

TOWN OF TIVERTON
PLANNING BOARD OF APPEALS MINUTES

November 6, 2013

The following petition was received and was heard by the Tiverton Planning Board of Appeals on Wednesday, November 6, 2013 at 7:00 p.m. at the Tiverton Town Hall, 343 Highland Road.

Members present: Chairwoman Ms. Lise Gescheidt, Ms. Susan Krumholz, Mr. Richard Taylor, Mr. Jay Jackson, and Ms. Wendy Taylor-Humphrey, first alternate.

Also present were: Mr. David Petrarca, Esq., Mark C. Hadden, Esq., Mr. Gareth Eames, Building Official and Ms. Sally Ferreira, Court Reporter.

1. A petition has been filed by Eagleville Road Realty, LLC/Pleasant Sales and Construction, Inc. d/b/a Site Ready Materials Recycling Company appealing the decision of the Planning Board dated April 2, 2013 denying their Master Plan Application for the premises located at 322 Eagleville Road, Tiverton, RI being Plat 205 Lot 101 on Tiverton Tax Assessor's maps located in an Industrial zoning district.

****The Chairwoman called the meeting to order and introduced the board members. In addition, the Chairwoman introduced Attorney Mark Hadden who is sitting in as the board's special counsel for the matter that's on tonight's agenda, the Site Ready Materials and Recycling Company's appeal of the April 2nd, 2013 Planning Board's decision denying the Master Plan approval.

Ms. Gescheidt informed the audience that David Collins who is one of the board's most experienced members was unavailable for tonight's meeting, and Susan Krumholz another very experienced member of the Zoning Board was not going to be available in December, and because the board is short an alternate, there are some concerns about scheduling. The Chairwoman also stated counsel for the Zoning and Planning Board, Peter Ruggiero, his father passed away and Mr. Ruggiero is a necessary party to this matter. As a result of these circumstances, Mr. Hadden was asked if he could get new dates where the board could handle this matter expeditiously.

Attorney Hadden stated he spoke with counsel for the appellant, Eric Brainsky, and Attorney Brainsky agreed that the matter could be continued and he had no objection to that request. Attorney Hadden went on to say, after getting some dates it was agreed to continue this matter to January 23rd, 2014. Mr. Hadden requested a motion be made to continue this matter to January 23rd. Ms. Krumholz made a motion to continue this matter to Thursday, January 23rd, 2014. Mr. Jackson seconded. The vote was unanimous. Voting were: Chairwoman Ms. Lise Gescheidt, Ms. Susan Krumholz, Mr. Richard Taylor, Mr. Jay Jackson, and Ms. Wendy Taylor-Humphrey.

ADMINISTRATIVE ISSUES:

Mr. Taylor made a motion to accept the minutes of the October 2, 2013 Tiverton Zoning Board meeting as presented. Mr. Jackson seconded. The vote was unanimous. Voting were: Chairwoman Ms. Lise Gescheidt, Ms. Susan Krumholz, Mr. Jay Jackson, Mr. Richard Taylor and Ms. Wendy Taylor-Humphrey.

Ms. Taylor-Humphrey informed the board that an attorney that she has known for 15 years and knows very well picked up an application to be a member of the Zoning Board from Nancy Mello and he is going to fill it out and go before the town council.

There was no further business or discussion. Ms. Krumholz made a motion to adjourn. Mr. Taylor seconded. The vote was unanimous. Voting were: Chairwoman Ms. Lise Gescheidt, Ms. Susan Krumholz, Mr. Richard Taylor, Mr. Jay Jackson, and Ms. Wendy Taylor-Humphrey.

(Whereupon the Zoning Planning Board of Appeals meeting ended at 7:23 p.m.)

C E R T I F I C A T E

I, Salvina S. Ferreira, Registered Professional Reporter, hereby certify that the foregoing 3 pages of the Tiverton Planning Board of Appeals minutes are transcribed to the best of my knowledge, skill and ability.

I further certify that I am not interested in the event of the action.

IN WITNESS WHEREOF, I have hereunto subscribed my hand and affixed my seal of office this 22nd day of November, 2013.

Salvina S. Ferreira, RPR

My commission expires: September 26, 2017
ID # 28792

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