

# AGENDA

TOWN OF SOUTH KINGSTOWN

RHODE ISLAND



TOWN COUNCIL

REGULAR SESSION

7:30 PM

TOWN COUNCIL CHAMBERS  
180 HIGH STREET  
WAKEFIELD, RI

TUESDAY, OCTOBER 15, 2013

**NOTE:** Individuals requesting interpreter services for the deaf or hard of hearing must call 792-9642 (TDD) or 789-9331 seventy-two (72) hours in advance of the meeting date.

DATE POSTED: 10/10/2013

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- 1. A. **WORK SESSION – 6:45 PM**  
All items listed on Town Council agenda are subject to discussion.

- B. **REGULAR SESSION – 7:30 PM**

- 2. **PLEDGE OF ALLEGIANCE TO THE FLAG**

- 3. **ROLL CALL**

- 4. **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

- A. **Work Session – September 23, 2013**

- B. **Regular Session – September 23, 2013**

- 5. **CONSENT AGENDA**

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- I. Rule 10A. for the conduct of the meetings of the South Kingstown Town Council for the Term 2012 through 2014: Members of the public shall be entitled to speak at regular meetings during any period designated on the agenda for public comment, once, for a period of five minutes, or longer at the discretion of the President, and at other times when invited to do so by the President. The public shall address their comments to the question under debate as indicated on the agenda. Pursuant to RI General Laws §42-46-6(b), public comment regarding subject matter not on the agenda but received during the public participation portion of a meeting shall be for information purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.

- II. Rule 11: No item of business other than that of adjournment may be brought before the Town Council at any meeting unless such an item is introduced before 11:00 PM; provided, however, that this rule may be suspended by an affirmative vote of a majority of members present.

- III. Rule 13: All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

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**6. LICENSES**

- A.** A resolution granting a Victualling License to OCEAN'S CATCH LLC, 566 Kingstown Road, Wakefield, RI 02879 subject to issuance of a Certificate of Occupancy, and approval by the RI Department of Health and Division of Taxation. Application by David A. Castelli Jr., Member, 44 Watson Avenue, Narragansett, RI 02882; New.
- (CA) B.** A resolution granting a Victualling License to I – SLICE LLC d/b/a INTERNATIONAL PIZZA, 99 Fortin Road, Unit 130, Kingston, RI 02881 subject to reinstatement of their charter by the RI Secretary of State's Office. Application by Bassam Boutros, 99 Fortin Road, Kingston, RI 02881; Renewal.
- (CA) C.** A resolution granting Victualling Licenses for the year beginning December 1, 2013 to the following; Renewals:
- CHINA GARDEN, 564 Kingstown Road, Wakefield, RI 02879. Application by Xie Xiu Hua, 20 Cleveland Street, Wakefield, RI 02879.
- CREIGHTON COMPANY d/b/a SWEET CAKES, 1227 Kingstown Road, Wakefield, RI 02879. Application by James B. Creighton, President, 351 North Road, Wakefield, RI 02879.
- JANCO CENTRAL, INC. d/b/a BURGER KING, 126 Old Tower Hill Road, Wakefield, RI 02879. Application by Kiki Erikson, 35 Sockanosset Crossroad, Cranston, RI 02920.
- L.P.M. HOLDING CO., INC. d/b/a EPICUREAN FEAST, 132 Fairgrounds Road, West Kingston, RI 02892. Application by Karen L. Imbeau, 24 Main Street, Maynard, MA 01754.
- S & C ICE CREAM d/b/a BRICKLEY'S ICE CREAM, 322 Main Street, Wakefield, RI 02879. Application by Stephen F. Brophy, 20 Jessica Lane, Wakefield, RI 02879.
- SA-TANG RESTAURANT, 402A Main Street, Wakefield, RI 02879. Application by Nina Conklin, 334 Narrow Lane, Charlestown, RI 02813.

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STATION HOUSE RESTAURANT, 3711 Kingstown Road, West Kingstown, RI 02892. Application by Michael H. LaBonte, Jr., 28 Betony Road, Saunderstown, RI 02874.

SUBWAY SANDWICHES, 11 Main Street, Wakefield, RI 02879. Application by Khalid Amri, 191 Westmoreland Lane, Saunderstown, RI 02874.

**(CA) D.** A resolution granting Victualling and Additional Hours Licenses from 2 AM to 6 AM for the year beginning December 1, 2013 to J.W.P. CO. d/b/a McDONALD'S RESTAURANT #1993, 140 Old Tower Hill Road, Wakefield, RI 02879. Application by John W. Pinckney, 103 Kings Ridge Road, Wakefield, RI 02879; Renewals.

**(CA) E.** A resolution granting Holiday Sales Licenses for the year beginning December 1, 2013 to the following; Renewals:

BELLE VUE YACHTING CENTER LLC, 392-D Gooseberry Road, Wakefield, RI 02879. Application by Don Vivencio, Manager, 60 Flint Stone Road, Narragansett, RI 02882.

BENNY'S INC., 688 Kingstown Road, Wakefield, RI 02879. Application by Malcolm C. Bromberg, President, 340 Waterman Avenue, Esmond, RI 02917.

CARDI'S FURNITURE BEDDING PLUS, 25 South County Commons Way, Unit B1, Wakefield, RI 02879. Application by Susan Halvarson, One Furniture Way, Swansea, MA 02777.

COX SOLUTIONS STORE, 35 South County Commons Way, Unit D1, Wakefield, RI 02879. Application by Irene Ficara, 170 Utopia Road, Manchester, CT 06042.

DEG LLC d/b/a WAKEFIELD BOOKS, 160 Old Tower Hill Road, Wakefield, RI 02879. Application by Geoffrey W. Levy, 11 Oakcliff Road, Wellesley, MA 02481.

DENALI HOLDINGS LLC, 160 Old Tower Hill Road, Wakefield, RI 02879. Application by Todd Raskin, 1 Shoreline Drive, Suite 7, Guilford, CT 06437.

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DRAKE PETROLEUM CO., INC. d/b/a SOUTH KINGSTOWN SUNOCO, 72 Old Tower Hill Road, Wakefield, RI 02879. Application by Leonard J. Antos, Assistant Treasurer, 221 Quinebaug Road, North Grosvenordale, CT 06255.

FEET FIRST, 153 Old Tower Hill Road, Wakefield, RI 02879. Application by Kenneth Richmond, President, Diversified Retailers Inc., 16 Edgewood Farm Road, Wakefield, RI 02879.

GRAPHIC EXPRESSIONS INC., 254 Robinson Street, Wakefield, RI 02879. Application by Janet F. Cahoone, 79 Columbia Street, Wakefield, RI 02879.

KENYON AVENUE FLORAL CO., INC., 243 Kenyon Avenue, Wakefield, RI 02879. Application by William J. Matson, IV, 247 Kenyon Avenue, Wakefield, RI 02879.

MANCO HOLDINGS d/b/a CARTRIDGE WORLD, 50 South County Commons Way, Unit B, Wakefield, RI 02879. Application by Michael Mancuso, 41 Harbour Terrace, East Greenwich, RI 02818.

MATTHEW'S HALLMARK #95, 160A Old Tower Hill Road, Wakefield, RI 02879. Application by Brook Vitt, Hallmark Retail Inc., P.O. Box 419580, Kansas City, MO 64141.

MAXI DRUG SOUTH, LP d/b/a RITE AID #10236, 604 Kingstown Road, Wakefield, RI 02879. Application by Michael Podgurski, Vice President, P.O. Box 3165, Harrisburg, PA 17105.

OLYMPIA SPORTS CENTER, 160 Old Tower Hill Road, Wakefield, RI 02879. Application by Kenneth S. Botting, OSC Sports, 5 Bradley Drive, Westbrook, ME 04092.

PAYLESS SHOESOURCE #5527, 160 Old Tower Hill Road, Wakefield, RI 02879. Application by Gina Clement, Tax Supervisor, 3231 SE 6<sup>th</sup> St., Topeka, KS 66607.

PETER POTS STONEWARE, 494 Glen Rock Road, West Kingston, RI 02892. Application by Oliver W. Greene III, 494A Glen Rock Road, West Kingston, RI 02892.

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PLEASANTRIES FLOWER SHOP, INC., 102 Main Street, Wakefield, RI 02879. Application by Meredith Masson, 90 Main Street, Wakefield, RI 02879.

POINT JUDITH MARINA, LLC, 360 Gooseberry Road, Wakefield, RI 02879. Application by Don Vivenzio, Manager, 60 Flint Stone Road, Narragansett, RI 02882.

PURPLE COW CO., 205 Main Street, Wakefield, RI 02879. Application by Johanna G. Witham, 946A Tuckertown Road, Wakefield, RI 02879.

RADIO SHACK CORPORATION, 20-F Main Street, Wakefield, RI 02879. Application by Gary Anderson, Sr. Tax Manager, 300 Radio Shack Circle, CF4-340, Fort Worth, TX 76102.

RAM POINT MARINA, INC., 2 William Schmid Drive, Wakefield, RI 02879. Application by Curtis W. Schmid, 356 South Road, Wakefield, RI 02879.

SILVER SPRING MARINE INC., 362 Pond Street, Wakefield, RI 02879. Application by Lynn Fiorenzano, 525 Gravelly Hill Road, Wakefield, RI 02879.

SPANGLES, 324 Main Street, Wakefield, RI 02879. Application by Lisa A. Brandon, 26 Thayer Avenue, Narragansett, RI 02882.

STAPLES THE OFFICE SUPERSTORE, 160 Old Tower Hill Road, Wakefield, RI 02879. Application by John Buchta, VP, Taxes and Licenses, 500 Staples Drive, Framingham, MA 01702.

STONE COVE MARINA, INC., 134 Salt Pond Road, Wakefield, RI 02879. Application by Stephen C. Wood, Jr., 10 Larkin Pond Road, West Kingston, RI 02892.

SUPERCUTS #90629, 160 Old Tower Hill Road, Wakefield, RI 02879. Application by Alison Pearce, Licensing Department, Supercuts Corp. Shops, 7201 Metro Boulevard, Minneapolis, MN 55439.

WAKEFIELD MUSIC CO., 58 Main Street, Wakefield, RI 02879. Application by Dennis Costa, 31 Spencer Court, Wakefield, RI 02879.

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WAKEFIELD PRESCRIPTION CENTER, 580 Kingstown Road, Wakefield, RI 02879. Application by Joel Rittner, President, 580 Kingstown Road, Wakefield, RI 02879.

ZERO WAMPUM, 161 Old Tower Hill Road, Wakefield, RI 02879. Application by Kenneth Richmond, President, Diversified Retailers Inc., 16 Edgewood Farm Road, Wakefield, RI 02879.

**(CA) F.** A resolution granting Victualling and Holiday Sales Licenses for the year beginning December 1, 2013 to the following; Renewals:

ALTERNATIVE FOOD COOPERATIVE, 357 Main Street, Wakefield, RI 02879. Application by Rosemary Galiani, General Manager, P.O. Box 5278, Wakefield, RI 02880.

BELMONT MARKETPLACE INC., 600 Kingstown Road, Wakefield, RI 02879. Application by Vincent J. Siravo Jr., 608 Wordens Pond Road, Wakefield, RI 02879.

BREWED AWAKENINGS COFFEE HOUSE, 60 South County Commons Way, Wakefield, RI 02879. Application by David J. Levesque, 9 Thayer Avenue, Narragansett, RI 02882.

COMMONS CONVENIENCE STORE, 49 South County Commons Way, Unit F2, Wakefield, RI 02879. Application by David Comorosky, 25 Salem Trail, Narragansett, RI 02882.

DRAKE PETROLEUM CO., INC. d/b/a WEST KINGSTON XTRA MART, 3405 Kingstown Road, West Kingston, RI 02892. Application by Leonard J. Antos, Assistant Treasurer, 221 Quinebaug Road, No. Grosvenordale, CT 06255.

GLOBAL MONTELLO GROUP CORP. d/b/a ALLTOWN SOUTH KINGSTOWN, 3079 Tower Hill Road, Wakefield, RI 02879. Application by Patrick Dillon, VP of Company Operations, 404 Wyman Street, Suite 425, Waltham, MA 02457.

HOWLEY BREAD GROUP LTD. d/b/a PANERA BREAD, 160 Old Tower Hill Road, Wakefield, RI 02879. Application by Lee C. Howley, 5430 Portage Drive, Vermilion, OH 44089.

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KINGSTOWN ROAD COFFEE LLC d/b/a BESS EATON, 621 Kingstown Road, Wakefield, RI 02879. Application by Mary E. Haverly, 45 Lambert Street, Narragansett, RI 02882.

L & R NORTHUP, INC., 1892 Kingstown Road, Wakefield, RI 02879. Application by Rachel E. Northup, 112 Omer Drive, Wakefield, RI 02879.

LICKETY SPLITS INC., 1922 Kingstown Road, Wakefield, RI 02879. Application by Colleen S. Bongiovanni, 24 Inkberry Drive, Wakefield, RI 02879.

RAVI FOOD MART, 79 Old Tower Hill Road, Wakefield, RI 02879. Application by Muhammad Jamil, 50 Galway Court, Wakefield, RI 02879.

SEAVIEW MARKETPLACE INC., 682 Matunuck Beach Road, Wakefield, RI 02879. Application by Daniel E. Saber, 159 Seabreeze Terrace, Wakefield, RI 02879.

SOUTH COUNTY DONUTS, INC. d/b/a DUNKIN DONUTS, 231 Old Tower Hill Road, Wakefield, RI 02879. Application by Robert Batista, 75 Tipping Rock Drive, East Greenwich, RI 02818.

SOUTH COUNTY DONUTS, INC. d/b/a DUNKIN DONUTS, 1892 Kingstown Road, Wakefield, RI 02879. Application by Robert Batista, 75 Tipping Rock Drive, East Greenwich, RI 02818.

STARBUCKS COFFEE #2798, 600 Kingstown Road, Wakefield, RI 02879. Application by Bethany Strivens, Licensing, P.O. Box 34442, Tax 2, Seattle, WA 98124.

STORE 4 LLC, 673 Kingstown Road, Wakefield, RI 02879. Application by Ellen Cesario, 141 Woodruff Avenue, Wakefield, RI 02879.

- (CA) G.** A resolution granting Victualling, Holiday Sales and Additional Hours Licenses to operate from 5 AM to 2 AM for the year beginning December 1, 2013 to TOWER HILL DONUTS d/b/a DUNKIN DONUTS, 3045 Tower Hill Road, Saunderstown, RI 02874; Renewals.

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- (CA) H.** A resolution granting Victualling, Holiday Sales and Miscellaneous Peddler Licenses for the year beginning December 1, 2013 to DEL'S MON LLC d/b/a DEL'S OF SOUTH COUNTY, 49 Old Tower Hill Road, Wakefield, RI 02879. Application by Michael J. Cummings, 83 Kingstown Road, Narragansett, RI 02882; Renewals.
- (CA) I.** A resolution granting Holiday Sales and Farm Retail Sales Licenses for the year beginning December 1, 2013 to the following; Renewals:
- FARMER'S DAUGHTER LLC, 716 Mooresfield Road, Wakefield, RI 02879. Application by Sarah Partyka, 952 Mooresfield Road, Wakefield, RI 02879.
- HIGHLAND FARM, 4145 Tower Hill Road, Wakefield, RI 02879. Application by Martha Bradley, 139 Orchard Avenue, Wakefield, RI 02879.
- (CA) J.** A resolution granting Holiday Sales and Laundry Licenses for the year beginning December 1, 2013 to KINGSTON CLEANERS d/b/a PIER CLEANERS, 50 High Street, Wakefield, RI 02879. Application by Larry Fish, President, 98 Cedar Hollow Drive, Wakefield, RI 02879; Renewals.
- (CA) K.** A resolution granting a Miscellaneous Peddler License for the year beginning December 1, 2013 to JACK'S ICE CREAM, 110 Winsor Avenue, North Kingstown, RI 02852. Application by John P. McGarry Jr., 110 Winsor Avenue, North Kingstown, RI 02852; Renewal.
- (CA) L.** A resolution granting Farm Produce Licenses for the year beginning December 1, 2013 to the following; Renewals:
- KENYON FARM, 810 Usquepaugh Road, West Kingstown, RI 02892. Application by Frederick Kenyon, 810 Usquepaugh Road, West Kingstown, RI 02892.
- STONEY ACRES FARM, 140 Stoney Acres Way, Wakefield, RI 02879. Application by Linda Stedman, 145 Stoney Acres Way, Wakefield, RI 02879.

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- (CA) M.** A resolution granting Firearms and Ammunition Licenses for the year beginning December 1, 2013 to the following; Renewals:

FREEDOM SPORTS AND ARMS, 236 High Street, Wakefield, RI 02879.  
Application by Leonard A. Cuoco, 45 Perry Avenue, Wakefield, RI 02879.

PEACE DALE SHOOTING PRESERVE, 130 Pearls Way, Wakefield, RI 02879. Application by Richard V. Frisella, 130 Pearls Way, Wakefield, RI 02879.

UNIVERSAL FIREARMS, LTD., 265 Main Street, Wakefield, RI 02879.  
Application by Henry Almonte, Jr., 337 Post Road, Wakefield, RI 02879.

- (CA) N.** A resolution granting an Automobile Junkyard License for the year beginning December 1, 2013 to PAUL PITCHER d/b/a PITCHER'S GARAGE, 2210 Post Road, Wakefield, RI 02879. Application by Paul Pitcher, P.O. Box 7, Wood River Junction, RI 02894; Renewal.

- (CA) O.** A resolution granting Tourist Accommodation Licenses for the year beginning December 1, 2013 to the following; Renewals:

ADMIRAL DEWEY INN, 668 Matunuck Beach Road, Wakefield, RI 02879 for 10 spaces, 20 persons. Application by Levon Kasparian, 93 Prospect Street, East Greenwich, RI 02818.

MEYER HOUSE LLC, 592 Matunuck School House Road, Wakefield, RI 02879 for 2 spaces, 4 persons. Application by Heather Meyer, 592 Matunuck School House Road, Wakefield, RI 02879.

SILVER LAKE COTTAGE, 361 Woodruff Avenue, Wakefield, RI 02879 for 5 spaces, 10 persons. Application by Robert B. Clendenen, 361 Woodruff Avenue, Wakefield, RI 02879.

- (CA) P.** A resolution granting Trailer Parks – Mixed Use Facilities Licenses for the year beginning December 1, 2013 to the following; Renewals:

BLACKBEARD HOMEOWNERS ASSOCIATION, 836 Matunuck Beach Road, Wakefield, RI 02879 for 26 rental spaces. Application by Robert N. Turgeon, P.O. Box 488, Glen, NH 03838.

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CARPENTER’S BEACH MEADOW, INC., 854 Matunuck Beach Road, Wakefield, RI 02879 for 94 rental spaces. Application by Richard J. DeSista, President, 10 High Street, Suite B, Wakefield, RI 02879.

MATUNUCK BEACH TRAILER ASSOCIATION, 811 Matunuck Beach Road, Wakefield, RI 02879 for 22 rental spaces. Application by Kathy-Lynne Laplante, Treasurer, P.O. Box 88, Chaplin, CT 06235-0088.

WORDEN POND FAMILY CAMPGROUND, 416A Worden Pond Road, Wakefield, RI 02879 for 200 rental spaces. Application by Mark P. Tucker, President, 68 Holden Street, Attleboro, MA 02703.

**7. PUBLIC HEARINGS**

- A.** A Public Hearing relative to an application requesting an amendment to the Comprehensive Community Plan, Map 2.3 Land Use Plan Map from Residential Very Low Density to Commercial Neighborhood (CN) for approximately 2.99 acres of the property located at 2909 Tower Hill Road, Wakefield, RI 02879 and designated as Plat 18-2, lot 4, owned by 2909 Tower Hill LLC, and a text amendment to the descriptive language found in the Introduction pertaining to existing Neighborhood Commercial zoned parcels and land uses, as shown on Exhibit 1 attached hereto. Application by Paul Masse Buick GMC South Inc., 2909 Tower Hill Road, Wakefield, RI 02879.
- B.** A Public Hearing relative to an application requesting an amendment to the Zoning Map from R-80 to Commercial Neighborhood (CN) for approximately 2.99 acres of the property located at 2909 Tower Hill Road, Wakefield, RI 02879 and designated as Plat 18-2, lot 4, owned by 2909 Tower Hill LLC, as shown on Exhibit 1 attached hereto. Application by Paul Masse Buick GMC South Inc., 2909 Tower Hill Road, Wakefield, RI 02879.
- C.** A Public Informational Hearing for the purpose of gathering information from the public on the development of a potential Rooster Ordinance Procedure.

- D. A Public Hearing to consider a proposed amendment to the Town Code, Chapter 10 Motor Vehicles and Traffic relative to parking on Matunuck Beach Road, as follows:

Chapter 10  
Motor Vehicles and Traffic  
Article II. Stopping, Standing and Parking

**AMEND:**

Section 10-52: Prohibited at any time

*Matunuck Beach Road*, westerly/southerly side, from its intersection with Card's Pond Road to a point ~~seventy five (75) feet west of the stone bound indicating the northwest corner of the property formerly of Arthur B. Carpenter, Jr.~~ opposite utility pole #63.

*Matunuck Beach Road*

(2) On the easterly/northerly side of such highway, from its intersection with Community Drive southerly/easterly to a ~~point three hundred forty (340) feet westerly of Prospect Road.~~ utility pole #72.

Section 10-51. Two-hour limit between 6:00 a.m. and 5:00 p.m.

No person shall park a vehicle on any of the following streets in excess of two (2) hours at one (1) time, between 6:00 a.m. and 5:00 p.m.

*Matunuck Beach Road*, ~~either side, from the entrance to Carpenter's Beach Meadows Campgrounds, easterly to the entrance to Cavanaugh's parking lot.~~ westerly side, 45' north and opposite of utility pole #78 to 90' north of utility pole #68; with the exception of a 30' area north of utility pole #70; and on the westerly side from a point opposite utility pole #66 in a generally northerly direction to a point opposite utility pole #63.

*Matunuck Beach Road*, easterly side, 45' north of utility pole #78 to utility pole #72.

**8. COMMUNICATIONS**

- A.** A communication dated September 18, 2013 from Councilman O’Neill concerning a recent incident in which target shooting was conducted from a helicopter, which was referred to the Town Solicitor and continued from September 23, 2013, is received, placed on file, and the Town Council further directs \_\_\_\_\_. (9/19/2013 Miscellaneous, Item II G.)
- (CA) B.** A communication dated September 20, 2013 from William R. Landry, Esquire on behalf of his client, Hang Ten, LLC (Ocean Mist Tavern) concerning the Town’s proposed construction of a sheet pile wall for erosion control along Matunuck Beach Road is received, placed on file and referred to the Town Solicitor and the Director of Public Services. (9/26/2013 Interim, Item D.)
- (CA) C.** A communication dated October 4, 2013 from Susan A. Gustaitis, Executive Director, Jonnycake Center of Peace Dale enclosing notes from Emergency Food Pantry clients thanking the Town Council for their continued support, and inviting Council members to assist with their annual Thanksgiving food basket distribution, is received and placed on file. (10/10/2013 Miscellaneous, Item II B.)
- (CA) D.** A communication dated October 7, 2013 from Larry Fish, Chair indicating the Economic Development Committee’s support of a potential hotel construction project near the intersection of Tower Hill Road and Hampton Way in the Route 1 Special Management District is received and placed on file. (10/10/2013 Miscellaneous, Item II F.)
- E.** A communication dated September 25, 2013 from Dorian Boardman, Chair, Conservation Commission seeking approval to re-allocate the group’s budgeted funds is received, placed on file, and the Town Council further directs \_\_\_\_\_. (10/10/2013 Miscellaneous, Item II E.)
- (CA) F.** Any communication added to the Agenda subsequent to this is hereby added by majority vote, in accordance with RIGL §42-46-6 (b) Notice --... “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

9. COMMENTS FROM INTERESTED CITIZENS

10. TOWN MANAGER’S REPORT

11. TOWN SOLICITOR’S REPORT

12. APPOINTMENTS

- A. A resolution appointing \_\_\_\_\_ to the \_\_\_\_\_ Board/Committee/Commission for a term to expire in \_\_\_\_\_. (*See Attachment A for Boards and Commissions Appointments Report*)

13. NEW BUSINESS

- (CA) A. A resolution affirming a proclamation recognizing the 85<sup>th</sup> anniversary of the First Church of God on October 5, 2013, as follows:

**FIRST CHURCH OF GOD**

**WHEREAS, THE FIRST CHURCH OF GOD** opened its doors in Kingston in September, 1928 under the leadership of Pastor William W. White. Pastor White served in that capacity for a decade and in 1938 Reverend Harold S. Mars began his pastoral service at the **CHURCH OF GOD, KINGSTON**, and

**WHEREAS,** During Reverend Mars’ ministry land was purchased on Allen Avenue and phase one construction of the church began with the installation of the foundation and completed understructure, and

**WHEREAS,** In the early 1950’s Reverend Richard Taylor continued to conduct services in the basement; he served for two years, building up lay leaders who would support the congregation upon his departure, and

**WHEREAS,** In 1957 Kenneth T. Mars, one of the lay leaders, was ordained and became pastor of the **FIRST CHURCH OF GOD**, Peace Dale. Under Reverend Mars’ leadership, construction of the present structure was completed, comprised of the sanctuary, entrance lobby and a small office. Reverend Mars served in his leadership position until his retirement in 1985, and

**WHEREAS**, In 1987 Reverend Harold J. Lambe served as pastor of the **FIRST CHURCH OF GOD** until his departure in 1994 when Reverend Keith Spencer nurtured the church for six months during the transition between pastors. Reverend Wallace F. Hazard, born and raised in the **FIRST CHURCH OF GOD** became pastor in 1994 and served until his retirement in 2004, and

**WHEREAS**, Faithful lay leaders served until Reverend Bill Barkman became pastor in November 2005, serving the church until February 2009 and once again the faithful lay leaders sustained the church until the current pastor, Reverend Angela Sagesse along with her husband, Reverend Wilsage Sagesse came to serve the church in April 2010.

**NOW THEREFORE WE THE TOWN COUNCIL OF THE TOWN OF SOUTH KINGSTOWN** do hereby extend to the members of the **FIRST CHURCH OF GOD, PEACE DALE** sincere congratulations on the completion of these eighty-five years of existence and extend very real hope that they will continue in the coming years, as they have in the past, to reach out to those in the community and that God will bless this mission.

- B.** A resolution adopting a proclamation honoring James Roderick for his years of service to South Kingstown's Babe Ruth League, as follows:

**JAMES RODERICK**

**WHEREAS, JAMES RODERICK** has spent over twenty years of honorable service as President of the South Kingstown Babe Ruth League and has touched many lives in his service to the youth of South Kingstown, and

**WHEREAS, JIM** is a past recipient of the Rhode Island Babe Ruth Man of the Year award given by the State Babe Ruth Organization, and

**WHEREAS, JIM** is recognized as a leader in youth baseball throughout Rhode Island, and

**WHEREAS**, even without children of his own in the program, **JIM** dedicated countless hours of his time and effort for many years, and

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**WHEREAS, JIM** always set an example for how to be respectful and courteous while competing, and demonstrated what it means to be a gentleman, and

**WHEREAS,** each year, **JIM** supervised a fundraising event called Tag Day. In addition to raising funds for the league to assist with Babe Ruth scholarships for those who could not afford to play, half of the money collected was donated to a local charity.

**NOW THEREFORE WE THE TOWN COUNCIL OF THE TOWN OF SOUTH KINGSTOWN** do hereby thank **JAMES RODERICK** for his unwavering dedication to the youth of South Kingstown and wish him well in all his future endeavors.

- (CA) C.** A resolution granting the joint petition of National Grid and Verizon for the use of the public ways named for the purposes stated in said petition, and that the work be done subject to the supervision of the Director of Public Services, as follows:

To set joint Pole #6-84 on Briar Lane as described in Petition No. 207258, conditioned upon the removal of all existing double poles along the entire length of Briar Lane prior to new pole(s) placement; and any new double pole created as part of this request be removed within sixty (60) calendar days of new pole(s) placement, and subject to notification to the Town for municipal utility mark-out prior to setting the poles. Said petition is further described in a memorandum from the Public Services Director to the Town Manager dated September 23, 2013 and entitled “National Grid Pole Setting Request – Briar Lane.”

- D.** A resolution authorizing an award of bid to Howard Johnson, Inc., 1978 Kingstown Road, Peace Dale, RI 02879 for the purchase of one 2013 Billy Goat leaf vacuum in accordance with all bid specifications in the amount of \$4,950 including trade-in; and the purchase of one 2013 John Deere Gator TH 6x4 in accordance with all bid specifications in the amount of \$9,700 including trade-in, for a total bid amount not to exceed \$14,650; and as further described in a memorandum from the Director of Leisure Services to the Town Manager dated September 30, 2013 and entitled “Bid Recommendation Leaf Vacuum and John Deere Gator, SK0022RD.”

- (CA) E.** A resolution authorizing the Tax Assessor to abate taxes in the total amount of \$3,130.57, as shown on Tax Abatement Request No. 496.

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- (CA) F. A resolution authorizing the Town Clerk to advertise for Order of Notice a Public Hearing relative to the renewal of Liquor Licenses for the year beginning December 1, 2013.
- G. A resolution authorizing an award of contract to B&E Consulting, LLC, 21 Dryden Lane, Providence, RI 02904 for United Water Rhode Island rate filing review and expert testimony consulting services in an amount not to exceed \$18,800, including a contingency of \$2,000; and as further described in a memorandum from the Public Services Director to the Town Manager dated October 7, 2013 and entitled “United Water Rhode Island Rate Filing Consulting Services – SK0005WD.”
- H. A resolution authorizing an award of bid to International Salt, 655 Northern Boulevard, Clarks Summit, PA 18411 for road salt at the unit price of \$57.94 per ton delivered; and as further described in a memorandum from the Public Services Director to the Town Manager dated October 8, 2013 and entitled “Bid Recommendation for Winter Road Salt.”
- (CA) I. A resolution authorizing the Town Clerk to advertise for Order of Notice a Public Hearing relative to an application for transfer of a license to keep and sell alcoholic beverages in South Kingstown in accordance with the General Laws of 1956, as amended, as follows:

**CLASS B VICTUALLER LIQUOR LICENSE**

Transfer of a Class B Victualler Liquor License from MCT INC. d/b/a CUCINA TWIST, 2095 Kingstown Road, Wakefield, RI 02879 by Michael G. Marra, Administrator of the Estate of Stephen Marra, to MCT INC. d/b/a CUCINA TWIST, 2095 Kingstown Road, Wakefield, RI 02879 by Michael G. Marra, Sole Member, Golato LLC for the first floor dining room, lounge and bar area; and as further defined in a site plan on file in the Town Clerk’s office. This application is filed to effectuate a transfer of 50% or greater of the stock of the corporation, and will be effective for the year beginning December 1, 2013.

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- J.** A resolution authorizing an award of contract to New England Medical Billing, 75 Newman Avenue, Suite 100, Rumford, RI 02916 for Emergency Medical Billing Services at a cost of 3% of all collections, and further authorizing the Finance Director to contract for services involving accounts in collections; and as further described in a memorandum from the Director of EMS to the Town Manager dated October 8, 2013 and entitled “EMS Billing Award Recommendation.”
- K.** A resolution authorizing an award of contract to Comprehensive Environmental Inc., 225 Cedar Hill Street, Marlborough, MA 01752 for potable water quality study, design and construction consulting engineering services in an amount not to exceed \$49,510, including a contingency of \$4,000; and as further described in a memorandum from the Public Services Director to the Town Manager dated October 8, 2013 and entitled “Potable Water Quality Study and Design – Engineering Services.”
- L.** A resolution authorizing the utilization of Geisser Engineering Corporation, 227 Wampanoag Trail, Riverside, RI 02915 for resident inspection and materials testing services for the Matunuck Beach Road Protection Improvement Project in an amount not to exceed \$60,000, including a \$7,000 contingency; and as further described in a memorandum from the Public Services Director to the Town Manager dated October 10, 2013 and entitled “Matunuck Beach Road Protection Improvement Project – Resident Inspection and Material Testing.”
- M.** A resolution authorizing an award of bid to Tuckertown Tree Service d/b/a Ocean State Tree Service, P.O. Box 475, West Kingston, RI 02892 for municipal tree and stump removal services in an amount not to exceed \$23,000, including a contingency; and as further described in a memorandum from the Public Services Director to the Town Manager dated October 10, 2013 and entitled “Bid Recommendation – Municipal Tree & Stump Removal Services – Bid Reference #SK001TW.”
- (CA) N.** Any New Business added to the Agenda subsequent to this is hereby added by majority vote, in accordance with RIGL §42-46-6 (b) Notice --... “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”

**PROPOSED AMENDMENTS TO THE  
COMPREHENSIVE COMMUNITY PLAN**

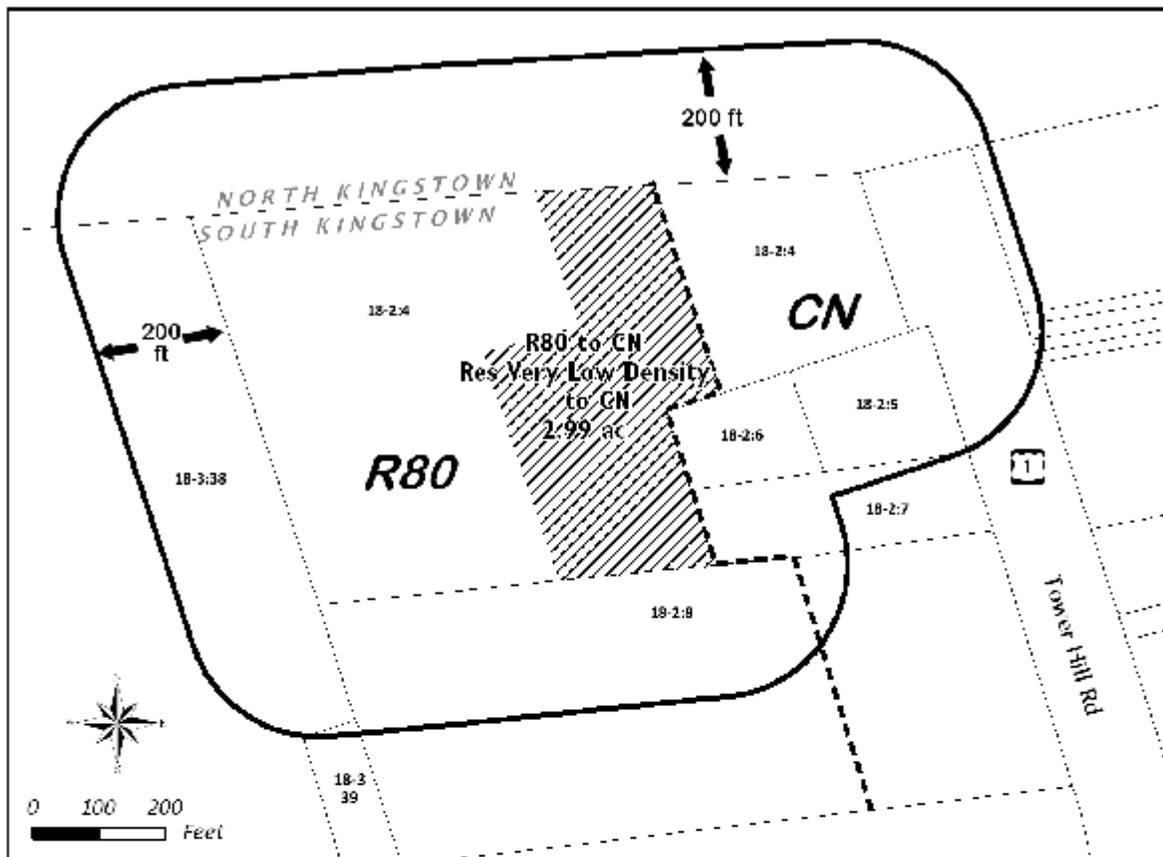
**South Kingstown Comprehensive Community Plan Introduction**

III. Summary of Baseline Information, 2. Existing Land Use and Zoning, 2.2 Commercial Land Use

Neighborhood Commercial

\*\*\*\*\*

A small area of Neighborhood Commercial land use is shown on Map 2.3 Land Use Plan Map at the intersection of U.S. Route 1 and Route 138. This area has already developed in the form of an automobile dealership, restaurant, gas stations, etc. It is the intent of this Plan to permit the continuation of these highway commercial uses to their peak potential, ~~but to discourage any expansion thereof.~~ **including the expansion of accessory or appurtenant uses which are compatible with surrounding uses.** **The expansion of non-conforming primary uses should be discouraged.** This area has poor soils and significant areas of bedrock. Provision of public water in the future may be permitted, particularly if area wells are contaminated, but such water line extensions should not be used to justify commercial expansion. Residential development is excluded from these areas.



# **PROPOSED COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE**

*in the Town of South Kingstown*

**2909 Tower Hill, LLC     Plat 18-2 Lot 4**

***Proposed Changes:***

Comprehensive Plan Amendment:

Very Low Density Residential to Neighborhood Commercial

Zoning Amendment: R80 to CN

## **Boards and Commissions Appointments Report**

The following information reflects the status of those Town boards, commissions and committees which have vacancies, members whose terms are expiring and are eligible for reappointment, and/or applications filed for consideration of appointment. The Town Council may make appointments at any meeting.

### **Affordable Housing Collaborative Committee (7 members/3 year term)**

Vacancies: two terms expire August 2016 (John Taylor Ellis and Jean Johnson did not wish to be reappointed)

Applicants: Patrick S. Jones (applied 11/15/2012; interviewed 12/10/2012)

### **Board of Trustees of the South Kingstown Library (7 members/3 year term)**

No vacancies

Applicant: Betty J. Cotter (applied 3/13/2013; interviewed 4/22/2013)

### **Conservation Commission (7 members/3 year term)**

Two vacancies: one term expires September 2013, one term expires September 2015 (Paul Johnson did not wish to be reappointed; Jeanne Wettlaufer resigned Feb. 2013)

Applicants: Lucille M. Dickinson (applied 11/1/2012; did not attend interview 7/8/2013); Andrew Martinez (applied 7/26/2013); Timothy A. Ulmschneider (applied 7/29/2013); Jennifer A. James (applied 8/9/2013)

### **Economic Development Committee (11 members/3 year term)**

Four vacancies: 2 terms expire March 2014, 2 terms expire March 2016 (Teresa Tanzi resigned December 2010; Deedra Durocher and Robert Kermes resigned December 2011; Dennis Moffitt was not reappointed)

### **Historic District Commission (7 members/3 year term)**

Three vacancies: terms expire December 2013, December 2014, and December 2015 (William Sheffield deceased June 2013; Eric Creamer resigned January 2012; Lois Hamblet did not wish to be reappointed)

Applicant: Karen M. daSilva (applied 8/6/2013)

### **Partnership for Prevention (7 members/3 year term)**

One member vacancy: term expires June 2015; one Ex-Officio Law Enforcement vacancy (Captain Allen resigned); two Ex-Officio student vacancies

### **Planning Board (7 members/3 year term)**

One vacancy: term expires May 2014 (Fred Morrison resigned September 9, 2013)

Applicant: Frank H. Heppner (applied 5/10/2013)

**Attachment A**

**Recreation Commission (5 members/3 year term)**

No vacancies

Applicant: Andrew Martinez (applied 7/26/2013)

**Route 138 Reconstruction Project Area Committee (11 members/2 year term)**

Three vacancies: terms expire May 2015 (William Sheffield deceased June 2013; Nevan Hanumara and Joseph Paolino did not wish to be reappointed)

**Trustees of the South Kingstown School Funds (5 members/5 year term)**

Vacancy: one term expires June 2018 (Claire Wilcox moved out of state)

**Waterfront Advisory Commission (7 members/3 year term)**

Vacancy: one term expires June 2016 (Anne E. Heffron did not wish to be reappointed)

Applicants: Timothy A. Ulmschneider (applied 7/29/2013); Timothy P. O'Neill (applied 8/2/2013)