

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

State of Rhode Island

County of Washington

In Hopkinton on the fifteenth day of August, 2019 A.D., the said meeting was called to order by Zoning Board of Review Chairman Jonathan Ure at 7:06 P.M. in the Town Hall Meeting Room with a moment of silent meditation and a salute to the Flag.

PRESENT: Jonathan Ure, Joe York, Michael Geary, Daniel Harrington, Ronnie Sposato, Alternate Daniel Baruti

Alternate Zoning Board Clerk: Tiana Zartman

Deputy Zoning Official: Sherry Desjardins

Absent: Veronica Assalone, Solicitor, Esq. of Assalone & Associates, LLC, Zoning Board Clerk Elizabeth Monty

Sitting as Board for Petition I: Ure, York, Geary, Harrington, Sposato

Deputy Zoning Official Sherry Desjardins recused herself from this Petition

Petition I – Determine Completeness of application/consider waivers

A Petition for a Special Use Permit filed by Norbert M Ansay Jr on behalf of himself, with mailing address of 63 Cedarwood Lane, Hope Valley RI 02832 and located at 999 Main St, Hope Valley, RI 02832, identified as AP 27, Lot 102, a NB Zone and filed in accordance with Sections 8C and 10 of Chapter 134 of the Zoning Ordinances of the Town of Hopkinton, as amended.

Attorney George Comolli is present and representing the applicant.

All fees have been paid.

All notices have been posted.

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

Chairman Ure states that his parents own the property that abuts the applicants' property. He asks if the applicant or if anyone on the board has any objections to him sitting for the Petition. There were no objections. Chairman Ure invites Attorney Comolli to speak.

Attorney Comolli explains prior to this meeting, the applicant appeared before the Town Council to try to do a rezone, but were not successful. He states the building already exists, the land is existing and the septic is existing.

Chairman Ure explains that Member York will read through the checklist to be sure they have all documentation required for the Application so that this matter can continue to a Hearing.

CHECKLIST ITEM A:

- Three (3) copies of a site prepared by, and signed and stamped by, a professional engineer or professional land surveyor at a scale of no less than one (1) inch – forty (40) feet clearly showing:

- o Name and Address of property owner(s).

There was discussion amongst the board regarding the site plan that was provided. Chairman Ure asked the applicant, Mr. Ansay, if there was a new site plan prepared for the application. Mr. Ansay replied that there was not. Member Sposato asked if the applicant had a full set of the site plan that was provided. Mr. Ansay was not sure. Member Harrington suggested adding the name and the address of the property owner in the bottom corner.

- o Date, north arrow, graphic scale, lot dimensions and area.

Member Harrington stated that the lot dimensions, north arrow, and the graphic scale are included, but the date is missing and should be added with the other information that's missing.

- o Plat & Lot, zoning district(s) and setbacks

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

Member Harrington stated these were missing from the site plan.

- Existing and proposed structures, and their relationship and distances from lot boundary lines. Yes
- Existing and proposed parking areas and walkways. Yes
- Existing and proposed landscaping, as it relates to the request. Yes
- Existing streets, 911 address, wells, septic system.

Member Harrington explained that the location is on town water and the site plan has the street name. The 911 address is the only missing piece of information that should be included.

- List of names and addresses of all property owners within 200 feet of subject property. Yes

Chairman Ure stated that Checklist Item A would be subject to submittal of the name and address of property owners, the date, plat and lot, zoning districts, setbacks, and the 911 address.

A MOTION WAS MADE BY RONNIE SPOSATO AND SECONDED BY DANIEL HARRINGTON TO APPROVE CHECKLIST ITEM A AS COMPLETE DEPENDENT UPON SUBMITTAL OF THE MISSING INFORMATION: THE NAME AND ADDRESS OF PROPERTY OWNERS, THE DATE, PLAT AND LOT, ZONING DISTRICTS, SETBACKS, AND THE 911 ADDRESS. ALL WERE IN FAVOR.

SO VOTED

CHECKLIST ITEM B:

Three (3) copies of a separate map indicating all property owners within 200 feet of the subject property and/or all those property owners and entities which require

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

notice under Section 45-24-53 R.I.G.L., also depicting any zoning district boundary and uses of all neighboring properties.

Attorney Comolli stated he shows the map, but doesn't see the radius included and he will supplement that.

A MOTION WAS MADE BY MICHAEL GEARY AND SECONDED BY JOSEPH YORK THAT CHECKLIST ITEM B WAS COMPLETE CONDITIONAL TO SUBMITTAL OF A NEW MAP INCLUDING THE 200 FOOT RADIUS. ALL WERE IN FAVOR.

SO VOTED

CHECKLIST ITEM C:

A soil erosion and stormwater control plan with supporting calculations based standards approved by the USDA Soil Conservation Service and in conformity with the R.I. Erosion and sediment Control Handbook.

A MOTION WAS MADE BY DANIEL HARRINGTON AND SECONDED BY RONNIE SPOSATO TO GRANT THE WAIVER REQUESTED FOR CHECKLIST ITEM C AS THERE HAVE BEEN NO NEW APPROVALS. ALL WERE IN FAVOR.

SO VOTED

CHECKLIST ITEM D:

A letter from a biologist indicating that there are no freshwater wetlands on or in proximity to the site such that the application is regulated by the R.I. Freshwater Wetlands Act. In those instances where the application is regulated by the R.I.

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

Freshwater Wetlands Act, a physical alteration permit issued by the R.I. Department of Environmental Management, and where applicable, the U.S. Army Corp of Engineers, shall be required.

A MOTION WAS MADE BY DANIEL HARRINGTON AND SECONDED BY MICHAEL GEARY TO GRANT THE WAIVER REQUESTED FOR CHECKLIST ITEM D BASED ON THE FACT THAT THERE ARE NO IMPROVEMENTS BEING PROPOSED. ALL WERE IN FAVOR.

SO VOTED

CHECKLIST ITEM E:

Location of existing septic system. Where construction requires approval of R.I. DEM – Division of Land Resources for an ISDS (individual sewage disposal system) or change of use permit for the proposed activity, attach a copy to the application.

A MOTION WAS MADE BY DANIEL HARRINGTON AND SECONDED BY JOE YORK TO APPROVE CHECKLIST ITEM E AS COMPLETE BECAUSE THE CERTIFICATE OF CONFORMANCE IS COMPLETE. ALL WERE IN FAVOR.

SO VOTED

CHECKLIST ITEM F:

Traffic Study addressing the potential impacts of the proposed activity.

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

Member Harrington stated the proposed use is not more intensive than a liquor store or a pharmacy, which were previously in the building.

Chairman Ure agreed that the proposed use is less intensive than the previous uses.

A MOTION WAS MADE BY DANIEL HARRINGTON AND SECONDED BY RONNIE SPOSATO TO GRANT THE WAIVER REQUESTED FOR CHECKLIST ITEM F. ALL WERE IN FAVOR.

SO VOTED

CHECKLIST ITEM G:

On a separate site plan, indicate existing and proposed topography at two (2) foot intervals.

A MOTION WAS MADE BY DANIEL HARRINGTON AND SECONDED BY RONNIE SPOSATO TO GRANT THE WAIVER REQUESTED FOR CHECKLIST ITEM G. ALL WERE IN FAVOR.

SO VOTED

CHECKLIST ITEM H:

Provide evidence that the proposed water supply has sufficient supply to support the proposed activity and is of drinking water quality.

Member York stated the property is tied into the town water.

A MOTION WAS MADE BY DANIEL HARRINGTON AND SECONDED BY JOE YORK TO GRANT THE WAIVER REQUESTED FOR CHECKLIST ITEM

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

H CONSIDERING THE PROPERTY IS CONNECTED TO THE TOWN WATER SUPPLY. ALL WERE IN FAVOR.

SO VOTED

Chairman Ure states the board cannot approve the application as complete since Checklist Item A is missing. He explains that when the missing information is submitted, the application will be considered complete.

Chairman Ure stated that Petitions II & III will be heard together.

Sitting as Board for Petitions II & III: Ure, York, Geary, Harrington, Sposato

Alternate Daniel Baruti recused himself from the matter.

Petition II – Hearing & Decision

A Petition for a Special Use Permit filed by Industrial Sales & Distribution, Inc. on behalf of themselves, with a mailing address of PO Box 394, Westerly, RI 02891 and located at 337 Main St, Ashaway, RI 02804, identified as AP 4, Lot 13A, a Commercial Zone and filed in accordance with Sections 8C and 10 of Chapter 134 of the Zoning Ordinances of the Town of Hopkinton, as amended.

Petition III – Hearing & Decision

A Petition for an Aquifer Protection Permit filed by Industrial Sales & Distribution, Inc. on behalf of themselves with mailing address of PO Box 394, Westerly, RI 02891, and located at 337 Main Street, Ashaway, RI 02804, identified as AP 4, Lot 13A, a Commercial Zone and filed in accordance with Appendix A – Zoning District Use Table, Use Category #465, Overlay Secondary – “A = Aquifer Protection Permit”.

Filing fees have been paid and notice posted. Abutters’ Certified Mail receipts on file.

Petitioner Gilbert Brennan, Jr. is present, along with representation from Attorney George Comolli.

All fees have been paid.

All notices have been posted.

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

ATTY. COMOLLI: Chairman, if I may. Attorney George Comolli, retired with offices at 15 Franklin Street.

MEMBER YORK: You just like saying retired.

ATTY. COMOLLI: I'm representing Industrial Sales & Distribution, Inc., Kathryn and Gil Brennan, both of whom will be testifying tonight. I have asked that you combine both the special use permit application and the aquifer protection permit so the testimony will only be heard once, if I may. We are proudly before you to allow relocation of Industrial Sales & Distribution, Inc. from Quonset down to Hopkinton. It's on property located at 337 Main Street, Ashaway, RI. S.M. Trombino built a beautiful building with a steel frame with a cement foundation, slab, no drains, and no outlets. The property is Plat 4 Lot 13A. It's zoned commercial, and therefore requires both a special use permit and, most importantly, we are on one of the primary aquifers. So we have to prove to this board that we meet the criteria of the special use permit, and we must show you that at no time will there be any influence or any impact to the aquifer. To assist me with the presentation, I will be calling both Kathryn and Gil Brennan. If I may, with the board's permission, call my first witness.

Kathryn Brennan is sworn in.

ATTY. COMOLLI: Kathryn, your full name for the record.

MRS. BRENNAN: Kathryn Lynn Brennan.

ATTY. COMOLLI: What is your position with Industrial Sales & Distribution?

MRS. BRENNAN: President.

ATTY. COMOLLI: What does Industrial Sales & Distribution do?

MRS. BRENNAN: They are a distribution company for silicones and adhesives.

We sell to manufacturers throughout New England and the globe.

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

ATTY. COMOLLI: Explain to me those products so the board has complete understanding.

MRS. BRENNAN: The silicones we sell are Wacker, chemical orb silicones. They are used in multiple industries, such as pad printing. We have a large customer that creates the silicone sleeves for prosthetics. They use the silicone for that. It's just an unending amount of different industries we use for them – for the silicone products. We also sell adhesives. We sell liquid adhesives and hot melts. So they're for printing companies, and frozen food companies, anyone who's at end of line manufacturing. That means box closing.

ATTY. COMOLLI: Where is the company currently located?

MRS. BRENNAN: Quonset.

ATTY. COMOLLI: What's the address?

MRS. BRENNAN: 355 Compass Circle in – it's really Davisville, just outside of Quonset.

ATTY. COMOLLI: And you are interested in relocating to S.M. Trombino's 337 Main Street?

MRS. BRENNAN: Very much.

ATTY. COMOLLI: Why are you interested in relocating there?

MRS. BRENNAN: Several reasons. The facility is brand new and has a much higher ceiling than where we are now. So we will be able to increase our storage capacity which will allow our business to grow. And we also enjoy the fact that we will be about 45 minutes closer to home for the commute. So that's a bonus.

ATTY. COMOLLI: How many employees do you have?

MRS. BRENNAN: Four.

ATTY. COMOLLI: And how long have you been in this industry?

MRS. BRENNAN: About seventeen years.

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

ATTY. COMOLLI: And the same similar product?

MRS. BRENNAN: Yes.

ATTY. COMOLLI: Explain to the board how the product is delivered and how you distribute.

MRS. BRENNAN: So we place the orders through the different manufacturers. We have several different vendors that we purchase from. And, place the orders, then they – small orders, of course, come FedEx or UPS. Larger orders will be all boxed on a pallet, therefore, we get a motor freight truck to come in and deliver. Sometimes we ship them right back out on another motor freight truck - unopened. So the pallets with the materials are coming in and going right out.

ATTY. COMOLLI: What is the size of the materials you receive or ship out.

MRS. BRENNAN: So we have several different sizes. They range anywhere from an aerosol can to a 90 mL tube of a silicone product and then one gallon, five gallon. We even have a couple of 55 gallon drums, but they're only ordered once to three times a year. And they're ordered for one customer and shipped right back out.

ATTY. COMOLLI: Now you being familiar with the location, if I was standing in front of that building looking at it, what is immediately to the south? Which would be to the left of the building.

MRS. BRENNAN: It's AZ Corp.

ATTY. COMOLLI: Okay. And to the rear of the building? What would be behind there?

MRS. BRENNAN: There's the Hopkinton Industrial Park and a solar field.

ATTY. COMOLLI: Now looking to the right, what would be to the right?

MRS. BRENNAN: It's a residential property.

ATTY. COMOLLI: Okay. And across the street, what is there?

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

MRS. BRENNAN: Vacant land.

ATTY. COMOLLI: Okay. Now taking the site and the condition into consideration, everything is in existence? You're not proposing any additional lighting? Just a modification to the existing signs, is that a true statement?

MRS. BRENNAN: Correct.

ATTY. COMOLLI: Do you believe you will have any adverse impact on the surrounding properties?

MRS. BRENNAN: No.

ATTY. COMOLLI: Using the existing building?

MRS. BRENNAN: Right.

ATTY. COMOLLI: Now, you've put together a Best Management Plan. With the board's permission, you have copies that have been submitted to the Ashaway Fire Department. I'd like to share these with you all.

*A copy of the Best Management Plan was submitted and recorded as Exhibit A*

ATTY. COMOLLI: In your seventeen years in this particular industry, have you ever had a spill?

MRS. BRENNAN: No.

ATTY. COMOLLI: And you've taken all the consideration as to whether a container would be dropped or spilled, by having this Best Management Policy and Protocol in place?

MRS. BRENNAN: Correct.

ATTY. COMOLLI: Now there is a small amount of what could be a pollutant. Now do you keep that in a separate closet?

MRS. BRENNAN: Yes, we have a flammable cabinet.

ATTY. COMOLLI: And that – that small amount and quantity will go into that cabinet?

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

MRS. BRENNAN: Correct.

ATTY. COMOLLI: In addition to that, you have a protocol if in any instance that would in any way escape that?

MRS. BRENNAN: Yes.

ATTY. COMOLLI: Are there any floor drains in this particular building?

MRS. BRENNAN: No.

ATTY. COMOLLI: Are there any where that anything could escape from the building if there were a spill or a fire?

MRS. BRENNAN: They could escape the building, but we have dikes or rough asphalt to block the runoff.

ATTY. COMOLLI: Okay. Do you believe all the best practices and procedures that you put into this particular application is your compliance with prudence with regard to the aquifer?

MRS. BRENNAN: I do.

ATTY. COMOLLI: Do you believe that there will be no adverse impact on the surrounding properties values?

MRS. BRENNAN: Correct.

ATTY. COMOLLI: Do you believe it will be environmentally compatible with anything that may in any way affect the aquifer?

MRS. BRENNAN: No.

ATTY. COMOLLI: And is your only intent to bring in a new business to Hopkinton? Is that a true statement?

MRS. BRENNAN: Yes.

ATTY. COMOLLI: You've intended to expand?

MRS. BRENNAN: Yes. We hope to.

ATTY. COMOLLI: I have no further questions. We welcome any from the board.

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

MEMBER GEARY: I'm looking on here, I see you have training on your employees. Is that usually every quarter? Six months? Once a year?

MRS. BRENNAN: Annual.

MEMBER GEARY: Annual? Okay. So all the MSDS is up to speed.

MRS. BRENNAN: Yes.

MEMBER GEARY: Everybody knows how to get there? Alright. Excellent. Thank you. Thank you for choosing to relocate.

CHAIRMAN URE: So Attorney Comolli mentioned signs. Are you going to be putting up any new signage outside?

MRS. BRENNAN: Yes, on the building, Stano has created blocks of advertising space for our logo. Watch Hill Moving & Storage already has theirs up there. They've got four units. We'll have the unit next to them. We're using the same person that he hired for the Watch Hill Moving & Storage, so the size and appropriateness will be similar.

CHAIRMAN URE: Make sure it follows our zoning –

MEMBER SPOSATO: It does. Stano's in control of it.

CHAIRMAN URE: Okay.

MEMBER SPOSATO: Right?

MRS. BRENNAN: Yes.

CHAIRMAN URE: It should.

MEMBER SPOSATO: Because that's something that's already been approved.

CHAIRMAN URE: It's gotta be on the record.

MRS. BRENNAN: You'll see this.

CHAIRMAN URE: In lights?

MRS. BRENNAN: Yes. Bright lights.

MEMBER HARRINGTON: You said very little new lighting, George? If any?

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

ATTORNEY COMOLLI: None.

MEMBER HARRINGTON: None? In terms of noise? Pretty quiet operation?

MRS. BRENNAN: Yes. We have no walk-ins. We don't sell retail, so it's just UPS and FedEx twice a day. And a truck every once in awhile for shipping and delivering a pallet.

MEMBER SPOSATO: Are you going to have a forklift?

MRS. BRENNAN: Yes.

MEMBER SPOSATO: Propane?

MRS. BRENNAN: Electric.

MEMBER SPOSATO: Electric. Okay.

CHAIRMAN URE: I'm going to go through a list of questions as part of our aquifer protection permit application. Some of these I think you've already answered, so it may be redundant. But I'll try to omit them as I notice them. So with the chemicals that you use and that will be involved on site, will they create or discharge any fumes that might be detrimental to your neighbors or the environment?

MRS. BRENNAN: We actually don't use the products. They come in in sealed containers straight from the manufacturer. We don't open the contents of the boxes or the drums and ship them right back out that way. The only ones that would be the exception to that is non-hazardous materials that we might kill off from a drum to a five gallon pail because the customer cannot function or handle a drum. So they ask for a pail.

MEMBER SPOSATO: So the short answer to that was no.

CHAIRMAN URE: Right, thank you.

MRS. BRENNAN: That's what I'm supposed to do, right?

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

CHAIRMAN URE: There - this is more of a property owner question. There's no underground storage tanks proposed that you're –

MRS. BRENNAN: There's no what?

CHAIRMAN URE: Underground storage?

ATTORNEY COMOLLI: No there's not. It's a brand new structure.

CHAIRMAN URE: It's a brand new structure. You'll use the existing structure. So will the proposed use discharge any liquid waste or water particles on site?

MRS. BRENNAN: No.

CHAIRMAN URE: You are using a few hazardous materials that were listed in the BMP.

MRS. BRENNAN: Correct.

CHAIRMAN URE: Okay. You do have storage petroleum products, again, it's listed in the BMP.

MRS. BRENNAN: Correct.

CHAIRMAN URE: Does the BMP list all chemicals, pesticides, petroleum products and other hazardous materials and detail how any potential risk of hazardous materials will be stored and mitigated in the event of a spill as required by the BMP submittal under the aquifer protection permit regulations?

MRS. BRENNAN: Yes.

CHAIRMAN URE: And then Attorney Comolli expressed that the proposed building is on a slab. There's no floor drains there?

ATTORNEY COMOLLI: None.

CHAIRMAN URE: Will the proposed use require any parking of any vehicles used for storage of fuel, oil, or gasoline or other liquid petroleum products or hazardous material more than a two hour period?

MRS. BRENNAN: No.

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

CHAIRMAN URE: No delivery trucks are going to hang out overnight or anything like that?

MRS. BRENNAN: No.

CHAIRMAN URE: Does your use require a dumpster?

MRS. BRENNAN: Yes. We don't have one. We haven't had one in a few years. So no.

CHAIRMAN URE: Does that landlord supply a dumpster?

ATTORNEY COMOLLI: I believe there is a dumpster there. Their business has little to no refuse. Product comes in, goes out.

CHAIRMAN URE: If you do happen to use a dumpster, make sure there's a drain plug.

MRS. BRENNAN: A what?

CHAIRMAN URE: Drain plug. A lot of them have a little drain hole in them. In the aquifer protection area, the town asks that there be a drain plug so whatever gets put in it stays in it. And will the proposed use abide by the laws set forth in the aquifer protection regulations?

MRS. BRENNAN: Yes.

CHAIRMAN URE: Do you guys have any other questions? The property is located in a commercial zone. Right? It's surrounded by other commercial properties. Great location. It's got a new updated fire system. Right? Everything's brand new.

MEMBER SPOSATO: It's got a nice fire system.

CHAIRMAN URE: Yes. The fire chief says you're up to snuff.

MEMBER GEARY: They have an electric forklift. No propane, no gas inside the building.

MEMBER YORK: No fumes in the building.

MEMBER GEARY: Excellent.

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

CHAIRMAN URE: Is the floor sealed? Do you know?

MRS. BRENNAN: I don't think so.

MEMBER SPOSATO: No.

CHAIRMAN URE: Nothing's required on that. They have spill prevention. Do you guys have any -

MEMBER SPOSATO: Well, they're not really handling any – you know, it's coming in, stay on the pallet, going back out.

CHAIRMAN URE: Well, I know in the past, when someone, some reason, is worried about the floor being sealed. Just, if anything did spill, we don't want it penetrating the slab and winding up in the water.

MEMBER SPOSATO: If you remember, though, when Dobson came in, they had the expert talk about the concrete and what could get through it and all that, the sealant was (*inaudible*).

ATTORNEY COMOLLI: I may address that, as well. The only pollutant is in the flammable cabinet which has a spill containment already. All the other stuff is non-pollutant.

CHAIRMAN URE: Excellent answer.

MEMBER SPOSATO: Too bad he's retired.

CHAIRMAN URE: He'd make a great attorney. Any other questions, guys?

Member York asks the Board to discuss the Findings of Fact for the Aquifer Protection Permit and the Special Use Permit.

As discussed, the Findings of Fact would be:

The property is located in a Commercial Zone.

The proposed use is a commercial use.

A detailed BMP (Best Management Practice) was submitted.

The small quantity of hazardous materials that will be stored on site will be stored in a lock box that has its own spill prevention.

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

The proposed use does not include on site retail. Everything is wholesale distribution. The products are in and out.

There won't be any additional traffic.

No new lighting is being proposed.

The proposed use has very little noise associated with the business.

No dumpster is required for hazardous material.

The business owns an electric forklift, which limits the danger for an explosion or fire or flames.

The chemicals are only stored on site, they are not being used.

The fire system is brand new.

There are no floor drains in the building.

There is a curb around the parking lot to prevent spills from going into the aquifer.

The signage proposed meets the current Zoning sign ordinance.

No fumes will be emitted.

A MOTION WAS MADE BY JOE YORK THAT THE PROPOSED USE WILL NOT RESULT IN CONCENTRATIONS OF POLLUTANTS IN THE GROUNDWATER THAT WILL ADVERSELY AFFECT THE GROUNDWATER AS A SOURCE OF POTABLE WATER OR ITS CLASSIFICATION AS GAA (SUITABLE FOR PUBLIC OR PRIVATE DRINKING WATER USE WITHOUT TREATMENT) OR GA (MAY BE SUITABLE FOR PUBLIC OR PRIVATE DRINKING WATER USE WITHOUT TREATMENT) AS PROMULGATED IN THE RIDEM "RULES AND REGULATIONS FOR GROUNDWATER QUALITY" IN ACCORDANCE WITH CHAPTER 46-13.1 OF THE GENERAL LAWS OF RHODE ISLAND, 1956, AS AMENDED. THEREFORE, BASED ON THE PREVIOUS FINDINGS OF FACT, THE ZONING BOARD APPROVES THE APPLICATION FOR THE AQUIFER PROTECTION PERMIT FOR INDUSTRIAL SALES & DISTRIBUTION, INC. DANIEL HARRINGTON SECONDED THE MOTION. ALL WERE IN FAVOR.

SO VOTED

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

A MOTION WAS MADE BY JOE YORK AND SECONDED BY DANIEL HARRINGTON THAT THE FINDINGS OF FACT FOR THE AQUIFER PROTECTION PERMIT BE USED FOR THE SPECIAL USE PERMIT. ALL WERE IN FAVOR.

SO VOTED

A MOTION WAS MADE BY JOE YORK AND SECONDED BY RONNIE SPOSATO THAT, BASED ON THE FINDINGS OF FACT, THE PROPOSED USE WILL BE COMPATIBLE WITH THE NEIGHBORING USES AND WILL NOT ADVERSELY AFFECT THE SURROUNDING NEIGHBORS' USE AND ENJOYMENT OF THEIR PROPERTY. ALL WERE IN FAVOR.

SO VOTED

A MOTION WAS MADE BY JOE YORK AND SECONDED BY DANIEL HARRINGTON THAT, BASED ON THE FINDINGS OF FACT, THE PROPOSED USE WILL BE ENVIRONMENTALLY COMPATIBLE WITH NEIGHBORING PROPERTIES AND THE PROTECTION OF PROPERTY VALUES. ALL WERE IN FAVOR.

SO VOTED

A MOTION WAS MADE BY JOE YORK AND SECONDED BY DANIEL HARRINGTON THAT, BASED ON THE FINDINGS OF FACT, THE PROPOSED USE WILL BE COMPATIBLE WITH THE ORDERLY GROWTH AND DEVELOPMENT OF THE TOWN AND WILL NOT BE ENVIRONMENTALLY DETRIMENTAL THEREWITH. ALL WERE IN FAVOR.

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

SO VOTED

A MOTION WAS MADE BY JOE YORK AND SECONDED BY MICHAEL GEARY THAT, BASED ON THE FINDINGS OF FACT, THE PROPOSED SPECIAL USE SERVES THE PURPOSE OF THIS ORDINANCE AND THE COMPREHENSIVE PLAN. ALL WERE IN FAVOR.

SO VOTED

A MOTION WAS MADE BY JOE YORK AND SECONDED BY RONNIE SPOSATO THAT, BASED ON THE FINDINGS OF FACT, THE PROPOSED USE WILL BE COMPATIBLE WITH THE BEST PRACTICES AND PROCEDURES AND MINIMIZE THE POSSIBILITY OF ANY ADVERSE EFFECTS TO NEIGHBORING PROPERTY, THE TOWN, THE ENVIRONMENT, ALL OF WHICH INCLUDES CONSIDERATION OF SOIL EROSION, WATER SUPPLY PROTECTION, SEPTIC DISPOSAL, WETLAND PROTECTION, TRAFFIC LIMITATION, SAFETY AND CIRCULATION AND ALSO THAT THE APPLICANT HAS DEMONSTRATED TO THE SATISFACTION OF THE BOARD OF REVIEW BY LEGALLY COMPETENT EVIDENCE THAT THE PROPOSED USE MORE CLOSELY ADHERES TO THE INTENT AND PURPOSES OF THE ZONING ORDINANCE THAN THE PRESENT NON-CONFORMING USE.

The Board discussed and clarified why the non-conforming use was required. The use code could be considered 502, which is Drugs/Chemicals, but as an abundance of caution, the Board was using code 465 as a non-conforming use.

ZONING BOARD OF REVIEW MEETING MINUTES – August 15, 2019

ALL WERE IN FAVOR.

SO VOTED

A MOTION WAS MADE BY JOE YORK AND SECONDED BY DANIEL HARRINGTON THAT, BASED ON THE FINDINGS OF FACT, THE ZONING BOARD OF REVIEW APPROVES THE SPECIAL USE PERMIT FOR INDUSTRIAL SALES & DISTRIBUTION INC. ALL WERE IN FAVOR.

SO VOTED

A MOTION WAS MADE BY JOE YORK AND SECONDED BY MICHAEL GEARY TO APPROVE THE MINUTES FOR THE ZONING BOARD OF REVIEW MEETING ON JULY 18, 2019. ALL WERE IN FAVOR.

SO VOTED

Chairman Ure stated for the record that Solicitor Veronica Assalone had an emergency that tied her up so she was unable to attend the meeting.

A MOTION WAS MADE BY JOE YORK AND SECONDED BY RONNIE SPOSATO TO ADJOURN THE MEETING AT 7:47 P.M. ALL WERE IN FAVOR.

SO VOTED

Respectfully Submitted,

Tiana Zartman

Alternate Zoning Board Clerk

Next Meeting: September 19, 2019; 7:00 P.M.