

TOWN COUNCIL MEETING
Coventry Town Hall Council Chambers
1670 Flat River Road, Coventry, RI
October 4, 2007

EXECUTIVE SESSION

Per R.I.G.L. 42-46-5 (a) (2) (6)

President Pomfret announced that Executive Session is cancelled.

WORK SESSION

Present: Kenneth Cloutier, Anthony Colaluca, Justin Pomfret, Bruce Thompson, Frank Hyde

Interim Town Manager Paul Sprague

Absent: Town Solicitor Patrick Sullivan

- Discussion: Ordinance 02-07-254 with regard to Harris Mill

Mr. Sprague – This is relating to a request by the developer to change wording in the earlier zone change approval for Harris Mill, which ordinance was approved by the Town Council in January 2007. This refers to the designation for the Harris Mill, 685 Main Street, and that it be redesignated from Industrial 2, which prohibits residential use, to a Mill Conversion Overlay District. Attached is the petition that was previously filed with a number of stipulations which were requested by the attorney, including the use of mixed and residential uses. Also included in that request was a list of stipulations which would allow it to have residential use along with retail use, office use and restaurants.

Recently the developers contacted us and indicated that they are having trouble securing financing because of the language in the ordinance inasmuch as it stated Industrial 2 rather than mill conversion overlay floating zone district. They do not want to change the substance of the ordinance, but rather just how it's designated. It seems to be just a matter of form rather than substance in the lending institution's eyes. Their loan is being jeopardized and they are requesting a change in the designation from Industrial 2 with mill conversion overlay/floating designation to Residential and Mixed use designation with mill conversion overlay and floating designation.

Mr. Pomfret – What is it that the Council needs to do to get the ball rolling?

Mr. Hyde – I spoke with the developer before this meeting. Basically I asked him to write down exactly how he wants this to read. It's not much different than it is now, the bank doesn't really like the way this is written. It will not change the meaning of the ordinance, just that they would like it clearer, more specific.

Harold Tillinghast, Esq.
77 Rolfe Square
Cranston, RI

Mr. Tillinghast – I work with the developer, RI Construction. We are going through a HUD loan. HUD pointed out that if this were a regular, conventional loan it wouldn't matter, but because it is a HUD loan, the ordinance only states Industrial 2 with mill conversion overlay and, as he pointed out to me, that because it doesn't state Residential to Mixed Use with mill conversion overlay, we could have a problem. Pointed out that HUD could have an issue with this, and I just want to head it off. It will be the same thing, just the verbiage is different. Our problem is the time line. All you would be doing is laying the verbiage out in black and white, that's it. Substance is the same, nothing will change. Suggestion that the language reflect that this is rezoned in its entirety from Industrial 2 to Residential and Mixed use.

Mr. Hyde – This is just a revision, but states the same thing.

Mr. Tillinghast – We are close to filing to get an invitation letter, and it's brutal dealing with HUD.

Mr. Cloutier – Can we approve this pending the solicitor's approval?

Mr. Pomfret – We can do this at a work session?

Mr. Sprague – You can do anything at a work session that you can do at any meeting, state statutes treat them all the same.

Motion made by Frank Hyde seconded by Bruce Thompson to revise verbiage for rezoning of the Harris Mill as requested by Mr. Tillinghast contingent upon solicitor' s approval All voted Aye. So voted.

Paragraph 2 change to “the property designated and described as Assessor’s Plat 96, Lot 25 currently zoned Industrial 2 located at 618 Main Street in Coventry and known as the “Harris Mill” is hereby re-zoned in its entirety from Industrial 2 to Residential and Mixed Use in accordance with the Mill Conversion Overlay/Floating Designation with conditions as described on Exhibit A attached and incorporated herein”.

Mr. Tillinghast to check back with Manager Sprague regarding final approval.

Motion made by Frank Hyde seconded by Kenneth Cloutier to adjourn meeting. Mr. Colaluca requested adjournment in memory of Attorney Anthony J. Cordeiro. All voted Aye. So voted.

Town Clerk

TOWN OF COVENTRY
SUBSTITUTE ORDINANCE NO. 02-07-254A

The Town Council of the Town of Coventry hereby ordains as follows:

Section 1.

That in accordance with Articles 5 and 18 of the Town of Coventry Zoning Ordinance and the Coventry Zoning Map referred to and incorporated therein are hereby amended to read as follows:

The property designated and described as Assessor's Plat 96, Lot 25 currently zoned Industrial 2 located at 618 Main Street in Coventry and known as the "Harris Mill" is hereby re-zoned in its entirety from Industrial 2 to Residential and Mixed Use, in accordance with the Mill Conversion Overlay/Floating Designation with conditions as described on Exhibit A attached and incorporated herein.

Section 2.

Any ordinance or parts of any ordinance which are in conflict with this zoning map amendment are hereby repealed.

Section 3.

This ordinance shall take effect upon its adoption. The keeper of the Zoning Ordinance Map is hereby authorized to make the adopted changes to the map.

Proposed By Councilperson: /s/ Frank Hyde on October 1, 2007

Posted by Town Clerk on October 1, 2007

Introduced at Town Council Meeting on October 4, 2007

Duly adopted: on October 4, 2007

Attest: _____
 Town Clerk