



*Town of Richmond, Rhode Island*

5 Richmond Townhouse Road, Wyoming, RI 02898

[www.richmondri.com](http://www.richmondri.com)

Date: March 22, 2022

To: Planning Board

From: Shaun Lacey, AICP, Town Planner

### **STAFF REPORT**

Reconsideration of the application of Lawrence G. Casey, 319 Nooseneck Hill Road, Wyoming, RI 02898 for a proposed Zoning Map Amendment and Comprehensive Plan Amendment affecting two properties located at 301 and 310 Nooseneck Hill Road, Plat 2C Lot 16-1 and Plat 2C Lot 4. The proposal includes a Zoning Map Amendment from R-2 (Single-Family Residential) to LI (Light Industrial) limited. Remanded by the Town Council for reconsideration of the permitted use codes.

#### Recommended Action

Provide a recommendation on the applicant's proposed permitted use codes associated with the Zoning Map Amendment application to the Town Council.

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#### Background

At the March 1, 2022 Town Council meeting, a Zoning Map Amendment and Comprehensive Plan Amendment request affecting two properties located at 301 and 310 Nooseneck Hill Road was presented at a public hearing. The Zoning Map Amendment proposes to rezone the two properties from R-2 (Single-Family Residential) to LI (Light Industrial). The Comprehensive Plan Amendment – complementary to the Zoning Map Amendment application – proposes to change the Future Land Use Map designation of the properties from Medium Density Residential to Light Industrial. Following a discussion about the Planning Board's recommendation associated with rezoning the two properties, the Council continued the hearing to March 15, 2022 to afford the applicant an opportunity to update the list of uses proposed.

On March 15, 2022, the applicant presented an updated list of uses requested as part of rezoning 301 and 310 Nooseneck Hill Road from R-2 to Light Industrial. Initially, that list totaled 44 use code categories as compared to the Planning Board's initial recommendation of limiting the sites to one use code category (Use Code 962, warehousing/general storage) on November 9, 2021. Upon receiving the applicant's updated list of use code categories, staff expressed concern that the list of uses may be too broad and recommended that the applicant reduce that number in the interest of providing a clear intention of activities associated with the properties. The applicant agreed to that suggestion and reduced the

number of uses proposed for the two subject properties from 44 potential activities to 29 potential activities.

The applicant's updated list of uses requested for 301 and 310 Nooseneck Hill Road are as follows:

- 214: Indoor Horticulture
- 303: Private technical, trade school
- 508: Commercial cellular communication tower
- 536: Towing with vehicle storage
- 540: Vehicle leasing with outdoor vehicle storage
- 602: Construction trades contractor
- 606: Maintenance services
- 642: Warehouse sales with indoor storage only
- 644: Warehouse sales with outdoor storage
- 702: Professional offices
- 706: Motion picture, sound recording studio
- 710: Business offices not otherwise specified
- 736: Personal services
- 738: Retail services
- 740: Repair services
- 752: Pet grooming
- 772: Self storage facility
- 774: Equipment rental with on-site outdoor storage
- 816: General retailer in a building less than 20,000 square feet gross area
- 832: Farm, gardening, or landscaping supplies, including plants, seed, mulch, stone
- 854: Artisan studio
- 856: Farmers' market
- 870: Retail uses not otherwise classified
- 910: Millwork, wood products, furniture manufacturing
- 914: Commercial printing, manufacture of paper products
- 918: Textile manufacturing, processing
- 920: Metals fabrication, machinery manufacturing
- 932: Glass manufacturing or processing
- 962: Warehousing, general storage (as recommended by the Planning Board)

In review of the applicant's updated list of uses proposed for the two sites, the Town Council referred the Zoning Map Amendment application back to the Planning Board for a review and recommendation of the permitted use codes.

#### Summary

At the request of the Town Council, staff recommends that the Planning Board review the applicant's list of proposed activities associated with the pending Zoning Map Amendment

application located at 301 and 310 Nooseneck Hill Road and provide a recommendation as to the appropriateness of limiting the uses to those specific categories. Following the Board's use code recommendation(s), the Town Council will resume its review of the Zoning Map Amendment and Comprehensive Plan Amendment applications at a public hearing scheduled for Wednesday, March 23, 2022.

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Attachments (distributed electronically via Clerkbase):

1. Town Council staff memorandum dated March 15, 2022
2. Correspondence from Larry Casey to staff dated March 8, 2022
3. Town Council staff memorandum dated January 18, 2022
4. Application for Amendment to Comprehensive Plan dated August 4, 2021
5. Application for Amendment to the Zoning Ordinance dated August 4, 2021
6. Project Narrative prepared by DiPrete Engineering dated August 5, 2021
7. Abutter's List and Radius Map
8. Plans prepared by DiPrete Engineering dated August 26, 2021 (revised November 1, 2021)
9. Planning Board meeting minutes dated November 9, 2021



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Date: March 15, 2022

To: Town Council

From: Shaun Lacey, AICP, Town Planner

## STAFF REPORT

Public hearing for the application of Lawrence G. Casey, 319 Nooseneck Hill Road, Wyoming, RI 02898 for a proposed Zoning Map Amendment and Comprehensive Plan Amendment affecting two properties located at 301 and 310 Nooseneck Hill Road, Plat 2C Lot 16-1 and Plat 2C Lot 4. The proposal includes a Zoning Map Amendment from R-2 (Single-Family Residential) to LI (Light Industrial) and a Comprehensive Plan Future Land Use Map designation amendment from Medium Density Residential to Light Industrial.

### Recommended Council Action

Alternative 1) Approve the proposed Zoning Map Amendment and Comprehensive Plan Amendment, based upon consistency with the Comprehensive Community Plan and in accordance with RIGL 45-24-30 Purposes of Zoning, subject to the list of use code limitations suggested by the applicant or as amended by the Council.

Alternative 2) Refer the applicant's list of use code limitations to the Planning Board for a recommendation prior to voting on the Zoning Map Amendment and Comprehensive Plan Amendment applications.

### Background

At the March 1, 2022 Town Council meeting, a Zoning Map Amendment and Comprehensive Plan Amendment request affecting two properties located at 301 and 310 Nooseneck Hill Road was presented at a public hearing. The Zoning Map Amendment proposes to rezone the two properties from R-2 (Single-Family Residential) to LI (Light Industrial). The Comprehensive Plan Amendment proposes to change the Future Land Use Map designation of the properties from Medium Density Residential to Light Industrial. Following a discussion about the Planning Board's recommendation associated with rezoning the two properties, the Council continued the hearing to March 15, 2022 to afford the applicant an opportunity to update the list of uses proposed.

### Proposal and Analysis

The applicant updated the list of uses requested as part of rezoning 301 and 310 Nooseneck Hill Road from R-2 to Light Industrial. Initially, that list totaled 44 use code categories as

compared to the Planning Board's recommendation of limiting the sites to one use code category (Use Code 962, warehousing/general storage). Upon receiving the applicant's updated list of use code categories, staff expressed concern that the list of uses may be too broad and recommended that the applicant reduce that number in the interest of providing a clear intention of activities associated with the properties. The applicant agreed to that suggestion and has concentrated the number of uses proposed for the two subject properties from 44 potential activities to 30 potential activities.

The applicant's updated list of uses requested for 301 and 310 Nooseneck Hill Road are as follows:

- 214: Indoor Horticulture
- 303: Private technical, trade school
- 508: Commercial cellular communication tower
- 536: Towing with vehicle storage
- 540: Vehicle leasing with outdoor vehicle storage
- 602: Construction trades contractor
- 604: Fuel sales and delivery
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- 920: Metals fabrication, machinery manufacturing
- 932: Glass manufacturing or processing
- 962: Warehousing, general storage (as recommended by the Planning Board)

Comprehensive Community Plan Consistency

Should the Council vote to approve the applications, the Zoning Map and Comprehensive Plan Amendments comply with the Comprehensive Community Plan in the following way:

- *Economic Development – Policy ED 5: Maximize the supply and choice of land capable of supporting business and industries.* The proposed amendments support the ability to maintain a current business (Aqua Science) located at 301 Nooseneck Hill Road, and allow for future expansion of current and new businesses or industry in the community along a collector street.

RIGL Compliance

Should the Council vote to approve the applications, the proposal meets the intent of the following state laws:

RIGL 45-24-30:

- (2) Providing for a range of uses and intensities of use appropriate to the character of the city or town and reflecting current and expected future needs.
- (3) Providing for orderly growth and development that recognizes:
  - (i) The goals and patterns of land use contained in the comprehensive plan of the city or town adopted pursuant to chapter 22.2 of this title; and
  - (vii) The use of innovative development regulations and techniques.

Summary

Enactment of a Zoning Map Amendment and Comprehensive Plan Amendment must be approved by the Town Council following a public hearing. Although the applicant's list of suggested activities are permissible within the Light Industrial zoning district, 29 of those activities extend beyond the Planning Board's unanimous recommendation to limit the use associated with the two properties to Use Code 962 (warehousing, general storage).

The Town Council may vote to accept the applicant's updated list of uses, add or reduce the list of use code categories further, or refer the application back to the Planning Board for review and a recommendation prior to acting on the Zoning Map Amendment and Comprehensive Plan Amendment applications.

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Attachments:

1. Correspondence from Larry Casey to staff dated March 8, 2022

Larry Casey  
Aqua Science  
301 Nooseneck Hill Rd.  
Wyoming, RI 02898  
Tel: 401-742-8772

March 8, 2022

Shawn Lacey  
Building Official  
Town of Richmond, RI

Dear Shawn,

Enclosed is a list of potential uses for the zoning change. Thank you and the board for your time and consideration.

My vision for the land at 310 Nooseneck Hill Rd to create a warehouse facility that will support and grow Aqua Science business. I look at the Aqua Science business model as two-fold. One, that supports our service business which consists of sales, installation and servicing well pump systems, filtration and related supplies. The second component of Aqua Science is AquaScience.net. Our web business expands throughout the world and the products that we sell support the well water business and filtration industry. These products supply dealers as well as do-it-yourself end users. These businesses have grown at a steady rate for many years and, for the last few years, the growth has been extraordinary.

Upon the approval of the zoning change at 301 Nooseneck Hill Rd, it is my plan to build a 3000-4000 sq ft warehouse directly behind the current Aqua Science facility. This building could be erected by the beginning or middle of this summer. Upon completion of this building, we will ease the pressure that we have been working under for the last few years and help to temporarily support both phases of our business. This will create four (4) new jobs.

With regards to across the street at 310 Nooseneck Hill Rd, I have a vision of moving our warehouse facility to a new building that will support our shipping, receiving and purchasing. That building will also increase our labor force by an addition 3-4 employees. This addition to Aqua Science will increase our efficiency and ease the constant flow of delivery trucks to the 301 delivery site. That being said, it will lessen the impact of traffic and activity to our neighbors on that side of the road.

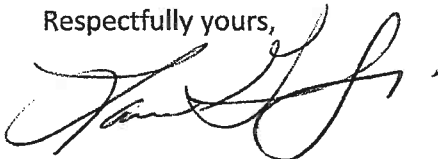
With our new warehouse facility at 310, our goal is to have fewer deliveries with greater buying power and storage space. This will also lessen the traffic in and out of that location. The balance of the useable land at 310 will be slated for Tradesmen's buildings. These buildings will support a diversity of small businesses that are local as well as newcomers. This type of development will give the existing home-run business people the opportunity to move from

their back yards, garages and cellars and establish a more professional image for them as well as providing a growth opportunity to them. This area will also provide surrounding businesses the opportunity to increase additional locations locally that will serve our community better and well as create jobs.

The "Use Descriptions" that I have chosen will have a low impact on domestic water and discharge and the buildings will be built with green energy considerations. Those plans are being discussed now with possible tenants and I will have an opportunity to build to their needs.

Enclosed is a copy of the choices of Use Descriptions that I firmly believe will work to support this project.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Lawrence Casey", with a stylized flourish at the end.

Lawrence Casey, CEO  
Aqua Science



## Chapter 18.16 USE REGULATIONS

- |           |                        |
|-----------|------------------------|
| 18.16.010 | Table of uses.         |
| 18.16.020 | Use code descriptions. |
| 18.16.030 | Accessory uses.        |

**18.16.010 Table of uses.** The following table lists general categories of uses and, within each category, specific types of uses. Each use is identified by a use code. "P" indicates a use allowed by right in the zoning district, "S" indicates a use allowed by special use permit, and "X" indicates a use prohibited in the zoning district. In overlay districts, "U" indicates that the requirements are the same as for the underlying zoning district.

A. All uses listed are principal uses unless otherwise specified.

B. The provisions of an overlay district apply to each use in addition to the provisions of the underlying zoning district. If the provision applicable in the underlying zoning district and the provision applicable in the overlay district are different, the more restrictive provision applies to the use. Uses prohibited in an overlay district are designated with "X."

C. Uses not included in the table are prohibited.

(Ord. dated 11-19-13; Ord. dated 4-1-14; Ord. dated 8-12-14; Ord. dated 6-16-15; Ord. dated 5-16-17; Ord. dated 7-25-17; Ord. dated 1-2-18; Ord. dated 10-15-19; Ord. dated 2-18-20; Ord. dated 7-20-21)

**18.16.010 - TABLE**

[illegible]

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301 Nooseneck Hill Rd.  
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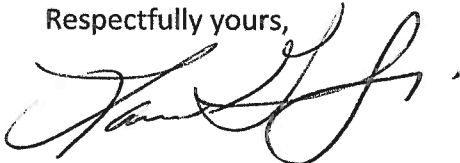
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**18.16.010 - TABLE**

[illegible]



[illegible]

Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OL	COS	Notes
460	Theater or other indoor privately-owned public gathering place	X	X	X	S	P	P	P	P	P	X	S	X	U	X	
462	Stadium, arena, or other outdoor privately-owned public gathering place	X	X	X	S	P	P	P	P	P	X	S	X	X	X	
464	Race track for motorized vehicles	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
466	Casino or other wagering or betting facility	X	X	X	X	X	X	X	X	X	X	X	X	U	X	
468	Adult entertainment	X	X	X	X	X	X	P	X	X	X	X	X	U	X	See §8.08.010; §18.36.110
50	<b>UTILITIES, TRANSPORTATION</b>														-	
	Utilities														-	
502	Power generation	X	X	X	X	P	P	P	X	X	P	X	X	X	X	
504	Commercial wind energy system	X	X	X	X	X	X	X	X	X	X	X	X	U	X	Reserved
506	Solar energy system	X	X	X	X	P	P	P	X	X	P	X	U	U	X	See Ch. 18.34
508	Commercial cellular communication tower	S	S	S	S	S	P	P	S	S	P	S	S	U	X	See Ch. 18.53
510	Broadcast studio, antenna	X	X	X	S	P	P	P	P	P	P	X	X	U	X	
	Transportation															
532	Transportation terminal	X	X	X	X	P	P	P	X	X	P	X	X	X	X	
534	Airport, helipad	X	X	X	X	X	P	P	X	X	P	X	X	X	X	
536	Towing with vehicle storage	X	X	X	X	X	P	P	X	X	P	X	X	X	X	
537	Office with indoor or outdoor vehicle storage not otherwise classified	X	X	X	X	P	P	P	X	X	P	X	X	U	X	
538	Parking lot, garage	X	X	X	X	P	P	P	P	P	P	X	X	U	X	
540	Vehicle leasing with outdoor vehicle storage	X	X	X	X	P	P	P	X	P	P	X	X	X	X	
	Waste management														-	
554	Privately-owned refuse transfer station	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
556	Privately-owned refuse storage, disposal	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
557	Privately-owned recycling facility	X	X	X	X	X	X	S	X	X	X	X	X	X	X	
558	Septic pumping business with vehicle storage	X	X	X	X	X	X	P	X	X	X	X	X	X	X	
560	Wood waste product composting	X	X	X	X	X	P	P	X	X	X	X	X	X	X	
562	Junkyard	X	X	X	X	X	X	P	X	X	X	X	X	X	X	See Ch. 5.24
566	Solid waste incineration or combustion	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
60	<b>CONTRACTING, AUTOMOTIVE, WHOLESALE</b>															
	Contracting															
602	Construction trades contractor	X	X	X	P	P	P	P	X	X	P	S	X	S	X	
604	Fuel sales and delivery	X	X	X	S	P	P	P	X	X	X	X	X	X	X	
606	Maintenance services	X	X	X	P	P	P	P	P	P	P	X	X	U	X	
	Automotive														-	
622	Vehicle repair, auto body shop	X	X	X	X	P	P	P	X	X	P	X	X	X	X	See §18.36.090

Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OL	COS	Notes
624	Vehicle service station with convenience store	X	X	X	X	S	S	S	S	S	S	X	X	X	X	See §18.36.090
626	Vehicle service station with body or automotive repair shop	X	X	X	X	S	S	S	S	S	S	X	X	X	X	See §18.36.090
628	Car wash	X	X	X	X	P	P	P	X	X	P	X	X	X	X	
	<b>Wholesale</b>														-	
642	Warehouse sales with indoor storage only	X	X	X	X	P	P	P	X	X	P	X	X	X	X	
644	Warehouse sales with outdoor storage	X	X	X	X	X	P	P	X	X	P	X	X	X	X	
70	<b>PROFESSIONAL &amp; PERSONAL SERVICES</b>														-	
	<b>Professional services</b>														-	
702	Professional offices	X	X	X	P	P	P	P	P	P	P	P	X	U	X	
704	Bank, financial institution	X	X	X	S	P	P	P	P	P	P	P	X	U	X	For drive-through window see §18.16.030
706	Motion picture, sound recording studio	X	X	X	X	P	P	P	X	X	P	X	X	U	X	
710	Business offices not otherwise specified	X	X	X	S	P	P	X	P	P	P	S	X	U	X	
	<b>Personal services</b>														-	
732	Hotel, motel	X	X	X	P	S	P	X	P	P	P	X	X	S	X	
733	Guest cottages	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
734	Health-related services	X	X	X	S	P	P	X	P	P	P	S	X	U	X	
736	Personal services	X	X	X	S	P	P	X	P	P	P	S	X	U	X	
738	Retail services	X	X	X	S	P	P	X	P	P	P	S	X	U	X	
740	Repair services	X	X	X	S	P	P	X	P	P	P	S	X	S	X	
752	Pet grooming	X	X	X	S	P	P	X	P	P	P	S	X	U	X	
754	Dog boarding or breeding kennel	S	S	X	X	X	P	X	P	X	P	X	S	X	X	See §18.16.030; §18.20.060
756	Pet cemetery	X	X	X	X	X	P	P	X	X	P	X	S	X	X	See §18.20.060
762	Laundry, laundromat	X	X	X	S	P	P	P	P	P	P	X	X	X	X	
764	Dry cleaner, drop off and pick up only	X	X	X	P	P	P	X	P	P	X	P	X	U	X	For drive-through window see §18.16.030
765	Dry cleaner, on-site cleaning facility	X	X	X	X	X	X	S	X	X	X	X	X	X	X	For drive-through window see §18.16.030
772	Self storage facility	X	X	X	X	X	P	P	X	X	P	X	X	X	X	
774	Equipment rental with on-site outdoor storage	X	X	X	X	P	P	P	X	X	P	X	X	X	X	
776	Funeral home, mortuary	X	X	X	S	P	P	X	P	P	P	X	X	X	X	
80	<b>RETAILERS, RESTAURANTS</b>															
802	Supermarket	X	X	X	X	P	P	X	P	P	X	X	X	X	X	See Ch. 18.08
804	Specialty food store	X	X	X	P	P	P	X	P	P	X	P	X	U	X	
812	Pharmacy	X	X	X	X	P	P	X	P	P	X	S	X	U	X	For drive-through window see § 18.16.030
813	Compassion center	X	X	X	X	X	X	X	X	X	X	X	X	X	X	See RIGL §§ 21-28.6-3, 21-28.6-12.
814	Convenience store	X	X	X	S	P	P	X	P	P	P	S	X	U	X	



Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OL	COS	Notes
816	General retailer in a building less than 20,000 sq. ft. gross floor area	X	X	X	P	P	P	P	P	P	X	P	X	U	X	
817	General retailer in a building 20,000 sq. ft. or more gross floor area	X	X	X	X	X	P	P	X	P	X	X	X	X	X	See "large scale retail development" in §18.08.010; §18.20.050
820	Package store	X	X	X	S	P	P	P	P	P	X	S	X	X	X	
832	Farm, gardening, or landscaping supplies, including plants, seed, mulch, stone	X	X	X	S	P	P	P	P	P	X	S	X	X	X	See §18.20.060
834	Lumber, construction materials	X	X	X	X	P	P	P	P	X	P	X	X	X	X	
842	Vehicle sales, service	X	X	X	X	P	P	P	X	X	P	X	X	X	X	
852	Flea market; outdoor sales of new or used goods	X	X	X	S	P	P	P	P	P	P	X	X	U	X	
854	Artisan studio	X	X	X	P	P	P	P	P	P	X	P	X	X	X	
856	Farmers' market	P	P	X	P	P	P	X	P	P	P	P	U	U	X	See § 18.36.140
862	Bar, lounge, tavern	X	X	X	P	P	P	X	P	P	X	S	X	U	X	
863	Microbrewery	X	X	X	P	P	P	P	P	P	X	P	X	X	X	
864	Restaurant serving alcoholic beverages	X	X	X	P	P	P	P	P	P	X	P	X	U	X	
866	Eating place, no service of alcoholic beverages	X	X	X	P	P	P	P	P	P	P	P	X	U	X	For drive-through window see § 18.16.030
870	Retail uses not otherwise classified	X	X	X	X	P	P	X	P	P	X	S	X	X	X	
90	<b>MANUFACTURING &amp; EXTRACTIVE</b>															
	<b>Manufacturing</b>															
902	Food, beverage manufacturing, processing	X	X	X	X	X	P	P	X	X	P	X	X	X	X	
904	Winery	X	X	X	S	P	P	P	X	X	X	S	P	S	X	
905	Winery at a vineyard	S	S	X	X	P	P	X	X	X	X	P	S	S	X	
906	Brewery	X	X	X	X	S	S	S	S	S	S	S	X	X	X	
910	Millwork, wood products, furniture manufacturing	X	X	X	X	S	S	P	P	X	P	S	X	X	X	
912	Sawmill	X	X	X	X	X	X	P	X	X	P	X	X	X	X	
914	Commercial printing, manufacture of paper products	X	X	X	X	P	P	P	X	X	P	X	X	X	X	
918	Textile manufacturing, processing	X	X	X	X	X	S	P	X	X	P	X	X	X	X	
920	Metals fabrication, machinery manufacturing	X	X	X	X	X	P	P	X	X	P	X	X	X	X	
930	Pharmaceutical, chemical product manufacturing	X	X	X	X	X	P	P	X	X	P	X	X	X	X	
932	Glass manufacturing or processing	X	X	X	X	X	P	P	X	X	P	X	X	X	X	
934	Rubber, plastic, petroleum products manufacturing	X	X	X	X	X	X	S	X	X	X	X	X	X	X	
938	Electronics, scientific equipment manufacturing	X	X	X	X	P	P	P	X	X	P	X	X	X	X	



Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OL	COS	Notes
952	Producing, processing mulch, compost, potting soil, soil amendments	X	X	X	X	P	P	P	X	X	P	X	X	X	X	
954	Concrete manufacturing	X	X	X	X	X	S	P	X	X	S	X	X	X	X	
958	Manufacturing or processing not otherwise classified	X	X	X	X	X	X	S	X	X	S	X	X	X	X	
962	Warehousing, general storage	X	X	X	X	X	P	P	X	X	P	X	X	X	X	
	<b>Extractive</b>															
972	Gravel, earth removal	X	X	X	X	X	X	P	X	X	X	X	X	X	X	
974	Rock quarrying	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
975	Extraction of coal, ore, petroleum, gases	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
976	Processing of extractive materials	X	X	X	X	X	X	P	X	X	P	X	X	X	X	
980	Extraction of water for off-site commercial or industrial use	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

**18.16.020 Use code descriptions.** The following descriptions are intended to assist the zoning enforcement officer in applying the use code table in 18.16.010 by illustrating the range of specific uses covered by each use code. The descriptions are not intended to be exclusive. Specific dimensional requirements for some uses are contained in chapter 18.20, dimensional regulations, and in chapter 18.36, special regulations.

112 *Community residence.* A group home or residential facility where children or adults live in a family setting and may or may not receive supervised care; or transitional housing for the homeless or victims of abuse. It does not include halfway houses or substance abuse treatment facilities. See R.I. Gen. Laws §§ 45-24-31(15) and 45-24-37(b).

210 *Keeping, breeding domestic livestock other than swine.* Includes accessory uses such as spraying, dipping, shearing, and shoeing.

212 *Horticulture.* Includes growing of vegetables, grain, hay, fruit, turf, trees, flowers, herbs, mushrooms, and ornamental plants.

214 *Indoor horticulture.* Commercial cultivation of plants, including but not limited to vegetables, fruit, flowers, herbs, mushrooms, and ornamental plants in a fully-enclosed structure.

(Ord. dated 1-2-18; Ord. dated 2-18-20)

216 *Commercial cultivating of medical marijuana.* The cultivation and processing of medical marijuana and the production of medical marijuana products inside a facility licensed by the state department of business regulation, for sale or transfer to compassion centers or to other licensed commercial cultivators.

(Ord. dated 2-18-20)

308 *Cemetery.* Does not include historical family burying grounds on private property that were established before 1900.

(Ord. dated 7-20-21)

310 *Municipal or quasi-municipal public safety or other facilities.* Includes police stations, fire stations, community centers, and animal pounds.

(Ord. dated 7-20-21)

320 *Child or adult day care for up to 8 persons.* Includes "day care center" as defined in chapter 18.08. It does not include home day care, which is a residential accessory use. See R.I. Gen. Laws § 45-24-31(17).

326 *Homeless shelter.* A transitional residential facility for more than six unrelated persons or more than three families.

342 *Medical treatment facility less than 15,000 sq. ft. gross floor area.* Includes urgent care centers and clinics.

402 *Indoor recreational facility.* Includes a tennis court, swimming pool, bowling, pinball or electronic game arcade, miniature golf, and a pool or billiards hall.

406 *Outdoor recreational facility.* Includes tennis court, swimming pool, miniature golf, skating rink, driving range, and mechanical rides and amusements.

408 *Golf course.* Includes a clubhouse that may contain a restaurant or a function facility serving alcoholic beverages.

410 *Equestrian academy and equestrian boarding or breeding facility.* Defined in Ch. 18.31; constitutes a principal use whether or not it is located on the same premises as a residence.

414 *Health club.* A commercial or nonprofit indoor facility that may have a swimming pool, exercise equipment, courts for tennis or other racquet sports, studios for yoga or aerobic exercise, and classrooms for non-academic instruction.



*Town of Richmond, Rhode Island*

5 Richmond Townhouse Road, Wyoming, RI 02898  
[www.richmondri.com](http://www.richmondri.com)

Date: January 18, 2022  
To: Town Council  
From: Shaun Lacey, AICP, Town Planner

**STAFF REPORT**

Public hearing for the application of Lawrence G. Casey, 319 Nooseneck Hill Road, Wyoming, RI 02898 for a proposed Zoning Map Amendment and Comprehensive Plan Amendment affecting two properties located at 301 and 310 Nooseneck Hill Road, Plat 2C Lot 16-1 and Plat 2C Lot 4. The proposal includes a Zoning Map Amendment from R-2 (Single-Family Residential) to LI (Light Industrial) and a Comprehensive Plan Future Land Use Map designation amendment from Medium Density Residential to Light Industrial.

Recommended Council Action

Approve the proposed Zoning Map Amendment and Comprehensive Plan Amendment, based upon consistency with the Comprehensive Community Plan and in accordance with RIGL 45-24-30 Purposes of Zoning, subject to the recommended condition of approval.

Project Overview

The applicant and owner of Aqua Science (located at 301 Nooseneck Hill Road) has filed a Zoning Map Amendment and Comprehensive Plan Amendment request affecting two properties located at 301 and 310 Nooseneck Hill Road. The Zoning Map Amendment proposes to rezone the two properties from R-2 (Single-Family Residential) to LI (Light Industrial). The Comprehensive Plan Amendment proposes to change the Future Land Use Map designation of the properties from Medium Density Residential to Light Industrial.

The rezoning of the two lots allows for continued support to an existing water-softening equipment supply business in an area that historically supported nonresidential uses, and is in keeping with the development pattern of other light industrial uses found along arterial and collector streets across town. The rezone also allows the applicant and property owner to expand operations to 310 Nooseneck Hill Road, or allow for similarly-related uses to occupy the site. The proposed Comprehensive Plan Amendment to change the Future Land Use Map designation from Medium Density Residential to Light Industrial is complementary to the proposed Zoning Map Amendment. The Light Industrial land use designation supports the rezone from a residential district to a light industrial district.

The Planning Board reviewed the applicant's request on November 9, 2021. Following a discussion, the Board voted unanimously (7-0) to recommend that the Town Council change the Comprehensive Plan Future Land Use designation of the properties located at 301 and 310 Nooseneck Hill Road from Medium Density Residential to Light Industrial and to rezone the same two properties from R-2 (Single-Family Residential) to LI (Light Industrial), with the condition that activities be limited to warehousing/general storage (Use Code 962). The meeting minutes from the November 9, 2021 Planning Board meeting are attached for reference. The Zoning Map Amendment and Comprehensive Plan Amendment applications are also attached for reference.

#### Comprehensive Community Plan Consistency

The Zoning Map and Comprehensive Plan Amendments comply with the Comprehensive Community Plan in the following way:

- *Economic Development – Policy ED 5: Maximize the supply and choice of land capable of supporting business and industries.* The proposed amendments support the ability to maintain a current business (Aqua Science) located at 301 Nooseneck Hill Road, and allow for future expansion of current and new businesses or industry in the community along a collector street.

#### RIGL Compliance

The proposal meets the intent of the following state laws:

RIGL 45-24-30:

(2) Providing for a range of uses and intensities of use appropriate to the character of the city or town and reflecting current and expected future needs.

(3) Providing for orderly growth and development that recognizes:

- (i) The goals and patterns of land use contained in the comprehensive plan of the city or town adopted pursuant to chapter 22.2 of this title; and
- (vii) The use of innovative development regulations and techniques.

#### Summary

Enactment of a Zoning Map Amendment and Comprehensive Plan Amendment must be approved by the Town Council following a public hearing. Staff recommends that the Town Council approve the proposed changes to the Zoning Map and Comprehensive Plan based upon the listed findings and conditions contained in this staff report.

#### Recommended Condition(s) of Approval

1. The uses related to 301 and 310 Nooseneck Hill Road, rezoned to Light Industrial, shall be limited to warehousing/general storage (Use Code 962).

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#### Attachments:

1. Application for Amendment to Comprehensive Plan dated August 4, 2021
2. Application for Amendment to the Zoning Ordinance dated August 4, 2021
3. Project Narrative prepared by DiPrete Engineering dated August 5, 2021

Casey, Zoning Map and Comprehensive Plan Amendment

January 18, 2022

Page 3

4. Abutter's List and Radius Map
5. Plans prepared by DiPrete Engineering dated August 26, 2021 (revised November 1, 2021)
6. Planning Board meeting minutes dated November 9, 2021

## TOWN OF RICHMOND

Richmond Town Hall, 5 Townhouse Road, Wyoming, RI 02898 • (401) 539-2497 ext. 6

### APPLICATION FOR AMENDMENT to COMPREHENSIVE PLAN

Date: 08/04/2021

**Applicant and owner:**

Applicant: Lawrence G Casey Phone (800) 767-8731

Address: 319 Nooseneck Hill Road, Wyoming RI 02898

401-742-8772

If the applicant does not own the property, who is the owner?

Owner: \_\_\_\_\_ Phone \_\_\_\_\_

Address: \_\_\_\_\_

**Property:**

Please describe the property (if map amendment is requested):

Address (street number and street) 301 & 310 Nooseneck Hill Road

Assessor's Map(s) 2C Lot(s) number 4-0 & 16-1 Lot area 15 Acres Zoning district R2

**Amendment requested:**

If you are requesting a map amendment, please state:

Current designation: R2- Residential Proposed designation: LI- Light Industrial

If you are requesting a text amendment, please describe it: \_\_\_\_\_

**CHECKLIST of required documents to accompany application:**

**Eighteen copies of the following documents must be filed with the application:**

- ☒ A petition or other narrative document addressed to the Town Council and Planning Board describing the current and proposed use of the property, proposed improvements to the property, the reason for the Comprehensive Plan amendment request, and any other relevant information.

**FOR MAP AMENDMENT:**

- X A copy of the map proposed to be amended, showing the area proposed for amendment, drawn to a suitable scale.

**FOR TEXT AMENDMENT:**

- A copy of the existing language the applicant proposes to amend, and a copy of the proposed new language, prepared according to the applicable provisions of the State Guide Plan. The applicant is urged to review all proposed text amendments carefully for consistency with other elements of the Comprehensive Plan.

**COSTS to be borne by applicant:**

- Application fee of \$500 (For both Comprehensive Plan and Zoning Ordinance amendment, \$800.)
- Cost of all required newspaper advertisements. The Town Clerk will bill the applicant after the newspaper advertisement appears.

Signature of Applicant: \_\_\_\_\_

Signature of Owner, if Applicant is not the owner: \_\_\_\_\_

Attorney for Applicant: \_\_\_\_\_

Engineer for Applicant: \_\_\_\_\_

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**RECORD OF SUBMISSION AND HEARING DATES**

\_\_\_\_\_ Date submitted to Town Clerk

\_\_\_\_\_ Date submitted to Planning Department

\_\_\_\_\_ Date application certified as complete

\_\_\_\_\_ Date of newspaper notice for public hearing

\_\_\_\_\_ Date of Planning Board public hearing

\_\_\_\_\_ Date of Planning Board action taken

\_\_\_\_\_ Date Planning Board recommendation transmitted to Town Council

\_\_\_\_\_ Date of Town Council public hearing

\_\_\_\_\_ Date of completion of Town Council public hearing

\_\_\_\_\_ Date of Town Council decision

1/28/04  
3/19/04 rev.  
11/4/09 rev.

**TOWN OF RICHMOND, RHODE ISLAND**

5 Richmond Townhouse Road, Wyoming, RI 02898  
www.richmondri.com • (401) 539-9000 • Fax (401) 539-1089

**APPLICATION FOR AMENDMENT TO THE ZONING ORDINANCE**

Date of application: 08/04/2021

APPLICANT: Lawrence G Casey

Address: 319 Nooseneck Hill Road,

City: Wyoming State: RI Zip: 02898

Phone number: (800) 767-8731 Cell phone number: 401 742 8772 E-mail: LARRYCASEY@AQUASCIENCE.NET

If the applicant is not the property owner, please provide the information below, and attach a letter from the owner, with a notarized signature, authorizing the applicant to submit the application.

OWNER: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone number: \_\_\_\_\_ E-mail: \_\_\_\_\_

**Narrative**

Please explain the purpose of the proposed zoning ordinance amendment and how it is consistent with the Richmond Comprehensive Community Plan. Attached extra sheets if necessary.

See Attached

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



### **Application requirements**

- Before the application is submitted, the applicant should meet with the Town Planner to discuss the application. The Town Planner will determine how many copies of the application must be submitted.
- An application fee in the form of a \$500 check payable to the Town of Richmond must be submitted with the application.
- The Town Council conducts a public hearing on each proposed amendment to the zoning ordinance. The public hearing must be advertised in the newspaper for three consecutive weeks. The applicant is required to pay the cost of the advertisement. The Town Clerk will notify the applicant of the amount. For details of the legal requirements applicable to zoning ordinance amendments, please see Chapter 18.58 of the zoning ordinance.

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### **TEXT AMENDMENTS**

If the proposed amendment to the zoning ordinance is an amendment to the text, not to the zoning map, attach a separate sheet describing the proposed amendment. If changes in existing text are proposed, the amendment should be submitted in the strikethrough and underline format, with words to be deleted struck through and words to be added underlined.

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### **MAP AMENDMENTS**

If the proposed amendment is a specific change in the zoning map that does not affect zoning districts generally, please provide the following:

#### **Property information**

Street address: 301 & 310 Nooseneck Hill Road

Assessor's plat and lot number(s): AP 2C LOTS 4-0 & 16-1 Lot area: 15 Acres

Current zoning district(s): R2- Residential

Designation of property on Comprehensive Plan Future Land Use Map: Residential - Medium Density

#### **Maps and plans**

- A map of the property that is the subject of the amendment and the area within 200 feet of the subject property, showing existing lot boundaries, existing and proposed zoning district boundaries, existing streets with their names, and town boundaries if applicable. This map, which will be included in the newspaper advertisement, should be at a scale that allows the proposed changes to be clearly visible. The map must be prepared and stamped by a registered land surveyor.
- A full-size plan of the site showing existing lot boundaries, existing and proposed zoning district boundaries, existing streets with their names, and all existing and proposed structures and improvements. The plan should be



at a scale that allows the proposed changes to be clearly visible when the plan is reduced to 11 x 17 inches. The plan must be prepared and stamped by a registered land surveyor.

**Owners of property within 200 feet**

The applicant must send personal notice by certified or registered mail at least 14 days before the date of the public hearing to the owner of every property within 200 feet of the perimeter of the subject property. The Town Clerk will provide the notice to be sent. The following information must be submitted with the application:

- A copy of the portion of the Tax Assessor's Plat map showing the subject property and all lots within 200 feet of the perimeter of the subject property.
- The names and addresses of the owners of all property within 200 feet of the perimeter of the subject property. The addresses must be the mailing addresses of the property owners, not the addresses of the parcels themselves.

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**Contact information for the applicant's professionals**

Applicant's attorney \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone \_\_\_\_\_ E-mail: \_\_\_\_\_

Applicant's engineer DiPrete Engineering

Address: 2 Stafford Ct

City: Cranston State: RI Zip: 02920

Phone: 401-943-1000 E-mail: cduhamel@diprete-eng.com

Applicant's surveyor: DiPrete Engineering

Address: 2 Stafford Ct.

City: Cranston State: RI Zip: 02920

Phone: 401-943-1000 E-mail: cduhamel@diprete-eng.com

Christopher DiPrete  
SIGNATURE OF APPLICANT

\*\*\*\*\*

### MUNICIPAL REVIEW

Application reviewed by Public Works Director:      Date: \_\_\_\_\_      Initial: \_\_\_\_\_

Comments:

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Application reviewed by Zoning Enforcement Officer:      Date: \_\_\_\_\_      Initial: \_\_\_\_\_

Comments:

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Application reviewed by Conservation Commission:      Date: \_\_\_\_\_      Initial: \_\_\_\_\_      Report attached? \_\_\_\_\_

Verification by Tax Collector that there are currently no outstanding property taxes due.

Date: \_\_\_\_\_      Initial: \_\_\_\_\_

Date of public hearing: \_\_\_\_\_

Date amendment approved by Town Council: \_\_\_\_\_

1/28/04  
3/19/04 rev.  
6/13/07 rev.  
11/4/09 rev.  
3/6/15 rev.  
5/4/15 rev.



# DiPrete Engineering

August 5, 2021

Shaun Lacey, AICP, Planner  
Town of Richmond  
5 Richmond Townhouse Road  
Wyoming, RI 02898

**RE: Zone Change and Comprehensive Plan Amendment Narrative  
Aqua Science Storage Building  
301 Nooseneck Hill Road  
Assessor's Plat 2C Lots 4-0 & 16-1  
Richmond, Rhode Island**

Dear Mr. Lacey:

DiPrete Engineering (DE) has prepared the following Zone Change and Comprehensive Plan Amendment Narrative for the above-referenced site. The project seeks a Zone Change from R2 Residential to LI Light Industrial along with an Amendment to the Town Comprehensive Plan to reflect this change.

Currently the Site has 2 uses. On AP 2C Lot 4-0 there is currently an existing Utility use (Cellular Tower) and on AP 2C Lot 16-1 there is an existing Office use and an existing Warehousing/General Storage Use (Aqua Science). There are no proposed use changes on site, only an expansion of the current use. The Zone change is requested because the current uses are all prohibited within the current R2 (Residential) Zone. The proposed LI (Light Industrial) Zone allows all the current uses by right. The existing use and character of the site, nestled between Interstate 95 and along Nooseneck Hill Road (RI Route 3) lends itself to the Light Industry Zoning designation without significant impact on surrounding residential uses.

Zoning Use Table (Part):

**18.16.010 - TABLE**

Use Code	Use Description	R-3	R-2	R-1	Neigh. Bus.	Gen. Bus.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OL	COS	Notes
	<b>Utilities</b>															
502	Power generation	X	X	X	X	P	P	P	X	X	P	X	X	X	X	
504	Commercial wind energy system	X	X	X	X	X	X	X	X	X	X	X	X	U	X	Reserved
506	Solar energy system	X	X	X	X	P	P	P	X	X	P	X	U	U	X	See Ch. 18.34
508	Commercial cellular communication tower	S	S	S	S	S	P	P	S	S	P	S	S	U	X	See Ch. 18.53
510	Broadcast studio, antenna	X	X	X	S	P	P	P	P	P	P	X	X	U	X	
	<b>Professional services</b>															
702	Professional offices	X	X	X	P	P	P	P	P	P	P	P	X	U	X	
704	Bank, financial institution	X	X	X	S	P	P	P	P	P	P	P	X	U	X	For drive-through window see §18.16.030
706	Motion picture, sound recording studio	X	X	X	X	P	P	P	X	X	P	X	X	U	X	
710	Business offices not otherwise specified	X	X	X	S	P	P	X	P	P	P	S	X	U	X	

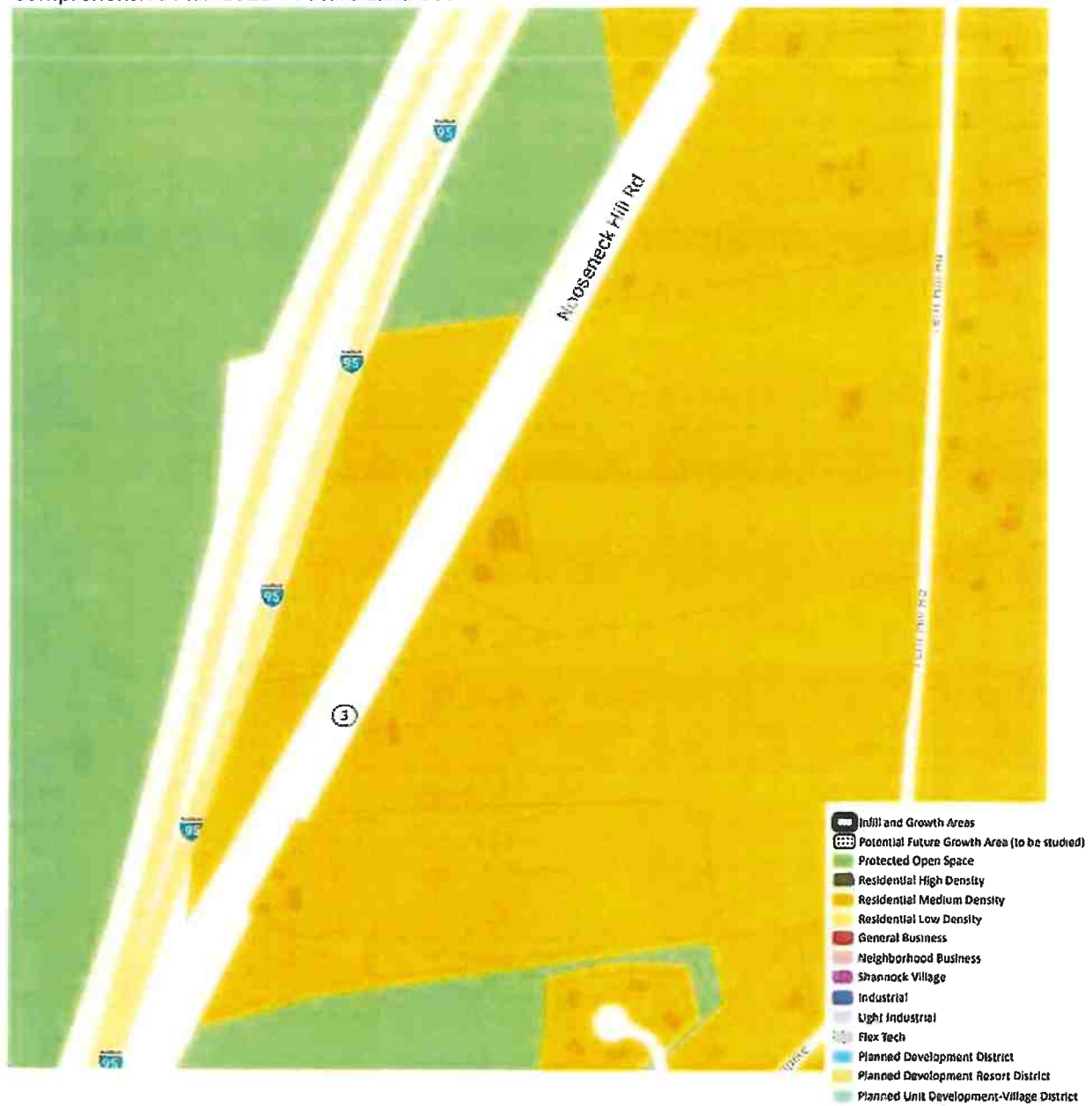
18.16.010 - TABLE

Use Code	Use Description	R-3	R-2	R-1	Neigh. Bas.	Gen. Bas.	Lt. Ind.	Ind.	PD	PUD-VC	Flex Tech	SV	Agr. OL	Aqu. OL	COS	Notes
	<b>Manufacturing</b>															
958	Manufacturing or processing not otherwise classified	X	X	X	X	X	X	S	X	X	S	X	X	X	X	
962	Warehousing, general storage	X	X	X	X	X	P	P	X	X	P	X	X	X	X	

## Comprehensive Plan 2021 - Land Use



## Comprehensive Plan 2021 – Future Land Use

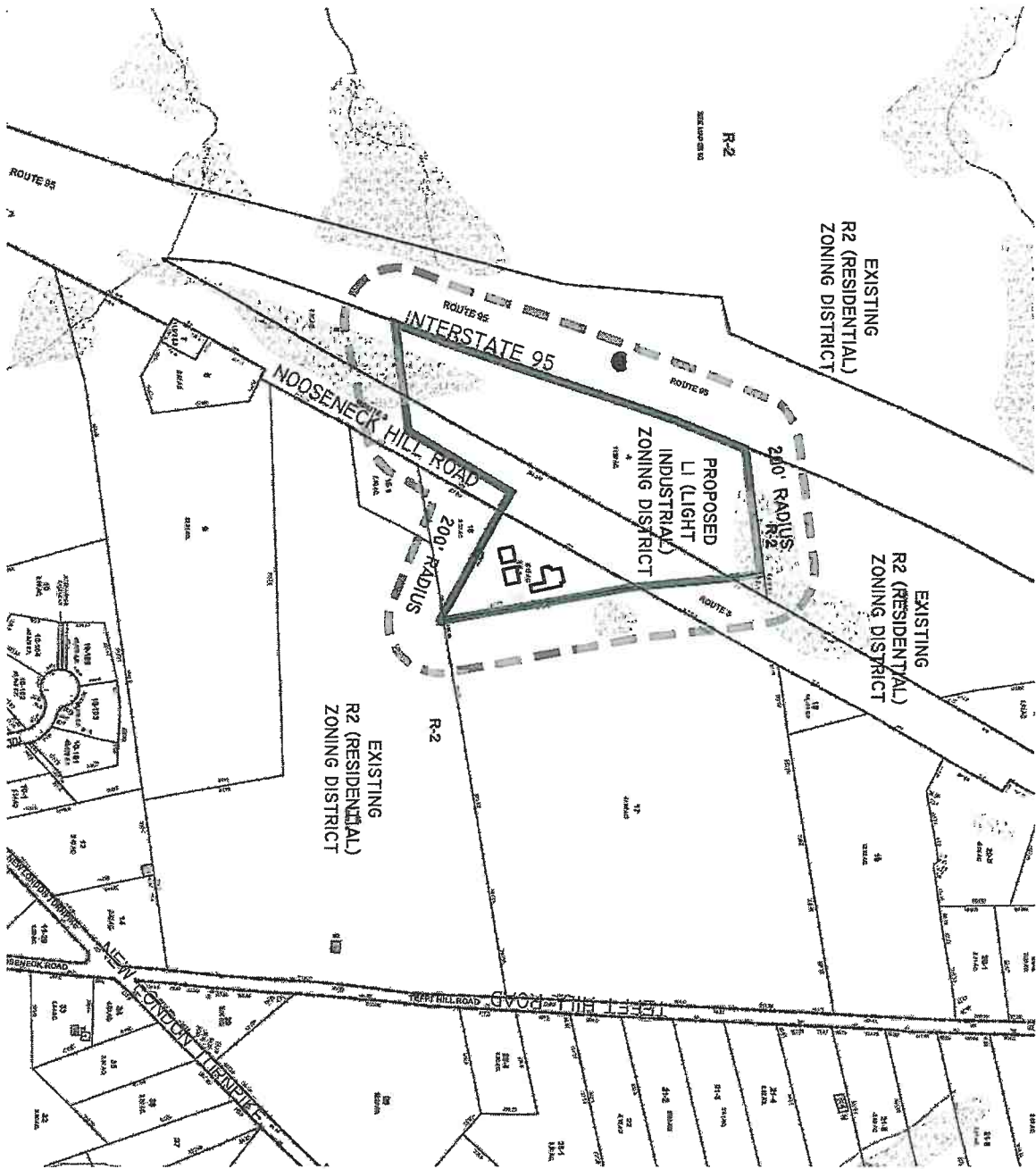


If you have any questions regarding this development or throughout the design process, please do not hesitate to contact us.

Sincerely,  
DiPrete Engineering Associates, Inc.

Christopher Duhamel, PE, PLS  
Principal  
[cduhamel@diprete-eng.com](mailto:cduhamel@diprete-eng.com)





SCALE: 1"=400'  
 0 200' 400' 800'  
 ASSESSOR'S MAP(S) OBTAINED FROM CITY'S WEBSITE.  
 TLA PLANS USED ON PLAN: 2C.



## 200' RADIUS MAP

### AQUA SCIENCE STORAGE BUILDING

319 NOOSENECK HILL ROAD, ASSESSOR'S PLAT 2C LOTS 4 & 16-1  
 RICHMOND, WYOMING, RHODE ISLAND

PREPARED FOR:

**LAWRENCE CASEY**

319 NOOSENECK HILL ROAD, WYOMING, RI 02898  
 TEL: (800) 767-6751

DATE:  
 XX-XX-XXXX

SHEET  
 OF 1



**DiPrete Engineering**

Two Stafford Court Cranston, RI 02920  
 tel 401-943-1000 fax 401-464-6006 www.diprete-eng.com

Boston • Providence • Newport

**Abutter's List**  
**AP 2C Lot 4-0 & 16-1**  
**Wyoming, Rhode Island**  
**Prepared on: 2021-08-27**

<b>Property ID</b>	<b>Abutter</b>
02C-003-000	USA UNKNOWN
02C-006-000	KNERR WILSON P JR 55 NOOSENECK HILL RD WYOMING, RI 02898
02C-015-000	KNERR WILSON P JR 55 NOOSENECK HILL RD WYOMING, RI 02898
02C-015-001	KNERR WILSON P JR 283 NOOSENECK HILL RD WYOMING, RI 02898
02C-016-000	ZAMBRANO PAUL J JR & LINDA M TRUSTEE 289 NOOSENECK HILL RD WYOMING, RI 02898
02C-017-000	MARY R FASANO REVOCABLE TRUST FASANO MARY R & RONALD E CO TRUSTEES 61 TEFFT HILL RD WYOMING, RI 02898
02C-017-001	FASANO RONALD 61 TEFFT HILL RD WYOMING, RI 02898

COMPREHENSIVE PLAN & ZONE CHANGE APPLICATION SUBMISSION

# AQUA SCIENCE ZONE CHANGE

301 & 310 NOOSENECK HILL ROAD  
RICHMOND, WYOMING, RHODE ISLAND  
ASSESSOR'S PLAT 2C LOTS 4 & 16-I

## Sheet List Table

- 1 Cover
- 2 Aerial and Half Mile Radius
- 3 Existing Analysis Plan
- 4 Site Layout Plan - 1
- 5 Site Layout Plan - 2
- 6 Zone Change Plan





AERIAL AND HALF MILE RADIUS

100

THIS PLAN SET MUST NOT BE USED FOR CONSTRUCTION PURPOSES  
 UNLESS ISSUED, REVISED FOR CONSTRUCTION AND LISTED IN  
 A REGISTERED PROFESSIONAL ENGINEER'S OFFICE



Digitized by Google

PHOTO OBTAINED  
DATE OF PHOTO  
SCALE: 1"=400'





SCALE, 1"=80'



301 S MOONSHEN HILL ROAD, WYOMING, RI 02898  
LAWRENCE CASEY  
MIRFIELD ROAD  
RICHMOND, WYOMING, RHODE ISLAND  
ASSASSIN'S PLAT 2C LOT 6 & 16-1  
301 S MOONSHEN HILL ROAD  
AQUA SCIENCE ZONE CHA

ENGINE

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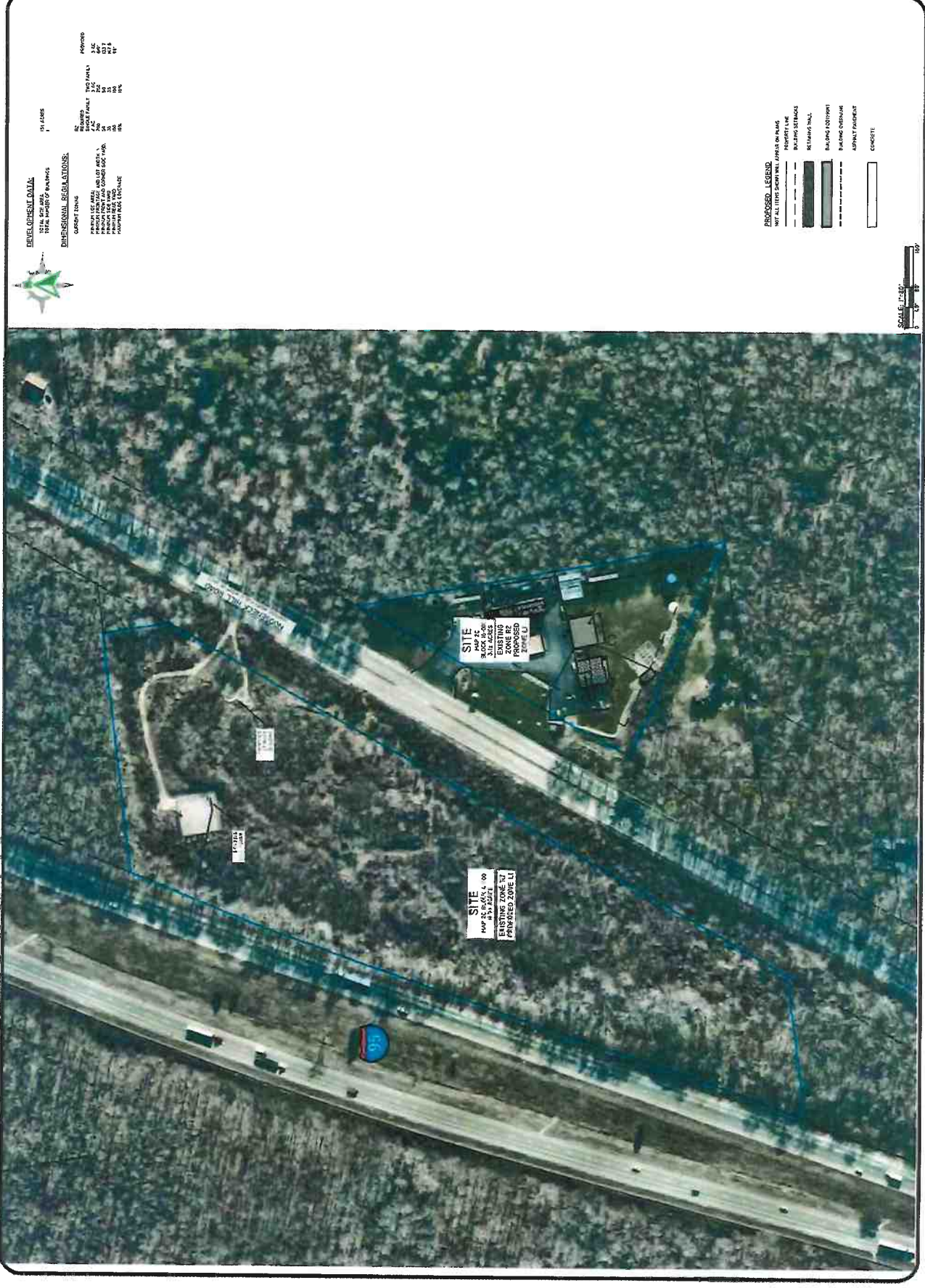
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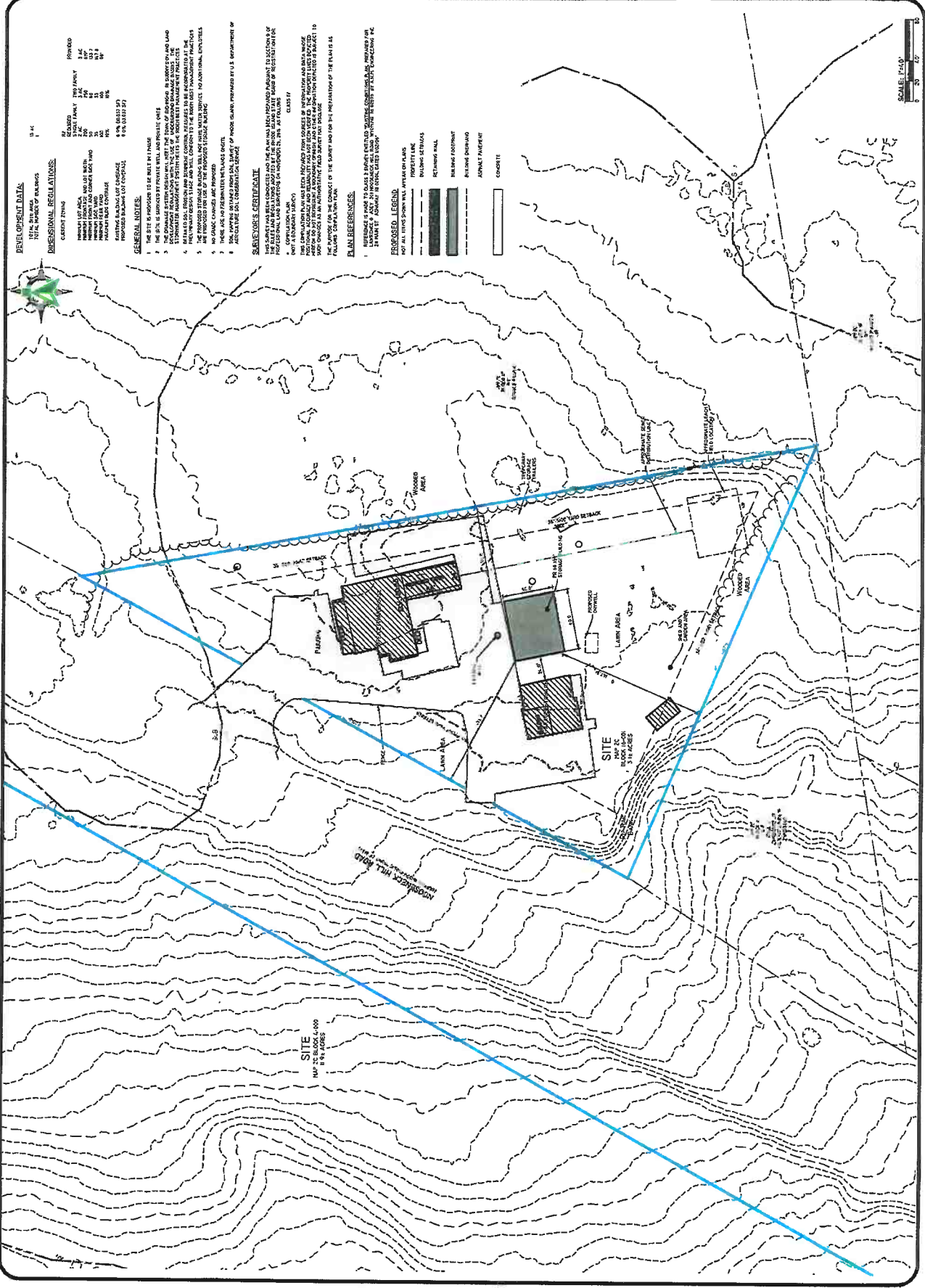
DATE	
TIME	
LOCATION	

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WSS	NOI 100 19530
WSS	NOI 100 19530

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**DiPrete Engineering**  
405 Stafford Court Cranston, RI 02906  
Tel: 401-947-1100 Fax: 401-661-6006 [www.diprete-eng.com](http://www.diprete-eng.com)







**ZONE CHANGE PLAN**  
AQUA SCIENCE ZONE CHANGE  
LAWRENCE CREEK  
300 HOBBS RD., WYOMING, WY 83098  
TEL: (307) 327-9231

NO.	DATE	DESCRIPTION
1	10/27/21	100% PLAN FOR REVIEW
2	11/10/21	100% PLAN FOR REVIEW
3	11/10/21	100% PLAN FOR REVIEW
4	11/10/21	100% PLAN FOR REVIEW
5	11/10/21	100% PLAN FOR REVIEW
6	11/10/21	100% PLAN FOR REVIEW
7	11/10/21	100% PLAN FOR REVIEW
8	11/10/21	100% PLAN FOR REVIEW
9	11/10/21	100% PLAN FOR REVIEW
10	11/10/21	100% PLAN FOR REVIEW

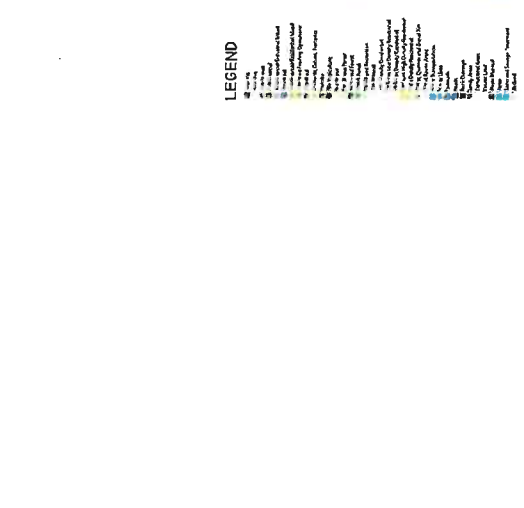
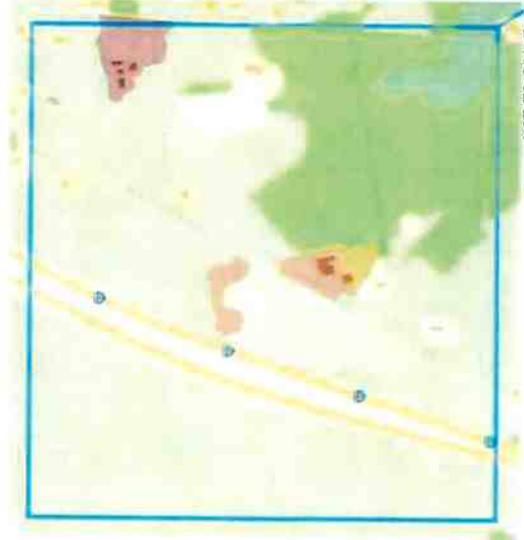
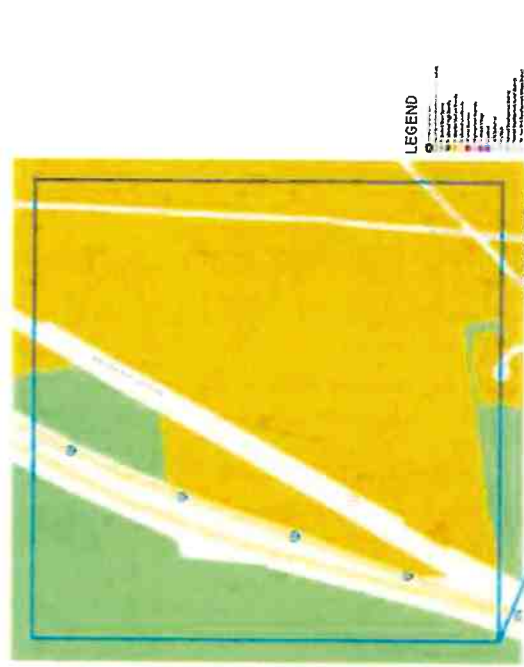
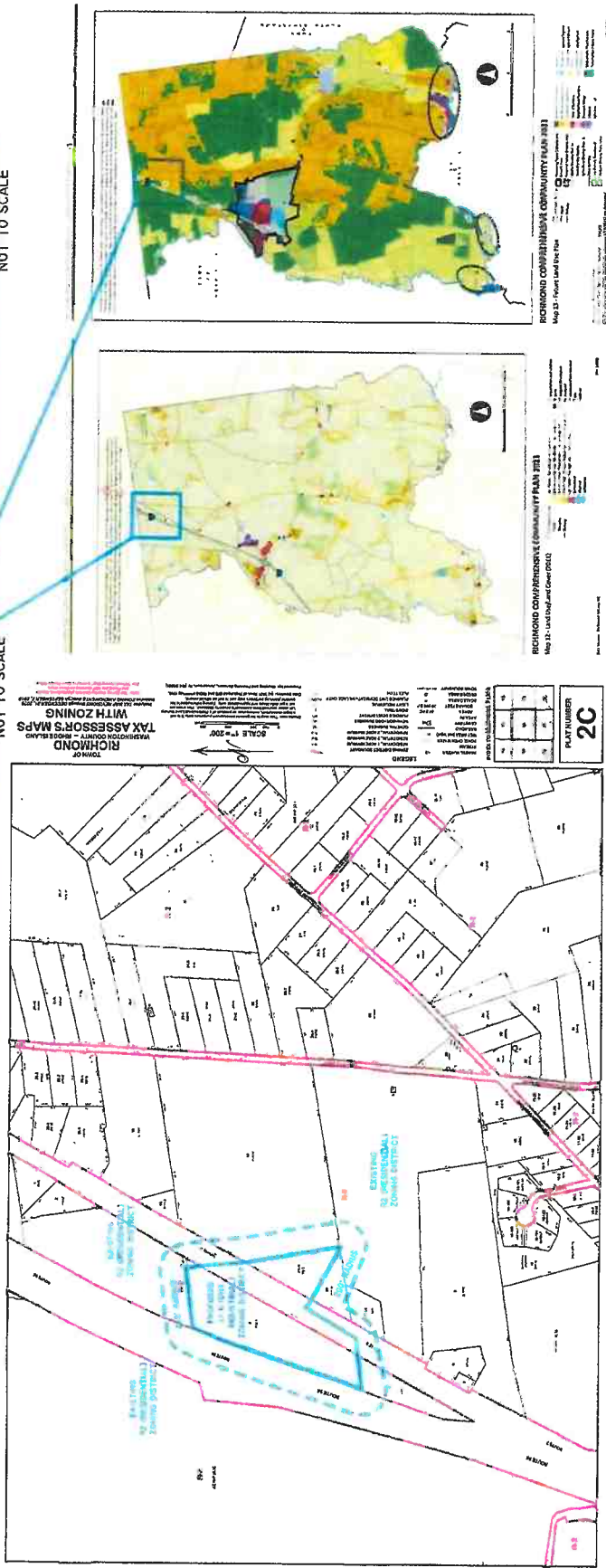
**CHRYSTOPHER A. CUMMINS**  
No. 6144  
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WYOMING  
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307.634.1100 | www.diprete-eng.com

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SCALE 1"=400'



Town of Richmond  
5 Richmond Townhouse Road, Wyoming, R.I., 02898  
**PLANNING BOARD**  
Minutes of November 9, 2021

The public is invited to observe and participate in the deliberations of this meeting by accessing the meeting link below. For those without access to video observation platforms, you may also call in to listen to the deliberations of this meeting by using the call-in phone number provided herein.

Join via phone:       Dial: 1-646-558-8656 or Toll Free at 833-548-0282  
                          When prompted, enter meeting ID 894 3214 4349#  
                          Press # again to join the meeting

Join via computer or mobile app: <https://us02web.zoom.us/j/89432144349>

(Any matter appearing on this agenda may be voted on by the Planning Board)

Members Present: Chair Phil Damicis, Vice Chair Nancy Hess, Andrea Baranyk, Dan Madnick, Travis Putnam, Sean Cutting, Gary Parker

Also Present: Town Planner Shaun Lacey, Town Solicitor Karen Ellsworth, Clerk Samantha Patton

A. Call to Order

The meeting was called to order by Chair P. Damicis at 6:30 p.m.

B. Minutes

1) October 18, 2021

**D. Madnick moved to approve the minutes of October 18, 2021 as amended. S. Cutting seconded the motion. Voting in favor: P. Damicis, A. Baranyk, D. Madnick, T. Putnam, S. Cutting, G. Parker; N. Hess abstained.**

2) October 26, 2021

**D. Madnick moved to approve the minutes of October 26, 2021 as amended. N. Hess seconded the motion. Voting in favor: P. Damicis, N. Hess, A. Baranyk, D. Madnick, T. Putnam; S. Cutting and G. Parker abstained.**

C. New Business

1) Public Hearing: Combined Master Plan and Preliminary Plan application of Kevin Gilligan, 9 Jupiter Lane, Stonington, CT 06378 for a three-lot major subdivision located at 334 Church Street, Plat 11A Lot 24, zoned R-3

**N. Hess moved to open the public hearing. A. Baranyk seconded the motion. Voting in favor: P. Damicis, N. Hess, A. Baranyk, D. Madnick, T. Putnam, S. Cutting, G. Parker**

P. Damicis explained the procedure of public hearings to the body. The presentation will begin with the applicant, with the Board addressing any comments and concerns concluded.

Dan Harrington, RLS, present on behalf of the Gilligan family, explained that the property is on Church St., located in the village of Alton, in Richmond. There is an existing 54-acre parcel that consists of a single-family residence, and a solar energy system. The solar energy system is indicated on the site plans as requested by the Planning Board during the pre-application review stage. Two new lots are proposed, and will be accessed from Church Street. The property is located in an agricultural overlay district and aquifer overlay district. The two proposed lots conform to the dimensional regulations set forth for the underlying zoning district(s). State permits including an onsite wastewater system and physical alteration permit have been obtained.

S. Lacey explained that the subdivision is designed as a minor subdivision but because the applicant is requesting a waiver from the land development and subdivision regulations, it reclassified the proposal as a major subdivision, and it is recommended that both the master and preliminary plan review stages be reviewed and approved concurrently.

The Board did not have any further comments or questions, nor did the public.

**G. Parker moved to close the public hearing. A. Baranyk seconded the motion. Voting in favor: P. Damicis, N. Hess, A. Baranyk, D. Madnick, S. Cutting, T. Putnam, G. Parker**

**G. Parker moved to approve the combined master and preliminary plan with the waiver requested subject to the listed findings and conditions in the Staff Report. D. Madnick seconded the motion.**

**N. Hess asked G. Parker to table his motion so the waiver requests could be voted on first. G. Parker had no objections and seconded N. Hess's motion.**

**N. Hess moved to table the previous motion and to approve the waiver of Section 3.3 of the land development and subdivision regulations requiring a yield plan because it is unnecessary as the proposal does not provide the maximum number of lots permissible and the parcel has a long-term lease and comes with a similar operator. G. Parker seconded the motion. Voting in favor: P. Damicis, N. Hess, A. Baranyk, D. Madnick, S. Cutting, T. Putnam, G. Parker**

**Voting ensued on G. Parker's previous tabled motion. Voting in favor: P. Damicis, N. Hess, A. Baranyk, D. Madnick, S. Cutting, T. Putnam, G. Parker**

D. Harrington asked for confirmation that the final plan approval will be done administratively.

S. Lacey confirmed.

- 2) Development Plan Review application of Patrick Kilroy, c/o Coastal Farms, 66 Kingstown Road, Richmond, RI 02898 for proposed storage and greenhouse additions to an existing medical marijuana cultivation facility located at 66 Kingstown Road, Plat 5B Lot 66, zoned PUD-VC



Patrick Kilroy, property owner of 66 Kingstown Road and partner of Coastal Farms, stated he is presently seeking approval for an add-on of a warehouse and greenhouse to the existing cultivation facility. He said he has had discussions with the Town Planner concerning parking, and stormwater management. S. Lacey has determined that the proposal meets the dimensional regulations set forth in the zoning ordinance.

S. Lacey explained there are two additions associated with the project. The storage addition will be extended towards the northern side of the building and consist of approximately 2,880 square feet, and the greenhouse addition will be proposed to the southerly side of the existing cultivation facility and consist of approximately 4,032 square feet. The nature of the use is permitted by right in the PUDVC zoning district. The two additions proposed comply with the dimensional regulations set forth, including; lot frontage, setbacks, and height. He recommends approval of the additions subject to the list of findings of fact and conditions outlined in the Staff Report.

D. Madnick asked about the parking and entrance to the facility. The entrance used to be accessed on the north side of the property, and noticed that the handicap parking had been rearranged to the south side and asked if the location of one of the entrances is changing.

P. Kilroy said yes. There is a door on the south side to access the building. It is located in front of the handicap parking spot, in front of the proposed addition.

D. Madnick questioned the traffic circulation, if increased traffic is expected, and if it will be a two-way or one-way entrance.

P. Kilroy said the entrance can be made as a one way if the Board prefers. He knows that there is sufficient room for emergency personnel, and has an adequate radius for a fire truck.

P. Damici said it is not open to the public and a few additional workers would not negatively impact the traffic circulation.

P. Kilroy indicated that there are about ten employees, and presence of occasional delivery trucks are usually incoming and outgoing. They do not anticipate an increase in traffic.

S. Lacey added that the driveway design of the entrance can support a two-way drive aisle.

A. Baranyk asked for clarification on the elevations of the building. She asked how many bays are constructed currently.

P. Kilroy said there are currently 4 bays, and an additional two bays will be constructed for the two additions proposed. Both would have pitched roofs.

A. Baranyk said the large plan had notes that shows other proposed functions such as installation of a transformer pad, and underground electric.

P. Kilroy said those specific notes are from the existing plan and are already installed.

S. Cutting asked if the applicant intends to hire additional employees as there are only 11 parking spots created.



S. Rohner, property owner and partner, said 5 of their employees are from Newport where they reside, and they carpool together. The parking requirements meet what is required for the square footage of the building. There is an extra lot towards the front of the building if extra parking is needed, but he does not foresee a need for it.

N. Hess asked if the proposed additions are going to be the same color as the existing structure.

P. Kilroy said yes.

N. Hess said she would like to see it as a condition of approval to ensure the additions match the existing structure.

The Board ensued discussion with the applicant that included the current operations, and methods of their facility.

**N. Hess moved to approve the Development Plan Review application based upon the findings of fact and RI General Laws as outlined in the Staff Report, and the recommended conditions of approval as outlined in the Staff Report with the additional condition of matching colors of the addition(s) to the same of the existing building. The applicant will also provide the exterior lighting submittal to the Town Planner to ensure it is Dark Sky compliant. D. Madnick seconded the motion. Voting in favor: P. Damicis, N. Hess, A. Baranyk, D. Madnick, S. Cutting, T. Putnam, G. Parker**

- 3) Application(s) of Mary R. Fasano Revocable Trust, Mary R. Fasano & Ronald E. Fasano, Co-trustees, 61 Tefft Hill Road, Wyoming, RI 02898 for a proposed Zoning Map Amendment and Comprehensive Plan Amendment affecting a portion of 61 Tefft Hill Road, Plat 2C Lot 17. The proposal includes a Zoning Map Amendment from R-2 (Single-Family Residential) to LI (Light Industrial) and a Comprehensive Plan Future Land Use Map designation amendment from Medium Density Residential to Light Industrial.

S. Lacey informed the Board that the applicant has filed for a zoning map amendment and comprehensive plan amendment request to rezone property from residential to light industrial to permit a metals fabrication use which is permitted by right in a LI zoning district. The applicant has intentions to subdivide the property to create a separate 2-acre property for the LI use. He made the Board aware that the recommendation for a zoning map amendment or comprehensive plan amendment must be considered at a public hearing and enacted by the Richmond Town Council.

Christopher Duhamel, P.E., P.L.S., representing the Fasano's, and property located at Assessor's Plat 2C Lot 17; further designated as 61 Tefft Hill Road described the parcel as containing 42-acres and has 1020 feet of frontage on Tefft Hill and 620 feet of frontage on Nooseneck Hill Road. The site is currently improved with a single-family dwelling, with access off of Tefft Hill. The majority of the 42 acres is protected in the Farm Forest and Open Space (FFOS) program. The site is zoned R2 where the single-family dwelling is permitted. The proposal is to create a 2-acre parcel at the north western corner of the site out of the existing 42 acres, with frontage on Nooseneck Hill Road. The rezone to LI allows the Fasano's to move their business from Cranston to Richmond to construct a 10,000 square foot metal manufacturing machinery building that is classified as use code 920 in the Richmond Zoning Ordinance.

D. Madnick asked how the parcel could be rezoned if it is not subdivided yet.

K. Ellsworth said ordinarily the subdivision would be granted first. The applicant is not going to subdivide the property until the Council makes their decision regarding the zone change.

N. Hess had concerns about the upper edge of the proposal as it is in close proximity to the Town's public well water supply. The LI category may not be appropriate. The Town has the authority to eliminate a single use in a zoning district.

K. Ellsworth added that when the Town Council approves an amendment to the zoning map, they can limit the particular change to a specific use code in the subject zoning district.

N. Hess said she is comfortable with the recommendation to the Council for a single use code approved for the proposed zone change.

C. Duhamel mentioned the use code is 920.

**N. Hess moved to recommend to the Town Council the proposed comprehensive plan amendment changes to the future land use map from medium density residential to light industrial be approved based on findings and recommendations from Staff. D. Madnick seconded the motion. Voting in favor: P. Damicis, N. Hess, A. Baranyk, D. Madnick, S. Cutting, T. Putnam, G. Parker**

**N. Hess moved to recommend the zoning amendment map change of the request to change the 2-acre portion of the site from 2-acre residential to LI and limit it to the single use code of 920 of the Richmond zoning ordinance. A. Baranyk seconded the motion. Voting in favor: P. Damicis, N. Hess, A. Baranyk, D. Madnick, S. Cutting, T. Putnam, G. Parker**

- 4) Application(s) of Lawrence G. Casey, 319 Nooseneck Hill Road, Wyoming, RI 02898 for a proposed Zoning Map Amendment and Comprehensive Plan Amendment affecting two properties located at 301 and 310 Nooseneck Hill Road, Plat 2C Lot 16-1 and Plat 2C Lot 4. The proposal includes a Zoning Map Amendment from R-2 (Single-Family Residential) to LI (Light Industrial) and a Comprehensive Plan Future Land Use Map designation amendment from Medium Density Residential to Light Industrial.

S. Lacey explained the request of the applicant is to rezone 301 and 310 Nooseneck Hill Road from R2 to Light Industrial, similar to the previous agenda item request. Rezoning of those two properties would make the existing business of Aqua Science in conformance with the light industrial zoning district and provide opportunity for potential growth of other like businesses in the future. He further explained Nooseneck Hill Road is zoned primarily for residential uses, but the two existing uses in operation on 301 and 310 Nooseneck Hill Road are examples of nonresidential uses; the uses established are Aqua Science and a cell tower facility. He reiterated that the zoning map amendment and comp plan amendment requires a recommendation from the Planning Board to the Town Council for enactment.

C. Duhamel is present with the applicant and property owner, Larry Casey. He said Lot 4 is currently improved with a cell tower and access pad, with 11.9 acres. The proposed plan is to construct a 60'x50'; 3,000 square foot structure that will not require any water service, or an on-site wastewater treatment system, as the use will be prominently for warehouse storage. The Comp plan amendment request is to amend the zoning district from

Medium Density Residential to Light Industrial, and to change the future land use map zoning designation from R2 to LI.

N. Hess said they are looking at two different parcels. One has an existing business on the property designated as Lot 16-1, (Aqua Science; 310), and before that use was established there was always a non-residential use in operation. With that being said, she does not have any objections to the request of change, to the future land use map. This lot is closer to the Town's wellhead compared to the previous agenda item. She finds it to be more of a riskier use. She does not have any reservations to change 301 Nooseneck Road to LI. She asked if Lot 4; (301 Nooseneck), will be reserved for personal use, to sell the property, or if any other future plans have been discussed.

C. Duhamel said the lot across the street will be used for storage as there is a large demand for Mr. Casey's Aqua Science business. He indicated that this client is not in market to subdivide or sell but simply to acquire additional space for storage of their growing business to accommodate the needs of his customers.

N. Hess questioned some fill and top soil that was added alongside the area.

C. Duhamel said there are not any development plans that he is aware of. The area of fill is near the cell tower.

Larry Casey, property owner and applicant, stated he has been at 301 Nooseneck Hill Road for 20 years and has experienced significant growth and success. He has now come to a point where he cannot house any more material to satisfy the demand. He wishes to extend his operation across the street for warehouse storage to be more efficient. Merchandise is constantly being brought in and out of the current establishment (301 Nooseneck Hill Road). He informed the Board that three Fed Ex trucks are stocked each day. He concluded that he purchased this property in 2000, and is proud to be a part of Richmond.

P. Damicis asked what the dimensions would be of the proposed warehouse building at 310 Nooseneck, across the street from Aqua Science.

L. Casey indicated approximately 30-40,000 square feet. He said the business is growing so fast, it is hard to determine approximate calculations. He said materials are quite challenging and it is not uncommon to receive 3-4 container loads of merchandise at a time. He indicated the parcel that houses Aqua Science will be used primarily for retail and service; whereas, the parcel across the street will be utilized for internet, purchasing, and transportation.

N. Hess moved to provide a positive recommendation to the Town Council of the proposed future land use map and comprehensive plan amendments to Light Industrial for properties located at 301 and 310 Nooseneck Hill Road further designated as Assessor's Plat 2C, Lots 4 and 16-1 based on consistency with the Comp Plan. D. Madnick seconded the motion. **Voting in favor: P. Damicis, N. Hess, A. Baranyk, D. Madnick, S. Cutting, T. Putnam, G. Parker**

N. Hess moved to approve the zoning map amendment from zoning district R2 to Light Industrial for property located at 301 and 310 Nooseneck Hill Road, further designated as Lots 16-1 and 4; and to recommend approval to the Town Council that the zoning map be changed and limited to land use code 920. D. Madnick seconded the motion. **Voting in favor: P. Damicis, N. Hess, A. Baranyk, D. Madnick, S. Cutting, T. Putnam, G. Parker**

D. Adjournment

N. Hess moved to adjourn. D. Madnick seconded the motion. **Voting in favor: P. Damicis, N. Hess, A. Baranyk, D. Madnick, S. Cutting, T. Putnam, G. Parker**

The meeting adjourned at 8:11 p.m.

Respectfully submitted:

Samantha Patton  
Planning Board Clerk

Approved as: Amended  
Date: December 14, 2021

