

PORTSMOUTH TOWN COUNCIL MEETING
JUNE 14, 2021
MINUTES

7:00 PM – Town Council Chambers, Portsmouth Town Hall, 2200 East Main Road

Time: 7:00 PM

MEMBERS PRESENT: Kevin M. Aguiar, Linda L. Ujifusa, Keith E. Hamilton, Andrew V. Kelly and J. Mark Ryan in Town Council Chambers

MEMBERS PRESENT BY ZOOM: Daniela T. Abbott and Michael Buddemeyer

Time: 7:00 PM

EMERGENCY EVACUATION PLAN

PLEDGE OF ALLEGIANCE

SITTING AS THE PORTSMOUTH TOWN COUNCIL

1. Roll Call

PRESIDENT’S EXECUTIVE SUMMARY – There was no Executive Session held.

CONSENT AGENDA – Motion to approve as presented made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

Directions to view licensing applications: 1) Click on [Viewpoint](#), 2) Click Records and then type in the record number which is listed on the agenda, 3) Click on the highlighted record to view the application

1. Bills

2. Peddler License - Mobile Food Establishment (MFE), Renewals:

- a. Max Reeves d/b/a Reds Street Kitchen, 133 Farm Drive, Cumberland, 1 truck (#1908)
- b. Chelsea DaSilva d/b/a Chelsea’s Creamery, 128 Pelham Street, Fall River, MA, 1 truck (#1934)
- c. Castaway Gourmet LLC d/b/a Castaway Gourmet, 60 Selina Way, Portsmouth, 1 truck (#1900)
- d. Brittney Rosenberg d/b/a Sweet B’s Donuts, 120 Connell Highway, Newport, 1 truck (#1899)

SITTING AS THE BOARD OF LICENSE COMMISSIONERS

Directions to view licensing applications: 1) Click on [Viewpoint](#), 2) Click Records and then type in the record number which is listed on the agenda, 3) Click on the highlighted record to view the application

1. Entertainment License – Fee Waiver Requested:

Portsmouth Portuguese American Citizens Club (PPACC), 35 Power Street, for the St. Anthony Feast, July 15-19, 2021, 8:00am – 1:00am (#1938)

2. Victualler License – Fee Waiver Requested:

Portsmouth Portuguese American Citizens Club (PPACC), 35 Power Street, for the St. Anthony Feast, July 15-19, 2021 (#1939) – Motion to approve both the Entertainment and Victualler Licenses for the Portsmouth Portuguese American Citizens Club made by Mr. Hamilton, seconded by Ms. Ujifusa. Motion passed 6-0. Mr. Aguiar recused.

3. Peddler License – Mobile Food Establishment (MFE), New:
Kale Stems LLC d/b/a Stoneacre, 28 Washington Sq., Newport, 2 vehicles (#1941) – Motion to approve made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 7-0.
4. Victualler License – Annual, New:
Patriot West, LLC d/b/a Patriot Petroleum, 2340 West Main Road (# 1945)
5. Holiday License – Annual, New:
Patriot West, LLC d/b/a Patriot Petroleum, 2340 West Main Road (# 1945) – Motion to approve both the Victualler and Holiday Licenses for Patriot West, LLC d/b/a Patriot Petroleum made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 7-0.

ADJOURN – Motion to adjourn as the Board of License Commissioners made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 7-0.

TOWN ADMINISTRATOR'S REPORT

1. Covid-19 Update
 - Please note the COVID Test Site at the Stop and Shop in Newport will permanently close at the end of this month. The last day for testing at that site will be June 26th.
 - Additionally, in accordance with the Governor's executive order, we will still allow remote participation in TC meetings. We are awaiting action on proposed legislation at the State to find out if this will become a permanent feature of the Open Meetings Act.
 - Lastly, we will conduct our final COVID POD Clinic on Friday at the PHS for administration of second doses 12 to 15 year olds. First doses will be offered but second doses will have to be arranged for independently. The clinic will be conducted from 5 to 7 PM.
2. Senior Center Update
 - Staff, Town Council reps, community members of the Sr. Center advisory group, the Sr. Center Director, and the Sr. Center Board Chair met with Church Community representatives to tour other properties developed by Church Community and last week, met with Union Studios Architects and Darveau Surveying to discuss what features should exist in a new building to best serve members of the senior center. The Architect and Surveyor will take the requests and suggestions and present possible plans to the advisory group at the next meeting.
 - As noted at the Town Budget hearing, I anticipate receipt of the Architects report on costs to renovate the Anne Hutchinson building this week and will schedule an update from the consultant at the earliest opportunity.
3. NGrid Update
 - National Grid has submitted their siting report and application to the Energy Facility Siting Board (EFSB) for use of LNG portable equipment at Old Mill Lane. As briefed to the Council in a prior meeting, the purpose of the application is to address the existing gap between gas demand and existing gas capacity on extremely cold days - and maintain the ability to address capacity vulnerability while engaging in an analysis of long term solution to address the Islands gas needs.
 - The EFSB has not docketed the application yet so it's not yet on their website, but it is included in correspondence to the Council on this agenda.
4. Town Hall Update
 - Town Hall employees have now had the opportunity to become fully vaccinated. The building is now open for walk-in business. We are asking all visitors to enter from the South End of the building (the end closest to the TC Chambers). Additionally, we ask all visitors to adhere to the new mask requirements:

- If you are fully vaccinated, you do not need to wear a mask.
- Please wear a mask if you are not fully vaccinated.

RESIGNATIONS AND APPOINTMENTS

1. Resignations:

Harbor Commission – Motion to accept the resignation of Michael Daly with regret made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 7-0.

2. Appointments:

Conservation Commission – Motion to reappoint Nancy Tanner made by Mr. Hamilton, seconded Dr. Ryan. Motion passed 7-0.

Design Review Board - Motion to appoint Philip Cox made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

Economic Development Committee – Motion to appoint Matthew Cavanaugh as the Youth Rep. for the term ending August 31, 2022 made by Ms. Ujifusa, seconded by Dr. Ryan. Motion passed 7-0.

Harbor Commission – Motion to appoint Ian Ramsden made by Dr. Ryan, seconded by Ms. Ujifusa. Motion passed 7-0.

OLD BUSINESS (Discussion/Action)

1. Portsmouth Aggregation Update. – Motion to receive and place on file made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

2. Approval for RIDE Stage II submission. – Motion to approve made by Mr. Hamilton, seconded by Mr. Kelly. Motion passed 7-0.

NEW BUSINESS (Discussion/Action)

1. Public Hearing – Zoning Ordinance Amendment

Article III, Section (B)(4) and the Zoning Map shall be amended to rezone Map 31, Lot 4 (22 + 24 Dexter Street) from Commercial (C-1) to Residential (R-20).

David Manoni, Groundbreaking Designs, LLC, 90 Highland Avenue, South Kingstown, spoke on behalf of the Carlone Family. Currently there are two existing single-family dwellings on the property. The use is currently a grandfathered nonconforming residential use in a commercial zone and the Carlone family wish to have you consider rezoning the property as residential (R-20) to bring the current use into compliance. They have received a favorable advisory opinion from the Planning Board for the rezoning and are asking approval from the Council. Once approval is received, they will be going back to the Planning Board to request approval to subdivide the property to construct additional homes for his three children through a minor subdivision with a proposed street extension.

Mr. Hamilton asked why R-20 instead of R-30. Mr. Manoni's response was so the zoning would match the surrounding area. There was no other public comment.

Motion to close the public hearing made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

Motion to approve as presented made by Mr. Hamilton, seconded by Ms. Ujifusa. Motion passed 7-0.

2. Public Hearing – Zoning Ordinance Amendment

Article III, Section (B)(4) and the Zoning Map shall be amended to rezone Map 47, Lot 2A (0 Schoolhouse Ln) from Residential (R-20) to Light Industrial (I-L) with the ultimate goal of merging with Map 53, Lot 18J.

William Dennis Esq., 576 Metacom Ave, Bristol, Neil Hingorany, PLS, Narragansett Engineering, Inc., Portsmouth, JJ Silvia III, IMS-Resistors, 50 Schoolhouse Ln, Portsmouth

Mr. Silvia would like to request to rezone Map 47, Lot 2A from residential (R20) to light industrial (L1) with the hope to eventually join the two lots east of Lot 2A, which are already zoned light industrial.

Mr. Hamilton's main concern is that there is a residential buffer and that they be as respectful as possible to the neighboring properties.

Ms. Abbott is not supportive of the request. She believes it is a bad trend to change residential zoning to industrial.

Mr. Kelly asked the business hours; is there a shift change; how many employees and asked about deliveries by FedEx or UPS?

Mr. Silvia stated that they are open 9:00 AM to 5:00 PM, their staff work 7:30 AM to 4:30 PM and a small second shift that works 4:30 PM to 11:00 PM. FedEx and UPS usually pick up around 4:30 PM. They do not have items that are shipped. The packages that go out fit in the FedEx envelopes. There are currently 41 employees.

Ms. Ujifusa asked if the zoning change is necessary and, if changed, would the zoning revert if they left.

Mr. Aguiar explained that the zoning designation would remain.

Mr. Hamilton hopes that IMS-Resistors would involve the Spanners, who are the abutters to the property regarding plantings to screen the building.

Ms. Ujifusa is concerned with changing the zoning from residential to light industrial.

Motion to close the public hearing made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

Motion to approve made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 5-2, Ms. Abbott and Mr. Kelly in dissent.

3. Request Approval of the Town Administrator's Contract July 1, 2021 – June 30, 2024. – Motion to approve made by Ms. Ujifusa, seconded by Mr. Hamilton. Motion passed 7-0.

4. Request to Award the New Design of Weaver Cove Boat Ramp and Pier Improvements. – Motion to approve made by Mr. Hamilton, seconded by Ms. Ujifusa. Motion passed 7-0.

5. Request Approval to Abate 2004-2009 Delinquent Taxes in the amount of \$16,360.90. – Motion to approve made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

CORRESPONDENCE – Motion to receive and place on file made by Dr. Ryan, seconded by Mr. Hamilton. Motion passed 7-0.

1. Monthly RIRRC Report. / R. Antaya
2. National Grid Portable LNG Vaporization Project, Old Mill Lane, Portsmouth, RI Energy Facility Siting Board (EFSB) Application. / G. Watson III, Robinson & Cole
3. Portsmouth Water and Fire District Quarterly Financial Report Ending April 30, 2021. / N. John Larsen, Portsmouth Water and Fire District
4. Advisory Opinion Response to the letter dated November 23, 2020 to the Town Council President from Mr. Scott Millar, Director of Community Assistance and Conservation for GrowSmartRI relating to the Zoning Ordinance Amendments and Assess the Comments and Recommendations. / L. Lesinski, Administrative Officer, Portsmouth Planning Board
5. Resolution on Gun Free Schools Bill H-5555. / North Smithfield School Committee
6. Resolution on Expressing Support for a Moratorium on the Expansion of Charter Schools Bill H-5193. / North Smithfield School Committee
7. Resolution on Gun Free Schools Bill H-5555. / Woonsocket School Committee
8. Resolution on Expressing Support for a Moratorium on the Expansion of Charter Schools Bill H-5193. / Woonsocket School Committee
9. Resolution Expressing Support for the State Reimbursement of Transportation Services Cost for Public and Private School Pupils Bill H-6030. / Woonsocket School Committee

FUTURE MEETINGS

Jun 28 7:00 PM – Town Council Meeting
Jul 12 7:00 PM – Town Council Meeting
Jul 26 7:00 PM – Town Council Meeting
Aug 10 7:00 PM – Town Council Meeting

ADJOURN – Motion to adjourn made by Mr. Hamilton, seconded by Dr. Ryan. Motion passed 7-0.

Time: 9:17 PM

Jennifer M. West, Town Clerk