

CITY OF WARWICK
FRANK J. PICOZZI, MAYOR

CHARLES BENSON
Chairman

MICHAEL GILBERT
Vice Chairman

JAMES PAOLUCCI
Clerk



POLICE DEPARTMENT
99 Veterans Memorial Drive
401-468-4200

FIRE DEPARTMENT
111 Veterans Memorial Drive
401-468-4000

BOARD OF PUBLIC SAFETY
Warwick, Rhode Island 02886

BOARD OF PUBLIC SAFETY
January 10, 2023
6:00 p.m.
BOARD OF PUBLIC SAFETY ROOM
SECOND FLOOR, POLICE HEADQUARTERS

At 6:00 p.m., the Board was going to enter its regular session and realized the room was going to be over capacity. The Board and public participants were then moved to the Community Room on the first floor, in order to accommodate everyone.

At 6:12 p.m. the Board entered its regular session for Tuesday, January 10, 2023. Present were Colonel Bradford Connor, Chairman Charlie Benson, Vice Chairman Mike Gilbert, Clerk Jim Paolucci, Assistant Solicitor Wyatt Brochu, and Recording Secretary Lisa Ferolito.

1. Call to Order – Board Chairperson
2. Roll Call – See above.

FIRE DEPARTMENT
REGULAR SESSION

1. Fire Chief Peter McMichael to recommend transfers, promotions, and retirements. Names to be presented at the meeting.

ACTION: There was no fire session this evening.

POLICE DEPARTMENT
REGULAR SESSION AGENDA

Board Business Police Department - Review, Discussion and/or Potential Action
and/or Vote:

1. The minutes of the Board of Public Safety meeting held on Tuesday, December 13, 2022 to be submitted for approval.

ACTION: Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

2. Colonel Bradford E. Connor to recommend appointments, promotions, transfers and reassignments; names to be submitted and discussed at the meeting.

The following promotions/elevation in rank took place in Warwick City Council Chambers on Monday, January 9, 2023:

PROMOTION IN RANK – effective Monday, January 9, 2023:

Promoted to the rank of Lieutenant: Sergeant Jedidiah D. Pineau

PROMOTION IN RANK – effective Thursday, September 15, 2022:

Promoted to the rank of Sergeant: Detective Sokphannareth Chea

PROMOTION IN RANK – effective Monday, October 31, 2022:

Promoted to the rank of Sergeant: Detective Christopher J. Gillis

PROMOTION IN RANK – effective Monday, January 9, 2023:

Promoted to the rank of Sergeant: Detective John M. Zaborski

ELEVATION IN RANK – effective Monday, January 16, 2023:

First Class Officer to Detective: Officer Ben L. Bratko
Officer Tyler M. Stone
Officer Frank J. Montanaro Jr.

ACTION: Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

3. Colonel Bradford E. Connor to recommend retirements and resignations;

Request from Sergeant John Choquette to retire from the Department, effective March 20, 2023.

Request from Office James Vible to retire from the Department, effective, January 7, 2023 (before reaching 20 years of service)

ACTION: Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

LICENSES AND PERMITS

All licenses are subject to receipt of all required paperwork, all State and Local permits, and compliance with all stipulations, rules and regulations as required by the Board of Public Safety.

4. Liquor License - Class BT-BH (New) Justin Kohlmeier
Mittas Airport Hotel
d/b/a Radisson
2081 Post Road

ACTION: Colonel Connor recommended approval pending state taxes. Chairman Benson made a motion to approve pending state taxes. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

5. Liquor License – Class BV (New) 3295 SH Holdings, LLC
d/b/a 3295 SH Holdings, LLC
3295 Post Road

Attorney Christopher Mulhearn: Good evening Mr. Chairman, Chief, Mr. Brochu, members of the commission. My name is Christopher Mulhearn. I'm an attorney located at 1300 Division Road, Suite 304, West Warwick, Rhode Island. I represent 3295 SH Holdings, LLC. As the Chief correctly indicated, this is an application for a new Class BV liquor license, or liquor license for a to be established business. This is a somewhat unique circumstance, in so far as the property is leased at 3295 Post Road. Pursuant to that lease, for the commission's benefit, the landlord is here, Three Branch, LLC, Sean Harrington, the principal of that entity is here if the commission wishes to hear from him. Under the lease, the landlord is going to do the build out for the facility of the establishment but in order to do that, he needs a conditional approval of the liquor license. That's what triggers the effectiveness of the lease, which is why we're here prematurely. I understand that the build out is going to take probably up to 60 to 90 days, so we're not anticipating opening the establishment until probably at some point late winter, or very early spring. Um, it's slated to be a higher end, adult oriented, tapas and lounge establishment; light menu, pizzas, appetizers, things of that nature, full liquor service. The two principals of the 3295 SH Holdings, LLC currently have two separate entities that are licensed in the City of Cranston; PJ's Pub on Pontiac Avenue, and the Gentleman Cigar Lounge on Pontiac Avenue. Since they have owned and operated those facilities, they've never had any suspensions, modifications, revocations, or violations against either license; so you're getting two very experienced operators for this proposed establishment. Lastly, we believe that given the revitalization of Apponaug Village, that this will actually complement the plan the City has for that particular foot print, with the rink and park going directly behind it. Again, Mr. Harrington has made a commitment. He acquired the property about five months ago. A full scale rehabilitation of that entire building, so we think it will actually complement the surrounding area. To the best of my knowledge, there's been no objections or

opposition filed in response to the application. Notices have gone out to all abutters within a 200 foot radius. I believe that the Chief is accurate, that the approvals that will be necessary for the final issuance of the license; none which can be accomplished until the build out is completed; but those would be required.

Chairman Benson: Where, is it in the plaza?

Attorney Mulhearn: No, it's right on Post Road. It is, it's literally the store front facing City Hall, immediately to the left.

Chairman Benson: Okay.

Attorney Mulhearn: It's like a double store front there.

Chairman Benson: Okay.

Clerk Paolucci: Parking is in the rear?

Attorney Mulhearn: Parking is in the rear. Currently there is a parking plan that provides between 27 and 29 spaces, so there will be sufficient parking. Plus, in a village, there is no specific requirement. There is also ample on street parking as well. But the parking is dedicated as part of the parcel and for the establishment.

Chairman Benson: You'll be closing at 1:00 a.m.?

Attorney Mulhearn: Yes, correct.

Clerk Paolucci: Just a question on the proposed occupancy.

Attorney Mulhearn: Yes. Although we don't know, that's really up to fire to ultimately determine. We would anticipate about 70 to 75 people, given the size of the space, between fixed seating and standing.

Chairman Benson: Will there be any application for entertainment?

Attorney Mulhearn: There has been an application that has been filed. I've already communicated with the licensing unit on that, obviously. We just wanted to file as pro forma. If we do it, it would either be acoustic entertainment or some type of adult oriented, not going to be bands or things of that nature.

Chairman Benson: No outdoor entertainment planned?

Attorney Mulhearn: There is not. There wouldn't be any space, unless we'd have to get an expanded premises permit for that. That's not anticipated. That would have to be in the parking, or the rear of the establishment, because there's no frontage that you could do it. If there were the case, that would cut

into parking and require some kind of additional parking, so we'd have to come before this body anyway.

Chairman Benson: Okay. Questions? Is there anyone here to talk about the application?

Nothing is heard.

ACTION: Colonel Connor recommended approval pending building (zoning), fire, Rhode Island Department of Health approval, and state taxes. Chairman Benson made a motion to approve pending building (zoning), fire, Rhode Island Department of Health approval, and state taxes. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

6. Liquor License – Class BV (New)

GGGJ1, Inc.
d/b/a All Stars Subs
2283 Post Road

Chairman Benson: Would you two like to talk about the license.

Ms. Sara Fernandes: We will, if it's okay. So, my name is Sara Fernandes and I am the owner, along with TJ Ambrosio. We also have another partner. We acquired the lease to the property a few months ago, so we're asking for a liquor license. Our plan is to be open seven days a week, from 11:00 a.m. to 1:00 a.m. We are going to be, it was an existing Subway sandwich shop that we're now, we don't have the franchise anymore so we're just going to make it All Star Subs. Our purpose is mostly, obviously, sandwiches. We're going to, we also have all booths that are going to be put it, so we don't know exactly what our occupancy is right now, so that will be coming in the next coming weeks. We have, our lease we signed was for five years. We have fourteen, I think, parking spaces that are dedicated to us. We're right on the side of Hertz and Tavern Twelve on the other side. We are really good friends with that owner, so we have some parking if we need to overflow there as well. Our main focus for the liquor license is the mainly sell beer and wine. We'd like a full liquor license, but we just, that's pretty much our focus. We'll probably have some mixed drinks here and there for specials, but our main goal is sandwiches.

Chairman Benson: Chief, what was the recommendation?

Colonel Connor: Approval pending building, fire, health, city and state taxes.

Clerk Paolucci: May I ask your hours of operation?

Ms. Fernandes: 11:00 a.m. until 1:00 a.m., seven days a week.

Chairman Benson: Okay, does anyone have questions?

Nothing is heard.

Clerk Paolucci: Is there any questions or comments from the audience?

Mr. Todd DerManoualien: My name is Todd DerManoualien, I'm from National Velour, neighboring property. I am happy to see a sub shop coming in; looking forward to get sandwiches there, but our concern is about parking. Uh, they say that they have 14 spots. They may have, but the issue is with Hertz taking many of those spots. Even when it was a Subway, we had people parking in our lots. A sub shop is fine; they go in and get their sandwich and they leave. If they are going to be doing beer and wine service, you're going to have extended stays, and I don't think they have the parking to support it.

Solicitor Brochu: Can I make a suggestion, Mr. Chairman?

Chairman Benson: Yes.

Solicitor Brochu: If the Board sees fit, they could be required to submit a parking plan, an outline to the licensing division as to actually what spots they have dedicated to this use. So, that could be monitored and looked at, and if there's a complaint we can see if those spots are being taken up by another, another use on that premises.

Mr. Ambrosio: I believe we have four in the front, five in the back, three on the side. As Sara said, we're pretty close with Matt, the owner of Tavern Twelve. He said don't worry about it.

Ms. Fernandes: We can give you that plan. We have that with our landlord.

Chairman Benson: Okay, um, if there is a problem with Hertz going there, is that something they could notify the Board and we could have Hertz come in to explain why they're taking parking spots.

Solicitor Brochu: They could. It would be a matter if the parking is identified in a lease; that would be a civil matter, but at least for licensing we could have a plan on file that says okay, you said you had this many spaces on file, where are they? So if we have a complaint, we can make sure they're available to this business and not being utilized by another one.

Ms. Fernandes: That was one of the things that we did before we executed the lease was to make sure we have our parking spots. Right now, we're not open yet, so we do see them kind of parking there already, but once we open we need to address that. Actually, our person that is doing our sign, our marquee, is actually going to put dedicated parking for All Star Subs.

Chairman Benson: I don't think the Board can consider, for parking purposes, that Tavern Twelve will let you use some of their spots.

Ms. Fernandes: Of Course.

Chairman Benson: It's nice if they will, but - -

Ms. Fernandes [Interposing]: Just because of the relationship we have with them.

Vice Chairman Gilbert: Is that just a verbal agreement?

Ms. Fernandes: Just a verbal agreement, yes.

Vice Chairman Gilbert: They wouldn't give you something in writing?

Ms. Fernandes: We can talk to Matt. I'm sure he would. Yeah.

Clerk Paolucci: Your seating capacity again?

Ms. Fernandes: We're thinking probably, again, we have to do fire, but 80, 85.

Clerk Paolucci: Oh wow, I'm sure building would be involved. They know the formula for parking, and they would make sure there was adequate parking. We would probably have to see some lease agreement.

Ms. Fernandes: We have that too.

ACTION: Colonel Connor recommended approval pending building, fire, Rhode Island Department of Health approval, and state taxes. Chairman Benson made a motion to approve pending building, fire, Rhode Island Department of Health approval, and state taxes, and a parking plan provided to Licensing for review of the Board of Public Safety at a later time. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

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| 7. | Liquor License – Class AT (New) | Paradies Lagardere@PVD, LLC
d/b/a Paradies
2000 Post Road |
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ACTION: Colonel Connor recommended approval pending state taxes. Chairman Benson made a motion to approve pending state taxes. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

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| 8. | Holiday Sales (New) | Suhail Bin Rashid
Smoke Hut, Inc.
101 West Natick Road |
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ACTION: Colonel Connor recommended approval pending building, fire, and Rhode Island Department of Health approval. Chairman Benson made a motion to approve pending building, fire, and Rhode Island Department of Health approval. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

9. Holiday Sales (New)

Show Me Reptile Shop
887 Warwick Avenue, Unit 893

ACTION: Colonel Connor recommended approval pending building, fire, Rhode Island Department of Environmental Management, and state taxes. Chairman Benson made a motion to approve pending Rhode Island Department of Environmental Management, and state taxes. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

10. Holiday Sales (New)

Alexandra Marble
Marble Management, LLC
d/b/a Once Upon a Child
1245 Bald Hill Road

ACTION: Colonel Connor recommended approval pending building, fire, and state taxes. Chairman Benson made a motion to approve pending building, fire, and state taxes. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

11. Holiday Sales (New)

Alex Castergini
Maverick IMG, LLC
d/b/a International Motor Group
4614 Post Road

ACTION: Colonel Connor recommended approval pending building, fire, and state taxes. Chairman Benson made a motion to approve pending building, fire, and state taxes. Vice Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

12. Holiday Sales (New)

Alex Castergini
Maverick IMG, LLC
d/b/a International Motor Group
4657 Post Road

ACTION: Colonel Connor recommended approval pending building, fire, Rhode Island Department of Health approval, and state taxes. Chairman Benson made a motion to approve pending building, fire, Rhode Island Department of Health approval, and state taxes. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

13. Holiday Sales (New)

Colbea Enterprises, LLC
d/b/a Seasons Corner Market #19
2055 Warwick Avenue

ACTION: Colonel Connor recommended approval pending building, fire, Rhode Island Department of Health approval, and state taxes. Chairman Benson made a motion to approve pending building, fire, Rhode Island Department of Health approval, and state taxes. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

14. Midnight to 5:00 am (New)

Colbea Enterprises, LLC
d/b/a Seasons Corner Market #19
2055 Warwick Avenue

Chairman Benson: Is everybody that's left here, here for this purpose?

Mr. Alex Castergini: No. Used car dealer license for Maverick Auto Group.

Chairman Benson: Okay. Is there anyone here representing Seasons Corner Market? Why don't we start with the representative from Seasons.

Mr. Andrew Delli Carpini: Andrew Delli Carpini, um, thank you for hearing our application. This is a property that we purchased a while back. We've gone through all of the zoning, planning, all the requirements to build a facility. We've gotten all of the approvals. This is the final approval that we need to get for 24 hours. Zoning did ask us to restrict the hours of operations for our drive thru lane, because that is up against residential in the back with a speaker box. It is restricted from 9:00 p.m. until 5:00 a.m. for the drive thru lane for the food service portion of the store. We agreed to that with the Planning Board, I mean the Zoning Board, excuse me. We have four facilities in Warwick. We've been operating facilities in Warwick since 1995, when we took over our first one. We've been able to rebuild or remodel most of them. All of them are open 24 hours. We have a very good relationship with the Police Department, if there's ever any issues. Our overnights, I don't know of any problems that we've had overnights and so forth. I think shutting a location down and leaving it dark creates its own area of potential issues and problems. Our facilities, like I said, are open 24 hours; during storms, during states of emergency, we provide a necessity for first responders and people that are servicing the state, whether it's a plow driver, or someone who just wants to stop in and get something. So, we've worked well with the City of Warwick, never had any issues. Two out of the four are up against residential neighborhoods, and we don't have any problems with the neighbors in those areas there. We work very well with them. If there's ever any issues or problems, they have a contact person. They respond to them and we get right on it. That's really the gist of it. I'd be more than happy to answer any other questions or any other concerns that the Board might have.

Vice Chairman Gilbert: Just with the Zoning question, did it come up relative to access to the store. Is there access other than off the main road, on any of the abutting side streets?

Mr. Delli Carpini: They asked us to restrict the driveway in the back of the property, which we agreed to do. I don't think that was a smart application, because I think it forces all of those residential people to go out onto the main road just to come in to our facility. But, it was something they asked us to do and we accommodated their provisions. Um, as far as the ability to get on the road, I believe the only two

access points are on the main road to gain access. The only thing that we're asking for the 24 hours is for the full convenience store and gasoline portion itself, not for coffee brand that we operate through the drive thru in the back.

Chairman Benson: Um., currently, and I would think this is for building purposes, you have a fence around the whole property.

Mr. Delli Carpini: Sure. For safety purposes.

Chairman Benson: Right. Do you plan on putting a fence in the back abutting the neighbors' property?

Mr. Delli Carpini: Um, I think there is a fence that's going across the back, along with additional shrubberies and greeneries and so forth. So, the entire landscape plan; I've got five locations under construction right now and probably another ten in the hopper, so I don't specifically remember the exact plans, but, we normally always put landscaping in the back of facilities and along the fence.

Chairman Benson: The fences that you normally put up, are they either a stockade fence or a white vinyl fence, verses the type of fence that you have there now?

Mr. Delli Carpini: Yeah, we're planning on replacing the entire fence that's there now. Normally what we'll do is either a non-permeable fence that you can't see in or out of it. We'll have to go back to the Zoning Board, to see what they actually approved for fence materials, because they are also very suggestive on what they want. Whether it's a chain link with slats in it, which creates more of a barrier, or whether or not it's some sort of solid material, being either an asack (sp) or a white vinyl. I know normally our fences are at least six feet high to give additional privacy, and then along with that there is additional landscape buffering.

Chairman Benson: I would prefer to see a hard fence, because there's going to be some noise created, and I think it sets up a little bit of a sound buffer for the neighbors. I think that's something that could actually help develop a little bit of good will in doing something like that.

Clerk Paolucci: I have just a question on whether or not you've decided where the trash dumpster, recyclable type of bins would be going, and what time of the day its emptied.

Representative of Seasons: I can look that up and I can give them to you. I believe it was like 7:00 a.m. to 9:00 p.m. Yes, it's 7:00 a.m. to 8:00 p.m.

Mr. Delli Carpini: We do use an outside company. They do have the information for us for hours of operation. Can I say that they never picked up at that area at one of our other facilities during hours of restriction, yes. The neighbors can call us and we can call the trash company and tell them. Then it would hopefully never happen again.

Chairman Benson: Um, deliveries to the store. Where does that get unloaded? On the back? On the side?

Mr. Delli Carpini: So, there's a loading dock on the side of it, and the fuel will be delivered over the tanks.

Chairman Benson: What was that last thing that you said?

Mr. Delli Carpini: The fuel gets delivered over the tanks. The tractor trailer parks over the fuel tanks, drops the fuel, and then the deliveries have a specific delivery zone where they unload.

Chairman Benson: Is that the side near the bank?

Mr. Delli Carpini: It's the side that's near that middle road that enters into the neighborhood, where we closed off that driveway. It's a little closer to the front.

Chairman Benson: Okay. Are there specific hours of operation that you get deliveries?

Mr. Delli Carpini: Most of the time we always like to have a manager at the facility when we're getting deliveries so that we can validate what is coming in, so most of the deliveries are during the day. Occasionally we might get an early milk delivery or something like that, but none of the major vendors will be delivering any time in the evenings.

Chairman Benson: Okay. I may like to see some restrictions on that, because that would, obviously; I know the milk is kind of tough, but I certainly wouldn't want to see anybody delivering anything at midnight or along those times. They just don't do any of that type of - -

Mr. Delli Carpini [Interposing]: Like I said, we have 66 locations that we operate right now. The norm is never to get deliveries in the evening, because we like to have people check the deliveries in. Normally our evening shifts have one or two cashiers on and to have them check it in is not the most advantageous. Normally all of our deliveries are done during the day. I wouldn't want to put a restriction on it, because God forbid a truck runs late or something like that, and it's the last one on the load and something happens. I would say that that should not become the norm at any means, but occasionally we have had later in the evening deliveries. Delivering from a truck, there was a pharmacy there. I don't think they had any restrictions on any type of deliveries for the pharmacy. I don't think that, if and when something could possibly happen, I don't think anything would be delivered at any different time that the pharmacy had.

Clerk Paolucci: Okay.

Ms. Christine Stinson: Can I ask a question?

Chairman Benson: Yeah, hold on a second and I'll let you speak. Right now we're all set. We may have more questions for you.

Mr. Delli Carpini: Sure, no worries.

Ms. Stinson: I had a question. Is there a coffee shop in the market?

Mr. Delli Carpini: I'm not sure what to answer. Normally I would address the Board. Yes, there will be.

Chairman Benson: We'll give you a chance to speak. Would you please come up, give your name and you can speak.

Ms. Stinson: Well I'm going to wait to speak, then. I will wait for others to speak because they have statistics.

Chairman Benson: Oh, okay. Who would like to speak first on this situation?

Mr. Robert Savage: I don't mind speaking. I live at 73 Ansonia Road.

Chairman Benson: What's your name?

Mr. Savage: Robert Savage. I'm also a lawyer and I have an office at 156 Airport Road as well. Um, I never complained because I didn't want that lot to be vacant. But they really seem to not care about the neighbors at all. The profile is enormous. So, I thought it was going to be something like the drugstore would be. They would be respectful; their awning would be about the size of the store. So, on Ansonia Road, I'm one, two, and then my parents house is the white house, 51 Ansonia Road; I'm at 73 Ansonia Road around the cul-de-sac. I can see the awning from my house. They didn't care about the neighbors at all. Why did you make that so huge? Why didn't you make the awning so it's the same size as the building? Then I saw that there was going to be a takeout place. So, I just thought it was going to be respectful like the drugstore was. Now they ask for 24 hours. That's not right in a neighborhood. Have you all been there? If you've been there, it's right in somebody's backyard. Two people's backyard. It isn't like it is in 64 places, like you're blowing it off to everybody else. Its not like most of their other locations. This is right in two people's backyard, and right to the left, if you're standing this way, it's right to the side of someone else's backyard, and on Yucatan, it's right to the right of somebody, They're not respecting the neighbors, and to ask this to be 24 hours now, that's really rubbing salt into the wound. I'm sorry to everybody that I didn't sign the petition in the beginning, because I wanted something there, but I think we were fooled. I think they're not being respectful to the neighbors, and I don't think this 24 hours should be approved. Thank you.

Clapping is heard.

Chairman Benson: Can you give your name and address please for the record?

Ms. Christine Stinson: Yes, Christine Stinson, 28 Yucatan Drive in Warwick. I'm the third house in on Yucatan, right next to the gas station. I want to just comment about what this man just said about the relationship with the gas station, okay. I canvassed my neighborhood before we had the Zoning meeting. I went out four days, I got over 100 signatures. There were only four people that didn't want this gas station. I went to the Zoning Board meeting. We had two hours, at least two hours, of people from the

gas station talking. The Zoning Board then took a recess. Then the neighbors got to speak. After we spoke, they didn't talk at all and they never excused themselves. They made their mind up about this gas station going in without even hearing the neighbors. So, that to me, really speaks to a disrespect for the neighbors and personally a distrust. You know, I think that's what the gentleman is saying. You know, my other concern is that the 24 hour neighbor of the 24 hour thing open, brings an element of people coming out of the bars, because there is a coffee shop in there. I'm concerned that the crime rate is going to go up, and the noise. But, when I, I mean I went out and poured my heart out to my neighbors and listened to them. My partner was killed at that intersection by a drunk driver. They didn't even have the respect to hear what we had to say before they made the decision. So, there's a lot of lack of trust there. I respectfully submit that.

Clapping is heard.

Chairman Benson: Is there anyone else that would like to speak?

Mr. John D'Amato: My name is John D'Amato. I live at 36 Yucatan Drive. Initially I was good with the whole market going in after giving it some thought. I thought it was better someone was there to give it some security. I got used to the idea. However, 24 hours, in that neighborhood. We already have neighbors that share their Ring videos with one another of people in the middle of the night checking car doors, we already have a crime element going on in the neighborhood, all right. Statistically, I mean I did a little bit of looking up, and in 24/7 gas station convenience stores; in 2021 there were 37,500 crimes, and I'm talking felonies; robberies, murders, the whole nine yards. That was five percent. That was what was reported to the FBI. That was five percent of all of the countries violent crimes. Over a ten year period, from 2011 to 2021, there were 202,000 violent incidences at 24 hour gas stations and convenience stores. Not at your regular operating stores, that was 24 hour. So, the element that that brings in after normal hours is not conducive to a family neighborhood. There are children that live there. We have many elderly that live in the neighborhood. This, there's no need for a 24/7 there. There's no need. That Warwick Avenue is usually quiet at night, there's no reason to be on it, unless you're coming from a bar. As it was mentioned, I'll stop at the coffee shop, and personally, me, I don't want that in my neighborhood. I've gone down the street there in the back. I've spoke with Warwick Police who were very, very good. They came down. I found ten hypodermic needles thrown under the bushes in the back of that place, all right. We already have a criminal element. This is not going to do, or benefit for the neighbors at all. So, I would just like to ask that you consider, you know, the safety issues, for us that have actually live there. I'm four or five houses down. I have grandkids. - -

Ms. Stinson [Interposing]: Four houses, I'm three.

Mr. D'Amato: I would like you to consider that. I don't know if, if, if, these folks have any statistics of their markets maybe over the last five years, what crimes may be committed there, I've never seen anything like that, I'd like to see it; to know what's going on, what type of security is provided. Cameras are nice but criminals aren't smart. They don't care about cameras. If the opportunity is there and you have a 24/7 operation, and there's three, four, or five people working there, it's easy to hit. It's a simple target. That's what I have to say.

Clapping is heard.

Chairman Benson: Colonel, do you know of any problems that we have had with any of these?

Colonel Connor: I would say no, we haven't had any robberies or violent types of crimes at these establishments. The issues that we have seen are the ones that are generally located near places where they are housing the unhoused. So, you know, when we had NYLO, there was one of the markets up on West Natick, and Route 5 had a lot of calls for service where folks were hanging out there late at night, but I don't know; I know there's no types of housing areas over there.

Ms. Stinson: Can I say something?

Chairman Benson: Hold on. You mentioned two of your locations are located in a residential neighborhood. Where are those two?

Mr. Delli Carpini: 708 Greenwich Avenue has two abutters right behind the facility. The fence behind it and the landscape behind it, basically about the residential property and basically no one has a problem with us. Across the street from them there is additional residential homes. We get along fine with them. The other one is 2128 Elmwood Avenue in Warwick. There's, I think, three to four residential homes behind that facility. The other one at 708 Greenwich Avenue has a residence and the airport, obviously, is commercial. But the two at 708 and 2128 both have residential and we don't have any issues with the neighbors.

Chairman Benson: Okay. Thank you.

Mr. Delli Carpini: As far as the coffee shop. The coffee shop drive thru, normally the drive thru would be open the same time as the coffee shop is, it doesn't make any sense for the shop to be open. So, the concern that someone would be coming in for a cup of coffee late at night; the coffee shop isn't going to be open if the drive thru isn't open, so that eliminates that thought that the coffee shop is going to be providing service to people who might be coming in from bars and so forth. We do have a lot of cameras. Our facilities range from 16 to 32 cameras. A lot of times our cameras have been used to solve other crimes in the City. So, we do take safety very, very seriously for our staff and for the customers that are using us. Um, to the point, I don't have stats nationwide, but what I can say is normally a lot of the facilities that might be a little bit darker, might be a little bit older, might look like a target, might be some of the ones that people might be trying to hold up, rob, whatever it is. We do everything from trying to keep the site as bright as possible to making sure that cameras are everywhere; the number one deterrent. Our cameras, from anyone is looking to do anything, I do know that they have been hypodermic needles found on the property. If the property is 24 hours, obviously they know there's people always around the facility. As far as the size of the facility, and don't hold me to it, but I believe the pharmacy that was there before was over 10,000 square feet. Our facility now is, I believe, 5,000 square feet. It's probably half the size.

Chairman Benson: But does that include the gas?

Mr. Delli Carpini: The gas is entirely separate. But, I think even including the canopy, and size of it, it still doesn't come to what the original building size was.

Chairman Benson: The lighting that you have planned for this facility, um, is there lighting along the back, and is it something that faces inward so that - -

Mr. Delli Carpini: There's zero bleed off from the property, so none of the neighbors will have lighting on their property. We use all of the stats; and Zoning and Planning. I mean this has been fully vented out. Zoning Board went through everything, everyone had a chance to talk. It was appealed. We had to go through an appeal. The appeal process worked the way that it had to. So, there's been notices for everything that has been out there. The plans have not changed. It's not like, I don't want anybody to think there was a smaller building and then all of a sudden it ended up being a larger building. The original plans that we came, barring any change that the Zoning Board and Planning Board asked us to do, were the original plans that we have right now.

Chairman Benson: Okay. Thank you. I'll let you say something quick.

Ms. Stinson: I have a question and two comments.

Chairman Benson: Okay.

Ms. Stinson: What time does the coffee shop close?

Chairman Benson: You can address it to us.

Ms. Stinson: Okay, I want to know what time the coffee shop closes.

Chairman Benson: Well, if they're closed from 9:00 p.m. to 5:00 a.m. the speaker outside, are you saying the coffee shop will close at 9:00 p.m.?

Mr. Delli Carpini: Most likely the coffee will be closed. It might open an hour earlier to get prepped for the day and they might close an hour later just to get closed up.

Ms. Stinson: Nine at night to five in the morning?

Mr. Delli Carpini: Yes.

Ms. Stinson: So you said when it went through Zoning and everything else, that decision was made by the Zoning Board without hearing any of the neighbors.

Mr. Delli Carpini: There were a lot of neighbors there.

Ms. Stinson: They were not very many neighbors there.

Chairman Benson: We're not going to have a conversation about how many - -

Ms. Stinson [Interposing]: No, but what I'm saying is that they made a decision. They took a break, they heard the Seasons, they took a break, they came back, there were three of us from the neighborhood because some had left because it was so long; they did not talk about it and they didn't have a break and they made their decision. So it was made without considering what the neighbors and the property owners had to say.

Chairman Benson: Okay.

Mr. Savage: So, the profile was about the awning, not the building. I can't see the building from my house. It's the enormosity of the awning. There was no awning at the drug store. There were no gas pumps at the drug store. So, the profile is enormous compared to the drug store. We don't care about what the square footage of what the drug store was, that's not the point. You can see that awning all the way down Ansonia Road. Why? Why couldn't it have been just the width of the building? Why did you have to make it so huge, so that it dominates our street? What was the purpose of that?

Chairman Benson: Um.

Mr. Savage: I can direct it you so he can answer us, but that was disingenuous to say compare it to the drug store.

Chairman Benson: First of all, let me say, and I was going to say this later on, but many times people come before this Board, and we're not the Zoning Board. Unfortunately, we take a lot of crap for what the Zoning Board does. We can't change the Zoning Board. The Zoning Board is appointed by the Mayor with Council approval. So, that's a situation that you're in. We get stuck making decisions, which we're very limited in what we can decide. We can't change any zoning laws. So, once it's gone through the zoning process, and they've given their blessing to whatever it is, we can't change a lot. Our only situation here tonight is do we let them be open from midnight to 5:00 a.m.

Mr. Savage: So my point was that there is already a dominance of how huge the profile is, and now your asking to have this open 24 hours. You're really dominating the neighborhood. You have this huge profile and now you want it open 24 hours, and so it is relevant. You can't do anything about the zoning now, but you don't have to add to it either. The dominance is a displace to the neighborhood. You don't have to add to it.

Chairman Benson: Is there anyone else that would like to speak?

Ms. Stinson: May I say one more thing?

Chairman Benson: Yup.

Ms., Stinson: Okay. So, I understand what you're saying about the Zoning Board, I completely understand that. The only reason I brought that up was because of the lack of relationship that Seasons has shown for the neighbors. That decision was made without even hearing from the neighbors.

Chairman Benson: But that doesn't affect us. We have nothing to do with that.

Ms. Stinson: I understand that, but that was the reason I brought it up.

Chairman Benson: Okay, I appreciate your concerns, but that has nothing to do with us. There's nothing we can do about this. If they didn't listen to you, that's their problem, that can't be our problem. Our problem, we only have to work with what we have and go from there.

Ms. Stinson: Right, but I think; what this man is saying is you know, you have to trust us. I don't trust them, given what they've already done. I don't trust them.

Chairman Benson: Okay. Is there anyone else that wanted to speak? Come on up.

Mr. John D'Amato, Jr: My name is John D'Amato, Jr. I think you've heard pretty clearly, and the Zoning Board certainly did, that this neighborhood didn't want this store here. Um, you asked these gentlemen if there was access from the neighborhood into the store, and they didn't seem to really clear up the answer. There currently is from the neighborhood. You asked them if they could building fencing, they seemed on the fence about that. You asked them if there would be delivery outside of what would be appropriate hours, and they couldn't seem to answer that. I think they are here tonight to get a quick vote. I don't think that they really do care about the neighborhood. I think that's it's been, it's very clear that this neighborhood does not want this store here, and if this Board could do one thing and give this neighborhood a win here, you know. If I could ask you to take a second to think about would you want a store like this running 24 hours in your neighborhood? I just moved back to Warwick from Boston, and I'm saving to buy a home. I'm looking in Warwick, and that's not the kind of Warwick I want to live in; where there's 24 hour gas stations on every corner. There's already a million of them. There's one Shell a mile up the road, there's a Hess down the road; these are 24 hour stores, there's no need for it. I understand the business wants to, you know, make a little bit of extra money over those hours, but I don't think its doing anyone any good. You know, it's hurting the community. That's all I have to say.

Clapping is heard.

Ms. Janet Aurelio: My name is Janet and I live at 38 Ansonia. I am on the first cul-de-sac, second house in. This gentleman here says he cares about us neighbors. Our houses have been vibrating to the point where things are coming off the walls. The noise level is starting so early that you're waking us up - -

Chairman Benson [Interposing]: Ma'am, ma'am, please address the Board.

Ms. Aurelio: Okay. He wants to have an operation open all night. We need to sleep. We have families, we have grandchildren. It's to the point now that I'm ready to sell my house. This man does not care. He's not only ruined our property values, he's ruined our livelihood, for what, a lousy dollar. Money isn't

everything, as far as I'm concerned. I am disabled. I live my life on a disability check. This man is riding around in brand new cars, along with his people - -

Chairman Benson [Interposing]: Ma'am, we're not going to - -

Ms. Aurelio [Interposing]: I agree. But I really feel, the riff raff; I live right in back of Harbor One. At night, we witness drug deals like there's no tomorrow. My neighborhood next door has witnessed a woman being attacked. There have been people found next to the first house. It's an area, right in back of Seasons, there's an empty lot. The homeless sleep in there. We're finding all kinds of paraphernalia. I have a five year old grandchild. I do not want any of this crap to influence my grandchild to become a criminal. This man, I feel, doesn't care about the neighborhood. He cares about lining his pockets. I will be honest, I called Mayor Cianci out on this. I want to know whose pockets have been lined. We have appealed everything and we have watched stuff going on without permits. We've gone to City Hall and boom; a permit has been pulled. We know what's going on. This man, all he has to say to the City is ump and he will get what he wants.

Chairman Benson: We're not going to make accusations.

Ms. Aurelio: I'm just stating. I'm giving you my opinion.

Chairman Benson: Please stick to your point.

Ms. Aurelio: Therefore, I agree, the neighbors do not want this happening at all. Thank you.

Clapping is heard.

Chairman Benson: Is there anyone else that would like to speak?

Ms. Christine Viera: I would.

Chairman Benson: Please, when you come up to speak, we are not turning this into any kind of personality conflicts or accusations of wrongdoings on anyone's part.

Ms. Viera: I agree sir.

Chairman Benson: Please adhere to that.

Ms. Viera: I agree to that. Very much so.

Chairman Benson: Thank you.

Ms. Viera: My name is Christine Viera. I live at 40 Ansonia Road. Do you mind if I lean this?

Colonel Connor: You can sit down.

Ms. Viera: Oh no, no. I don't need any other accommodation at the moment. Thank you so much.

Chairman Benson: We'll grab a seat for you.

Ms. Viera: No that's fine. I live on 40 Ansonia Road. Janet is my neighbor in the cul-de-sac. I am just a fraction of the 200 feet abutters list. I learned of this project, it will be a year in March, when they were coming up to the preliminary hearing. I learned of it that day. I tried to do some investigation to be prepared and knowledgeable, because I've never done anything like this ever. I know I'm going to be quivering because I don't like public speaking to be honest with you, and I don't like having to be in this position that I'm in right now. So why am I? I am because I've lived there for over 40 years. I brought up my family, and I'm looking to die there. I have plenty of opportunities to live bilaterally somewhere else, or sell this property and move on, in the past. I kind of don't have that luxury right now due to health issues and so forth, and my husband is 72. The integrity of our neighborhood is what I'm concerned about. I totally agree about what we've been through, with everything in the past, between I have cited here on August 31st where they went to get their permits for the variances. Where I want to state also, just in case the Board doesn't know that, they are less than 22 feet away from the first abutter. Their other two locations are no where near that. That's a huge difference. I want to bring to your attention too, if you haven't been to Ansonia Road and Yucatan where this property is abutting on either side, please do so. Look at what you're seeing there. I want you to visit the other locations. I want you to investigate like I took time to do. Look at the deliveries are made at the other locations, because I did that as well. I took time morning, noon, and night to see what the activity level is there, because I'm not here just to opposed. I'm here to look at a coin that's multi-faceted, and to see what's the pros and cons of everything. There's deliveries and in and out activity, which is wonderful, but not for that area, especially for what we have going on for traffic alone. We have someone representing that area and what we're up against with just that. So, going back integrity and why I'm living there, if we don't take a stance, because we tried with the limited opportunities that we had; and we're not going to go over those here because that's not what we're here for. But, it is important that you know that. Because we were limited and we don't want to be limited now. When you asked Mr. Cappelli, did I say his name wrong, I'm very sorry if I mispronounced it. Carpeti is it? Please help me out with that.

Vice Chairman Gilbert: Mr. Delli Carpini.

Ms. Viera: Thank you very much. Sorry, sir. I'm not very good with names. Faces, I am better with. You know, it was even stated into the March 31st, um, variances where they went to; of how he said he had no control over, and his concern was noise. One of his concerns, and probably the only one he stated in this is about the noise level. Um, many other things were brought up with them trying, like Christine Stinson said, etc.; but one of the things he commented about was that along with not having any control over the dumpster, which he repeated tonight, and it's also stated in this interaction. Also stated in that interaction by Mr. George Shuster, who tried, I completely have a lot of regard for, who was running that hearing. He was even concerned about what this was going to do to this neighborhood, being that it wasn't say another drug store, but a gas station. His understanding that there is such a difference between the two companies. When I came in last March I questioned, we never knew anything about this. There was no advertisement. I even went to Mr. Howell, why wasn't there anything done in our Beacon. You're

talking about a piece of property that could have been considered, if someone elected to, that this was a monument of some sort, that everybody knows it to be Douglas Drug. That there is a historical sense to it. Why wasn't that even thought about it preservation, or what you were going to turn this piece of property into. Not for the sake of having; listen, I'm all about business. Believe me. My father was a small business man. He was an upholsterer all his life. I'm all for any kind of business, and we needed something there. But, to the magnitude of what this is and what it brings in. We are concerned about loitering, whether you are opened or closed. Knowing that this property has always been vacant, for many years until this took place, and prior to that was Douglas Drug, Brooks, etc., they even had curtailed hours on a Sunday. You couldn't even do anything after I think it was 6:00 p.m., if I'm remembering correctly, because they were closed, and you knew that that place was closed. They had appropriate hours of business from say 9:00 a.m. to maybe 9:00 p.m. in the weekday hours. We're not ready for that volume here. We're not ready for the volume of even the unknown that we haven't experienced yet because we haven't had this on our street, at the top of our roads, and in our backyard. Whether it's gas leaks, anything else that we're gonna still deal with moving forward. We're just going to start talking about traffic, noise, lighting, and other situations that your board is going to take into consideration. I think that's really important that you take the time to read some of the history that's been on this particular project. The comments that have been made, that they can't have any control with, and how that's going to move us forward. All right, so, there's a few other things I want to say - -

Chairman Benson [Interposing]: Could you, I don't want you to - -

Ms. Viera [Interposing]: Don't tell me to wrap up because I had that happen to me before in my meeting that first night. That's really wrong when everyone has a say and nobody's getting cut off.

Chairman Benson: I'm not trying to cut you off, but we do have others - -

Ms. Viera [Interposing]: I heard that. I've heard that as well, right everybody? The point is this, is that, excuse me, I want to collect my thoughts since I've been interjected.

Long Silence

Ms. Viera: I'm not an unreasonable person. Being that I told you that I look at this from all sides of the coin. I want to take their name for a moment, Seasons. I want to ask you were, to say, decline all of us and the many more that didn't know about this tonight; and mind you, this had to be rescheduled because of what happened last month, and I was there witnessing that it was supposed to be a done deal as it was quoted. But the point is, is that I'm not an unreasonable and unfair person. I am for any business. That you allow at least the year to go by for us to see in our neighborhood what value this particular 24 hour gas station/convenience store has for us. What kind of situations that are going to present themselves in this next year, before granting tonight or any time in the very near future, their ability to have that permit right away. We need precedence to see what you're saying yes to and what you're saying no to. Both sides of that coin. I think it's only fair that we have an established amount of time, taking into consideration the world the way it is now, under a COVID world. There's so many different kinds of schedules out there, and taking in the seasons. So be it, because, the winter, the summer, the spring and the fall all have their different ins and outs, demands of business running and so forth; I know because I

ran businesses. So, I think that would be a good opportunity for everyone in our neighborhood to get used to this business here and to see what they're generating for a positive for our neighborhood, because we already know what the negatives are. You can make that consideration as well. There may be something else, but I think that I'm getting my point across. Please reflect too, um, the previous information regarding the some of the things that have been stated here. And, just one more thing. I would like to say on a personal note. When I first came into that neighborhood 42 years ago, it was during the Christmas holiday, just before. I went to everyone of my neighbors. I went with a small little item and I introduced myself with my daughter. I said I'm looking forward to being your neighbor. Still to this day, anyone new that comes into my neighborhood, I do the same thing for. Every year I'm there at least once a year surprising someone with spring daffodils, or something for Christmas. Stated in here, as the gentleman said tonight; he has a partner that he has that goes out to his other areas and leaves their business card with them. Introduces them, leaves a business card. If you have any problems, you know who to contact. Since he acquired this piece of property, which was abandoned for several months and we witnessed many things that happened during that time. The point is that we've never been approached. Not evening a courtesy of saying this evening, good evening, with a smile. There's nothing wrong with that, or extending a hand shake. In fairness, we may be opposition at the moment, but we're going to be neighbors for a very long time, God willing. The point is that I'm trying to establish a relationship. Not one of fear, not one of anything else that's negative. Something that's positive. I don't feel as though there's any right footing, and if that's what my neighbor tried to say beforehand, that's what they are alluding to. But, no matter what level of business that you're in, or what your stature is in this world, we're all human. We all live with the same kind basics. The point is is that there's nothing wrong with saying hello, how are you. Again, if we have a business, come in. I would do that. I would go to everyone in my neighborhood. Hear who I am, not my partner or anyone else. Hear who I am, and here's what I am going to try and do for my community. You are my community. You may own 25 other stores in other areas of the states, surrounding. The point is that you're my neighbor, and we're not getting that. Thank you very much for the Board's consideration and for your time. I can't thank the support that we have here for short notice tonight, because I know how difficult for everyone that is in this life. Just another thing - -

Chairman Benson [Interposing]: We need to move on.

Ms. Viera [Interposing]: Yeah to have this ability to have a permit looked at, even though I brought this up a year ago, March, for a convenience store, that Wyatt took up until now at this venue to look at, and to have that done during the Christmas holiday when people wouldn't be around, I thought that was a little uncalled for. Not allowing people enough time to get notices, to put that into their lifestyle, rather than default on no one showing up. Again, thank you very much for your consideration. I really appreciate it. God bless.

Clapping is heard.

Chairman Benson: Is there anyone else that would like to speak?

Ms. Stinson raises her hand.

Chairman Benson: I'm sorry, Ma'am. You've had three chances to speak.

Ms. Stinson: It will be very quick.

Chairman Benson: No. You've had three chances to speak, so. Is there anyone else who didn't speak and would like to speak?

Mr. Delli Carpini: May I speak again?

Chairman Benson: You'd like to respond?

Mr. Delli Carpini: Yes, I believe there's been enough said tonight that I would really like to clear the air. My father in law started this business 60 years ago. It's a small, family run business. We've been able to grow it thanks to our neighbors, thanks to our customers, thanks to our work with people in the state and Massachusetts, New Hampshire, and so forth. There's been a lot of accusations. I don't like my name smeared in any means. Everything was done by the book, to the thoroughest, using attorneys to make sure notifications were done on time, making sure publications were sent out on time, making sure that, even this notice; we showed up at the last one and there was a bit of a challenge and we said all right let's do it again, because if people think they weren't heard we were more than happy to hear it. Um, 22 feet, I don't know where that number is coming from, I don't think any residential; maybe they're going from the property line to property line, but we do have residential houses - -

Ms. Stinson is heard speak aloud.

Chairman Benson: Ma'am, Ma'am please. He's addressing the Board. We are not taking questions from the audience.

Mr. Delli Carpini: We do have homes that are very close to our property. We do get along with them. Um, we have not had issues. I know change is scary. That facility was closed for many, many, many years. We acquired it over a year ago. As far as procedural, this 24 hour permit is the final permit that we need, as we've gotten through all of our other zoning permits, our planning permits. Zoning was concerned with the 24 hour timeline, so that's why we said you know what, let's keep the store open 24 hours and close the drive thru. That seemed like it satisfied the Planning Board, the Zoning Board I should say. So, I think we've done everything we've needed to do, legally, by the books, and so forth. I just want to make sure the accusations that have been tonight against me, against my family, against my business, are accusations and they could be assumptions. But, I can tell you one thing for sure, that everything that we do by the books, whether a decision is made and whether we like it or not. Sometimes we have decisions that are favorable, sometimes we have decisions that are negative, but we've done everything we've had to. We've worked with the Zoning Boards. When they've asked us to make changes, they asked us to move dumpsters, they've asked us to do this, they've asked us to do that. We've worked with the City as much as possible, based on the neighbors opinions and decisions and discussions that the Boards have had and that the board members of both Zoning and Planning saw would improve the project. We've done all that.

Representative of Seasons: For a couple of examples, they were concerned about the curb cuts from the neighborhoods. We closed most of those, and now there's only entrances into Warwick Avenue. There was concerned about the sound. We did a sound study. We made sure that, we not only tested this site, but we tested our other sites too. We were able to demonstrate that the noisiest part was the road's traffic. Anything that was noisy was potentially the intercom in the back, and we did some work on that. That's why that's closed from 9:00 p.m. to 5:00 a.m. The point is that we heard concerns, we addressed them as well as we could, more than that. We restricted the hours for the dumpster to be picked up, the site's dark sky compliance, so there's no blade off. There was concerned about blade off. There was a myriad of issues that were raised and all that was addressed through Planning and Zoning. So, we, and as we go forward and actually go out there and open the store and operate it we will be in touch with the neighbors for concerns. That's the way we do business. You guys, we're fortunate enough to have four operating sites in Warwick today that run well, that do work. We're not new to the City. We've been here. We've been here for 25 years, and I think we're going to continue to operate this one like we operate the others.

Mr. Delli Carpini: This is Larry Coburn. He's the Chief Strategizing Officer that works for me.

Chairman Benson: When is the planned opening of this?

Mr. Delli Carpini: Probably within three months. And it's winter time so whenever you're building in winter you just never know what the weather might be. We wanted to get it going as soon as possible because we know the sites been closed for a while. It's the first I hear that, you know, our construction workers are usually very diligent on when they're performing construction. They tried to abide by sound, you know, don't start before this time, don't operate before that time, don't do holidays and so forth. If any of that is being somehow outside the guidelines, I recommend any neighbor, whatever the ordinances are, call the City and I'm sure the police department will be right down there and say hey, guys, you can't make noise before this time. So, I would, if I was a neighbor and someone was starting at 5:00 a.m., I would be upset as well. Easy enough to solve that problem. I don't think my contractors are doing that, but if they are, by all means I'll be the first one telling the police to tell them to go down there and tell them to quiet down. All I can do is rely on having been in Warwick for 25 years, not having had issues or problems with the City, working well with the City, working well with the neighbors at all my other properties. When we did 708 Greenwich Avenue we had a lot of concerns from the neighbors, and I've had a lot of the neighbors come back to me and say, "listen, I want to shake your hand. Everything you said, you did, and the neighborhood is much better for this." I had neighbors come back to me and do that at 708 Greenwich Avenue. I know change is scary. I know this is a little change in scenario. The nice thing is that it is a family company that's buying this. It's not a big conglomerate. If you have problem, there's a local number. Our office, our main corporate office is in Rhode Island. We'll be there and we'll address it. It's not something that, we want our neighbors to be our customers, primarily and foremost. To the point where there is other 24 hour facilities; this isn't an oasis that is going to pull people from all over the City of Warwick to come to this location. Normally what it's going to do is everybody that's on that main road that might need something serviced at that time will be serviced at that time. When we did all the sound studies and everything else, even the sound box. We had to appease the Council, but the sound box, within 15 feet you couldn't hear any noise from the sound box; and, all the noise that was coming from Warwick Avenue itself, was far beyond any type of noise that was going to be generated at our facility.

Chairman Benson: Let me ask you a question. The Greenwich Avenue location has the same hours as the proposed hours for this one, right?

Mr. Delli Carpini: It's 24 hours - -

Chairman Benson [Interposing]: Without the squawk box, right?

Mr. Delli Carpini: Yes.

Chairman Benson: Okay. Do you have any statistics for how many people are actually in the store say from 9:00 p.m. to 5:00 a.m.?

Mr. Delli Carpini: It really depends on the store and the traffic. Sometimes there's more., sometimes there's less, depends on the holiday season. The only good thing that we can say about this one here; 708 Greenwich Avenue has a Dunkin Donuts in it, which is usually probably the most busy type of coffee shop you can have. This one here we're putting in our own coffee shop, it's called Corner Market Café. So it's our own family that's running it, so it's a much less dense usage on this type of a coffee shop then it will be, per say, a Dunkin Donuts or something that. If we have one to every hundred of their customers, it's probably the right ratio. But, we decided ourselves not to continue to grown with these big major chains to try to bring stuff in and try to make smaller, family run businesses. That's why we put our own coffee shop in there.

Chairman Benson: Okay. Thank you very much.

Mr. Delli Carpini: Thank you for hearing me.

Whispering is heard.

Mr. Savage: I think you let them talk so long, I think you should let people rebut somewhat. I know I spoke once, but if they have these neighbors that are so supportive of them, why aren't they here? If they have neighbors in Greenwich or whatever, they should be here. They're Warwick residents. Let them come up here and be supportive. If there are people in our neighborhood that are supportive, why aren't they here. Are you just going to take their word for it? I don't think they exist. They should be here. He does say that he talked to this neighbor, this neighbor and they have no problems and we're going to be good to our neighbors. There's nobody here from our neighborhood that's supporting it, nobody.

Chairman Benson: We're not sitting here taking sides or taking anybody's word for anything - -

Mr. Savage [Interposing]: I'm talking about the 24 hours.

Chairman Benson: Same thing. We are listening to everybody who wanted to speak, asking questions, so - -

Mr. Savage [Interposing]: That's not really addressing what I just said. You're saying, they're saying that the 24 hours has been no problem. If there really is no problem, get the neighbors here from the other locations and tell us how there's been no problems. Not just take their word for it.

Chairman Benson: Okay - -

Ms. Viera: [Inaudible].

Chairman Benson: Ma'am, you spoke for over ten minutes.

Ms. Viera: But everyone else has been speaking - -

Chairman Benson [Interposing]: Ten minutes. We're not going to - -

Ms. Viera [Interposing]: You're singling me out purposely.

Chairman Benson: I'm not singling you out, we let you go longer than we allow. Is there anybody else who wants to speak on this?

Crosstalk is heard.

Chairman Benson: Is there anybody else who would like to speak about this?

Nothing is heard.

Chairman Benson: Okay. I think what the Board is going to do at this point is; do we need to make a motion?

Solicitor Brochu: Are you going to continue?

Chairman Benson: Yes.

Solicitor Brochu: If you continue, it has to be date and time specific.

Chairman Benson: Yes. We're going to, we're not going to make a decision; although we can vote on two of them. We're going to vote on two of the three. We're not going to vote tonight on the midnight to 5:00 a.m. What we're going to do is we're going to continue it to the next meeting, which is in two weeks. We will make a determination at that time. I live not too far from where it is going in, and I did go by there today and drove all around the area and looked at it, so I'm very familiar with what every single person in here is telling us tonight. What we'd like to do, what I would like to do and I think my fellow members also may be interested in doing; we want to kind of look at the other ones as well and kind of compare what's going on. I think that would be due diligence for us in order to really make a determination. Uh, and there's been times that we've stopped at other neighbors' houses to ask them how

they feel about it. So, I think at this point, we're going to continue this to our next meeting, which is when?

Recording Secretary Ferolito: The 24th.

Chairman Benson: So the meeting will be the 24th at 6:00 p.m., here; yeah because there will probably be enough people that we'll do it down here. It will be the first thing on the agenda.

Solicitor Brochu: That's for the midnight to 5:00 a.m.?

Vice Chairman Gilbert: Item number 14.

Solicitor Brochu: 14?

Chairman Benson: Right, item number 14 only.

ACTION: Colonel Connor recommended approval pending building, fire, Rhode Island Department of Health approval, and state taxes. Chairman Benson made a motion to continue this item to the meeting on Tuesday, January 24, 2023 in the Community Room at Police Headquarters at 6:00 p.m. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

15. Second Class Victualer (New)

Colbea Enterprises, LLC
d/b/a Seasons Corner Market #19
2055 Warwick Avenue

ACTION: Colonel Connor recommended approval pending building, fire, Rhode Island Department of Health approval, and state taxes. Chairman Benson made a motion to approve pending building, fire, Rhode Island Department of Health, and state taxes. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

16. Second Class Victualer – 2:00 a.m. (New)

DDO New England, LLC
d/b/a Taco Bell
2574 West Shore Road

ACTION: Colonel Connor recommended approval pending building, fire, Rhode Island Department of Health approval, and state taxes. Chairman Benson made a motion to approve pending building, fire, Rhode Island Department of Health approval, and state taxes. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

17. Second Class Victualer – 24 hours (New)

DDO New England, LLC
d/b/a Taco Bell

ACTION: Colonel Connor recommended approval pending building, fire, Rhode Island Department of Health approval, and state taxes. Chairman Benson made a motion to approve pending building, fire, Rhode Island Department of Health approval, and state taxes. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

18. Live Entertainment – Inside

Liliana Teixeira
Warwick Hotel Associates
d/b/a Crowne Plaza
January 1 – December 31, 2023

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

19. Live Entertainment – Outside/Tent

Liliana Teixeira
Warwick Hotel Associates
d/b/a Crowne Plaza
January 1 – December 31, 2023

ACTION: Colonel Connor recommended approval pending building. Chairman Benson made a motion to approve pending building. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

20. Live Entertainment – Inside

Michael Valley
The Bottom Line Bar & Grill
415 Palmer Avenue
January 14, 2023
7:00 p.m. – 10:00 p.m.

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

21. Live Entertainment – Inside

Michael Valley
The Bottom Line Bar & Grill
415 Palmer Avenue
January 28, 2023
7:00 p.m. – 10:00 p.m.

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

22. Live Entertainment – Inside

Michael Valley
The Bottom Line Bar & Grill
415 Palmer Avenue
February 4, 2023
7:00 p.m. – 10:00 p.m.

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

23. Live Entertainment – Inside

Michael Valley
The Bottom Line Bar & Grill
415 Palmer Avenue
February 11, 2023
7:00 p.m. – 10:00 p.m.

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

24. Live Entertainment – Inside

Michael Valley
The Bottom Line Bar & Grill
415 Palmer Avenue
March 4, 2023
7:00 p.m. – 10:00 p.m.

ACTION: Colonel Connor recommended approval pending building. Chairman Benson made a motion to approve pending building. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

25. Live Entertainment – Inside

Michael Valley
The Bottom Line Bar & Grill
415 Palmer Avenue
March 11, 2023
7:00 p.m. – 10:00 p.m.

ACTION: Colonel Connor recommended approval pending building. Chairman Benson made a motion to approve pending building. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

26. Live Entertainment – Inside

Michael Valley
The Bottom Line Bar & Grill
415 Palmer Avenue
March 25, 2023
7:00 p.m. – 10:00 p.m.

ACTION: Colonel Connor recommended approval pending building. Chairman Benson made a motion to approve pending building. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

27. Live Entertainment – Inside

Saba Khoun
Sam's Inn
2227 West Shore Road
January – December, 2023

ACTION: Colonel Connor recommended approval pending fire. Chairman Benson made a motion to approve pending fire. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

28. Game of Chance/Raffle

Paul O'Rourke
Special Signal Fire Association
100 Minnesota Avenue
March 1, 2023

ACTION: Colonel Connor recommended approval pending Rhode Island State Police approval. Chairman Benson made a motion to approve pending Rhode Island State Police approval. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

29. Game of Chance/Raffle

Kim Coulter
RI Women in Agriculture
March 7, 2023

ACTION: Colonel Connor recommended approval pending Rhode Island State Police approval. Chairman Benson made a motion to approve pending Rhode Island State Police approval. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

30. Game of Chance/Raffle

Patricia Burton
Warwick Vets Middle School
Drama Club
March 28, 2023

ACTION: Colonel Connor recommended approval pending Rhode Island State Police approval. Chairman Benson made a motion to approve pending Rhode Island State Police approval. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

31. Game of Chance/Raffle

Reverend Richard Narciso
St. Robert Bellarmine Church
November 5, 2023

ACTION: Colonel Connor recommended approval pending Rhode Island State Police approval. Chairman Benson made a motion to approve pending Rhode Island State Police approval. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

32. Midnight to 5:00 a.m. (New)

DDO New England
d/b/a Taco Bell
2574 West Shore Road

ACTION: Colonel Connor recommended approval pending building, fire, Rhode Island Department of Health approval, and state taxes. Chairman Benson made a motion to approve pending building, fire, Rhode Island Department of Health approval, and state taxes. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

33. Midnight to 5:00 a.m. (New)

DDO New England
d/b/a Taco Bell
877 Bald Hill Road

ACTION: Colonel Connor recommended approval pending building, fire, Rhode Island Department of Health approval, and state taxes. Chairman Benson made a motion to approve pending building, fire, Rhode Island Department of Health approval, and state taxes. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

34. Used Car Dealer (New)

Alex Castergini
International Motor Group
4657 Post Road

ACTION: Colonel Connor recommended approval pending building, fire, and state taxes. Chairman Benson made a motion to approve pending building, fire, and state taxes. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Benson, and Clerk Paolucci voted in favor of the motion. Motion approved.

35. Used Car Dealer (New)

Alex Castergini
International Motor Group
4614 Post Road

ACTION: Colonel Connor recommended approval pending building, fire, and state taxes. Chairman Benson made a motion to approve pending building, fire, and state taxes. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

36. Second Hand Dealer

Alexandra Marble
Marble Management, LLC
d/b/a Once Upon a Child
1245 Bald Hill Road

ACTION: Colonel Connor recommended approval pending building, fire, and state taxes. Chairman Benson made a motion to approve pending building, fire, and state taxes. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

37. Honorary Constable (Renewal)

Vincent J. Confreda
461 Pavilion Avenue

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

38. Honorary Constable (Renewal)

John Martucci
72 Kiwanee Road

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

39. Honorary Constable (Renewal)

Michael Healey
6439 Van Ness Drive
Melbourne, Florida

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

40. Honorary Constable (Renewal)

Eugene Kelly
38 Anoka Road

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

41. Outside Seating

OTB Acquisition, LLC
d/b/a On the Border Mexican Grill
650 Bald Hill Road
January – December 2023

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

42. Outside Seating

Presto Strange O
334 Warwick Neck Avenue
January – December 2023

ACTION: Colonel Connor recommended approval pending fire. Chairman Benson made a motion to approve pending fire. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion.

43. Outside Seating

Warwick Hotel Associates
Crowne Plaza Hotel
January – December 2023

ACTION: Colonel Connor recommended approval pending fire. Chairman Benson made a motion to approve pending fire. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

44. Vendor (General)

John A. LaRosee
Medieval Starship
Crowne Plaza
February 3-5, 2023

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

45. Vendor (General)

Jason Mooers
Jay Mooers' Studio
Crowne Plaza
February 3-5, 2023

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

46. Arts & Crafts

Jonathan Hammer
Wolf and Bunny Creations
Crowne Plaza
February 3-5, 2023

ACTION: Colonel Connor recommended approval. Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

47. Pool Tables (Renewal)

Raymond Brooks
Retro
2323 Warwick Avenue

ACTION: Colonel Connor recommended approval pending building. Chairman Benson made a motion to approve pending building. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

48. Discussion with Mr. John Xynellis of The Chalet regarding his operating without a Rhode Island Department of Health license. Possible action taken.

Chairman Benson: This is on the agenda for a discussion. Are you John Xynellis of The Chalet?

Mr. John Xynellis: Someone had called me from the Health Department to advise me that my Health Department license was expired. They sent me a link to my email and I paid this, so I don't know.

Chairman Benson: Do you have the check?

Mr. Xynellis: I have the receipt right here. I had no idea about the license being expired. She had called me up and said that my license was expired.

Vice Chairman Gilbert: When were you notified that it was expired?

Mr. Xynellis: Maybe a few days prior to that. I was in Walmart and I got a phone call; it said Health Department so I answered it. She said, "Is this John?" I said yeah, and she said, "you know, your license expired, you're going to have to take care of it." I said that's probably why you guys haven't been our in forever. She sent me the link and I paid it and that was it.

Clerk Paolucci: Aren't they usually a June renewal?

Mr. Xynellis: I want to say June.

Clerk Paolucci: So that's been expired for six months.

Mr. Xynellis: Yeah, they charged me a \$100 fee for it because it was expired that long.

Clerk Paolucci: Are you up to date on your taxes? Everything else is up to date?

Mr. Xynellis: As far as state taxes, I'm all messed up with them. I'm working with them. I didn't have an accountant when I first opened up. I found an accountant and gave him a box full of receipts. He's kind of been helping me out with this. I'm working with a payment arrangement with Division of Taxation. With the City, I'm up to date. I paid my taxes. I paid the license fees. I'm just working with the state. There's be no issues.

ACTION: This item needs no action. This was for discussion only.

At 7:36 p.m. the Board entered into Executive Session.

At 7:51 p.m. the Board re-entered Regular Session and recorded the votes.

POLICE DEPARTMENT EXECUTIVE SESSION AGENDA

- 1.** Board Business - Review, Discussion and/or Potential Action and/or Vote; Possible Motion(s) to convene into Closed/Executive Session; The Board of Public Safety may convene into Closed / Executive Session to discuss, take possible action, and/or vote pursuant to the relevant requirements of R.I. General Laws § 42-46-5(a) Subsection (3) regarding matters of security – Applications pursuant to R.I. General Laws § 11-47-11 and City of Warwick Ordinance Article IV, Division 1, Sec. 6-72: Concealed Carry Weapon Permit. Discussion and/or Potential Action and/or Vote from Executive Session concerning the following Applications:

- a.** Applicant 1 – Request for Weapons Carry Permit (RENEWAL - EXECUTIVE)

ACTION: Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

- b.** Applicant 2 – Request for Weapons Carry Permit (NEW - EXECUTIVE)

ACTION: Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

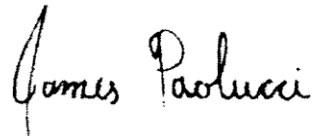
- c.** Applicant 3 – Request for Weapons Carry Permit (NEW - EXECUTIVE)

ACTION: Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

d. Applicant 4 – Request for Weapons Carry Permit (NEW – EXECUTIVE)

ACTION: Chairman Benson made a motion to approve. Vice Chairman Gilbert seconded the motion. Chairman Benson, Vice Chairman Gilbert, and Clerk Paolucci voted in favor of the motion. Motion approved.

At 7:52 p.m. this meeting was adjourned.

A handwritten signature in black ink that reads "James Paolucci". The signature is written in a cursive style with a large initial "J" and "P".

James Paolucci, Clerk