

January 25, 2000 - Special Planning Board Meeting

CITY OF EAST PROVIDENCE

PLANNING BOARD

Minutes of the Special Meeting of January 25, 2000

I. Present: Messrs. Poland, Sullivan, Fisher and Gerstein, Jeanne Boyle (staff), Diane Feather (staff), William J. Conley, City Solicitor; Rasim Moid of Picerne Properties and Attorney Martin Slepko.

II. Call to Order: The meeting was called to order at 2:40 p.m. in Room 308 of City Hall.

III. Seating of Alternate Member: Mr. Poland stated that alternate member, Mr. Gerstein would be voting as a regular member.

IV. Re: Request by Picerne Properties for a One Year Extension for the Bayside Subdivision Approval *File No. 96-10 Bayside 6-Lot Subdivision - Final Plan*

Attorney Martin Slepko, representing Picerne Properties explained the request to the Planning Board. He noted that this 6-lot subdivision was approved by the Planning Board on January 26, 1999, and that the one-year period in which to record the approved plan would be expiring on January 26, 2000, which is tomorrow. He noted that the Planning Board has the authority to extend the approval period for a period of one year, and that is what we are requesting on behalf of Picerne Properties. Mr. Slepko explained that there are on-going negotiations between the City of East Providence and Picerne Properties involving the sale of this entire subdivision to the City of East Providence. He noted that because the sale has not yet taken place, both Picerne Properties and the City of East Providence feel it is in the best interest of everyone not to record the subdivision yet and to have the approval vest for another year to give time to work everything out.

Ms. Boyle referred to Section 9-11(E) of the Regulations under "Vesting" which states that the approval is good for a period of one year and noted that the Planning Board does have the authority, for good cause shown, to extend the period for recording for an additional period. She said staff does not have any objection to extending the approval for one year and recommends that the Board approve the request.

Mr. Gerstein asked Mr. Slepko if at the end of the year they have not recorded what would happen. Ms. Boyle stated it is highly unlikely the applicant will need an additional year, and the status of the purchase is that the City has been negotiating with Picerne Properties and has agreed upon a price. She said the City has received an offer for funding through the State Department of Environmental Management, both for a loan and

a grant for the acquisition. The City's portion of that acquisition has already been set aside with bond money, and the City has hired Gates, Leighton Associates who have submitted a conceptual plan for the design of this park in its entirety. She said it is her understanding that the only remaining step standing between a closing on this property is to actually get approval from the State Properties Committee. She noted that this would not take more than three months.

Mr. Sleprow agrees with Ms. Boyle that within a year this would all be resolved.

Chairman Poland noted that if the City had not approached Picerne Properties to purchase this property they would have already recorded the plan and started construction. He stated he feels it is not their fault that it has not been recorded as yet.

Mr. Moid stated they have another plan to move forward with the Bayside lots just in case the City does not move forward with the purchase.

Chairman Poland asked City Solicitor Conley if he thought it was appropriate to extend the approval period for one year. Mr. Conley answered yes, and noted that if the acquisition was not completed within one year it is because something unexpected came up. He noted that this is a 95 percent completed transaction in terms of the City being able to acquire it. He stated the City is putting the last details on the items that we need to present to the State Properties Committee to complete the transaction. Ms. Boyle stated we do not anticipate any reason that the State Properties Committee would overturn the decisions of the Department of Environmental Management and the various committees have spent a lot of time scrutinizing this proposal.

Motion

On a motion by Mr. Sullivan, seconded by Mr. Fisher, the Board voted to grant the one-year extension on the approval of the Bayside 6-lot Subdivision.

Roll Call Vote

Mr. Fisher Aye

Mr. Gerstein Aye

Mr. Sullivan Aye

Mr. Poland Aye

On a motion by Mr. Sullivan, seconded by Mr. Gerstein, the Board voted to adjourn the meeting at 3:20 p.m.

Respectfully submitted,

Peter Poland, Chairman

PP/JMB/sac