

Town of Tiverton
Building Code Board of Appeals

Minutes of August 17, 2016

Members present: Donald Medeiros, Chairman; Michael Zmich; Michael James; and Douglas Denninger, Secretary.

Also present were: Neil Hall, Building/Zoning Official and the Board's Attorney Anthony DeSisto.

The meeting was called to order at 7:00 pm.

Administrative Items--Board Business

Motion by M. Zmich, seconded by M. James, to approve the Minutes of the meeting held on June 15, 2016. The motion was approved unanimously.

Petition #1 Robert Campion, 55 Restful Valley, Tiverton, RI, Appeal concerning 1560 Bulgarmarsh Road, Tiverton, RI (Continued from June 15th)

The Applicant, Robert Campion, was in attendance with his wife Patricia, for his petition pursuant to RIGL 23-27.3-124.3 on April 28, 2016 appealing the time constraints of a Structure Unsafe for Human Occupancy Notice dated March 24, 2016 issued by Neil Hall for the property ("Premises") located at 1560 Bulgarmarsh Road, Tiverton, RI, being Plat 215 Lot 112 on Tiverton Tax Assessor's Maps.

Rachael McGarty of 64 Cherry Lane, a cousin of the Campions and a daughter of Ronald and Dianne Falcon, recent Buyers, spoke on behalf of Mr. Campion and the Falcons to request additional time to address multiple issues at the Premises. Ownership of the Premises was transferred on August 10, 2016 via Warranty Deed to Mr. and Mrs. Falcon. Delays arose during the transfer. There also appeared to have been some confusion regarding which permits were needed. Services of an architect are needed, plus retaining appropriate contractors and obtaining necessary permits.

Mr. Falcon confirmed that roof issues are being addressed, followed by fire wall and electrical issues, then Fire Marshall approval. Phase One is for the first building ("Property Card 001", closest to Bulgarmarsh Road), with Phase Two for the second building ("Property Card 002") likely taking a number of months to complete.

A discussion ensued regarding the length of time needed to confirm that adequate progress was being made to resolve the outstanding issues.

Based on the foregoing and after deliberations on the application, a motion was made by M. Zmich and seconded by M. James that the hearing be continued for one month, until September 21st. By September 11th (a standard ten (10) days prior to the next hearing), a Status Report, including latest progress and updated names and contact details of Petitioner and lead professionals (including Architect licensed in Rhode Island) retained to guide them, is to be submitted by Petitioner to Jodi Roy. Ms. Roy will forward the Status Report to Mr. DeSisto, who will confer with Mr. Hall. Messrs. Hall and DeSisto will decide at their discretion whether: (1) Petitioner should appear on September 21st, the next scheduled meeting date for the BCBA, to provide a status update in person with one or more lead professionals; or (2) further hearing on the subject Petition should be deferred until October 19th, with a second Status Report to be submitted by Petitioner to Ms. Roy by October 9th. The motion was approved unanimously, and the meeting adjourned at 7:50 pm, with the hearing to be continued at 7pm on September 21, 2016, unless deferred until October 19th by Messrs. Hall and DeSisto.