated that they would only use the program for office and hotel uses, which is not what was discussed. The Chairman stated that use of the program would delay full taxation of the project. Mr. Saurette stated that the program was enacted to promote economic development, and that the Planning Board was weighing in on an issue that they should not get involved in. He added that he thought it was fine for the applicant to volunteer not to use the program for certain uses. The Chairman stated that the applicant did not know originally that the program existed. Ms. Eva stated that at the Planning Board meeting only office uses were mentioned, and then the applicant's letter included hotel. Ms. Gill stated that she did not know if this fell within the purview of the Planning Board. She suggested that the Planning Board should pass the applicant's letter along to the Town Council and let the Town Council decide. Mr. Hardy stated that there was some relevance to the Planning Board's process, as it would have an impact on the fiscal impact studies. He opined that the Board should make the Town Council aware that the program could lower the net positive impact to the town. The Chairman proposed that the Planning Board should send a letter to the Town Council making them aware that the fiscal impact analyses did not take the tax stabilization program into account, with no recommendation. The Board agreed by consensus to take this approach.

**B. Adjournment:** Mr. Hardy made a motion to adjourn. The motion was seconded by Ms. Cote. The motion passed unanimously. Mr. Hughes, Mr. Hardy, Ms. Cote, Ms. Eva, Ms. Gill, Ms. Guimond, Mr. Campbell and Mr. Saurette voted in favor of the motion. The meeting adjourned at 8:06 P.M.

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

Submitted by: \_\_\_\_\_  
Kate Michaud, Clerk

Approval Date: draft