

**TOWN OF WEST GREENWICH  
TOWN COUNCIL  
REGULAR MEETING  
SEPTEMBER 12, 2007**

A regular meeting of the West Greenwich Town Council was held on September 12, 2007. Present were Thaylen Waltonen, Robert Butler, Mark Tourgee, Robert Andrews and Susan Woloohojian. Also present was Town Administrator Kevin Breene and Town Solicitor Michael Ursillo. Waltonen called the meeting to order at 7:40 p.m. with the Pledge of Allegiance.

**CONSENT AGENDA**

Butler moved to approve the Consent Agenda. Andrews seconded.

VOTED: Waltonen – abstain, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

**I. MINUTES**

1. MINUTES OF MEETING OF AUGUST 2, 2007
2. MINUTES OF MEETING OF AUGUST 10, 2007

**II. REPORTS**

1. POLICE REPORT – JULY, 2007
2. POLICE REPORT – AUGUST, 2007
3. TOWN CLERK’S RECEIPTS –AUGUST, 2007
4. RIRRC MUNICIPAL CUSTOMER MONTHLY SUMMARY: WEST GREENWICH – AUGUST, 2007
5. WEST GREENWICH POLICE DEPT.  
FIRE/RESCUE APPARATUS RESPONSE STATISTICS  
JULY, 2007

**III. CORRESPONDENCE**

1. SOUTHERN NEW ENGLAND FOREST CONSORTIUM, INC.  
AUGUST 7, 2007  
RE: UPDATING OF THE COST OF COMMUNITY SERVICES STUDY
2. FIRE BOARD OF ENGINEERS – MINUTES OF JULY 16, 2007 MEETING

3. COPY OF LETTER FROM RIDOT ENGINEERING DIVISION  
TO THREE ON THREE DONUTS, INC.  
AUGUST 15, 2007  
RE: STATUS OF ACCESS IMPROVEMENTS
4. COPY OF LETTER TO ANTHONY LANNI  
FROM TOWN ADMINISTRATOR KEVIN BREENE  
AUGUST 14, 2007  
RE: ANGIANO'S RESTAURANT
5. COPY OF LETTER TO EXETER-WEST GREENWICH SCHOOL  
COMMITTEE  
FROM TOWN ADMINISTRATOR KEVIN BREENE  
AUGUST 6, 2007  
RE: 2008 SCHOOL BUDGET INCREASE
6. COPY OF LETTER TO  
JAMES N. NADEAU & COMPANY, LLP  
AUGUST 21, 2007  
RE: ACCEPTANCE OF AUDIT BID
7. COPY OF LETTER TO COMMERCE PARK REALTY, LLC  
FROM TOWN PLANNER JENNIFER PAQUET  
AUGUST 24, 2007  
RE: PLANNING BOARD PUBLIC HEARING – COMPREHENSIVE PLAN  
AMENDMENT – VILLAGE SPECIAL MANAGEMENT DISTRICT
8. CONSERVATION COMMISSION – MINUTES OF AUGUST 1, 2007  
MEETING
9. CERTIFICATE OF DESIGNATION OF  
CHARLENE G. RANDALL AS RHODE ISLAND CERTIFIED ASSESSOR
10. DONALD L. CARCIERI, GOVERNOR  
AUGUST 28, 2007  
RE: CDBG GRANT AWARD

IV. ADDITIONS, ABATEMENTS & REBATES

1. REQUEST OF TAX ASSESSOR – SEPT. 7, 2007

<u>AUGUST</u>			
<u>Acct #</u>	<u>Name</u>	<u>Amount</u>	<u>Reason</u>
<b><u>M.V. ABATEMENTS BACK YEARS</u></b>			
<b><u>2006</u></b>			
16-0198-75	Pignataro, John	\$921.88	Didn't own
<b><u>M.V. ADDITIONS BACK YEARS</u></b>			
<b><u>2006</u></b>			
16-0198-75	Pignataro, John	\$796.80	Didn't Own
<b><u>M.V. ABATEMENTS 2007-2008</u></b>			
02-0019-80	Bainton, George W Jr	\$183.54	Correction to Days of Ownership
03-0197-65	Chase, William C	\$69.43	Correction to Days of Ownership
04-0166-15	Dugan, Sean M	\$99.38	Registry Error
07-0052-04	Genereux, Suzanne D	\$197.30	Handicapped Adaptable Exemption
08-0026-57	Harbour Transport Co Inc	\$163.99	Correction to Days of Ownership
08-0219-70	Honda Lease Trust	\$6,336.72	Registry Error
13-0283-67	Medeiros, Gloria M	\$635.16	Registry Error
16-0198-75	Pignataro, John D	\$958.29	Didn't Own
19-0015-35	St Martin, Thomas	\$448.06	Added from another Town
19-0188-95	Smiths General Trucking Co	\$484.39	Correction to Days of Ownership
20-0143-02	Turner, Michael H	\$532.76	Registry Error
23-0075-24	Wharton, Gary G	\$562.24	Registry Error
<b><u>M.V. ADDITIONS 2007-2008</u></b>			
02-0019-80	Bainton, George W Jr	\$33.70	Correction to Days of Ownership
03-0197-65	Chase, William C	\$57.39	Correction to Days of Ownership
04-0166-15	Dugan, Sean M	\$50.10	Registry Error
07-0052-04	Genereux, Suzanne D	\$57.67	Handicapped Adaptable Exemption
08-0026-57	Harbour Transport Co Inc	\$45.38	Correction to Days of Ownership
08-0219-70	Honda Lease Trust	\$6,208.66	Registry Error
13-0283-67	Medeiros, Gloria M	\$385.35	Registry Error
16-0198-75	Pignataro, John D	\$889.65	Didn't Own
19-0015-35	St Martin, Thomas	\$751.90	Added from another Town
19-0188-95	Smiths General Trucking Co	\$439.24	Correction to Days of Ownership
20-0143-02	Turner, Michael H	\$312.60	Registry Error
23-0075-24	Wharton, Gary G	\$482.22	Registry Error
<b><u>REAL ESTATE ABATEMENTS 2007-2008</u></b>			

02-0141-03	Beavon, Geoffrey A & Joan F	\$3,112.10	Vets Exempt-Per K.A.B.
02-0161-95	Bergeron, Richard A & Janice C	\$5,908.50	Vets Exemption
04-0011-00	Dauplaise, Raymond L & Rebecca	\$4,868.99	Vets Exemption
07-0003-45	GTech Corporation	\$193,626.12	Ownership Transfer
15-0047-65	Ondrasek, Peter J & Adele T	\$5,329.77	Disabled Exemption
19-0095-60	Sherman, Denise	\$5,311.74	House Fire
19-0212-06	Smith, Steven	\$2,360.06	Appeal Approved

**REAL ESTATE ADDITIONS 2007-2008**

02-0141-03	Beavon, Geoffrey A & Joan F	\$2,812.10	Vets Exempt-Per K.A.B.
02-0161-95	Bergeron, Richard A & Janice C	\$5,858.50	Vets Exemption
04-0011-00	Dauplaise, Raymond L & Rebecca	\$4,818.99	Vets Exemption
15-0047-65	Ondrasek, Peter J & Adele T	\$5,229.77	Disabled Exemption
19-0095-60	Sherman, Denise	\$2,931.15	House Fire
19-0212-06	Smith, Steven	\$1,960.94	Appeal Approved
23-0069-32	West Greenwich Tech Park LLC	\$193,626.12	Ownership Transfer

**TANGIBLE ABATEMENTS 2007-2008**

11-0017-94	Keegler, John	\$330.18	Repricing
------------	---------------	----------	-----------

**TANGIBLE ADDITIONS 2007-2008**

11-0017-94	Keegler, John	\$85.15	Repricing
------------	---------------	---------	-----------

**V. CHECK SUMMARY REPORT**

1. JULY, 2007
2. AUGUST, 2007

**OLD BUSINESS**

**APPOINTMENT – BOARD OF CANVASSERS**

No action was taken on this matter.

**REQUEST OF COMMERCE PARK ASSOCIATES 12, LLC TO RESET PUBLIC HEARING DATE (OCTOBER 10, 2007) PUBLIC HEARING DATE TO AMEND THE ZONING MAP, COMPREHENSIVE PLAN FUTURE LAND USE MAP, ZONING ORDINANCE TEXT AND COMPREHENSIVE PLAN TEXT SUCH THAT AP 1, LOTS 10-1 & 10-3, 13 & 15 ARE DESIGNATED AS “VILLAGE SPECIAL MANAGEMENT DISTRICT”**

Butler moved to continue the hearing date of the above application until October 10, 2007. Woloohojian seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

**LIQUOR LICENSING BOARD  
REQUEST TO TRANSFER CLASS BV  
ROBERT ASSALONE DBA NOOSENECK BAR & GRILL  
TO  
ROSIE'S BAR & GRILL LLC DBA SUNSET GRILL  
(CONTINUED FROM AUGUST 2, 2007)**

Tourgee moved to adjourn as the Town Council and convene as the Liquor Licensing Board at 7:43 p.m. Butler seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

Waltonen opened the following public hearing:

**LEGAL NOTICE  
TOWN OF WEST GREENWICH  
  
APPLICATION TO TRANSFER  
CLASS BV  
ALCOHOLIC BEVERAGE LICENSE**

Notice is hereby given by the Town Council of the Town of West Greenwich, being the licensing board in said town, under Title 3 of the General Laws of Rhode Island, 1956 as amended, that the following has applied for Transfer of a Class BV Alcoholic Beverage License from Robert Assalone d/b/a Nooseneck Bar & Grill to Rosie's Bar & Grill, LLC d/b/a Sunset Grill for premises located at 45 Nooseneck Hill Road, West Greenwich, RI 02817

The above application will be in order for hearing at a meeting of the West Greenwich Town Council being the licensing board for said town on the 2nd day of August, A.D., 2007 at 7:30 p.m. at the Town Hall, 280 Victory Highway, West Greenwich, RI, at which time and place all remonstrants may make their objections. Individuals requesting interpreter services for the hearing impaired must notify the Town Clerk's Office at 392-3800, ext. 100 72 hours in advance of the hearing date.

Council

By order of the West Greenwich Town

Janet E. Olsson, CMC, Town Clerk

The above hearing was continued from August 2, 2007.

Mr. Robert Assalone was present.

Tourgee moved to grant the request to Transfer Class BV Alcoholic Beverage License from Robert Assalone d/b/a Nooseneck Bar & Grill to Rosie's Bar & Grill, LLC d/b/a Sunset Grill for premises located at 45 Nooseneck Hill Road, West Greenwich, RI 02817. Butler seconded.

VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

Butler moved to adjourn as the Liquor Licensing Board and reconvene as the Town Council at 7:45 p.m. Woloohojian seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

### **NEW BUSINESS**

#### **REQUEST OF COMMERCE PARK REALTY, LLC FOR AMENDMENT TO ZONING ORDINANCE – ZONING USE MATRIX USE CODE 551: MOTOR VEHICLE DEALERS, NEW & USED FROM “X” to “P” for the EXIT 7 SMD DISTRICT- SET DATE FOR HEARING - OCTOBER 10, 2007**

Butler moved to set the date of hearing of the above request of October 10, 2007. Woloohojian seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

#### **PUBLIC HEARING - AMENDMENT TO ZONING ORDINANCE REGARDING SIGN REGULATIONS**

Waltonen opened the following public hearing:

#### **PUBLIC NOTICE THE TOWN OF WEST GREENWICH STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS NOTICE OF ZONING ORDINANCE AMENDMENT**

The West Greenwich Town Council will hold a Public Hearing for amending the West Greenwich Zoning Ordinance as follows:

IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEST GREENWICH, RHODE ISLAND, AS FOLLOWS:

**SECTION 1. The Zoning Ordinance of the Town of West Greenwich is hereby amended as follows:**

**ARTICLE IV SIGN REGULATIONS IS HEREBY AMENDED AS FOLLOWS:**

\*\*\*

**SECTION 3. Effective date.**

This ordinance shall take effect upon passage.

THE PUBLIC HEARING IS SCHEDULED  
TO BE HELD  
SEPTEMBER 12, 2007  
AT 7:30 p.m.  
IN THE COUNCIL CHAMBERS  
WEST GREENWICH TOWN HALL  
280 VICTORY HIGHWAY

All interested parties may review and examine a copy of the proposed ordinance amendment at the West Greenwich Town Clerk's Office between the hours of 9:00 a.m. to 4:00 p.m. and at the Louttitt Library during Library hours. Copies copy of the ordinance amendment can be obtained at the Town Clerk's Office.

The proposal may be altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing. Any such alteration or amendment must be presented for comment in the course of said hearing.

Individuals requesting interpreter services for the hearing impaired must notify the Town Clerk's Office at 392-3800, 48 hours in advance of the hearing date.

Per order of the West Greenwich Town Council  
Janet E. Olsson, CMC  
Town Clerk

Town Planner Jennifer Paquet explained the changes and additions to the ordinance. Butler moved to adopt the amendments to the Zoning Ordinance regarding sign regulations as amended. Woloohojian seconded.  
VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

Following is the section of the Zoning Ordinance regarding sign regulations as amended:

**ARTICLE IV SIGN REGULATIONS**

**Section 1. Purpose and intent.** The purpose of this Article is to:

- A. Improve pedestrian and traffic safety;
- B. Encourage the effective use of signs as a means of communication and ensure that signs adequately identify uses of activities to the public;
- C. Preserve and enhance the town's character; protect property values; and, maintain and improve the visual quality of commercial and industrial areas, which promotes the economic interests of the town, by requiring new and replacement signs which:
  - 1. are well designed;
  - 2. are compatible with the surroundings
  - 3. express the identity of the individual business owner
  - 4. have a style and form which relate to the business
  - 5. are of a size which is to scale with the building and the streetscape as a whole; and,
  - 6. are appropriately sized in context, so as to be easily readable by both the public and emergency vehicles.

**Section 2. Administration.**

- A. The term "sign" means any display of lettering, logos, colors, lights or illuminated neon tubes visible to the public from outside of a building or from a traveled way, which either conveys a message to the public or intends to advertise, direct, invite, announce, or draw attention to, directly or indirectly, a use conducted, goods, products, services, or facilities available, either on the lot or any other premises, whether permanent or temporary, but excluding window displays and merchandise. The following Regulations shall apply to all signs over two (2) square feet in area, except those exempted in Section 9 of this Article.
- B. It shall be unlawful for any person to erect, display, alter or enlarge any sign without first obtaining a permit from the Zoning Enforcement Officer and paying the appropriate fees.
  - 1. A sign application shall be obtained from the Zoning Enforcement Officer and shall include:
    - a. Name, address and telephone number of applicant;
    - b. Name of person performing the work;
    - c. A scale drawing of the proposed sign, giving dimensions, colors, materials, and details including the size of the letters and graphics, scale 3/8 inch equals one (1) foot;
    - d. A scale drawing of the building or lot showing where the proposed sign is to be located on it, including, but not limited to, all physical entities at a scale of one inch equal fifty (50) feet;
    - e. A scale drawing of the plans, scale 3/8 inch equals one (1) foot, and, specifications and method of construction and attachment to the building or in the ground;
    - f. Any electrical permit required and issued for said sign;
    - g. Written consent of the owner of the building, structure, or land to which or on which the sign is to be erected.

- h. Verified review of land evidence records, and planning documents, for restrictive covenants or conditions; imposed by predecessors of title or by the Town of West Greenwich during any subdivision.
2. The following signs may be authorized by special use permit, upon application to the Zoning Board of Review:
  - a. "Changeable copy signs": defined as signs having a fixed area upon which the content is not permanently affixed.
  - b. "Off-site directional signs": except for signs erected by the Town, the State or the United States government, any sign giving directions to the location of any use or activity no located upon the property upon which the sign is erected, and which may contain only the name of the use and necessary information giving directions to the use; provided, however, that no advertising shall be contained in such sign.
3. Any freestanding sign less than twenty (20) feet from the edge of any town street, road or right-of-way, or within fifty (50) feet of a street intersection shall be reviewed by the Planning Board. Upon receipt of a sign application, the Zoning Enforcement Officer shall forward a copy of the application to the Planning Board. At a public informational meeting the Planning Board shall review the sign application and render an advisory opinion to the Zoning Enforcement Officer or the Zoning Board of Review.

*C. Issuance of Sign Permit:*

Permits shall be issued only if the Zoning Enforcement Officer determines the sign complies or will comply with all applicable provisions of this Article. The Zoning Enforcement Officer's decision, or failure to act, may be appealed to the Zoning Board of Appeals. If the work authorized under the sign permit has not been completed within six (6) months after the date of issuance, said permit shall become null and void.

*D. Nonconforming Signs:*

1. Any sign, which does not conform to the provisions of this Article, and which lawfully existed at the time of adoption or subsequent amendment to the Article may be continued, or be repaired, provided that said non-conforming sign shall comply with Section 3 (C) of this Article.
2. Non-conforming signs which are structurally altered, relocated or replaced, shall comply immediately with the provisions of this Article.

**Section 3. General Requirements:**

*A. Prohibitions:* These regulations apply to all zoning districts:

1. No sign shall be placed or located upon any sidewalk or right of way nor shall any sign project over the sidewalk or over any right of way.
2. Colored lighted, neon lighted, and/or flashing lighted signs.

3. Animated signs illuminated by flashing or intermittent lighting, or signs which use movement or lighting to depict action or create a special effect and/or scene,
4. Signs containing reflective elements which sparkle or twinkle in the sunlight
5. . Moving signs, either by mechanical or natural means such as wind.
6. “Off-site directional signs”: except for signs erected by the town, the state or the United States government, any sign giving directions to the location of any use or activity not located upon the property upon which the sign is erected
7. “Off-premises signs”: Any sign or advertising device, including a billboard which advertises a use or activity not located on, or a product not sold nor manufactured on the lot on which the sign or device is located.
8. Any sign advertising or identifying a business or organization which is either defunct or no longer on the premises,. Exceptions are granted to landmark signs which shall be preserved and maintained even if they no longer pertain to the present use of the premises.
9. With the exception of traffic, regulatory, or informational signs, signs shall not use the words “stop”, “caution”, or “danger”; shall not incorporate red, amber, green or blue lights resembling traffic signals or emergency vehicles; and/or shall not resemble “stop” or “yield” signs in shape or color.
10. Signs which are affixed to, or painted on, any parked vehicle which is not registered or not roadworthy.
11. Signs and/or banners shall not extend over any street or public right-of-way without prior approval of the Town Council. The Town Council shall require the applicant to maintain sufficient insurance coverage to protect both the town and the applicant from all claims for personal injuries which may arise from said sign and/or banner.
12. Permanent signs which are attached to natural features, historic stone walls, utility poles, utility boxes, traffic signs, fences or highway structures.
13. Signs placed on or against trailers or vehicles, whether registered or unregistered, and situated to display advertisement to passersby by parking or extending the vehicle in an area outside of the parking lot.
14. all existing signs erected without the necessary approvals and/or permits.
15. sign materials or attracting devices, identified as pennants, streamers, spinners, and other moving devices whether or not containing a message of any kind.
16. Searchlights, or any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source, or any light with one or more beams that rotate or move.
17. Sign material which fluoresces, or phosphoresces.
18. Inflatable signs or inflatable objects displayed as a form of advertising.
19. Billboards.
20. Portable signs, including but not limited to sandwich boards

*B. Measurement of Sign Area:*

1. Sign measurement shall be based upon the entire area of the sign, with a single continuous perimeter enclosing the extreme limits of the actual sign surface.
2. For a sign painted on or applied to a building or window, the area shall be considered to include all lettering, wording or accompanying designs or symbols, together with any background of different color than the natural color, or finish material of the building.
3. For a sign of individual letters or symbols attached to or painted on a surface, building, wall or window, the area shall be considered to be that of the smallest rectangle or other shape which encompasses all of the letters and symbols.
4. The area of supporting framework (for example bracket, posts, etc.) shall not be included in the area if such framework is incidental to the display.
5. When a sign has two (2) or more faces, the area of all faces shall be included in determining the area, except where two (2) faces are placed back to back and are at no point more than one (1) foot from each other. In this case, the sign area shall be taken as the area of either face, and if the faces are unequal, the larger shall determine the area.
6. All signs located within a single premise shall be totaled cumulative for purposes of calculating sign area: example – three (3), two (2) square foot signs located on one property equals a total area of six (6) square feet.

*C. Safety Standards:* No sign may be erected or maintained which:

- a. is structurally unsafe;
- b. constitutes a hazard to public safety and health by reason of inadequate maintenance, damage, dilapidation or abandonment;
- c. obstructs free entrance or exit from a required door, window or fire escape;
- d. obstructs light or air, or, interferes with proper ventilation of the building;
- e. is capable of causing electrical shock, or;
- f. blocks pedestrian or vehicular rights-of-way or access.
- g. at street intersections of less than one hundred thirty-five degrees (135), no sign shall be erected in the space between the heights of two and one-half (2 1/2) and ten (10) feet above the street level in the triangle formed by the two (2) street lines and a third line joining points on the street lines twenty (20) feet from the point of intersection of the extension of said street lines.
- h. is within twenty (20) feet of a point of ingress or egress on the site, or an abutting site.

#### **Section 4. Residence Districts (RFR-1, RFR-2, OS).**

*A. Permitted Signs:*

1. One (1) sign, no greater than two (2) square feet in area, displaying the name and address of the occupant or identifying a permitted use or accessory use or identifying or regulating private property or a private right of way.

2. One sign, not larger than nine (9) square feet in area, for an agricultural, religious, educational, recreational, communal, medical, professional, governmental or utility use or identifying lawful non-conforming uses. This shall include temporary signs advertising the sale or lease of the premises.

*B. Location of signs:*

1. No signs shall be placed closer than fifteen (15) feet to a side or rear lot line and five (5) feet to a front lot line.
2. No portion of any sign shall be located within a street right of way or within the corner triangle described in Article VII, Section 3 of this ordinance.
3. Signs shall not be erected or affixed to a utility pole, traffic or regulating sign, tree, shrub, rock or other natural object.
4. No sign shall project more than ten (10) feet above average grade level or no higher than the roofline (Ridge) of a building whichever is less.
5. Free standing signs shall provide an open unobstructed space of at least six (6) feet from the grade to the bottom of the sign.

*C. Lighting of signs:* Signs may be lighted only by an external, continuous incandescent white light, downward shielded and of no more than a maximum of twenty (20) foot candles at surface.

**Section 5: Business and Industrial Districts (NHBD, HIWY, IND. A, IND. B)**

*A. Permitted Signs:*

1. Those permitted in residence districts.
2. Business signs for permitted uses. In no case shall more than one (1) freestanding sign or one (1) roof sign be used, or one (1) mounted (to the building) sign, or awning/canopy, for each building regardless of the number of businesses at the location and no sign shall exceed fifty (50) square feet in area. In addition, each business may have a sign attached to the building, not greater than six (6) square feet, displaying the name of the business and, where there are multiple businesses, all of these signs shall be uniform in size, shape and lettering. Any change from the above shall be granted as a special use permit with an advisory opinion from the planning board. For buildings with a public entrance and parking in the rear as well as the front, there may be an additional wall, projecting, window or awning/canopy sign placed at the rear building entrance.
3. Where a building has multiple street frontages, they are allowed one (1) wall sign for each wall frontage on a street or a parking area. No sign shall exceed fifty (50) square feet.

*B. Location of Signs:*

1. No sign shall project more than fifteen (15) feet above average grade level or no higher than the roofline (ridge) of a building whichever is less.

2. Freestanding signs shall either provide an open and unobstructed space at least six (6) feet from grade to the bottom of the sign or be no greater than five (5) feet in height from grade and no larger than fifteen (15) square feet in size.
3. No sign shall be located within forty(40) feet of a residence district boundary.
4. A sign shall be placed within the boundaries of a lot and no closer than five (5) foot to any lot line.
5. Any freestanding sign less than twenty (20) feet from the pavement or within fifty (50) feet of a street intersection shall be reviewed by the Planning Board prior to being placed.
6. Signs shall not be erected or affixed to a utility pole, traffic or regulating sign, tree, shrub, rock or other natural object.

*C. Lighting of Signs:*

1. Signs may be lighted by:
  - a. External continuous incandescent or fluorescent white light downward shielded no more than twenty (20) foot candles at surface, or,
  - b. Internal continuous incandescent or fluorescent white light having no more than fifteen (15) foot candles at surface.
2. All lighting shall be oriented that the light is directed away from adjacent properties and traffic arteries.
3. Lighting for all signs is subject to review and revision by the planning board to prevent the light from causing a traffic safety hazard.

**Section 6. Traffic control signs permitted.**

All signs specified in the “Manual on Uniform Traffic Control Devices for Streets and Highways” by the U.S. Department of Transportation, Federal Highway Administration, as amended are permitted in all zoning districts.

**Section 7. Temporary Signs (on private property)**

Temporary signs on private property shall be allowed only upon the issuance of a temporary sign permit, which shall be subject to the following requirements:

1. Term. A temporary sign permit shall allow the use of a temporary sign for a specified fifteen (15) day period for special events.
2. Number. Only two temporary sign permits shall be issued to the same business license holder on the same zone lot in any calendar year for special events, such as a grand opening, retail sale, advertisement of new product, etc. This restriction shall not apply to property sale, lease, or rent signs for the premises.
3. Temporary Commercial and Industrial real estate signs shall be permitted for industrial and commercial properties. One common sign with a maximum sign area of 32 square feet shall be permitted for posting at local Town or State roads, per road on which the property has frontage. One common sign with a maximum sign area of 90 square feet shall be permitted for posting at Interstate 95. A real

- estate sign shall be maintained in good condition on any property being sold or rented but shall be removed by the owner, or agent, within 30 days of the sale, rental or lease agreement. Temporary real estate sign permits shall be renewed every 60 days.
4. Construction signs shall be permitted for residential and commercial developments after the project has received Preliminary Plan approval from the Planning Board. One temporary sign per project, displaying the name of the contractor and/or subcontractors employed on a work site, and/or the consultants and/or financial institutions participating in the project shall be allowed to be placed on the premises during the interim of construction, not to exceed 2 years, and shall be either freestanding or attached to the structure and shall not exceed 12 square feet in a residential zone, or 32 square feet in all other zones. Such signs shall be removed within 30 days following the completion or abandonment of construction. Temporary Construction sign permits shall be renewed every 4 months.
  5. Illumination. Temporary signs shall not be illuminated.
  6. Height and location. Temporary signs shall be placed in accordance with the height and location regulations pertaining to the Zoning District in which the sign is located, in accordance with Section 4 and Section 5 of this Article.
  7. Permit fees. The fee shall be \$30 per temporary sign permit or renewal.

### **Section 8. Exemptions**

The following signs are exempt from the provisions of this Article, and may be installed without a permit.

1. Flags of all nations, states, counties, towns and cities flown in compliance with the U.S. Flag Code, and flags and bunting exhibited to commemorate national patriotic holidays.
2. Temporary real estate sign advertising sale, lease, or rent for individual residential property on which the sign is located. Residential real estate signs shall not exceed six square feet in area. Only one residential real estate sign per lot shall be permitted. The sign shall be removed within 7 days of the sale, rental, or lease agreement. Open House real estate signs not exceeding two square feet and erected only one day out of every seven days, may be permitted off-premises.
3. Temporary notices of yard sales. A maximum of four signs per sale, not to exceed a total of two square feet per sign, may be erected off-premises. All signs must be removed within 48 hours of the sale.
4. Signs prohibiting trespass, hunting and the like, signs warning of danger, and necessary public utility signs, not to exceed a total area of two square feet.
5. Temporary window signs, such as advertising a sale. Normal displays of merchandise in windows shall not be considered to be signs.
6. Traffic and other governmental signs, erected by any public safety agency in the discharge of any governmental function.

7. Signs designating historical places, recreation areas, or other points of interest, erected by governmental authority or the like, not to exceed a total area of 12 square feet.
8. Informational and Directional signs containing no advertising, to direct traffic flow, indicating entrance, exit, parking, or points of interest or other essential information to guide vehicular or pedestrian traffic flow. Such signs shall be erected on the premise, not to exceed a total area of 1.5 square feet per sign. Such signs shall incorporate conventional instructions and symbols, but shall be integrated by style and materials with other signage and landscape elements in the development. Informational and Directional signage shall be approved by the Planning Board as part of the overall development plan review.
9. Temporary signs for events for church, school or other public or non-profit use may have one sign, not to exceed a total area of 24 square feet for a maximum 15 day period per event.
10. Temporary political signs advising voters of a candidate or a position in a forthcoming election. Each lot shall be allowed without permit one sign per candidate or issue, and each sign shall not exceed eight square feet. All political signs must be removed within seven days of the political election or event.

Subdivision identification sign as part of the approval by the Planning Board of a major subdivision of 6 or more lots. One freestanding permanent sign may be installed at one exclusive entrance to a development. Each sign shall have a maximum sign area of 16 square feet. These signs shall not be located within the public right-of-way or on town owned or controlled land.

#### **LOUTTITT LIBRARY – LAND SITUATION WITH HIANLOLAND FIRE COMPANY**

Town Administrator Breene reported that he had met with Paul Sweet, Peter Sweet and Ray Kelley concerning resolving this matter.

#### **FIRST READING – AMENDMENT TO ORDINANCE NO. 22 - STABILIZING THE TAXES OF THE ELDERLY**

Tax Assessor Charlene Randall reported on the proposed changes. Butler moved to accept first reading of the following amendment to Ordinance No. 22 with second reading to be held on October 10, 2007. Woloohojian seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

ORDINANCE NO. 2007-

AN ORDINANCE REGARDING  
an AMENDMENT of  
THE ORDINANCES OF THE TOWN OF WEST GREENWICH

WHEREAS, the Town of West Greenwich, desires to alleviate certain immediate tax obligations for qualified residents;

IT IS HEREBY ORDAINED by the Town Council of the Town of West Greenwich, Rhode Island, that Chapter 22 of the Town Code be amended to read as follows:

**CHAPTER 22            ORDINANCE STABILIZING TAXES OF THE ELDERLY**

\* \* \*

**Sec. 4.            DEFINITIONS AND CONDITIONS:**

The stabilization of tax assessment shall be subject to the following definitions and conditions:

- (a) When the qualified resident resides in a single-family or two-family dwelling, the stabilized tax assessment shall apply [only] to the owner-occupied, single-family dwelling or two-family dwelling and to the homesite lot on which the dwelling is situated, along with any out-buildings on the homesite used with the dwelling which are not additional dwellings. When the qualified resident resides in a two-family dwelling or an Elderly and/or Handicapped Family Apartment, the stabilized tax assessment shall apply only to the value of the owner-occupied dwelling or apartment and not to the value of the dwelling to which it is attached or the homesite lot on which it is located . . .

\* \* \*

**Sec. 5.            QUALIFICATION PROCEDURE:**

\* \* \*

- (g) All new applicants shall submit to an inspection of the stabilized property by the tax assessor's office before final approval.
- (h) The tax assessor's final approval.
- (i) Additionally . . .
- (j) Proof of age . . .

\* \* \*

This ordinance shall take effect upon its passage.

**REVIEW OF RESIDENTIAL COMPOUND ORDINANCE**

Discussion was held on the Residential Compound section of the Zoning Ordinance regarding residential compounds off of a private right of way.

Andrews moved to send this matter back to the Planning Board for an advisory opinion. Woloohojian seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

### **CLAIM AGAINST TOWN – LISA DALLAS**

A claim against the Town was filed by Lisa Dallas, 125 Fry Pond Road regarding damage to her vehicle in the amount of \$320.84 allegedly caused by a Town tractor throwing up a stone which hit her windshield.

Town Administrator Breene noted that this matter was being handled through another venue **as it** was not caused by a Town vehicle.

### **REQUEST OF POLICE DEPT. TO PURCHASE VEHICLE**

Chief of Police Ronald Lepre reported that another police vehicle could be purchased using the detail monies. Bids had just been sought for a vehicle that had just been delivered.

Andrews moved to amend the previous bid to buy a second vehicle. Butler seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

### **SET DATE FOR WORKSHOP WITH PLANNING BOARD**

A workshop was scheduled for October 17, 2007 at 7:00 p.m.

### **PUBLIC FORUM**

Tom Mulcahey questioned the effect of the Amgen layoffs.

Residents from John Potter road reported that they had a well problem.

### **EXECUTIVE SESSION – PURSUANT TO RIGL 42-46-5,A, 1, 2 - PERSONNEL & LITIGATION & COLLECTIVE BARGAINING**

Buter moved to go into Executive Session for matters of Personnel and Litigation & Collective Bargaining pursuant to RIGL 42-46—5,a, 1 & 2 at 9:37 p.m. Andrews seconded. VOTED: Waltonen – aye, Tourgee – aye, Butler – aye, Andrews– aye, Woloohojian – aye.

Butler moved to come out of Executive Session and seal the minutes at 10:06 p.m. Tourgee seconded. VOTED: Waltonen – aye, Tourgee – aye, Andrews– aye, Woloohojian – aye.

Butler moved to adjourn at 10:06 p.m. Woloohojian seconded. VOTED: Waltonen – aye, Tourgee – aye, Andrews– aye, Woloohojian – aye.

Janet E. Olsson, CMC  
Town Clerk