

# Development Package

May 2011



QUONSET  
BUSINESS PARK

Quonset Development Corporation

# QUONSET BUSINESS PARK DEVELOPMENT PACKAGE

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## 1.0 INTRODUCTION

### 1.1. Purpose and Intent

The purpose of this Development Package is to outline the various controls placed on the development of the Quonset Business Park (the Park).

The Quonset Development Corporation (QDC) is aware of the benefits inherent in the development of the Park. The controls described herein represent a commitment by QDC to develop a well-planned business park, while recognizing limited resources, as well as the increasingly more complex land use and environmental controls. QDC controls emphasize compatibility amongst business operations.

QDC continues to maintain a collaborative relationship with the Town of North Kingstown to develop the Park in a manner that is consistent with the goals of QDC and the Town. Administrative agreements between the Town and QDC, the development and maintenance of shared infrastructure, and the regulatory process in the Park have all been structured to ensure a streamlined approach to development in the Park. The Municipal Services Agreement (MSA, July 6, 2010) and the Memorandum of Understanding (MOA, December 16, 2010) are two examples of documents that help to define this relationship between the Town and QDC and are attached to these Regulations as an Appendix.

The controls are divided into the following sections: Protective Controls and Covenants; Land Use Controls; Environmental and Socio-Economic Review; Development Plan Review; Sewer User Regulations, and Renewable Energy Systems. The QDC also recognizes that these standards may not be readily adaptable to all development situations. The QDC staff, therefore, will work very closely with business clients to develop an understanding of these controls and to adapt these standards to site-specific development situations.

The Park is designed to provide prime sites for quality industrial development, offices, education, and marine industry, to create new job opportunities for Rhode Island workers; and to be sensitive to the built and natural environment. These regulations are adopted for the Park, to insure that individual components of the overall development scheme utilize the Park's unique resources to optimum advantage.

These rules and regulations, after due notice and an opportunity for hearing, are hereby adopted and filed with the Secretary of State this twentieth day of May, 2011, to become effective twenty (20) days after filing, in accordance with the provisions of R.I.G.L. § 42-35-2(a)(2), § 42-35-3, and § 42-117-8.

## **1.2. Review Process**

### **1.2.1. Development Review Process**

No development shall occur within the Park or shall be so altered as to change the location, exterior dimensions, or appearance of the same unless plans are submitted to and approved by QDC. All development projects within the Park must obtain appropriate approvals by the QDC through its plan review process. This includes design, architectural, and building materials as well as requirements for parking, grading, access, drainage, utility services, and traffic impacts. The various steps of the Development Review Process (DRP) are illustrated in Section 1.2.3.

### **1.2.2. Design Review Process**

#### **1.2.2.1. Development Interest**

The review process begins when a development interest is presented to QDC. The QDC staff shall work with clients to select a site which is suitable for their project based on such things as use district, transportation infrastructure, and availability of utilities. The staff will work with existing owners and tenants of the Park that wish to expand their operations. Development projects which do not require a building permit, such as leases for office space, shall not be subject to review by the TRC.

#### **1.2.2.2. Environmental Review and Socio-Economic Review Forms**

Following an initial assessment of development suitability and site selection, the next step is the Environmental Review and Socio-Economic Review to the 1979 Settlement Agreement. Prospective clients fill out an Environmental Review Form and a Socio-Economic Review Form (attached as an Appendix) that are forwarded to Statewide Planning Program, the Rhode Island Department of Environmental Management (RIDEM), the Rhode Island Coastal Resources Management Council (RICRMC), and the Town of North Kingstown for review and compliance with the State Guide Plan, and applicable laws and regulations. This alerts clients to environmental compliance regulations. The Statewide Planning Program will then issue a Determination of Consistency with the State Guide Plan or identify elements with which the project is inconsistent. Comments may be submitted by RIDEM and RICRMC related to permitting requirements, and by the Town related to the local Comprehensive Plan.

#### **1.2.2.3. QDC Board Approval**

The QDC will consider the proposed land transaction and development and will indicate approval, rejection, or recommendations for modifications or additional information. QDC may authorize QDC staff to negotiate Site Control Documentation.

#### 1.2.2.4. Site Control Documentation

Upon approval of the proposed development by the QDC Board, the staff of QDC will negotiate Site Control Documentation with the Client.

#### 1.2.2.5. Development Plan Review

The Development Plan Review process involves the detailed review of site engineering, and architectural design in accordance with the procedures provided in Section 4.0 and the standards provided in Sections 5.0 and 6.0 of these regulations. A Certificate of Approval must be obtained from the Technical Review Committee before a Building Permit can be issued by the appropriate authority.

#### 1.2.2.6. Sewer Treatment System User Regulations

The Sewer Treatment System User Regulations govern the use of the QDC's sewers and drains, the installation and connection of building sewers, the discharge of waters and wastes into the sewers, and the penalties for violations. Prospective users of the Quonset Wastewater Treatment System, leasing or purchasing property from the QDC or from any other private parties, shall complete an Industrial Questionnaire. Following an assessment of the Industrial Questionnaire by the QDC a determination will be made as to user classification. After review of the Questionnaire, if it is determined the user is or may have a potential to be a Significant Industrial User a Wastewater Discharge Permit Application shall be completed by the prospective user. A Wastewater Treatment Facility Permit approval must be obtained through QDC's Wastewater Treatment Permit Application process prior to any discharge.

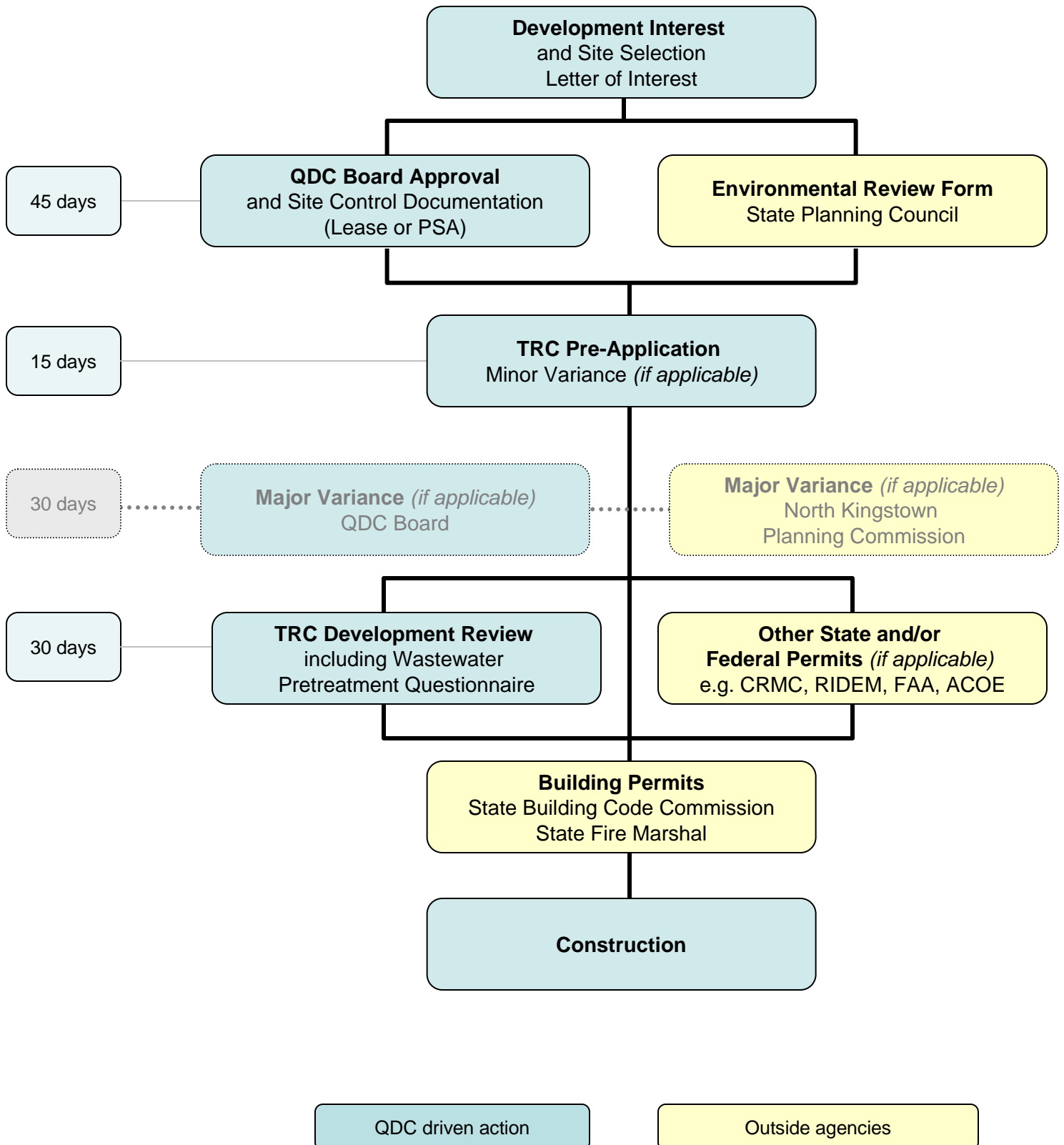
#### 1.2.2.7. Building Permit Review

Clients leasing or purchasing property from the QDC must submit final building plans to the State Building Official for review. Upon a finding of compliance with the State Building Code, a Building Permit will be issued.

In addition to the regulations contained herein, property within the Park is also subject to other local, state and federal laws, rules and regulations, including, but not limited to, laws and regulations administered by the RICRMC, RIDEM, state building codes and fire codes, state and federal statutes pertaining to hazardous materials, and other applicable statutes.

## Section 1.2.3 Process

### Quonset Business Park Development Review Process



### **1.3. Legal Authority**

These rules and regulations are promulgated pursuant to the provisions of the Act.

### **1.4. Waivers and Variances**

#### **1.4.1. Waivers**

A waiver may be requested for any of the information requirements listed in Section 4.5. Waivers are specific to these informational requirements and are therefore distinct from variances, which are described in Section 1.4.2 below. An applicant may request a waiver through a letter to the TRC explaining why the information is not required in order to complete the review. In this case, the Director of QDC shall inform the applicant of the TRC's decision in advance of application submittal. The applicant may also request a waiver at the outset of the Development Plan Review process as part of the formal application. In this case, denial of a waiver will result in determination that the application is incomplete and a revised application will be required to start the thirty (30) day review period.

#### **1.4.2. Variances**

Variances represent a situation in which an applicant petitions the TRC to deviate from the development standards associated with the site. Variances shall be classified as "minor" or "major" by the Director of QDC and/or the Director of Planning for the Town during the pre-application phase of the Development Review Process. Classification of these variances will be decided on a case by case basis at the discretion of the Managing Director of QDC and the Director of Planning for the Town and will use the description of a "major" variance provided in Section 1.4.2.2 as a guide.

- 1.4.2.1. Minor Variance – May be approved by the TRC as evidenced by a certificate signed by both the Managing Director of QDC and the Director of Planning for the Town.
- 1.4.2.2. Major Variance – Shall be reviewed by and require approval from both the QDC Board and the North Kingstown Planning Commission. A variance may be classified as "major" by either the Director of the Planning Department or the Managing Director of QDC if either party finds that:
  - a. The proposed activity will require additional mitigation measures to protect environmental resources beyond what is already required by QDC or state standards;
  - b. A significant additional investment or construction to mitigate potential increased impacts from noise, vibration, glare, dust, odor, heat, or traffic associated with daily operations is required;
  - c. A deviation from dimensional requirements is required in a manner that is not



incidental to minor site engineering or architectural adjustments designed to improve overall site design or building performance;

- d. The proposal includes a land use that is not allowed in the Land Use District;
- e. The proposed land use, as is it defined in Section 1.7 of these regulations, requires a Major Variance;
- f. The proposal includes an activity that is clearly inconsistent with the Quonset Master Plan or the Town of North Kingstown's Comprehensive Plan;
- g. The proposal would present a clearly identifiable threat to public health, safety or welfare.

1.4.2.3 Petition for a Variance – An applicant may petition for a variance through a Letter of Variance Request sent to both the Director of Planning for the Town and the Managing Director of QDC. The letter shall contain the information listed below at a minimum. The applicant may provide information in the form of map, site plans or other materials if it is his/her opinion that these supporting materials will assist in the review of the petition.

- a. Name and contact information for the applicant;
- b. Plat and lot number;
- c. Frontage road;
- d. Applicable Land Use District;
- e. Description of proposed development;
- f. Comprehensive and specific list of all standards within the regulations from which variances are being requested;
- g. Description of why each variance is being sought.

## **1.5. Enforcement**

QDC shall be responsible for the enforcement of the Regulations or any decision of the TRC within the Park. In the event that the QDC has issued two (2) Notices of Violation with respect to any violation of the Development Regulations or any decision of the TRC and said violation has not been remedied to the satisfaction of the QDC, then, upon notice from the QDC, the Town, through its Code Enforcement Office, shall enforce the Development Regulations or the TRC decision, as the case may be. Notwithstanding the foregoing, nothing contained herein shall be deemed a waiver by the Town or the QDC of its enforcement authority and the Town or QDC may, at any time, enforce the Uniform Regulations or any decision of the TRC.

## **1.6. Severability**

If the provisions of any article, section, subsection, paragraph, subdivision or clause of these regulations shall be judged invalid by court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of these regulations.

## 1.7. Definitions

The following word, terms and phrases, when used in this package, shall have the meaning stated herein.

- 1.7.1. Abutter: One whose property abuts, that is, adjoins at a border, boundary, or point with no intervening land.
- 1.7.2. Accessory Use: A use of land or a building, or portion thereof, customarily incidental and subordinate to the principal use of the land or building. An accessory use shall not be permitted without the principal.
- 1.7.3. Act: Quonset Development Act RIGL Sec. 42-64.10-1 Et. Seq..
- 1.7.4. Aggrieved Party: Any person or persons or entity or entities who can demonstrate that their property will be injured by a decision of any officer or agency responsible for administering the Development Package. Anyone requiring notice pursuant to this chapter.
- 1.7.5. Airport: Quonset State Airport located in Town of North Kingstown, Rhode Island.
- 1.7.6. Alteration: An action that changes one (1) or more of the exterior architectural features of a structure or its appurtenances, including but not limited to the erection, construction, reconstruction, or removal of any structure or appurtenance.
- 1.7.7. Applicant: An owner or authorized agent of the owner submitting an application.
- 1.7.8. Application: The completed form or forms and all accompanying documents, exhibits, and fees required of an applicant.
- 1.7.9. Aviation Facilities: Uses including runways, taxiways, buildings, parking and circulation, storage, and terminals.
- 1.7.10. Buffer: Land which is maintained in either a natural or landscaped state, and is used to screen and/or mitigate the impacts of development on surrounding areas, properties or rights-of-way.
- 1.7.11. Building: Any structure used or intended for supporting any use or occupancy. When any portion thereof is completely separated from every other portion thereof by a division wall without openings then each portion shall be deemed to be a separate building.
- 1.7.12. Building Height: The vertical distance from grade, as determined by the TRC, to the top of the highest point of the roof or structure. The distance may exclude spires, chimney, flag poles, solar panels and the like.
- 1.7.13. Certificate of Approval: A notice issued by the TRC to the applicant that the development meets the requirements of the regulations, and that the applicant may proceed with the permitting process.
- 1.7.14. Client: A developer who is legally entering into an agreement with the QDC for development of a given parcel of land within the QBP.
- 1.7.15. Coastal Features: Coastal features are defined in Chapter 23 of Title 46 of the General Laws.
- 1.7.16. Compassion Center: A not-for-profit entity registered with the State of Rhode Island that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, supplies or dispenses marijuana, or related supplies and educational

materials, to registered qualifying patients and their registered primary caregivers who have designated it as one of their primary caregivers. Any application to develop a compassion center on QBP lands shall require a Major Variance pursuant to Section 1.4 of these regulations.

- 1.7.17. Conservation Areas: Land that is undeveloped and is maintained in its natural state such as forest, salt marsh, tidal mud flat, wetlands, watersheds and water supply land.
- 1.7.18. Development: The construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; land disturbance; any change of use, or alteration or extension of the use, of land.
- 1.7.19. Development Plan Review: The process whereby authorized officials review the site plans, maps and other documents of a development to determine the compliance with the stated purposes and standards of these Regulations.
- 1.7.20. Director: The Managing Director or his/her assignee in his/her absence of the QDC.
- 1.7.21. District: Land Use District
- 1.7.22. Education and Training: Uses intended for the training in general, technical, or professional education.
- 1.7.23. FAA: Federal Aviation Administration.
- 1.7.24. General Manufacturing: Manufacturing, fabrication or processing; assembly or packaging; printing and publishing plant; millwork; and work with outside operations and storage.
- 1.7.25. Gross Floor Area: The total area of a building measured by taking the outside dimensions of the building at each level intended for occupancy or storage.
- 1.7.26. Hazardous or Toxic Materials: Any substance or combination of substances which, because of quantity, concentration or physical, chemical or infectious characteristics, poses a significant present or potential hazard to water supplies or to human health.
- 1.7.27. Historic Resources: any real property, man-made structure, natural object or configuration or any portion or group of the foregoing which has been registered, or deemed to be eligible to be included, on the state register of historical places pursuant to section 45-5-5 of the General Laws.
- 1.7.28. Hotel: A building, group of buildings or a portion thereof used or offered for residential occupancy for any period less than one month, with or without meals, and in which a building or portion thereof may be certain public rooms or halls for the service of food or drink.
- 1.7.29. Improvements: Changes, alterations, or modifications made to land or structures.
- 1.7.30. Land: Surface of earth above sea level.
- 1.7.31. Large-Scale Ground-Mounted Solar Photovoltaic Installation: A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC.
- 1.7.32. Light Manufacturing: Limited to manufacture of non-noxious products that can be shipped in trucks or containers, and conducted entirely indoors. Buildings shall have minimal smokestacks, silos, cooling towers and such structures.
- 1.7.33. Lot: 1) The basic development unit for determination of lot area, depth, and other dimensional regulations; or 2) A parcel of land whose boundaries have been

- established by some legal instrument such as a recorded deed or recorded map and which is recognized as a separate legal entity for purposes of transfer of title.
- 1.7.34. Lot/Building Coverage: That portion of lot that is or may be covered by buildings and accessory buildings.
- 1.7.35. Lot Frontage: That portion of a lot abutting a street. Nonconforming frontage shall not be added to meet the minimum frontage requirements.
- 1.7.36. Marine Business: Water dependent commercial activities related to marina and other vessel service activities.
- 1.7.37. Marine Construction Support: Land based construction activities that use the water as the primary means for moving the product from the land construction area to its permanent location.
- 1.7.38. Marine Industrial: Water dependent industries in direct support of seaport for facilitating waterborne cargo operations, fisheries development, and marine construction activities.
- 1.7.39. Marine Structures: Structures to support the transfer of cargo and people from marine vessel to land areas such as piers, bulkheads, or mooring structures.
- 1.7.40. Open Space: Any land that is primarily undeveloped, including public and semipublic open lands, and private development requiring little or no construction. The purpose of this land is to provide park, recreational, historic and scenic uses, and to provide for the conservation of land and other natural resources.
- 1.7.41. Parks with Facilities: Land that is primarily undeveloped whose purpose is to provide recreation and relaxation activities such as but not limited to beaches, playgrounds and picnic areas.
- 1.7.42. Performance Standards: A set of criteria or limits relating to elements which a particular use or process either must meet or may not exceed.
- 1.7.43. Permitted Uses: Uses specifically authorized by these regulations for a particular use district.
- 1.7.44. Personal Convenience Services: Uses intended to provide personal services to occupants of the park such as, but not limited to, barber, beauty shops, cleaning, and tailoring.
- 1.7.45. Principal Use: The main or primary purpose for which a building, other structure and/or lot is designed, arranged, or intended, or for which they may be used, occupied or maintained under this chapter.
- 1.7.46. Professional and Business Services: Uses intended to provide support services for primary economic development activities such as industrial and corporate offices including professional offices, such as, but not limited to medical, legal, engineering and accounting and business services, such as, but not limited to, photocopying, equipment repair, repair shops (computers, watches, etc.).
- 1.7.47. Professional Offices: Operations designed to attract and serve customers or clients on the premises with low-volume traffic such as lawyer, doctor, dentist, architect, engineer, realtor, accountant, travel agency, stock broker, insurance agency, computer processing services and the like.
- 1.7.48. Residential Boundary: for purpose of building setbacks from residential boundary, measurement shall be taken from proposed building foundation to the lot line of an approved residential parcel identified as such on Town Plat Maps and

excluding open space, common areas, and undevelopable areas.

- 1.7.49. Quonset Development Corporation (QDC): A real estate development and management company organized as a subsidiary of the Rhode Island Economic Development Corporation.
- 1.7.50. Rated Nameplate Capacity: means the maximum rated output of electric power production of the Photovoltaic system in Direct Current (DC).
- 1.7.51. Recreation/ Tourism: Use in intended in support of recreational or tourism activities that use the water as a primary resource or amenity.
- 1.7.52. Regulation(s): A type of "delegated legislation" promulgated by a state, federal or local administrative agency given authority to do so by the appropriate legislature.
- 1.7.53. Research and Development: A building for research and design of new products or ideas.
- 1.7.54. Restaurant: A public eating place or food court that serves a substantial portion of its food for consumption at tables or counters located on the premises or a carryout retail service business which sells ready-to-eat foods primarily for consumption off the premises. A carryout restaurant does not include fast food restaurant that are designed for rapid food delivery to customers. All restaurants with drive-through service are considered fast food restaurants and are prohibited.
- 1.7.55. Retail Stores: Include retail business; sales of food (excluding fish and shellfish) drugs, clothing, jewelry, stationery, or similar personal or specialty items.
- 1.7.56. Rhode Island Economic Development Corporation (RIEDC): The parent corporation of the QDC.
- 1.7.57. Road(s): Described by QDC as a public access to a State or Town road.
- 1.7.58. Shipping: Uses intended for the distribution of products and goods.
- 1.7.59. Site Control Documentation: A document defining the purchase and sales or lease agreement entered into between the QDC and the Client.
- 1.7.60. Site Plan: The development plan for one or more lots on which is shown the existing and/or the proposed conditions of the lot.
- 1.7.61. Solid Waste: Garbage, refuse and other discarded solid material generated by residential, institutional, commercial, industrial, and agricultural sources, but does not include solids or dissolved material in domestic sewage or sludge, nor does it include hazardous waste as defined in the Hazardous Waste Management Act, Section 23-19.1-1 of the General Laws.
- 1.7.62. Structure: A combination of materials to form a construction for use, occupancy, or ornamentation, whether installed on, above, or below, the surface of land or water.
- 1.7.63. Subdivision: The division, re-division, of a lot, tract or parcel of land into two (2) or more lots, tracts, or parcels. Any adjustment to existing lot lines of a recorded lot by any means shall be considered a subdivision. All re-subdivision activity shall be considered a subdivision. The division of property for purposes of financing constitutes a subdivision.
- 1.7.64. Survey, Class I: Surveys of developed (or soon to be developed) commercial and residential property, performed to a high degree of positional accuracy. Most urban and suburban boundary surveys, large-scale construction projects, title surveys, and subdivision of land should be performed to this standard.
- 1.7.65. The Park: Quonset Business Park.

- 1.7.66. Technical Review Committee: The Technical Review Committee (TRC) shall be responsible for making a recommendation to the QDC regarding a Certificate of Approval for development projects within the Park. Membership of the TRC shall be as described in the Memorandum of Agreement between QDC and the Town dated December 16, 2010 and attached as Appendix 9.7.
- 1.7.67. Town: The Town of North Kingstown.
- 1.7.68. Transit-Oriented Development (TOD): An approach to site and neighborhood-scale planning that allows for a mix of uses and development that is compatible with and supportive of public transit and a pedestrian-oriented environment.
- 1.7.69. Undeveloped: Land that has not had improvements made either to the land or on the land.
- 1.7.70. USEPA: United States Environmental Protection Agency.
- 1.7.71. Use: The purpose or activity for which land or buildings are designed, arranged, or intended, or for which land or buildings are occupied or maintained.
- 1.7.72. Variance: Permission from the TRC or the QDC Board to depart from the literal requirements of these Regulations as they relate to performance, utility and design standards.
- 1.7.73. Waivers: Permission from the TRC to omit information that would otherwise be required in a Development Plan Review application.
- 1.7.74. Warehousing and Wholesaling: Include industrial; commercial salvage yards; distribution center, parcel delivery center; warehousing.
- 1.7.75. Waterfront Uses: Uses intended for marine-related and marine-enhanced uses such as water dependent industries in direct support of seaport for facilitating waterborne cargo operations, fisheries development, and marine construction activities; water dependent commercial activities related to marina and other vessel service activities; structures to support the transfer of cargo and people from marine vessel to land areas such as piers, bulkheads, or mooring structures; land based construction activities that use the water as the primary means for moving the product from the land construction area to its permanent location; uses in support of recreational or tourism activities that use the water as a primary resource or amenity such as sea plane operations; accessory marine supply retail, boat and marine equipment rentals; and accessory food service retail.
- 1.7.76. Wetlands, coastal: As defined in Section 2-1-20 of the General Laws. A salt marsh bordering on the tidal waters of this state and contiguous uplands extending no more than fifty (50) yards inland there from.
- 1.7.77. Wetlands, freshwater: As defined in Section 2-1-20 of the General Laws. A marsh, swamp, bog, pond, river, river or stream flood plain or bank, area subject to flooding or storm flowage; emergent or sub-emergent plant community in any body of freshwater; or area within fifty (50) feet of the edge of a bog, marsh, swamp, or pond, as defined in Section 2-1-2 of the General Laws.
- 1.7.78. Wholesale: Any sale for resale but not direct consumption.
- 1.7.79. Wind Energy System (WES): a device that converts wind energy into electrical energy. A WES typically consists of a tower, nacelle body and a rotor with two or more blades. A WES includes all equipment, machinery, and structures utilized in connection with the conversion of wind to electricity, and includes, but is not limited to, transmission, storage, collection and supply equipment,

substations, transformers, service and access roads, and wind monitoring and meteorological towers. A WES may be gear driven, employing one or more gears connecting a low-speed shaft to a high-speed shaft for the purpose of increasing rotational speeds at the generator over and above the rotational speed of the rotor, or may be direct drive, which does not alter shaft rotational speed from the rotor to the generator. WESs also include Alternative Design Wind Energy Systems (AWES), which shall include any WES other than one that is rotor driven. WESs include both free-standing and building mounted systems. WESs shall also include associated wind monitoring and/or meteorological towers.

- 1.7.80. Wind Monitoring or Meteorological Tower: a temporary tower equipped with devices to measure wind speeds and direction used to determine how much wind power a site can be expected to generate (referred to as “Met Tower”). This includes but is not limited to SoDAR and LiDAR.
- 1.7.81. Yard, Front: A yard extending across the full width of the lot, the depth of which shall be the least distance between the front lot line and the front of any building.
- 1.7.82. Yard, Rear: A yard extending across the full width of the lot between the rear most main building and the rear lot line, the depth of which shall be the least distance between the rear lot line and the rear of any buildings.
- 1.7.83. Yard, Side: A yard between the main building and the side lot line, extending from the front yard or the front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line toward the nearest part of the main building.

## **2.0 Protective Controls**

### **2.1. Approval of Plan**

No building or structure shall be erected, constructed, or placed upon the premises or so altered as to change the location, exterior dimensions, or appearance of the same unless plans are submitted to and approved by QDC. These plans shall conform to the Development Plan Review Regulations. Plans shall include, but shall not be limited to, elevations and construction materials; site development, including planting; building location; and locations of required yards, walks, drives, parking areas, lighting and signs. The QDC shall act upon the plans within thirty (30) days of receipt, indicating approval, rejection, or recommendations for modifications.

### **2.2. Development Restrictions**

Any use established or changed to, and any building, structure, or land developed, constructed or used for, any permitted principal use or accessory use, shall comply with all of the standards contained in the Development Plan Review regulations. No change in standards shall invalidate any existing use if such a use was in compliance with standards existing at the time of commencement of that use. If any existing use of buildings or other structures is extended, enlarged, or reconstructed, the standards shall apply with respect to such extended, enlarged, or reconstructed portion or portions of such use, building or structure.

### **2.3. Commencement of Construction**

If, after the expiration of six (6) months from the date of delivery of a deed from the QDC, a grantee shall not have begun, in good faith with reasonably complete arrangements to carry through to completion the development of the property pursuant to plans approved by the QDC under the foregoing restrictions and provisions, the QDC shall have the option to repurchase the property for the price paid by the party which acquired the same from QDC. The QDC may extend the six (6) month period whenever it deems it desirable to do so. The QDC's option must be exercised in writing within one year after it accrues; otherwise, the option shall expire. Any extension pursuant to this clause shall extend the QDC's right of repurchase in the same manner as contemplated after the expiration of the first six (6) months.

### **2.4. Subdivision**

The premises shall not be subdivided without the approval of the QDC, its successors and assigns, or its duly authorized representative. No part of the premises which is left unimproved may be leased, re-sold, or otherwise disposed of without being first offered in writing for resale to the QDC at the same price per square foot at which any portion of the premises were sold by the QDC to the party which acquired the same from the QDC.



## **2.5. Additions to Buildings**

Any addition or alteration (interior and exterior) to the buildings or future improvements to a site shall conform to these provisions and shall be subject to the approval of the QDC.

## **2.6. Injunctive Relief**

The QDC may obtain injunctive relief to enjoin the violations of any of these provisions without prejudice to any of its other legal or equitable remedies.

## **2.7. Duration of Controls**

These protective controls and all conditions, restrictions, and covenants running with the land shall be in full force and effect for a period of forty (40) years from recording date.

## **2.8. Utility Easement**

The QDC reserves the right to construct underground utility facilities and install and maintain pipes and conduits. The QDC also reserves the right to maintain all existing utility facilities within existing utility easements. New easements through an area shall not be more than twenty (20) feet in width and the subsequent owners or any lessees of the premises or any portion thereof, agree to execute any and all instruments necessary and reasonable for the further development of the premises, including the granting of easements of no more than twenty (20) feet in width, provided no such easement shall interfere with any building planned for, or constructed on, the premises by the subsequent owner or lessee.

## **2.9. Construction**

The QDC shall have the power to interpret the provisions of these regulations, to decide any disputes that arise, and to supply an omission or reconcile any inconsistency in these regulations in such manner and to such extent as it shall deem necessary or desirable. All determinations made by the QDC shall be final and binding on all applicants requesting approvals.

## **2.10. Plan Approval**

Upon the completion of the construction of a building or other structure on the premises, it shall be conclusively presumed, insofar as any bonafide purchaser or mortgagee is concerned, that the location of the building or other structure has been approved by QDC and that all plans, specifications and details of such buildings or other structures which have been constructed on the premises and all other plans and restrictions referred to herein, have been approved in writing by QDC unless there shall have been recorded in the Records of Land Evidence a notice to the effect that such approval has been withheld.

### **2.11. Certificate of Approval**

Upon the granting of any approvals pursuant to the terms of these regulations, QDC will stamp the final plans submitted by the applicant with a red-ink signed approval block to serve as a Certificate of Approval.

## **3.0 Land Use Districts**

### **3.1. Purpose and Intent**

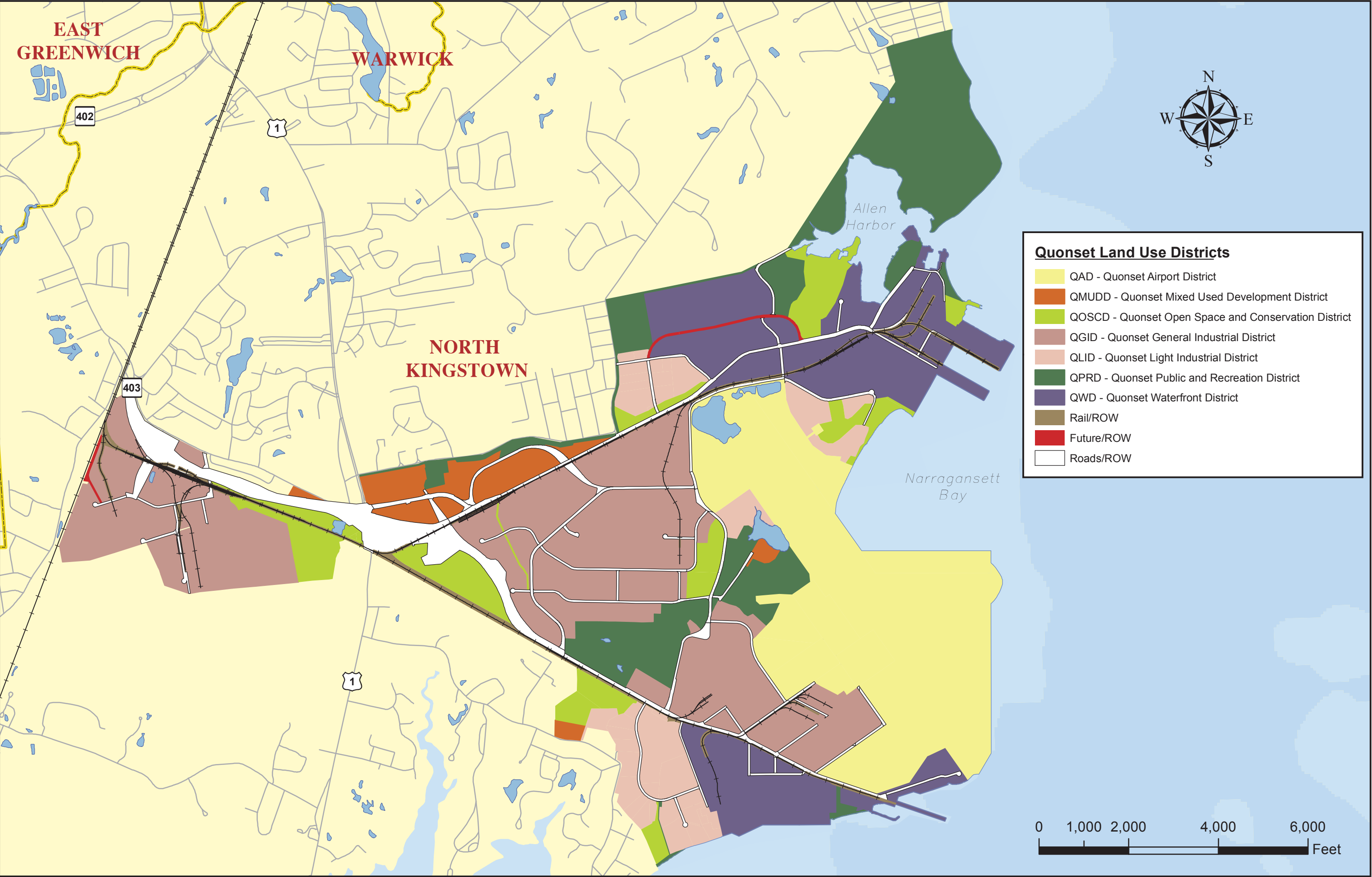
The Quonset Business Park (QBP) is comprised of separate and distinct land use districts to implement land use development policies contained in the *Quonset Business Park Master Land Use and Development Plan (2008)* (Master Plan) as amended to meet the unique growth and development issues of the park. More specifically, the purpose of the land use districts is to:

- 3.1.1. Ensure development of the highest quality;
- 3.1.2. Provide flexibility in the use and design of property within the Park;
- 3.1.3. Accommodate development that is appropriate for the site and the surrounding areas;
- 3.1.4. Facilitate economic development opportunities;
- 3.1.5. Ensure development respects neighboring land uses and produces minimal off-site impacts; and
- 3.1.6. Maintain uses that are consistent with federal land conveyances and deed restrictions.

### **3.2. Quonset Business Park Districts**

QBP is divided into the following Land Use Districts as depicted on *Figure 1. Land Use Districts* and as described in other sections of the Regulations. Where there may be any question regarding which district applies to any given site or portion of a site, final determination shall be made by the QDC Managing Director.

- 3.2.1. Airport (QAD)
- 3.2.2. General Industrial (QGID)
- 3.2.3. Light Industrial (QLID)
- 3.2.4. Mixed Use Development (QMUDD)
- 3.2.5. Public and Recreation (QPRD)
- 3.2.6. Open Space and Conservation (QOSCD)
- 3.2.7. Waterfront (QWD)



### **3.3. Quonset Airport District (QAD)**

#### **3.3.1. Purpose and Intent**

Quonset Airport District uses are managed and controlled by the Rhode Island Airport Corporation (RIAC) and are intended to encourage, guide and direct development within the district. QAD uses are those uses that meet the needs of general aviation including runways, taxiways, buildings, parking and circulation, storage, and terminals. In addition, the district includes marine-related and marine-enhanced uses. The intent is to locate such activities where minimal impact on adjacent areas will result and where infrastructure and transportation facilities are available or can be made available. The purpose of the district is to:

- 3.3.1.1. Expand economic development opportunity within the district by encouraging private-sector investment based on extensive public improvements and capital investment in the district.
- 3.3.1.2. Encourage cooperation between the major stakeholders within the district to facilitate the short and long term goals of the district.
- 3.3.1.3. Provide for an orderly development process, which places a premium on quality of design and function.

#### **3.3.2. General Provisions**

- 3.3.2.1. All applicants shall first receive Federal Aviation Administration (FAA) and Rhode Island Airport Corporation (RIAC) approval prior to the Development Plan Review process.
- 3.3.2.2. Development along the coastal feature must conform to regulations as set forth by RICRMC, RIDEM, the Army Corps of Engineers (ACOE), the United States Coast Guard (USCG), and all other appropriate agencies.

#### **3.3.3. Principal Permitted Uses**

All permitted uses require review and approval by the RIAC. Permitted uses shall include the following land use types:

- 3.3.3.1. Aviation
- 3.3.3.2. Waterfront Uses

### **3.4. Quonset General Industrial District (QGID)**

#### **3.4.1. Purpose and Intent**

Quonset General Industrial District (QGID) shall be used for a broad range of industrial activities, including open and covered storage, fabrication, material processing, packaging, distribution, offices, and manufacturing facilities. The intent is to locate such

activities in areas where minimal impact on adjacent areas will result and where infrastructure and transportation facilities are available or can be made available.

#### 3.4.2. General Provisions

All development activities must obtain all necessary approvals through the QDC plan approval process, which include environmental, and Development Plan Review.

#### 3.4.3. Principal Permitted Uses

Permitted uses shall include the following land use types:

- 3.4.3.1. General Manufacturing
- 3.4.3.2. Warehousing and Wholesaling
- 3.4.3.3. Research and Development Facilities
- 3.4.3.4. Professional Office
- 3.4.3.5. Shipping
- 3.4.3.6. Transit-Oriented Development
- 3.4.3.7. Accessory Use
- 3.4.3.8. Sales or display areas within wholesale/manufacturing establishments limited to 1,000 square feet of net floor area.

### 3.5. Quonset Light Industrial District (QLID)

#### 3.5.1. Purpose and Intent

The purpose of the Quonset Light Industrial District (QLID) is to provide opportunities for non-noxious industrial uses such as light manufacturing, research and development, warehousing and wholesaling, and light assembly or any combination thereof within enclosed buildings.

The QLID is intended to provide for the development of light industrial uses in an industrial park setting. More specifically, the purpose of the QLID is to:

- 3.5.1.1. Provide a transition from more intensive to less intensive uses;
- 3.5.1.2. Develop low intensity and high quality projects with increased amenities and open space; and.

#### 3.5.2. General Provisions

- 3.5.2.1. All development activities must obtain all necessary approvals through the QDC development review process, which include environmental, design, and technical reviews.
- 3.5.2.2. A vegetated buffer consisting of evergreen shrubs, shade trees, ornamental plants, and groundcover shall be installed along the northern perimeter of the Park from Post Road to Marine Road. This buffer may include a multi-

use trail. The buffer shall be a year round dense opaque screen not less than six (6) feet in height.

### 3.5.3. Principal Permitted Uses

All permitted uses are subject to review by the TRC. Permitted uses shall include the following land use types:

- 3.5.3.1. Light Manufacturing
- 3.5.3.2. Warehousing and Wholesaling
- 3.5.3.3. Research and Development Facilities
- 3.5.3.4. Professional Office
- 3.5.3.5. Shipping
- 3.5.3.6. Accessory Use

## 3.6. Quonset Mixed Use Development District (QMUDD)

### 3.6.1. Purpose and Intent

The purpose of the Quonset Mixed Use Development District (QMUDD) is to meet the goals and objectives of the Master Plan as it relates to supportive land use activities for the Park. The QMUDD is intended to accommodate a variety of office, hotel, retail sales and services, institutional and public uses. Restricted ancillary retail sales and service uses are allowed to serve the office uses within the buildings. Institutional and public uses include government, educational and training facilities as well as associated buildings, parking, and amenities. Development in this district should provide an area to serve as complementary land uses to the major economic development activities of industrial and port land users.

### 3.6.2. General Provisions

- 3.6.2.1. All development activities must obtain all necessary approvals through the QDC plan approval process, which include environmental, and Development Plan reviews.
- 3.6.2.2. A vegetated buffer consisting of evergreen shrubs, shade trees, ornamental plants, and groundcover shall be installed along the northern perimeter of the Park from Post Road to Marine Road. This buffer may include a multi-use trail. The buffer shall be a year round dense opaque screen not less than six (6) feet in height.

### 3.6.3. Principal Permitted Uses

All permitted uses are subject to review by the TRC. Permitted uses shall include the following land use types:

- 3.6.3.1. Professional Office

- 3.6.3.2. Hotel
- 3.6.3.3. Restaurant
- 3.6.3.4. Professional and Business Services
- 3.6.3.5. Personal Convenience Services
- 3.6.3.6. Education and Training
- 3.6.3.7. Retail Stores

### **3.7. Quonset Open Space and Conservation District (QOSCD)**

#### **3.7.1. Purpose and Intent**

The purpose of the Quonset Open Space and Conservation District (QOSCD) is designed to meet the goals and objectives of the Master Plan as it relates to undeveloped open spaces. The QOSCD is intended to accommodate open spaces.

#### **3.7.2. General Provisions**

All activities must obtain all necessary approvals through the QDC plan review process, which include environmental, design, and development reviews. Land owned by the Town of North Kingstown is not subject to these provisions and is excluded from the QDC process.

#### **3.7.3. Principal Permitted Uses**

All permitted uses are subject to review by the TRC. Permitted uses shall include the following land use types:

- 3.7.3.1. Conservation Areas
- 3.7.3.2. Buffers

### **3.8. Quonset Public and Recreation District (QPRD)**

#### **3.8.1. Purpose and Intent**

The purpose of the Quonset Public and Recreation District (QPRD) is designed to meet the goals and objectives of the Master Plan as it relates to developed lands dedicated to public uses. The QPRD is intended to accommodate publicly managed recreational facilities.

#### **3.8.2. General Provisions**

All activities must obtain all necessary approvals through the QDC plan review process, which include environmental, design, and development reviews. All land owned by the Town of North Kingstown is not subject to these provisions and is excluded from the QDC process.



- 3.8.2.1. Development along the coastal feature must conform to regulations as set forth by RICRMC, RIDEM, ACOE, USCG, and all other appropriate agencies.
- 3.8.2.2. No building or structure shall be closer than two hundred (200) feet to the coast of the shore except for piers, docks, floats and marine railways and other facilities normally requiring location on or adjacent to the shore without prior approval of RICRMC.

### 3.8.3. Principal Permitted Uses

All permitted uses are subject to review by the TRC. Permitted uses shall include the following land use types:

- 3.8.3.1. Parks with Facilities
- 3.8.3.2. Golf Courses
- 3.8.3.3. Athletic Fields
- 3.8.3.4. Bike Paths
- 3.8.3.5. Historic Resources

## 3.9. Quonset Waterfront District (QWD)

### 3.9.1. Purpose and Intent

The purpose of the Quonset Waterfront District (QWD) is designed to meet the goals and objectives of the Master Plan as it relates to waterfront development. The QWD is intended to accommodate a variety of marine-related and marine-enhanced uses. The QWD will provide tourism-related and waterfront industrial activities.

### 3.9.2. General Provisions

- 3.9.2.1. All activities must obtain all necessary approvals through the QDC plan review process, which include environmental, design, and development reviews.
- 3.9.2.2. No building or structure shall be closer than two hundred (200) feet to the coast of the shore except for piers, docks, floats and marine railways and other facilities normally requiring location on or adjacent to the shore without prior approval of RICRMC.

### 3.9.3. Principal Permitted Uses

All permitted uses are subject to review by the TRC. Permitted uses shall include the following land use types:

- 3.9.3.1. Marine Industrial
- 3.9.3.2. Marine Business
- 3.9.3.3. Marine Structures

- 3.9.3.4. Marine Construction Support
- 3.9.3.5. Recreation/ Tourism
- 3.9.3.6. Accessory Use
- 3.9.3.7. Marine Supply Retail
- 3.9.3.8. Boat and Marine Equipment Rentals

## **4.0 Development Plan Review Regulations**

### **4.1. Purpose**

The purpose of the Development Plan Review Regulations is to establish the procedural and substantive provisions for the development of land in order to meet the unique growth and development issues of the Park. The Development Plan Review Regulations are intended to:

- 4.1.1. Protect the public health, safety and welfare;
- 4.1.2. Provide design and improvement standards to reflect the intent of the Quonset Business Park Master Land Use and Development Plan (2008) and the Municipal Services Agreement (2010);
- 4.1.3. Provide thorough and consistent Development Plan Review of all proposed land developments;
- 4.1.4. Ensure compliance with the Technical Standards in these Regulations.
- 4.1.5. Ensure development which respects neighboring land uses and produces minimal off-site impacts;
- 4.1.6. Provide flexibility in the use and design of property within the Park;
- 4.1.7. Accommodate development that is appropriate for the site and the surrounding areas;
- 4.1.8. To avoid development which may result in negative environmental impacts; and
- 4.1.9. Facilitate economic development opportunities.

### **4.2. Environmental Review and Socio-Economic Review**

Pursuant to the 1979 Settlement Agreement, prospective land owners or lessees of lands obtained, must fill out an Environmental Review Form and a Socio-Economic Review Form (see Appendices 9.1 and 9.2) that are then forwarded to the RIDEM, Statewide Planning Program, the RICRMC, and the Town of North Kingstown for review and compliance with the State Guide Plan, laws, and regulations. This process shall occur before the Pre-application Review (Section 4.4.1) and submission of any plans to the Technical Review Committee.

### **4.3. Development Plan Review Authority**

The authority to perform Development Plan Review shall reside with the Technical Review Committee as described herein and in the MOA dated December 16, 2010.

#### **4.3.1. Technical Review Committee (TRC)**

- 4.3.1.1. Committee Purpose: To review all development within the Park property for compliance and consistency with the Technical Review Regulations.
- 4.3.1.2. Committee Membership—QDC: TRC will be comprised of the following members:

- a. The Managing Director of the QDC, who will be the chair of the TRC;
- b. The Director of Development Services of QDC (or his/her designee),
- c. The Director of Public Works of QDC (or his/her designee),
- d. The Director of the Department of Planning and Development for the Town (or his/her designee), and
- e. The Director of the Department of Public Works for the Town (or his/her designee).

4.3.1.3. Committee Membership—Advisory:

- a. Two (2) design professionals appointed by the QDC shall serve in an advisory capacity to the QDC TRC Members and shall possess the following minimum qualifications: One (1) must have a professional background and license in landscape architecture and either practice or teach in that field, and one (1) must have a professional background and license in architecture and design and either practice or teach in that field, and
- b. The Town Fire Chief (or his/her designee) and/or the State Fire Marshall (or his/her designee).

4.3.1.4. Committee Meeting Schedule: TRC will meet as needed at the mutual convenience of the members with a minimum seven (7) day notice and receipt of plans. Notice requirement may be waived by mutual agreement of Managing Director and the Town's Director of Planning.

4.3.1.5. Development Plan Required: Upon a finding by QDC that the proposed development is an allowable use and that the site is either an existing lot or a new conforming lot, an applicant must submit a complete Development Plan to the TRC as described in Section 4.5.

## **4.4. Development Plan Review Process**

### **4.4.1. Pre-Application Review**

- 4.4.1.1. All development projects requiring a Certificate of Approval shall submit materials to the TRC for a pre-application review. The purpose of pre-application is to provide the TRC with information sufficient to convey the general design of the project and to determine whether any variance requests shall be classified as "minor" or "major" pursuant to Section 1.4.2. The TRC may approve a subdivision during this process provided the lot conforms to these regulations.
- 4.4.1.2. Pre-application plans shall contain information required in the Pre-application Checklist located in Appendix 9.3.
- 4.4.1.3. Pre-application review shall require no more than fifteen (15) days.

### **4.4.2. Development Plan Review Process**

- 4.4.2.1. Upon advisement from the TRC on the pre-application submittal, an

applicant may submit a complete Development Plan to the TRC pursuant to the requirements of Section 4.5.

- 4.4.2.2. Upon receipt of a complete application the TRC has thirty (30) days in which to render a decision. The application may be approved, approved with conditions, or denied. If the application is denied, the application may be resubmitted.
- 4.4.2.3. Where an application requires a major variance as determined by the Managing Director and/or the Town's Director of Planning, the application may be conditionally approved by the TRC. The application and the TRC decision shall then be forwarded to the QDC Board and the North Kingstown Planning Commission for final approval by both bodies. These bodies shall have thirty (30) days to review and render a decision.

#### **4.5. Development Plan Review Submittals**

All plans and drawings submitted to the TRC shall be prepared by a professional licensed in the State of Rhode Island in the applicable discipline (i.e. architecture, landscape architecture, and engineering) and shall include all information required as part of the Technical Review Application and Checklist located in Appendix 9.4.

- 4.5.1. Development Plan Review Fees are to be paid by the Applicant to QDC on behalf of the TRC at the time of submission as follows:

- 4.5.1.1. \$2,000 for structures greater than 40,000 square feet of gross floor area
- 4.5.1.2. \$1,000 for structures between 5,000 and 40,000 square feet of gross floor area
- 4.5.1.3. \$500 for structures less than 5,000 square feet of gross floor area
- 4.5.1.4. The Managing Director has discretion to adjust fees commensurate with the complexity of the development.

#### **4.6. Decisions and Records**

The TRC determination shall be binding on the applicant. Approval of an application for Development Plan Review may be granted by the concurrence of at least two (2) QDC members and at least one (1) Town Member; provided, however, that if neither Town Member is in attendance at a meeting of the TRC, the TRC shall be entitled to take any action upon the concurrence of at least two (2) of the QDC Members. The Development Regulations shall specify meeting notification requirements to members of the TRC as well as to the applicants. If the TRC does not approve a proposed project, the members of the TRC who oppose the project shall be obligated to identify the particular section(s) of the Development Regulations with which the proposed project does not conform. Any applicant whose project is denied by the TRC for failure to conform with the Development Regulations shall be advised of the finding of non-conformance and provided an opportunity to address such finding.

All records, minutes and decisions of the TRC and the QDC Board shall be filed in the Office

of the QDC. All correspondence with the TRC and/or the QDC Board shall be sent to:

Technical Review Committee  
Quonset Development Corporation  
Quonset Business Park  
95 Cripe Street  
North Kingstown, Rhode Island 02852

## 5.0 Development Plan Review Standards

### 5.1. Building Design Standards

The following Design Standards are intended for use by those developing and reviewing proposed developments located within the QBP. Design Standards are set forth as a method and means of unifying uses within the individual parcel while accomplishing the desired goals set forth for the entire Park. Development of the Park shall allow for integration of land uses for the benefit of the QDC and the people of the State of Rhode Island and the Town of North Kingstown. The TRC shall incorporate these Design Standards into their review of all Development Plans.

#### 5.1.1. Mixed Use Development (QMUDD)

Mixed Use Development uses are intended to provide supportive land use activities to the Park including office, hotel, retail sales and services, and institutional and public activities. Office uses are low to medium intensity uses intended to prevent strip commercial development. Ancillary retail sales and service uses are allowed. Institutional and public uses include government, educational and training facilities as well as associated buildings, parking, and amenities.

- 5.1.1.1. Design Intent – The buildings within this district should be of the highest quality and should be architecturally pleasing. The design intent is to develop mixed use areas harmoniously with the adjacent community by integrating Park-supportive activities with the adjacent neighborhoods and community businesses, acting as a buffer from the more industrial activities within the center of the Park. Buildings and site shall be designed to encourage pedestrian activity. The mixed use development district will also act as the Gateway into the Park; therefore, applying architectural elements that depict a high standard of quality to structures in this district is encouraged
- 5.1.1.2. In general, structures in these districts shall be designed to be compatible with their surroundings and appropriate to the intended use and setting. Design elements include, but are not limited to façade and materials, scale, massing, color, door and window openings, and details. For example, plain sheet metal buildings are not considered appropriate for these districts.
- 5.1.1.3. Side and Rear Walls – The side and rear faces of buildings which are visible from streets should be compatible in design to the front façade.
- 5.1.1.4. Exterior Building Materials - Building façade materials are preferred to be limited to three different materials, one of which will serve as the predominant material. Preferred materials include:
  - a. Brick
  - b. Natural stone masonry
  - c. Innovative use of metal

- d. Pre-cast concrete
- e. Wooden materials.
- 5.1.1.5. Public Entrances – Public entrances shall be easily identified and distinct from the remainder of the building either through architectural form or use of color, material, and texture of the façade.
- 5.1.1.6. Shutter Doors – It is encouraged that rolling shutter doors using loading and service areas be located on the inside of the building in order to maintain a clean uncluttered appearance from the exterior of the building.
- 5.1.1.7. Color – Building coloration is preferred to be neutral in color with accent color trim; however, alternative colors may be considered based on the surrounding context. It is preferred that building color be limited to four colors for use on the base, walls, trim, and roof.
- 5.1.1.8. Roof Equipment – All fans, vents, cooling towers and any equipment located on a roof are preferred to be incorporated in a manner which screens them from the sight of traffic and residential and office areas.
- 5.1.1.9. Ancillary Areas – Ancillary building areas such as loading, service, outside storage and employee areas are encouraged to be consistent with the overall design of the primary building. There shall be no other structures on the site unless reviewed and approved by the TRC. Attachments or appendages to the primary building are not permitted with the exception of those approved by the DRC for screening purposes.

#### 5.1.2. Waterfront (QW, Non-Industrial)

Waterfront uses that are not industrial are intended for water-related and water-dependent commercial activities, including those associated with tourism that uses the water as a primary resource or an amenity to other activities. Due to the location of these districts, special site considerations and high quality buildings with architectural character are expected.

- 5.1.2.1. Design Intent – The design intent is to be sensitive to the scenic environment and the tourism-related activities nearby. The RICRMC’s “Redbook” should be used as a guide, specifically Section 330. Key points to consider are: safeguarding significant views of Narragansett Bay from public vantage points and recognizing the importance of the skyline as seen from the bay and avoiding intrusive structures that may visually disrupt it.
- 5.1.2.2. Side and Rear Walls – The side and rear faces of buildings which are visible from streets should be compatible in design to the front façade.
- 5.1.2.3. Exterior Building Materials - Building façade materials are preferred to be limited to three different materials, one of which will serve as the predominant material. Preferred materials include:
  - a. Brick
  - b. Natural stone masonry



- c. Innovative use of metal
  - d. Pre-cast concrete
  - e. Wooden materials.
- 5.1.2.4. Public Entrances – Public entrances shall be easily identified and distinct from the remainder of the building either through architectural form or use of color, material, and texture of the façade.
- 5.1.2.5. Shutter Doors – It is encouraged that rolling shutter doors using loading and service areas be located on the inside of the building in order to maintain a clean uncluttered appearance from the exterior of the building.
- 5.1.2.6. Color – Building coloration is preferred to be neutral in color with accent color trim; however, alternative colors may be considered based on the surrounding context. It is preferred that building color be limited to four colors for use on the base, walls, trim, and roof. The color white shall be discouraged for all buildings adjacent to Narragansett Bay.
- 5.1.2.7. Roof Design – Pitched roofs are preferred over flat roofs. It is suggested that pitched roof materials be standing seam or flat seam configuration metals. Painting non-weathering metals with finish approved by the DRC is favored. All fans, vents, cooling towers and any equipment located on a roof are preferred to be incorporated in a manner which screens them from the sight of traffic.
- 5.1.2.8. Ancillary Areas – Ancillary building areas such as loading, service, outside storage and employee areas are encouraged to be consistent with the overall design of the primary building. There shall be no other structures on the site unless reviewed and approved by the TRC. Attachments or appendages to the primary building are not permitted with the exception of those approved by the DRC for screening purposes.

### 5.1.3. Light Industrial (QLID)

Light Industrial uses are non-noxious industrial uses such as light manufacturing, research and development, warehousing and wholesaling, and light assembly or any combination thereof within enclosed buildings.

- 5.1.3.1. Design Intent – The design intent of this district is to be less prescriptive than the mixed use district, but more prescriptive than the general industrial district. This district should be developed in a manner that reflects a commitment to functional efficiency and quality appearance, particularly where activities adjoin more sensitive uses.
- 5.1.3.2. Abutting Residential Districts – For properties that abut residential areas, the design intent is to develop light industrial activities in a manner that is harmonious with the adjacent residential uses, acting as a buffer from the more general industrial activities within the center of the Park.
- 5.1.3.3. Metal Structures – Functional, metal structures may be used and shall be designed to be compatible with positive examples of surrounding buildings and appropriate to the use and setting. The primary building must be

addressed with a label clearly incorporated into the architectural design of the main entrance of the building. It is encouraged that the front or primary building façade materials be of a different material than metal.

- 5.1.3.4. Façade – The main face of the building should have an attractive view at its main entrance using exterior façade materials such as brick and stone.
- 5.1.3.5. Panel Systems – Preformed steel and aluminum panel systems may be allowed provided they are sited in a manner that is compatible with surrounding uses.
- 5.1.3.6. Public Entrances – Public entrances shall be easily identified and distinct from the remainder of the building either through architectural form or use of color, material, and texture of the façade is encouraged.
- 5.1.3.7. Shutter Doors – It is encouraged that rolling shutter doors using loading and service areas be located on the inside of the building in order to maintain a clean uncluttered appearance from the exterior of the building.
- 5.1.3.8. Color – Building coloration is preferred to be neutral in color with accent color trim; however, alternative colors may be considered based on the surrounding context. It is preferred that building color be limited to four colors for use on the base, walls, trim, and roof.
- 5.1.3.9. Roof Equipment – All fans, vents, cooling towers and any equipment located on a roof are preferred to be incorporated in a manner which screens them from the sight of traffic.
- 5.1.3.10. Ancillary Areas – Ancillary building areas such as loading, service, outside storage and employee areas are encouraged to be consistent with the overall design of the primary building. There shall be no other structures on the site unless reviewed and approved by the TRC. Attachments or appendages to the primary building are not permitted with the exception of those approved by the DRC for screening purposes.

#### 5.1.4. General Industrial and Waterfront (QGID; QW Industrial)

The following design standards shall apply to general and waterfront industrial activities.

**General Industrial** uses are facilities for a broad range of industrial activities, including such enterprises as open storage, fabrication, material processing, packaging, distribution, and related offices and manufacturing facilities. The intent is to locate such activities in areas where minimal impact on adjacent areas will result and where infrastructure and transportation facilities are available or can be made available.

**Waterfront Industrial** uses are intended for water-related and water-dependent industrial activities, including those that use the water as a primary resource.

- 5.1.4.1. Design Intent – The design intent for this district is to meet the demands of general industrial activities. Structures should be functional. For those structures in the Waterfront District, design should be sensitive to the scenic environment.
- 5.1.4.2. Metal Structures – Functional, metal structures may be used and shall be

designed to be compatible with positive examples of surrounding buildings and appropriate to the use and setting. The primary building must be addressed with a label clearly incorporated into the architectural design of the main entrance of the building. It is encouraged that the front or primary building façade materials be of a different material than metal.

- 5.1.4.3. Façade – The main face of the building should have an attractive view at its main entrance using major exterior façade materials including brick.
- 5.1.4.4. Panel Systems – Preformed steel and aluminum panel systems may be allowed provided they are sited in a manner that is compatible with surrounding uses.
- 5.1.4.5. Public Entrances – Public entrances shall be easily identified and distinct from the remainder of the building either through architectural form or use of color, material, and texture of the façade is encouraged.
- 5.1.4.6. Color – Building coloration is preferred to be neutral in color with accent color trim; however, alternative colors may be considered based on the surrounding context. It is preferred that building color be limited to four colors for use on the base, walls, trim, and roof. Waterfront buildings shall have colors of a neutral tone to soften their visual appearance from Narragansett Bay. No white buildings adjacent to Narragansett Bay.
- 5.1.4.7. Roof Equipment – All fans, vents, cooling towers and any equipment located on a roof are preferred to be incorporated in a manner which screens them from the sight of traffic.
- 5.1.4.8. Ancillary Areas – Ancillary building areas such as loading, service, outside storage and employee areas are encouraged to be consistent with the overall design of the primary building. There shall be no other structures on the site unless reviewed and approved by the TRC. Attachments or appendages to the primary building are not permitted with the exception of those approved by the DRC for screening purposes.

## **6.0 Technical Review Regulations**

### **6.1. Performance Standards**

Performance standards are defined as a set of criteria or limits relating to elements, which a particular use or process either must meet or may not exceed. Performance standards within the Park shall regulate noise, vibration, air quality, water quality, light and glare, electronic interference, heat, fire and explosive hazards, radioactive materials, wetlands, historic preservation, resource allocation, and waste.

#### **6.1.1. Application of Performance Standards**

Any use established or changed to, and any building, structure, or land developed, constructed for any permitted principal use or any accessory use shall comply with all of the performance standards set forth in this section for the district involved. If any existing use or building or other structure is expanded and enlarged, the performance standards for the district involved shall apply with respect to such expanded or enlarged portion or portions of such use, building or other structure.

#### **6.1.2. Enforcement of Standards**

In the event of a determination of an alleged violation of these standards subsequent to the granting of a permit, the enforcement action may be taken consistent with Section 1.5.

#### **6.1.3. Noise**

##### **6.1.3.1. Noise Measurement**

Noise shall be measured with a sound level meter meeting the standards of the American National Standards Institute (ANSI S1.4-1983 or latest edition) "American National Standard Specification for Sound Level Meters." Measurements shall be conducted in accordance with the American National Standards Institute (ANSI/ASA S12.51-2002 or latest edition) "Acoustics - Determination of sound power levels of noise sources using sound pressure - Precision methods for reverberation rooms, Includes Corrigendum 1."

##### **6.1.3.2. Basic Continuous Noise Level**

The maximum permissible sound-pressure levels at specified points of measurement for noise radiated continuously from a facility shall conform to the values in Table 1 as measured from the nearest lot line. These standards are for noise generated as part of typical daily operations between the hours of 7 AM and 7 PM. Where more than one specified sound level applies, the most restrictive shall govern. Measurements may be made at points of maximum noise intensity. If the noise occurs between the hours of 7 PM and 7 AM. on Monday through Saturday or any time on Sunday or

holidays, seven shall be subtracted from each of the decibel levels given in Table 1.

**Table 1. Basic Noise Level Restrictions (Monday - Saturday 7 AM to 7 PM)**

<i>Maximum Permitted Sound Level dBA</i>	<i>Measured Across and Outside (Property Line)</i>
55	QMUDD
60	QLID, QWD
65	QGID, QAD

#### 6.1.3.3. Adjusted Noise Standards in Areas Not Bordering Residential Districts

QDC shall adjust the values in Table 1 in specific instances for sites that are not adjacent to residential districts. The noise levels in Table 1 shall be adjusted for non-continuous noises associated with daily operations or those associated with impact activities. These adjustments shall not apply to noises emanating from construction and maintenance activities between 7 AM and 7 PM; noises emanating from safety signals, warning devices, and emergency pressure relief valves; or transient noises of moving sources such as automobiles, trucks, airplanes and railroads.

- a. The levels specified in Table 1 may be exceeded by ten (10) dBA for a single period, no longer than fifteen (15) minutes, in any one-day.
- b. For impact noise levels, the values in Table 1 increased by twenty (20) dBA, shall apply. Impact noises shall be considered to be those noises whose peak values are more than six (6) dBA higher than the values indicated on the sound level meter.
- c. Limits are intended for normal continuous day-to-day operations. These limits may be exceeded by a reasonable amount of time for temporary and short-term operations during construction, maintenance, or emergency conditions.

#### 6.1.3.4. Adjusted Noise Standards in Areas Bordering Residential Districts.

QDC shall adjust the values in Table 1 in specific instances for sites that are adjacent to residential districts. The noise levels in Table 1 shall be adjusted for non-continuous noises associated with daily operations or those associated with impact activities. If the noise is not smooth and continuous and is not radiated between the hours of 7:00 PM and 7:00 AM, one or more of the corrections in Table 2 following adjustments to the values in Table 1 shall be made. Any reductions already applied to values in Table 1 due to the hours during which it occurs (between 7:00 PM and 7:00 AM) shall be applied in addition to the adjustments in Table 2.

**Table 2. Adjusted Noise Level Standards for Properties Adjacent to Residential Districts.**

<i>Type of Operation or Character of Noise</i>	<i>Correction in Decibels</i>
Noise source operates less than 20 percent of any one-hour period	Plus 5*
Noise source operates less than 5 percent of any one-hour period	Plus 10*
Noise sound operates less than 1 percent of any one-hour period	Plus 15*
Noise of impulsive character (hammering) or periodic character (screech, hum etc.)	Minus 5

\*Apply one of these corrections only.

#### 6.1.4. Vibration

##### 6.1.4.1. Definition of Terms

For the purposes of this subsection, certain terms are defined as follows:

- a. *Frequency* means the number of oscillations per second of a vibration.
- b. *Impact vibrations* means earthborne oscillations occurring in discrete pulses at or less than 100 per minute.
- c. *Steady-state vibrations* means continuous earthborne oscillations occurring more than 100 times per minute.
- d. *Three-component measuring device* means a device for the intensity of any vibration in three mutually perpendicular directions.

##### 6.1.4.2. Method of Measurement

For the purpose of measuring vibration, a three-component measuring system recognized as a standard for such purpose shall be used. Location and timing of measurements shall be arranged insofar as possible to exclude vibrations emanating from off the premises involved, or a correction factor reasonable under the circumstances shall be applied to compensate for off-premises vibrations.

##### 6.1.4.3. Maximum Allowable Vibration Levels

No vibration at any time shall produce a maximum peak particle velocity that exceeds the following values measured on or beyond the appropriate property lines.

**Table 3. Maximum Peak Particle Velocity (inches/second)**

<i>Residential Character of Vibration</i> **	<i>Adjacent Lot Line</i>	<i>QGID, QAD District Boundary</i>	<i>QMUDD, QLID, QWD District Boundary</i>
Steady State	0.10	0.50	0.20
Impact	0.20	0.10	0.40
** Between the hours of 7 p.m. and 7 a.m., all of the permissible vibration levels indicated in the previous table for residential district boundaries shall be reduced by 50%			

#### 6.1.5. Air Quality

All operations, activities and uses shall be conducted so as to comply with all applicable regulations for the prevention, control and abatement and limitation of air pollution established by the RIDEM.

#### 6.1.6. Water Quality

- 6.1.6.1. Sewage and water-borne wastes shall be deposited in the Quonset Business Park sewage system and shall be subject to the QDC Sewer Treatment System User Regulations. All effluent discharged into the QDC sewage system shall comply with the applicable pretreatment standards established by the United States Environmental Protection Agency (USEPA) and/or the QDC.
- 6.1.6.2. Effluent not discharged into the Quonset/Davisville sewage system shall be disposed of in a manner acceptable to the RIDEM, and the design, installation and operation of all subsurface wastewater disposal systems shall be approved by the Director of RIDEM.
- 6.1.6.3. Effluent discharged into a surface water body shall require issuances of a National Pollutant Discharge Elimination System (NPDES) permit by the USEPA and RIDEM.

#### 6.1.7. Light and Glare

Lighting installation and design shall comply with the provisions of Section 6.5.2

#### 6.1.8. Electronic Interference

Communications devices, radar equipment, or other electromagnetic radiation shall not interfere with airport instrumentation and communications.

#### 6.1.9. Heat

Any use producing heat shall be shielded so that no increase in the ambient temperature can be recorded on or beyond the property line.

#### 6.1.10. Fire and Explosive Hazards

All operations, activities and uses shall be conducted so as to comply with applicable provisions of the Rhode Island Fire Safety Code.

#### 6.1.11. Radioactive Materials

The handling of radioactive materials, the discharge of such materials into the air and water, and the disposal of radioactive wastes shall be in conformance with the applicable

regulations of the United States Nuclear Regulatory Commission and rules and regulations for the control of radiation established by the Rhode Island Department of Health.

#### 6.1.12. Wetlands

Areas classified as “wetlands” be (RIGL 2-1-18 through 24), as amended, shall be subject to the provisions of that law.

#### 6.1.13. Resource Allocation

Development of the property shall take into consideration the availability of water and energy supply. To the extent feasible, the developer shall make efficient use of such resources. Standards relating to the use of water may be amended by the QDC, at any time in order to comply with any requirements of any federal, state or legal governmental agency or to ensure the short- or long-term sustainability of supply to the QBP.

#### 6.1.14. Waste

All operations shall conform to applicable RIDEM regulations.

#### 6.1.15. Hazardous Materials

All use, storage, and transportation of extremely hazardous materials as defined by the U.S. EPA shall be in accordance with the laws, rules and regulations of the RIDEM, and other federal laws, state laws and local ordinances as applicable. The applicant shall indicate on the development plans materials, which will be used, stored, transported, or generated which will be controlled by these regulations. Material safety data sheets for each compound shall accompany the application. The application shall indicate the location, amount, and chemical composition of all such materials. All hazardous materials shall be contained in appropriate vessels in fully enclosed structures.

### **6.2. Site Design Standards**

The following Site Design Standards are intended for use by those developing and reviewing proposed developments located within the Park. Site Design Standards are set forth as a method and means of unifying uses within the individual parcel while accomplishing the desired goals set forth for the entire Park. Development of the Park shall allow for integration of land uses for the benefit of QDC and the people of the State of Rhode Island and the Town of North Kingstown. Development should be located to preserve the natural features of the site and to avoid areas of environmental sensitivity.

#### 6.2.1. Setbacks and Height

Dimensional Regulations: Table 4 below depicts the dimensional regulations for the QBP Land Use Districts. These regulations have been adopted for the purpose of



regulating the development while maintaining maximum flexibility within each use district.

**Table 4. Dimensional Regulations Table**

<i>Dimensional Requirements</i>	<i>QGID</i>	<i>QLID</i>	<i>QMUDD</i>	<i>QWD</i>
MINIMUM DIMENSIONS				
<b>LOT AREA</b>	80,000 SF	60,000 SF	40,000 SF	80,000 SF
<b>LOT WIDTH</b>	175'	175'	150'	125'
<b>LOT FRONTAGE</b>	175'	175'	150'	125'
BUILDING SETBACKS (INCLUDING SOLAR ARRAYS)* ***				
<b>FRONT YARD</b>	35'	35'	15'	30'
<b>SIDE YARD</b>	30'	30'	10'	10'
<b>REAR YARD</b>	30'	30'	10'	10'
<b>FROM RESIDENTIAL STRUCTURE</b>	50'*	50'*	50'*	50'*
MAXIMUM DIMENSIONS				
<b>BUILDING HEIGHT</b>	***	45'	150'****	150'****
MINIMUM PARKING SETBACKS				
<b>FRONT</b>	30'	30'	10'	30'
<b>SIDE</b>	10'	10'	10'	10'
<b>REAR</b>	10'	10'	10'	10'
MINIMUM STORAGE SETBACKS				
<b>FRONT</b>	35'	35'	-	30'
<b>SIDE</b>	30'	30'	-	10'
<b>REAR</b>	30'	30'	-	10'
<b>MAXIMUM STORAGE HEIGHT</b>	40'**	30'	-	50'**

\* Where the height of a building exceeds the value for this setback and the property is adjacent to an existing residential district, the setback value from the residential district shall be equal to the building height as measured from the lot line of an approved residential parcel as shown on NK plat maps. This does not include open space, common areas, or undevelopable land.

\*\* Storage Height may be exceeded only if an individual component (e.g., submarine hull or turbine foundation) exceeds 40'. FAA Part 77 requirements apply.

\*\*\* Building Height shall not exceed the distance from any lot line that separates the building from another non-residential use. FAA requirements shall apply to all building height requirements and shall govern where more restrictive.

\*\*\*\* FAA Part 77 Horizontal surface restricts all buildings to a maximum of 150 feet above runway grade.

## 6.2.2. Sidewalk Maintenance

- 6.2.2.1. All areas subject to pedestrian traffic shall be paved with a durable material.
- 6.2.2.2. Snow removal shall be the responsibility of the adjacent tenant and/or property owner and snow storage areas shall not interfere with pedestrian traffic.
- 6.2.2.3. Access to sidewalks shall be provided in accordance with the Americans with Disabilities Act (ADA)
- 6.2.2.4. The original construction and appearance of all sidewalks shall be maintained in good repair and in safe condition.

## 6.2.3. Parking and Circulation

- 6.2.3.1. Parking is permitted only in paved designated areas. Spaces must be striped. Exceptions may be made on lots where the RICRMC prohibits the use of non-porous materials. Spaces shall be no smaller than 9' by 18'.
- 6.2.3.2. Parking is not permitted on Park streets, within the front, rear, or side yard setbacks. Parking is allowed on a case by case basis per review on Park streets within the MUDD and WD sub-districts.
- 6.2.3.3. Snow storage areas shall not interfere with pedestrian traffic.
- 6.2.3.4. Parking spaces for people with disabilities must be provided in accordance with the Americans with Disabilities Act (ADA).
- 6.2.3.5. Off-street parking facilities shall be provided in accordance with Table 5. If a regulation is not otherwise specified, the developer must refer to the Institute of Transportation Engineers Manual *Parking Generation*, 3<sup>rd</sup> Ed.

**Table 5. Parking Regulations for the QBP**

<b><i>Parking Requirements by Use</i></b>	<b><i>QAD, QGID, QLID, QMUDD, and QWD</i></b>
Industrial	1 space per 2 employees*
Office	1 space per 200 sq.ft. net office space
Commercial	5 spaces per 1,000 sq.ft. gross floor are
Marina	1 space per boat slip
Hotel/ plus Meeting Room	1 space per room/ plus 1 space for each 80 sq.ft. of meeting floor area

\*Peak employment time or 500 sq.ft. of gross floor area, whichever is greater.

- 6.2.3.6. Large tract, multiple tract, or mixed use development parking requirements may be satisfied in total or in part by an agreement between the developer and the QDC. Such exception to Table 5 shall be determined on a case by case basis per the results of a Parking Generation Report submitted to the QDC by the developer.
- 6.2.3.7. An applicant may petition the TRC to construct fewer parking spaces than what is required pursuant to Table 5. The TRC may grant approval of this request through a condition of Development Plan Review approval provided

the applicant demonstrates that adequate land is set aside to meet the parking demands in the future and that all drainage calculations reflect the amount of parking area at build-out.

#### 6.2.4. Loading and Service Areas

- 6.2.4.1. For every twenty thousand (20,000) square feet of gross floor area above four thousand (4,000) square feet, there shall be at least one off-street loading space for industrial uses, at least twelve (12) feet wide, fifty (50) feet long, with fourteen (14) feet height clearance if covered. QDC may approve smaller loading docks if it finds that only smaller trucks requiring less space will be used for a period of ten (10) years.
- 6.2.4.2. Loading facilities located on the side of a building facing a street shall be screened from view from the street unless such facilities are entirely enclosed within the buildings.
- 6.2.4.3. Any loading or unloading in front of the building shall be prohibited.
- 6.2.4.4. Distance from the loading dock to the property line shall be one hundred and ten feet (110).

#### 6.2.5. Driveways and Access Points

- 6.2.5.1. Joint access – The sharing of driveway access by two (2) or more properties is encouraged. Such driveways shall require a waiver from the QDC and an access easement agreement between the property owners.
- 6.2.5.2. Access to roads – All entrance and/or exit driveways onto state roads shall be in accordance with the requirements of the Rhode Island Department of Transportation (RIDOT). All entrance and/or exit driveways onto Town roads shall be in accordance with the requirements of the Town's Department of Public Works. All entrance and/or exit driveways onto QBP roads shall be in accordance with these regulations.
- 6.2.5.3. Vision clearance – A thirty (30) foot sight line shall be maintained where a driveway or street intersects with a public street.
- 6.2.5.4. Maximum driveway grade – The gradient of a driveway shall have a slope of no greater than three (3) percent for the first one hundred (100) feet.
- 6.2.5.5. Driveway placement – Driveways should not be located beyond the crest of a vertical curve or on the inside of a horizontal curve where stopping site distance is not available for the design speed of the street. Driveways must be placed such that an exiting vehicle has an obstructed sight distance according to the following table (Table 6):

**Table 6. Driveway Site Distance**

<i>Street Speed Limit (mph)</i>	<i>Sight Distance (feet)</i>
5-30	200
35	225
40	275

- 6.2.5.6. Radii, Width and Spacing – Radii is related to the width of the driveway. The width of most two-lane driveways measured parallel with the roadway since the driveway will typically be at right angles to the roadway is 30 feet for two-way operation and 15 feet for one-way operation. Table 7 shows basis driveway dimensions. The TRC may reduce these values upon petition from an applicant to suit the design of lower traffic areas.

**Table 7. Driveway Dimensions**

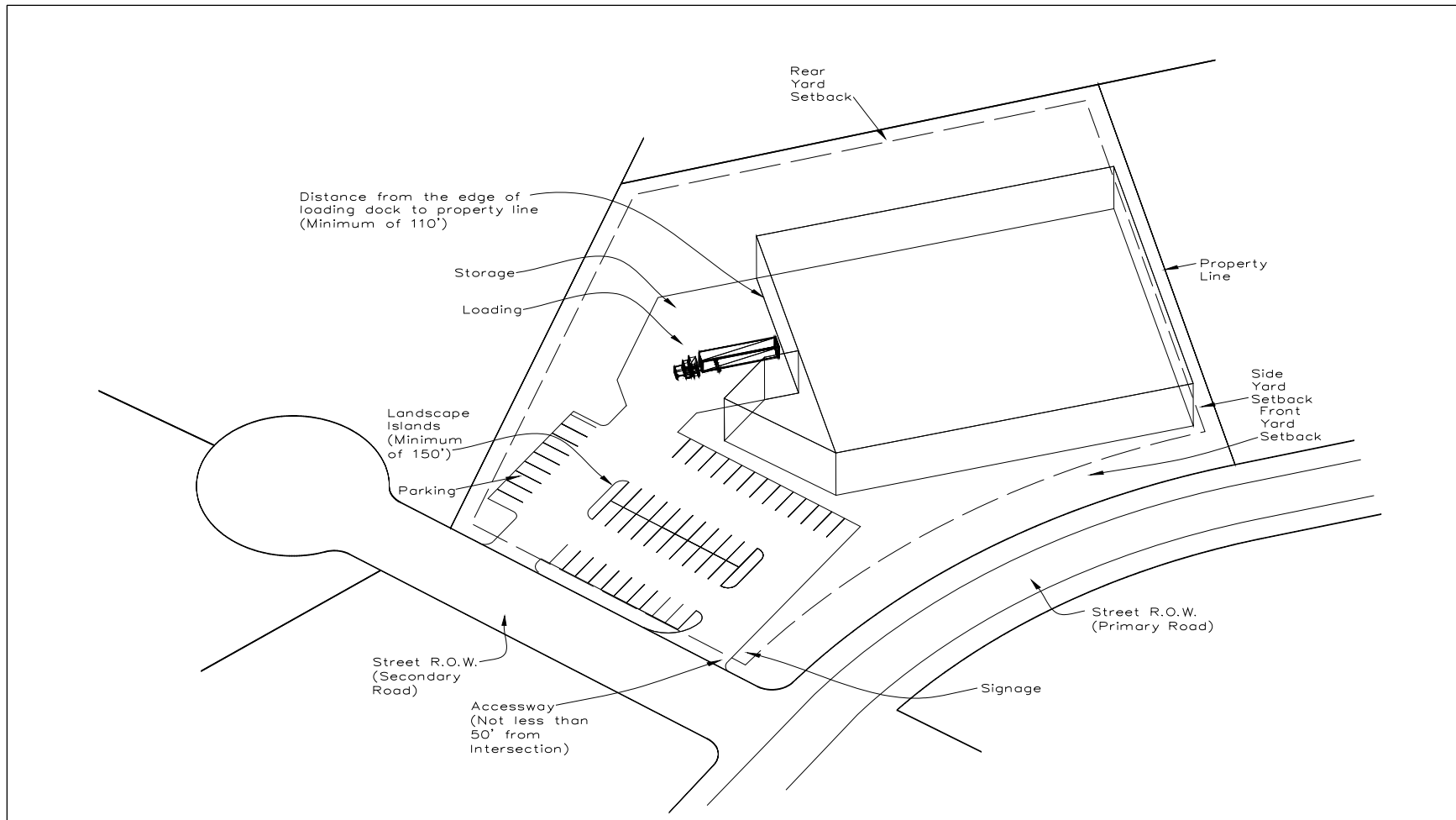
	Dimension Reference (Figure 4)	Commercial	Industrial
Width	W	15 feet one-way	20 feet one-way
Right-turn Radius	R	25 feet	25 feet
Minimum Spacing			
From Property Line	P	-R	-R
From Corner	C	10 feet	10 feet
From Driveway	S	(see Table 8)	

- 6.2.5.7. Driveway Spacing – At least one (1) curb cut shall be permitted per site. An additional curb cut per site may be allowed if warranted per review by the TRC, Town Engineer, and/or the RIDOT depending on the street classification. The limits of lot frontage, driveway spacing, both on site and to a driveway on an adjacent site, should be determined as a function of street speed limit according to the following table (Table 8):

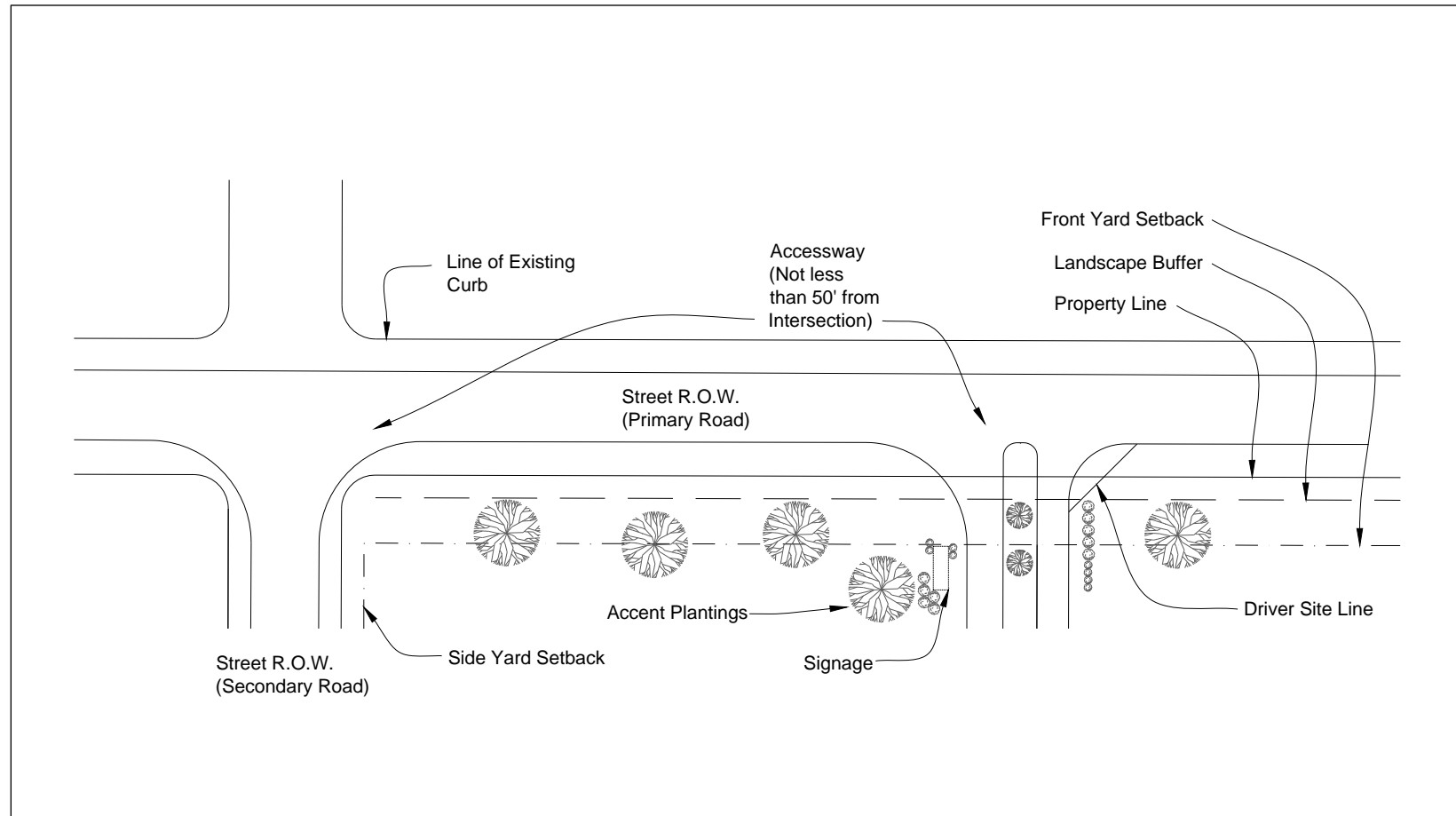
**Table 8. Driveway Spacing**

<i>Street Speed Limit (mph)</i>	<i>Minimum Spacing (feet)</i>
25	105
30	125
35	150
40	185
45	230
50	275

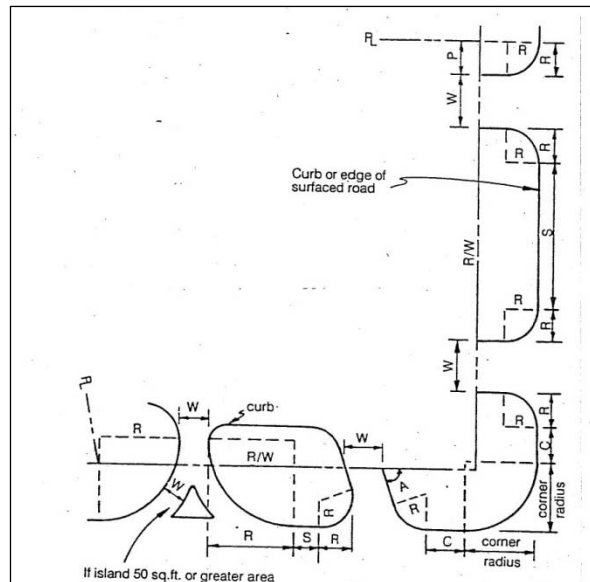
- 6.2.5.8. Spacing distances are based on average vehicle acceleration and deceleration rates and are considered necessary to maintain safe traffic operation. Spacing shall be measured from the centerline of each driveway.



**Figure 2. Loading and Service Area**



**Figure 3. Site Entrance**



**Figure 4. Driveway Dimension Measurements (See Table 7)**

#### 6.2.6. Fire Department Access

- 6.2.6.1 A fire access road shall extend around the exterior of the building with a section of the access road within 50 feet of a single exterior door providing access to the interior of the building and the remaining fire access road located no more than 150 feet from the exterior wall of the building.
- 6.2.6.2 The access shall have an unobstructed width of not less than 20 feet with an unobstructed vertical clearance of 13 feet 6 inches.
- 6.2.6.3 The turning radius shall be a minimum outside radius of 50 feet.
- 6.2.6.4 The gradient of the access road shall not exceed 1 foot change in elevation in 20 linear feet.
- 6.2.6.5 Fire access road shall be covered with a surface material that is capable of supporting the fire apparatus, preferably gravel or bituminous pavement, and will permit access under all climate conditions and be maintained free of ice and snow.
- 6.2.6.6 Yard fire hydrants shall be installed a minimum distance of 30 feet away from the structure.

#### 6.2.7. Fencing and Walls

Design of Fencing and walls shall comply with the provisions of Section 6.4.5.

#### 6.2.8. Storage Areas

- 6.2.7.1 All areas for the outdoor storage of materials, waste, and finished products

shall be indicated on the plans. The plans shall state the chemical composition and form of the materials, type of storage, and height of the materials.

- 6.2.7.2 Storage setbacks and height shall comply with the provisions of Section 6.2.1 and FAA limitations where applicable.
- 6.2.7.3 Open storage shall be screened from view of adjacent properties and from public streets.
- 6.2.7.4 All open storage shall be contained and/or covered as necessary so as to prevent its movement or transport by act of nature, including leaching into the ground.
- 6.2.7.5 Open storage of any substance that can be moved or damaged by water, or which is wholly or partly soluble in water is not permitted. QDC will notify users that materials shall be moved 24 hours in advance of a major storm event in "A" and "V" Flood Zones as defined by Federal Emergency Management Agency National Flood Insurance Program.
- 6.2.7.6 Open storage shall be secured from unauthorized access.
- 6.2.7.7 Liquid bulk storage containers must meet standards as set forth by the National Fire Protection Association and RIDEM.

### **6.3. Site Utility Standards**

#### **6.3.1. Electric and Communications**

- 6.3.1.1. Electric, telephone, cable and all other communication service lines shall be installed underground between building and point of service per specifications of the applicable public utility company.
- 6.3.1.2. Year-round screening shall be required of any utility apparatus appearing aboveground, other than utility poles. Screening may consist of fences and/or opaque evergreen plantings and shall be shown as part of the Landscape Plan submittal to the TRC.

#### **6.3.2. Water Capacity**

- 6.3.2.1. The water supply service shall be adequate to handle the necessary flow, based on complete development of the tract.
- 6.3.2.2. Water and fire suppression systems must meet the requirements of the QDC Water Department, American Waterworks Association, Rhode Island Department of Health and State Building and Plumbing Codes.
- 6.3.2.3. The demand rates for all uses shall be considered in computing the total system demand. Where fire protection is provided in accordance with the section below, the system shall be capable of providing the required fire demand plus the required maximum daily demand, or the peak hour flows indicated in "Rules and Regulations Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Individual Sewerage Disposal Systems," whichever is greater. The maximum daily demand shall be calculated by multiplying the average daily demand by a



factor of 1.5. An alternative method for estimating peak sewerage flows for building sewers is the “fixture unit” method. Coordinate with design of building plumbing.

- 6.3.2.4. Average daily consumption shall be computed in accordance with the section above. The peak daily flows shall be computed by applying a peaking factor of three (3) times the average daily consumption. QDC may require deviations in the peaking factor value provided appropriate documentation and justification for the deviation from the standards is provided.
- 6.3.2.5. The design of the on-site water service system shall be adequate to provide fire protection as per ISO standard, Fire Suppression Rating Schedule, or per the American Water Works Association (AWWA) M31, Manual of Water Supply Practices -- Distribution System Requirements for Fire Protection, ISO method, incorporated herein by reference.
- 6.3.2.6. All development plans will comply with water conservation goals in Section 5.0 of the “Quonset Business Park Master Land Use and Development Plan,” and Section 6.0 of the “Water Supply System Management Plan.” Water conservation shall be part of the site development planning, and building plumbing plans. Water conservation techniques such as but not limited to efficient use and reuse, recycling, pressure reduction where practical, low flow plumbing devices, and drought resistant landscape plantings, shall be evaluated and integrated into site plans and building plans. Once through cooling will not be an acceptable practice. Any industrial water using process shall incorporate water recycling and reuse where possible.
- 6.3.2.7. All new site, building, and renovation designs shall have water efficiency enhancements incorporated into the building plumbing fixture selection and landscape planting selections:
  - a. Indoor plumbing fixtures shall be U.S. EPA WaterSense Certified.
  - b. Outside planting selections shall be of the variety that once established require little or no irrigation.
  - c. Limit the size of landscaping requiring irrigation
  - d. Outside sprinkler systems shall be equipped with moisture sensors.

### 6.3.3. Water Service Design and Placement

- 6.3.3.1. Service design and placement shall comply with the following construction specifications, incorporated herein by reference: all applicable QDC rules and AWWA standards.
- 6.3.3.2. Service mains of the overall system shall be connected into yard loops so as to avoid dead-ends.
- 6.3.3.3. Valve connections are required at all points of Connection with the Park. Yard valves and hydrant spacing shall be per Building Code.
- 6.3.3.4. Gate valves shall be cast-iron body with double-disc gates; bronze mounted

conforming to AWWA C500 or resilient-seated wedge, non-rising stem mechanical joint conforming to AWWA C509. Butterfly valves shall conform to AWWA C504. Valve interior openings shall be full size, and valves on sixteen (16) inch mains or larger shall be geared and have suitable bypasses. Valve boxes shall be of the adjustable type with the cover marked "water".

- 6.3.3.5. Gate valves shall be used for service lines between four (4) and twelve (12) inches diameter. Butterfly valves shall be used for all services greater than twelve (12) inches. All valves shall open left.
- 6.3.3.6. A building domestic service connection shall be comprised of a corporation stop at the main, a curb stop, a reduce pressure backflow preventor, and a water meter. Valving shall be in accordance with the Plumbing Subcode of the Uniform Building Code. Curb stops and water meters shall be located as specified by the QDC water supplier.
- 6.3.3.7. Pipe size shall comply with the following requirements:
  - a. Building service connection pipe shall be a minimum diameter of one (1) inch, unless another size is required for fire flow and other criteria.
  - b. Design capacity of water mains shall be such as to maintain a minimum residual pressure of twenty (20) pounds per square inch (psi) at street level under all fire flow conditions. The maximum fire flow shall be 2,000 gallons per minute (gpm).
- 6.3.3.8. Pipe materials used in the construction of water mains shall be cement-lined ductile iron class 52 or PVC pipe. All pipes greater than or equal to twelve (12) inches in diameter must be ductile iron. All pipe and appurtenances shall comply with the applicable AWWA standards in effect at the time of application. All standards referenced in this subsection are incorporated herein by reference.
  - a. Ductile iron pipe, appurtenances, and fittings shall comply with ANSI/AWWA C110/A21.10 (fittings), C111/A21.11 (gasket joints), C115/A21.1 5 (flanged joints), and C151/A21.51 (pipe). Thickness shall be designed in accordance with ANSI/AWWA C150/A21.50. It shall be cement-mortar lined in accordance with ANSI/AWWA C104/A21.4. Joints shall be gasketed push-on joints or mechanical joints in conformance with ANSI/AWWA C111/A21.11. The exterior of the ductile iron pipe shall be covered with an asphaltic, epoxy-type coating. In aggressive soils, ductile iron pipe wrapped in polyethylene in accordance with ANSI/AWWA C105/A21.5 shall be used.
  - b. PVC pipe, appurtenances, and fittings shall conform to ANSI/AWWA C900 or AWWA C909 for pipe sizes four (4) inches to twelve (12) inches and shall conform to AWWA C905 for sizes fourteen (14) inches through thirty-six (36) inches. Joints shall be elastomeric-gasket couplings of a corresponding size. Laboratory performance requirements, as specified in ASTM D3139, shall be met. Solvent-cement couplings shall not be permitted. PVC pipe

installations shall be provided with a metallic locator tape.

- c. Where transitions to flanged fittings are made, adapters approved by QDC shall be used.
- d. Building service connection pipe shall be type K copper or polyethylene (PE) pressure pipe that complies with ANSI/AWWA C901.

6.3.3.9. Pipe bedding and backfill shall be installed in accordance with the pipe manufacturer's recommendations.

- a. QDC may require the developer to provide an opinion of a professional engineer relative to the suitability of the on-site material to be used as backfill. The municipality or authority shall rely on this opinion.
- b. Where the on-site material is deemed suitable, the opinion shall specify the appropriate installation methods for the material. Where the on-site material is deemed not suitable, the opinion shall specify modification or replacement of the material and the appropriate installation for the specified material.

#### 6.3.4. Fire Hydrants

- 6.3.4.1. Hydrants shall be spaced to provide necessary fire flow subject to approval of State and Town Fire Marshall.
- 6.3.4.2. Size, type, and installation of hydrants shall conform to the following specifications, incorporated herein by reference, as appropriate.
- 6.3.4.3. Hydrants shall be Mueller Centurion, valves shall open right, and hydrant nozzles shall be set at standard height above finish grade.
- 6.3.4.4. Size, type, and installation of hydrants shall be in accordance with the requirements of QDC or shall conform to the AWWA Standard for Dry-Barrel Fire Hydrants, ANSI/AWWA C502. Hydrants shall have at least three (3) outlets: one outlet shall be a pumper outlet; the other outlets shall be at least two and one-half (2-½) inch nominal size. The pumper outlet shall face the street. All outlet nozzles shall be at least twenty-four (24) inches above the adjoining grade. When a concrete slab is provided around the hydrant riser, the flange where the hydrant connects to the riser shall be at least two inches above the adjacent grade. Street main connections shall not be less than six (6) inches in diameter. Hose threads on outlets shall be compatible with existing municipal equipment and shall either conform to NFPA 1963 or shall match existing municipal requirements. A valve shall be provided on connections between hydrants and street mains. All pipes, fittings, and appurtenances supplying fire hydrants shall be AWWA or ASTM approved.
- 6.3.4.5. All fire hydrants shall conform to NFPA Standard 291.
- 6.3.4.6. Applicant shall contact the State Fire Marshal's Office with any questions on the fire code.

### 6.3.5. Sanitary Sewers

- 6.3.5.1. Sanitary sewer service, where installed, shall conform to the standards contained in this subchapter and to the standards of QDC.
- 6.3.5.2. The applicant shall submit to QDC for review for compliance with these subchapter details of the planned pipes, joints, mains, laterals, and appurtenances. All materials used for sanitary sewer systems shall be manufactured in the United States, wherever available, as governed by P.L. 1982, c. 107, effective date October 3, 1982. The details shall comply with all standards and specifications listed in this subchapter.

### 6.3.6. Sanitary System Design and Placement

- 6.3.6.1. All sewers shall be designed to meet the RIDEM's slope standards.
- 6.3.6.2. Except where shallower depths are permitted by QDC, sewer lines, including force mains and laterals, shall be constructed at least three feet below the proposed grade (as measured from the top of the pipe to the grade elevation).
- 6.3.6.3. Pipe materials used in the construction of gravity sanitary sewers shall be PVC or ductile iron pipe. All pipe and appurtenances shall comply with AWWA and ASTM standards referenced in this paragraph, which are incorporated herein by reference. Where pipe is installed, a metallic locator tape shall also be installed adjacent to the pipe.
  - a. PVC sewer pipe shall have bell and spigot ends, and O-ring rubber gasketed joints. PVC pipe and fittings shall conform to ASTM D3034, with a minimum wall thickness designation of SDR 35, or shall conform to ASTM F679, F789, F794, or F949 with a designated pipe stiffness of PS-46.
  - b. The plastic material from which the pipe and fittings are extruded shall be impact types of PVC, unplasticized, having high mechanical strength and maximum chemical resistance, conforming to Type 1, Grade 1 of the specification for rigid polyvinyl chloride compounds, ASTM D1784.
  - c. Pipe shall be free from defects, such as bubbles or other imperfections, in accordance with accepted commercial practice. Test results demonstrating that the pipe meets ASTM D2444 for impact and ASTM D2321 for deflection and pipe stiffness shall be provided when requested by the municipality or utility authority.
  - d. Joints shall conform to ASTM D3212. Rubber-ring gaskets shall conform to ASTM F477. The gasket shall be the sole element depended upon to make the joint watertight.
  - e. The pipe shall be installed as specified in ASTM D2321. When installing pipe in unstable soil or excessive ground water, a determination regarding special precautions, such as poured concrete slabs, shall be made by QDC's engineer.
  - f. Bedding, haunching, and initial backfill material shall be furnished and installed to conform to *Rhode Island Department of Transportation Standard*

*Specifications for Road and Bridge Construction, 2004 Edition, Section 701.02.5 Bedding Materials.*

- 6.3.6.4. Ductile iron pipe shall be centrifugally cast in metal or sand-lined molds to ANSI/AWWA C151/A21.51. Joints shall be rubber gasketed joints that conform to ANSI/AWWA C111/A21.11 or flanged joints that comply with ANSI/AWWA C115/A21.15. Pipe shall be a minimum of Class 50. The outside of the pipe shall be coated with a uniform thickness of hot applied asphaltic coating. In corrosive soils, pipe shall be encased in polyethylene in accordance with ANSI/AWWA C105/A21.5. Ductile iron pipe shall be installed with Class C, Ordinary Bedding when site conditions allow. The inside shall be lined with cement in accordance with ANSI/AWWA C104/A21.4, or where hydrogen sulfide is present, ductile iron pipe with polyethylene coating that protects the interior of the pipe shall be used.
- 6.3.6.5. Force mains shall be constructed of ductile iron pipe, as specified above or PVC pipe that meets ASTM D1785, ASTM D2241, or AWWA C909.
- 6.3.6.6. Inspection cleanouts or observation tees within the easement or right-of-way shall be fitted with either a metallic cap or a nonmetal cap fitted with a metallic plug that is suitable for locating the cleanout. Caps shall have a depressed or inverted nut. The inspection cleanout or observation tee shall be placed between the curb or edge of pavement and property line, or within a designated easement. An inspection manhole shall be provided at or near the property line, prior to connection to the QDC Sewer System, from each prospective sewer user.
- 6.3.6.7. As-built drawings that include the location of plumbing wyes, as supplied by the contractor, shall be submitted to QDC's engineer.
- 6.3.6.8. Exterior drop manholes shall be per QDC standard detail.
- 6.3.7. Stormwater Management System Strategy
  - 6.3.7.1. Stormwater management systems prepared shall comply with the latest version of the Rhode Island Stormwater Design and Installation Standards Manual (RI Stormwater Manual) and address the following elements in accordance with those standards:
    - a. LID Site Planning and Design Strategies
    - b. Groundwater Recharge
    - c. Water Quality
    - d. Conveyance and Natural Channel Protection
    - e. Overbank Flood Protection
    - f. Redevelopment and Infill Projects
    - g. Pollution Prevention
    - h. Land Uses with Higher Potential Pollution Loads (LUHPPLs)
    - i. Illicit Discharges
    - j. Construction Erosions and Sedimentation Control
    - k. Stormwater Management System Operation and Maintenance

- 6.3.7.2. The applicability of vegetated and/or open channel practices depends on such factors as site storage capacity, open channel hydraulic capacity, and maintenance needs and resources. Applicability of a stormwater approach also can be limited by regulatory constraints that govern certain structures (e.g., dams) or areas (e.g., development in a floodplain or wetland).
- 6.3.7.3. Erosion and Sediment Control (ESC) practices shall conform to the latest version of the Standards for Soil Erosion and Sediment Control in Rhode Island, as administered by the RIDEM and applicable sections of the latest version of the RI Stormwater Manual.
- 6.3.7.4. Design engineers shall determine hydraulic capacity for open-channel or closed-conduit flow based on the Manning equation, or charts/homographs based on this equation. The hydraulic capacity is termed "Q" and is expressed as discharge in cubic feet per second as follows:

$$Q = (1.486/n) AR^{2/3} S^{1/2}$$

where

n = Manning's roughness coefficient

A = Cross-section area of flow in square feet

R = Hydraulic radius in feet,  $R = A/P$ , where P is equal to the wetted perimeter, measured in feet and defined as the length of the line of contact between the flowing water and the channel

S = Slope of energy grade line in feet per foot

- 6.3.7.5. A direct application of Manning's equation may be used for piped storm sewer systems. As an option, design engineers can use a standard step backwater calculation for storm sewer systems if the use of this approach is deemed appropriate by the designer. For other than pipe storm sewer systems, design engineers shall apply Manning's equation only when there is uniform flow, as defined by the following conditions: where the bottom slope of the channel, energy grade line, and water surface (hydraulic grade line) are parallel; where the flow regime is in the turbulent range of Reynolds number and where the boundaries of the cross section of the channel do not move.
- 6.3.7.6. Velocities in closed conduits at design flow shall be at least two feet per second, but not more than the velocity that will cause erosion damage to the conduit, as per the manufacturer's specifications. Minimum allowable pipe slopes shall produce a velocity of at least three feet per second when the flow depth is full or half of the pipe diameter.
- 6.3.7.7. Design engineers shall base culvert capacity on inlet/outlet analysis, as specified in Hydraulic Design of Highway Culverts, Hydraulic Design Series (HDS) No. 5, Report No. FHWA-IP-85-15, U. S. Department of Transportation, Federal Highway Administration, September 1985, incorporated herein by reference.

### 6.3.8. Runoff Estimation Techniques

Techniques used to estimate the rate and volume of stormwater runoff shall be those that comply with the latest version of the RI Stormwater Manual.

### 6.3.9. Runoff Collection System Design

- 6.3.9.1. Design engineers shall determine pipe size based on design runoff, conduit entrance conditions, and hydraulic capacity.
- 6.3.9.2. In general, no storm conveyance pipe size in the storm drainage system shall be less than twelve (12) inches in diameter. Drainage pipes less than twelve (12) inches in diameter will only be allowed in off-line configurations for stormwater treatment where approved by QDC. Design engineers shall use the Manning equation to determine hydraulic capacity of pipes.
- 6.3.9.3. All discharge pipes shall terminate with an appropriate precast concrete or flared-end section or concrete headwall with or without wingwalls, as conditions require. Design engineers shall consider such site conditions as slope, soil stability, vegetation, grade, and size of conduit to determine whether or not to use wingwalls.
- 6.3.9.4. Materials used in the construction of storm sewers shall be constructed of reinforced concrete, ductile iron, or corrugated polyethylene. The most cost-effective materials shall be permitted that conform to local site conditions and reflect the relevant operations, maintenance, and system character of the municipal stormwater system. Specifications referred to, such as ASTM or AWWA, etc., should be the latest revision in effect at the time of application.
- 6.3.9.5. The following apply to reinforced concrete pipe:
  - a. Circular reinforced concrete pipe and fittings shall meet the requirements of ASTM C76.
  - b. Elliptical reinforced concrete pipe shall meet the requirements of ASTM C507.
  - c. Joint design and joint material for circular pipe shall conform to ASTM C443.
  - d. Joints for elliptical pipe shall be bell and spigot or tongue and groove sealed with butyl, rubber tape, rubber ring gaskets, or external sealing bands conforming to ASTM C877.
  - e. All pipes shall be Class III minimum unless loading conditions call for stronger pipe (i.e., higher class).
  - f. The minimum depth of cover over the concrete pipe shall be as designated by the American Concrete Pipe Association (ACPA).
  - g. Minimum depth of cover standards for ductile iron and corrugated polyethylene pipe shall conform to manufacturer standards.
- 6.3.9.6. Ductile iron pipe shall conform to ANSI/AWWA C151/A21.51. Joints shall conform to ANSI/AWWA C111/A21.11 or ANSI/AWWA C115/A21.15, as

appropriate. Pipe shall be designed in accordance with ANSI/AWWA C150/A21.50. The outside of the pipe shall be coated in accordance with ANSI/AWWA C151/A21.51 and the inside lined in accordance with ANSI/AWWA C104/A21.4. Ductile iron pipe shall be installed in accordance with AWWA C600.

- 6.3.9.7. Corrugated polyethylene pipe shall conform to AASHTO M252 for three through ten (10) inches and AASHTO M294 for sizes twelve (12) inches and larger. All pipes greater than twelve (12) inches in diameter shall be Type S, unless conditions dictate otherwise. Materials shall conform to ASTM D3350, Standard Specification for Polyethylene Plastics Pipe and Fittings Materials. Pipe joints and fittings shall be compatible with the pipe material and shall conform to the same standards and specifications as the pipe material. Pipe couplers shall not cover less than one full corrugation on each section of pipe. Installation shall be in accordance with ASTM D2321, Standard Practice for Underground Installation of Thermoplastic Pipe for Sewers and Other Gravity-Flow Applications. Backfill material shall be placed in six-inch lifts and compacted to 95 percent minimum dry density, per AASHTO T99. In areas of high ground water tables, design engineers shall check for flotation:
- 6.3.9.8. Pipe bedding and backfill shall be provided as specified in the *Rhode Island Department of Transportation Standard Specifications for Road and Bridge Construction, 2004 Edition, Section 701.02.5 Bedding Materials*.

#### 6.3.10. Inlets, Catch Basins, Manholes, and Outlets

- 6.3.10.1. Design engineers shall design inlets, catch basins, and manholes in accordance with the latest version of the Rhode Island Department of Transportation (RIDOT) Standard Specifications for Road and Bridge Construction and the latest RI Stormwater Manual. Where compliance with the RI Stormwater Manual requires different specifications than those listed by RIDOT, those specifications associated with the RI Stormwater Manual shall be used. All grates shall be bicycle-safe.
- 6.3.10.2. Inlet spacing depends on the inlet capacity. Area inlets in parking lots should be limited to three (3) cubic feet per second.
- 6.3.10.3. Outlet grates; fences, and other safety features for stormwater management facilities shall conform to the latest RI Stormwater Manual.
- 6.3.10.4. Manhole cover shall be thirty (30) inches in diameter.

#### 6.3.11. Protection of functions and values

- 6.3.11.1. Wildlife And Wildlife Habitat Values - Stormwater management plans shall address protection of areas that provide wildlife habitat benefits.

#### 6.3.12. Recreation and Cultural Values

- 6.3.12.1. Stormwater management plans shall address protection of areas that provide



recreational, cultural or aesthetic values.

## **6.4. Landscaping Standards**

All landscaping improvements shall be undertaken in accordance with a Landscape Plan as submitted and approved by the TRC. A Landscaping Plan must be submitted for each site as part of the review process. The goal of the TRC is to work with the developer to achieve a landscape design for the parcel, which incorporates the site and improvements thereon into the surrounding environment. Landscaping components shall also be consistent with RIDEM's Stormwater Design and Installation Manual and Freshwater Wetlands Regulations.

### **6.4.1. Landscape Plan**

- 6.4.1.1. A Landscape Plan shall be submitted to the TRC as part of the Development Plan Review process. The Landscape Plan shall include information regarding the type and location of existing and proposed landscape elements including: decorative plantings, trees, shrubs, grassed areas, screen plantings, and the lighting of buildings and parking areas.
  - a. Proposed grading at two-foot contour intervals.
  - b. Proposed location of retained vegetation and description of the vegetation to be retained;
  - c. Methods of protection for retained vegetation during the construction phase;
  - d. List of proposed plantings and general locations;
  - e. Details for screening as required in Section 6.4.4.
  - f. Details for buffering as required in Section 6.4.8 including cross-section profiles of any buffers between properties at a frequency of no less than one (1) cross-section per one hundred (100) linear feet of property line.
  - g. Identification of any landscaped areas that will be used for stormwater management including details and specifications for vegetated practices such as swales, constructed wetlands, rain gardens, etc;
  - h. Specifications for cultivation, loaming, seeding, and fertilization that demonstrate compliance with these Regulations.
- 6.4.1.2. The Landscape Plan shall be developed as a total plan for the site, which incorporates the various elements of site design, preserving and enhancing the particular identity of the site, and creating a pleasing site character.
- 6.4.1.3. Landscaping may include plant materials such as trees, shrubs, ground covers, perennials, and annuals, and other materials such as rocks, water, sculpture, art, walls, fences, paving materials and street furniture.
- 6.4.1.4. Street tree plantings from the edge of the road to the property line will be installed and maintained as a part of the common area of the Park by the QDC. All landscape installation within the individual parcels is the responsibility of the parcel owner/tenant

#### 6.4.2. Plant Selection

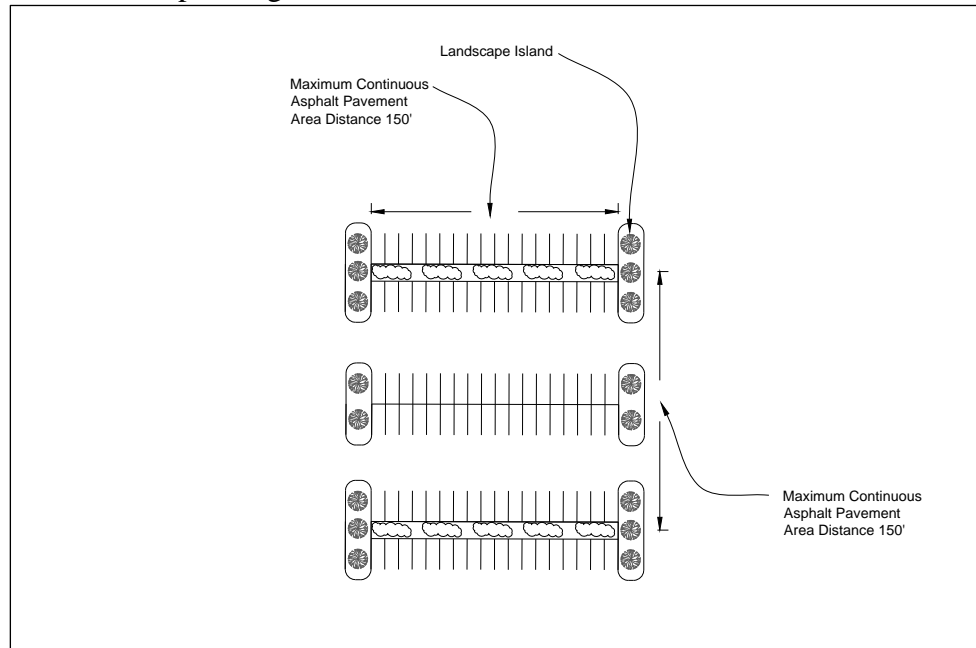
- 6.4.2.1. Plant varieties shall be selected for long term resistance to drought, moisture, salt, urban conditions, or insects and other pests depending on the location of landscaping and the specific stressors anticipated for different areas of the site. Plants should be selected so that landscaping can be maintained with minimal care and the need for watering, pesticides, or fertilizers is minimized or eliminated;
- 6.4.2.2. Landscape professionals are encouraged to reference *Sustainable Trees and Shrubs, 3rd ed., 1999*, URI Cooperative Extension- Landscape Horticulture as well as other current standards for nursery stock/species when selecting plan varieties for landscaping.
- 6.4.2.3. Under no circumstances shall any plant be selected that appears on the most recent listing of invasive species as published by the Rhode Island Invasive Species Council.
- 6.4.2.4. Caliper measurements and root ball specifications for all trees and shrubs shall conform to the American Standard for Nursery Stock ANSI Z60.1-2004.
- 6.4.2.5. Shade or canopy trees shall not be less than twelve (12) feet in planted height above grade;
- 6.4.2.6. Small or minor shade trees shall not be less than ten (10) feet in planted height above grade;
- 6.4.2.7. Ornamental or flowering fruit trees shall not be less than ten (10) feet in planted height above grade;
- 6.4.2.8. Evergreen trees used for screening shall not be less than six (6) feet in planted height above grade;
- 6.4.2.9. Trees shall be selected to encourage a continuous canopy to the greatest extent practical.
- 6.4.2.10. Lawn seed mixes shall be drought resistant. To achieve a high level of drought tolerance, lawn mixes may include, but shall not be limited to, a predominance of fine fescues.

#### 6.4.3. Site Protection, Planting and Cultivation

- 6.4.3.1. Topsoil suitable for landscaping shall be retained on site in an amount as determined as part of the required landscape plan. To the maximum extent practicable, the developer shall minimize the areas of the site to be regraded or disturbed. Topsoil exposed during construction shall be protected through stabilization measures consistent with the Rhode Island Sediment Control Handbook.
- 6.4.3.2. All organic material, rubbish, potentially harmful materials or debris shall be removed from the site in a timely fashion. Disposal of cleared, grubbed and stripped materials shall be the responsibility of the developer. All roots, stumps, brush, foliage and other vegetation that have been cleared or excavated shall be removed and disposed of by the developer off the project site.

- 6.4.3.3. No filling, excavation, or material storage shall occur within four (4) feet of any shrub or the dripline of any tree that will be retained. Protective barriers shall be installed to protect the area surrounding retained vegetation and shall be a minimum of three (3) feet high and constructed of durable material. Snow fences and silt fences are examples of acceptable barriers.
  - 6.4.3.4. Parking of construction vehicles, offices/trailers, stockpiling of equipment/materials, etc. shall take place in areas designated for permanent structures or other impervious surfaces.
  - 6.4.3.5. Landscaping of all cut and fill areas and/or terraces shall be sufficient to prevent erosion, and all roadway side slopes greater than 1:3 shall be planted with vegetated ground cover appropriate for the purpose of erosion control and for the soil conditions and environment. The use of erosion control fabric or mats shall be utilized when appropriate.
  - 6.4.3.6. In all areas where landscaping is to be provided and topsoil is to be removed for the purposes of site development and/or grading, topsoil shall be restored and shall contain a minimum of 5% organic matter for turf areas and 10% for trees and shrubs. The minimum depth of any restored topsoil shall be six (6) inches.
  - 6.4.3.7. Where pre-existing topsoil will be used for landscaping, such soil shall be cultivated to a depth of six (6) inches.
  - 6.4.3.8. Cultivated areas shall be covered with not less than a two (2) inch deep layer of mulch after planting where weed control is required. Mulch should be natural, unpainted, unstained, and designed to retain moisture where applied. Mulching around plantings shall not cover the base of plants or the root zone in a manner that encourages damage from excessive moisture. Wood chip mulch shall not be allowed.
  - 6.4.3.9. Pit cultivation for all trees shall be 2.5 times the diameter of the root ball and a depth equal to the same. Holes for trees shall be prepared in a manner that facilitates grow-in of new trees through the use of best practices.
  - 6.4.3.10. Trees and other landscaping shall be staked as necessary and provisions shall be made by the developer for adequate watering and maintenance until the plantings are established.
- 6.4.4. Screening
- 6.4.4.1. Screening shall be provided for all development of land in order to minimize adverse visual impacts.
  - 6.4.4.2. Parking lots, loading areas, surface mounted transformers, and waste receptacles shall be screened from the street.
  - 6.4.4.3. Parking lots shall be interrupted by shade trees and planting islands to allow no more than 150 feet of continuous asphalt paving surface.
  - 6.4.4.4. Where there is adequate land, screening shall incorporate vegetation at a variety of heights so that trees and understory plantings can be used in a complementary manner.
  - 6.4.4.5. Solid waste collection equipment, pump stations, outdoor storage and other outdoor uses visible from a public street shall be screened with a solid fence

and/or evergreen shrubs spaced so that adjacent plants are touching at time of planting.



**Figure 5. Typical Parking Lot Islands**

#### 6.4.5. Walls and Fences

- 6.4.5.1. Walls and fences shall be erected where required for privacy, screening, separation, security, erosion control, or to serve other necessary and reasonable functions.
- 6.4.5.2. It is preferred that the design and materials used be functional and compatible with existing and proposed site architecture.
- 6.4.5.3. No fence or wall shall be so constructed or installed as to constitute a hazard to traffic or safety.
- 6.4.5.4. All fences shall be constructed of manufactured metal fencing material, wood, masonry or other inert material. Wooden posts shall be treated with a preservative before being placed in the ground. Unless otherwise specified, barbed wire fence is prohibited.
- 6.4.5.5. Fences used as part of screening between QBP properties and existing residential districts shall be compatible with a residential setting in design and materials.
- 6.4.5.6. Security fences may be permitted and/or required at the discretion of the TRC.

#### 6.4.6. Mixed Use Development / Waterfront Non-Industrial Use / Light Industrial

- 6.4.6.1. To the extent possible, existing natural conditions such as mature trees and topographic features shall be preserved.
- 6.4.6.2. It is encouraged to have all unpaved areas planted sustainable plant

material. Groundcover or other low-lying species are preferred over turf.

- 6.4.6.3. The front yard landscaped with street trees, ornamental plants, and groundcover to within ten (10) feet of a public roadway is preferred.
- 6.4.6.4. Landscape elements shall not restrict visibility of signs or sight distances for vehicular access.
- 6.4.6.5. It is preferred that a minimum of ten (10) feet of side and rear yards be landscaped with trees, shrubs, and groundcover if the parcel does not adjoin an open space area.
- 6.4.6.6. Screening of parking lots, loading areas, surface mounted transformers, and waste receptacles from the street and adjacent properties is required.
- 6.4.6.7. Chain link fences are not permitted except for security.

#### 6.4.7. General Industrial and Waterfront Industrial

- 6.4.7.1. The front yard landscaped with street trees, ornamental plants, and groundcover to within thirty (30) feet of a public roadway is preferred.
- 6.4.7.2. It is preferred that a minimum of ten (10) feet of side and rear yards shall be landscaped with trees, shrubs, and groundcover, where the lot line is on a public street.

#### 6.4.8. Buffers and Natural Features

- 6.4.8.1. Buffers and natural features are encouraged throughout the Park to enhance visual image of the Park.
- 6.4.8.2. A vegetated buffer consisting of evergreen shrubs, shade trees, ornamental plants, and groundcover shall be installed along the northern perimeter of the Park from Post Road to Marine Road. This buffer may include a multi-use trail. The buffer shall provide a year-round dense opaque screen not less than six (6) feet in height.
- 6.4.8.3. To the maximum extent practicable, development shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity and to minimize negative impacts and alteration of natural features. The following specific areas shall be preserved as undeveloped open space, to the extent consistent with the reasonable utilization to land and in accordance with applicable local, state, or federal regulations: wetlands; water bodies and water courses; and scenic views.

### 6.5. Signage and Lighting

#### 6.5.1. Signage Design Guidelines

- 6.5.1.1. All outdoor signs shall conform to applicable federal and state statutes and regulations.
- 6.5.1.2. Signs shall be restricted to advertising only the person, firm, company or corporation operating the use conducted on the site or the products produced or sold on the site.

6.5.1.3. The following types of signs will be permitted, subject to the approval of the TRC.

- a. Horizontal wall signs, otherwise known as belt, face, or building mounted tenant signs, excluding signs painted on the wall itself. Individual graphics applied to the façade.
- b. Plaque signs attached to the face of a building in close proximity to the main entrance and bearing the firm's name or trademark. Maximum of two (2) tenants per sign with a maximum of forty-five (45) square feet per sign.
- c. Parapet signs including signs on the top of a canopy or marquee. No sign shall project above the roofline of any structure.
- d. Monument, ground mounted building identification, signs no greater than eight (8) feet wide by six (6) feet tall at the main driveway. Maximum of one (1) sign per building with graphics on one (1) or two (2) sides.
- e. All necessary directional signs on the lot occupied by the building to which such signs pertain.
- f. Signs which are part of the building architecture.
- g. Internal directional signage shall not be located within the setback area.

6.5.1.4. No sign shall exceed a maximum area of more than three (3) square feet for each running foot of the face of the building displaying such signs, and a maximum projection of no more than twelve (12) inches from the face of the building. Plaques shall have a maximum area of eight (8) square feet.

6.5.1.5. No billboards, flashing or animated signs, or pole mounted signs will be allowed.

6.5.1.6. Signs provided within the right of way, such as temporary signs or way-finding signs shall only be installed and maintained by QDC.

## 6.5.2. Lighting Design Guidelines

### 6.5.2.1. General Rules for all Outdoor Lighting

- a. Lighting for safety shall be provided at intersections, along walkways, at entryways, between buildings, and in parking areas and passenger loading or shelter areas.
- b. Lighting shall be provided in accordance with the Illuminating Engineering Society of North America (IESNA) Handbook (latest edition), and IESNA Recommended Practice (RP) booklets: Lighting for Exterior Environments (RP-33-99) and Lighting for Parking Facilities (RP-20-98).
- c. All fixtures used must conform to the provisions of all local, state and federal codes for electrical, energy and building requirements.
- d. All fixtures which are non-directional and use a lamp or lamps rated at eighteen hundred (1800) lumens and above are required to be of the fully shielded and/or full cutoff type.
- e. All fixtures which are non-directional and use a lamp or lamps rated at eighteen hundred (1800) lumens and above are not allowed to emit any light

above ninety (90) degrees vertically measured from on a line from the center of the luminous opening and the ground.

- f. All fixtures used for area illumination which are directional in type and mounted to poles, buildings and or structures, that use a lamp or lamps rated at nine hundred (900) lumens and above must be aimed at the ground at an angle of no more than twenty-five (25) degrees measured from the vertical line between the center of the fixture lamp or aperture and the ground.
- g. Any lighting rated at a total of more than eighteen hundred (1800) lumens and all flood or spot lighting rated at a total of more than nine hundred (900) lumens, shall not emit any direct light above a horizontal plane through the lowest direct light emitting part of the luminaire.
- h. Any lighting rated at a total of more than eighteen hundred (1800) lumens and all flood or spot lighting rated at a total of more than nine hundred (900) lumens shall be mounted at a height equal to or less than the value  $3 + (D/3)$  where D is the distance in feet to the nearest property boundary. The maximum height of the luminaire may not exceed fifteen (15) feet.

#### 6.5.2.2. Temporary Outdoor Lighting

- a. Any temporary outdoor lighting that conforms to the requirements of these Regulations shall be allowed.
- b. Nonconforming temporary outdoor lighting may be permitted by the Managing Director by special temporary permit. The applicant shall submit a detailed description of the proposed temporary nonconforming lighting with a request. A failure of the QDC to act on a request shall constitute a denial of the request. In granting any permit the QDC shall consider:
  - the public and/or private benefits which will result from the temporary lighting;
  - any annoyance or safety problems that may result from the use of the temporary lighting; and
  - the duration of the temporary nonconforming lighting.

#### 6.5.2.3. Waterfront Lighting

Every attempt shall be made to discourage light spillover adjacent to Narragansett Bay. Outdoor lighting in and around the Bay, shall not be installed or maintained so as to create a hazard or nuisance to other property owners and shall comply with the following standards. Areas dedicated to shipyards, terminals or security areas shall be exempt from these standards.

- a. In areas solely designated for pedestrian traffic, lights on docks shall be no more than three (3) feet above the dock, shall be downward directed and shall be no more than five hundred fifty (550) lumens or less;
- b. Lights illuminating paths, stairs, decks, etc. shall not be directed toward the waters and shall be no more than eighteen hundred (1800) lumens or less; and

- c. All exterior lighting shall be located, mounted and shielded so that direct illumination is not focused toward the water surface more than twenty (20) feet from shore.
- d. Maximum height of lighting standards shall not exceed twenty-five (25) feet.
- e. The height and shielding of lighting standards shall provide proper lighting without hazard to motorists or aircraft or nuisance to adjoining properties, and the design of lighting standards shall be of a type appropriate to the development and surrounding area. Light sources shall be shielded so as to conform to standards for glare as defined within the QBP Performance Standards.

#### 6.5.2.4. Service Area Lighting

Outdoor sales and service canopy lighting shall be aimed downward and installed such that center of the fixtures luminous opening is flush with or recessed into the canopy ceiling. All lighting from the canopy must be substantially confined to the ground area directly beneath the perimeter of the canopy.

#### 6.5.2.5. Architectural and Landscape Lighting

- a. All fixtures must be aimed and or shielded to illuminate only the intended target such that no stray light from the luminaire passes above the horizontal plane.
- b. Upward aimed façade and building lighting shall not exceed nine hundred (900) lumens per fixture or lamp and should be fully shielded and fully confined from projecting into the sky by eaves roofs, overhangs or structures and mounted as flush to the illuminated wall as possible.
- c. All lighting not required for safety and security shall be controlled by either a timer or photoelectric switch to be turned off after 11:00 P.M. local time or a time set at the request of the QDC.

#### 6.5.2.6. Sign Lighting

- a. Signs may be illuminated externally by a downward-directed stationary light of white or off-white color. Lighting used primarily for sign illumination may be mounted at a height not to exceed fifteen (15) feet.
- b. Except as otherwise prohibited herein, signs may be illuminated by any fixed steady light source, of such nature and in such manner that the brightness of the sign face does not exceed one hundred (100) lumens per square foot. Except for neon type signs, where permitted, such illumination shall be so arranged that its source is not directly visible from any way, occupied building or abutting property and no illumination shall be of any color that might be confusing to traffic. This paragraph shall also apply to window signs.
- c. Illuminated signs shall not cause glare distracting to drivers, nor shall they be in such a position or such color as will hamper the readability of traffic lights or traffic signs.



6.5.2.7. Light Trespass

- a. The maximum illumination at five feet inside an adjacent property line, residential parcel or right of way shall not exceed .1 horizontal foot or .1 vertical foot candles in residential zones and .3 horizontal foot candles or .3 vertical foot candles in all other districts.

**6.6. Construction Phase Requirements**

6.6.1. Wastewater

- 6.6.1.1. Effluent shall be discharged in accordance with Rhode Island Pollutant Discharge Elimination System (RIPDES) Permit regulations and Sewer Treatment Regulations in Section 7.5.

6.6.2. Soil Erosion Prevention

- 6.6.2.1. Erosion controls shall be consistent with the latest guidelines of the U.S. Department of Agriculture, Soil Conservation Service, R.I. Soil and Erosion Control Manual, the Stormwater Manual. An erosion Control Plan must be submitted to TRC for review.

6.6.3. Storage and Equipment Fencing

- 6.6.3.1. All construction storage and equipment areas shall be fenced and shall be located on the site so as to minimize their impact on adjacent properties and public streets.

6.6.4. Maintenance of Construction Sites

- 6.6.4.1. Temporary construction trailers and other temporary structures shall be removed from the site within thirty (30) days of the end of construction.
- 6.6.4.2. Construction debris shall be removed periodically from the site.
- 6.6.4.3. All trash shall be maintained in enclosed containers and removed from site on a weekly basis.
- 6.6.4.4. Sanitary facility shall be provided for all construction sites and maintained by the contractor or property owner.

6.6.5. Construction Access

Construction access shall be coordinated with QDC. The construction access road shall meet the requirements of the *Rhode Island Soil Erosion and Sediment Control Handbook* (R.I. Department of Environmental Management, latest version).

#### 6.6.6. Completion of Construction

- 6.6.6.1. Upon completion of the construction project, the applicant shall submit As-Built drawings depicting completed improvements, site features and the location of all utilities (above and below ground). The as-built drawing shall be certified by the appropriate design professional. Improvements and site features shall include but are not limited to property information, environmental resources, buildings, roadways, sidewalks, curbing/berm, stormwater management systems, clearing/tree-line, planting features, permanent structures, signage, roadway/parking markings, and utilities.
- 6.6.6.2. Applicant must provide certifications from design engineers that construction was completed according to QDC approved plans, conditions, and remarks.
- 6.6.6.3. A Certificate of Completion shall be issued by QDC prior to Certificate of Occupancy and utility activations.
- 6.6.6.4. The applicant shall notify QDC at least 48 hours in advance to schedule inspections of water, sewer, and storm drains prior to activation of utilities.

#### 6.6.7. Maintenance

- 6.6.7.1. Owner/Occupants Responsibilities - The original construction and appearance of the site and all buildings and improvements on the premises shall be maintained in good repair and in safe, clean and sanitary condition and shall conform to all federal, state, and municipal statutes, ordinances, and regulations.

#### 6.6.8. Repairs after Damage

- 6.6.8.1. Any damaged structure, accessways or parking lot surface shall be restored or replaced to its original condition as promptly as the extent of the damage will permit.
- 6.6.8.2. Protection against Vandals - Buildings and property shall be properly secured in order to prevent entrance by vandals.
- 6.6.8.3. Maintenance of Grounds - All grounds shall be maintained in a safe, clean and orderly manner. Accessways, paved areas, lighting and signage shall be maintained in good repair. Drainage systems shall be maintained clean and free of obstacles.
- 6.6.8.4. Maintenance of Plant Materials - Trees and other landscaping shall be properly planted and staked in accordance with the approved landscape plan. The developer shall make provisions for regular watering and maintenance until they are established as defined by the landscape plan.
- 6.6.8.5. All plantings shall be maintained in a healthy condition with proper maintenance carried out on a regular basis.
- 6.6.8.6. Replacement of Plants - Dead or dying plants shall be removed in thirty

(30) days and replaced as quickly as possible subject to seasonal limitations.

## **7.0 Sewer Treatment System User Regulations**

### **7.1. Purpose**

The purpose of these regulations is to set forth the rules governing the use of the QDC's sewers and drains, the installation and connection of building sewers, the discharge of waters and wastes into the sewers, and the penalties for violations.

### **7.2. Legal Authority**

These rules and regulations are promulgated pursuant to the requirements and provisions of R.I.G.L. §42-64-7(16) and the Administrative Procedures Act, R.I.G.L. § 42-35-1 et seq., and particularly § 42-35-3.

### **7.3. Definitions**

Unless the context specifically indicates otherwise, the meaning of terms used in these regulations shall be as follows:

- 7.3.1. Biochemical Oxygen Demand (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in milligrams per liter.
- 7.3.2. Building Drain shall mean that part of the lowest piping of a drainage which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five (5) feet (1.5 meters) outside the inner face of the building wall and terminating at the building sewer or, if no building sewer is required, at the point of connection to the QDC sewer or other place of disposal.
- 7.3.3. Building Sewer shall mean the extension from the building drain to the point of connection to the QDC sewer or other place of disposal.
- 7.3.4. Chemical Oxygen Demand (COD) shall mean the quantity of oxygen utilized in the chemical oxidation of wastewater under standard laboratory procedures.
- 7.3.5. Director shall mean the General Manager of the Quonset Development Corporation, or an authorized deputy, agent or representative.
- 7.3.6. Floatable Oil is oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. A wastewater shall be considered free of floatable oil if it is properly pretreated and does not interfere with the collection system.
- 7.3.7. Garbage shall mean solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.
- 7.3.8. Industrial Cooling Water shall mean water used to reduce temperature in an industrial process.
- 7.3.9. Industrial User shall mean a user who discharges or has the capacity to discharge industrial wastewater or industrial sewage directly or indirectly into the sewer.

- 7.3.10. Industrial Wastes shall mean the liquid wastes resulting from industrial manufacturing, trade, or business processes and shall be distinct from sanitary sewage.
- 7.3.11. Interference shall mean a Discharge which, alone or in conjunction with a discharge or discharges from other sources, both:
- (a) Inhibits or disrupts the Wastewater Treatment Facility (WWTF), its treatment processes or operations, or its sludge processes, use or disposal; and
  - (b) Causes a violation of any requirement of the WWTF's and Rhode Island Pollutant Discharge Elimination System (RIPDES) permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued there under (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act [RCRA], and including State regulations contained in any State Sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection Research and Sanctuaries Act.
- 7.3.12. Natural Outlet shall mean any outlet into a natural watercourse, pond, ditch, lake or other body of surface or groundwater.
- 7.3.13. New Source shall mean: (a) Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under section 307(c) of the Federal Water Pollution Control Act (WPCA) which will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that: (1) The building, structure, facility or installation is constructed at a site at which no other source is located; or (2) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or (3) The production or wastewater generating processes of the building structure, facility or installation are substantially independent of an existing source at the same site. (b) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of subparagraphs (a)(2) or (a)(3) of this section but otherwise alters, replaces, or adds to existing process or production equipment. (c) Construction of a new source as defined under this paragraph has commenced if the owner or operator has: (1) Begun or caused to begin as part of a continuous onsite construction program: A. Any placement, assembly, or installation of facilities or equipment; or B. Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or (2) Entered into a binding contractual obligation for the purchase of facilities or equipment, which are intended to be used in its operation within a

- reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.
- 7.3.14. Pass Through shall mean a Discharge which exits the WWTF into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, are a cause of a violation of any requirement of the WWTF's RIPDES permit, including an increase in the magnitude or duration of a violation.
- 7.3.15. Permit shall mean an authorization, license or equivalent control document issued by the QDC, unless otherwise identified.
- 7.3.16. Person shall mean any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, municipality, any other political subdivision of this state, any department or agency of the federal government, or any other legal entity.
- 7.3.17. pH shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.
- 7.3.18. Privately-Owned Wastewater Treatment Facilities shall mean pump stations, collection systems and/or wastewater treatment facilities privately owned by users, individuals, corporations, associations, or state or federal agencies, with said facilities ultimately being connected to Quonset's wastewater treatment or collection system whose wastewater design flows are in excess of 30,000 gallons per day.
- 7.3.19. Properly Shredded Garbage shall mean the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half (1/2) inch (1.27 centimeters) in any dimension.
- 7.3.20. Pollutant shall mean dredged spoil, solid waste, incinerator residue, sewage, garbage, sludge, munitions, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand and cellar dirt and industrial, municipal, agricultural or other pollution-causing agents.
- 7.3.21. Pollution shall mean the man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.
- 7.3.22. QDC shall mean Quonset Development Corporation
- 7.3.23. QDC Sewers shall mean a sewer regulated, operated and maintained by QDC for the purpose of affording sewage collection service to its users.
- 7.3.24. Sanitary Sewer shall mean a sewer that carries sewage and to which storm, surface and ground waters are not intentionally admitted.
- 7.3.25. Sewage shall mean a combination of the water-carried wastes from residents, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.
- 7.3.26. Sewage Treatment Plant shall mean any arrangement of devices and structures used for treating sewage.
- 7.3.27. Sewage Works shall mean all facilities for collecting, pumping, treating and disposing of sewage.

- 7.3.28. Sewer shall mean a pipe or conduit for carrying sewage.
- 7.3.29. Shall is mandatory; “may” is permissive.
- 7.3.30. Significant Industrial User shall mean: (a) all industrial users subject to Categorical Pretreatment Standards; and (b) any other industrial user that: (1) discharges an average of 25,000 gallons per day or more of process wastewater to the WWTF; or (2) contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the WWTF; or (3) is designated as such by the QDC the basis that the industrial user has a reasonable potential for adversely affecting the WWTF’s operation or for violating any pretreatment standard or requirement.
- 7.3.31. Slug shall mean any discharge of water, sewage or industrial waste that in concentration of any given constituent or in quantity of flow exceeds a user’s average discharge and adversely affects the sewer and/or the performance of the sewage treatment plant.
- 7.3.32. Storm Drain (sometimes termed “Storm Sewer”) shall mean a sewer that carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.
- 7.3.33. Suspended Solids shall mean solids that either float on the surface of, or are in suspension in, water, sewage, or other liquids, and which are removable by laboratory filtering.
- 7.3.34. Toxic shall mean any substance listed as toxic under section 307(a)(1) of the Clean Water Act, as amended, 33 U.S.C. §§ 1251 et seq., or listed under the Hazardous Substances Right-to-Know Act, R.I.G.L. §§ 28-21-1 et seq., or as may otherwise be designated by the Director from time to time.
- 7.3.35. User shall mean the owner of any residential, commercial, or industrial property or any publicly owned building or non-profit institution with a direct or indirect connection to the sewer.
- 7.3.36. Watercourse shall mean a channel in which a flow of water occurs either continuously or intermittently.

#### **7.4. Building Sewers and Connections**

- 7.4.1. No person shall uncover, make any connections with or opening into, use, alter, or disturb any QDC sewer or appurtenance thereof without first obtaining a written permit from the Director. All such connections shall be subject to such terms and conditions as the Director shall prescribe.
- 7.4.2. There shall be two classes of building sewer permits, one class for residential and commercial service, and one class for service to establishments producing industrial wastes. For either class, the user shall make application on a special form furnished by the QDC. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Director. A permit and inspection fee of not less than twenty-five dollars for an industrial building sewer permit shall be paid to the QDC at the time the permit is issued or renewed.
- 7.4.3. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the user who shall indemnify the QDC from any loss or

damage that may directly or indirectly be occasioned by the installation of the building sewer.

- 7.4.4. A separate and independent building sewer shall be provided for every building that is not already connected to the QDC's sewer system on the date this regulation is put into effect. Where one building stands at the rear of another on an interior lot, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer; however, the QDC does not and will not assume any obligation or responsibility for damage caused by or resulting from any such single connection.
- 7.4.5. Old building sewers may be used in connection with new buildings only when they are found, on examination and testing by the Director, to meet all requirements of this regulation.
- 7.4.6. The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench, shall all conform to the requirements of the building and plumbing code of the State of Rhode Island and to other applicable rules of the QDC. In the absence of Code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing and Materials ("ASTM") and the Water Pollution Control Federation ("WPCF") Manual of Practice No. 9 shall apply.
- 7.4.7. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- 7.4.8. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or ground water to a building sewer or building drain that in turn is connected directly or indirectly to a QDC sanitary sewer.
- 7.4.9. The connections of the building sewer into the QDC sewer shall conform to the requirements of the building and plumbing code or other applicable rules of the QDC, or the procedures set forth in appropriate specifications of the ASTM and WPCF Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Director before installation.
- 7.4.10. The applicant for the building sewer permit shall notify the Director when the building sewer is ready for inspection and connection to the QDC sewer. The connection shall be made under the supervision of the Director or his representative.
- 7.4.11. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, pavements, and other QDC property disturbed in the course of the work shall be restored in a manner satisfactory to the QDC.
- 7.4.12. Privately owned and operated pump stations and collection systems connected to or desiring to connect to the QDC Wastewater System shall adhere to the following:



- a. Owners of Privately Owned Wastewater Treatment Facilities shall maintain the system in good working order and operate the facility as efficiently as possible. Proper operation and maintenance shall include, but shall not be limited to, effective performance-based on-facility design, adequate operator staffing and training, adequate laboratory process and controls, including quality assurance procedures as determined to be appropriate by QDC, and backup or auxiliary facilities or similar systems to assure compliance or effective performance. Proper operation and maintenance must include emergency procedures and reporting requirements in case of power outages, natural disaster, labor shortage (whether the result of intentional work stoppages or epidemics), equipment failure, acts of terrorism/vandalism, accidental discharges or sanitary sewer overflow. Reporting requirements shall include verbal notification to the Director and RIDEM as soon as possible, but not exceeding twenty-four (24) hours of discovery of the event. A written report must be submitted to the Director and RIDEM within five (5) business days of the event's ending.
- b. The owner shall submit, for review and approval, an Operations and Maintenance Plan describing standards and procedures by which the Privately Owned Wastewater Treatment Facilities, pump station(s) and/or collection system(s) will be staffed, operated and maintained during normal and emergency conditions. Should development of the Plan include the practice of engineering, the Plan must be prepared and certified by a Rhode Island Registered Professional Engineer. The Operations and Maintenance Plan must be approved prior to the commencement of the construction of the new Wastewater Treatment Facility.
- c. The owner is required to conduct (at a minimum) monthly inspections of any pump station(s) within their facility. The inspection reports shall be forwarded to the QDC within fifteen (15) business days after the inspection. At a minimum, the inspection report shall provide the name of the individual or firm performing the inspection, hours of operation for each pump, generator run time, summary of alarms, any maintenance undertaken during that month, condition of the station, and recommendations.
- d. The Operations and Maintenance Plan shall include, but not be limited, to the following elements:
  - i. Describe the detailed operating procedures for the pump station(s) and collection system;
  - ii. Provide a Preventative Maintenance Plan for the pump station(s);
  - iii. Provide staffing requirements;
  - iv. Provide a list of material suppliers and essential spare parts necessary to be kept on the site for normal and emergency conditions;
  - v. Provide operating procedures for the emergency generator and automatic transfer switch;
  - vi. Provide a Spill Prevention Plan;
  - vii. Provide a description of the auxiliary system, such as water, heating,

- ventilation, sump pump, and dehumidifying;
  - viii. Provide a description of the alarm system and response procedures;
  - ix. Provide names, addresses, and telephone numbers of all emergency contacts, facility owners, and facility operators;
  - x. Provide a list of subcontractors that are on call for emergency equipment rental (e.g., septage hauler, portable pump, generator, etc.);
  - xi. Provide emergency procedures and reporting requirements in case of power outages, natural disasters, equipment failure, acts of terrorism/vandalism, or sanitary sewer overflow;
  - xii. Provide a descriptions of the means of record keeping (the records must be accessible for a three (3) year period);
  - xiii. Provide as-built plans for the pump station(s) and/or collection system;
  - xiv. Provide a map of the collection system, including but not limited to, the overall service area, diameter of pipes, distance between manholes, slopes and direction of flow; and
  - xv. Provide all required procedures, easements, or other administrative items necessary to allow the QDC access to the site for unannounced periodic inspections pursuant to Section 7.7;
  - xvi. Provide a summary of a monthly report.
- e. Owners of an Existing Privately Owned Wastewater Treatment Facility without an approved Plan must submit for approval of a Plan as appropriate and as described herein to comply with the requirements of this Sewer System Regulation within one (1) year of its passage.
  - f. There shall be an Operations and Maintenance Plan Review Fee that shall be set from time to time by the Director.
  - g. There will be an Annual Fee set from time to time by the Director.

## **7.5. Discharge Requirements, Limitations, and Prohibitions**

- 7.5.1. The QDC may limit, reject or prohibit any direct or indirect discharge of pollutants or combination of pollutants (as defined by applicable federal or state law or as described below) into the QDC Sewers.
- 7.5.2. Specifically prohibited substances, waters or wastewaters are:
  - 7.5.2.1. Groundwater, stormwater, and surface waters, roof runoff, tidewater, subsurface drainage, cooling water, and uncontaminated industrial process waters.
  - 7.5.2.2. Gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquids, solids or gases.
  - 7.5.2.3. Any trucked or hauled pollutants, except at discharge points designated by the QDC and in accordance with Section 7.11.12
  - 7.5.2.4. Slugs.
  - 7.5.2.5. Sludges or deposited solids resulting from an industrial or pretreatment process. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Director and other regulatory agencies. Industrial

cooling water or unpolluted process waters may be discharged, on approval of the Director and other regulatory agencies, to a storm sewer or natural outlet.

7.5.3. No person shall discharge or cause or allow to be discharged directly or indirectly into the QDC Sewers, any other substances, water or wastewater that either singly or by interaction with other substances will or is likely to:

7.5.3.1. Interfere with the operation of the QDC Sewers by:

- a. Harming either the sewerage system or wastewater treatment process;
- b. Being otherwise incompatible with the treatment process; or
- c. Contaminating the sludge or contributing to sludge disposal problems.

7.5.3.2. Violate applicable federal and state law and the terms of the QDC Sewers' federal and state permits, including but not limited to RIPDES and National Pollutant Discharge Elimination System (NPDES) permits.

7.5.3.3. Endanger the environment by adversely affecting receiving waters or otherwise.

7.5.3.4. Endanger the health or welfare of persons.

7.5.4. No person shall discharge or cause or allow to be discharged either directly or indirectly into the QDC Sewers, any substance, water or wastewater that has:

7.5.4.1. A temperature higher than 104 degrees Fahrenheit (40 degrees Celsius).

7.5.4.2. Any toxic or non-toxic gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, create a toxic effect in the receiving waters of the QDC Sewers or exceed the limiting standards issued from time to time under Section 307 (a) of the WPCA, 33 U.S.C. Section 1317 (a), as amended to date or hereafter.

7.5.4.3. Any water or waste which by itself or by interaction with other materials, emits chemical contaminants into the atmosphere of any confined area of the sewer system at levels in excess of short term exposure limit Threshold Limit Value established for air-borne contaminants by the American Conference of Governmental Industrial Hygienists or the National Institute for Occupational Safety and Health.

7.5.4.4. Any liquids, solids or gases which by reason of their nature or quantity are, or may be sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the QDC Sewers. At no time shall two successive readings on any explosion hazard meter at the point of discharge into the QDC Sewers (or at any point in the QDC Sewers) be more than five (5%) percent nor any single reading be over ten (10%) percent of the Lower Explosive Limit of the meter.

7.5.4.5. Pollutants that will cause corrosive structural damage to the WWTF, but in no case discharges with pH lower than 5.0, unless the works is specifically

designed to accommodate such discharges.

- 7.5.4.6. Petroleum oil, non-biodegradable cutting oils, or products of mineral oil in amounts that will cause interference or pass through.
- 7.5.4.7. Fats, wax, grease or oils of vegetable or animal origin as measured by Freon extraction in excess of one hundred (100) mg/l or containing other substances which may solidify or become viscous at temperatures between thirty-two (32) degrees F or zero (0) degrees C, and one hundred four (104) degrees F or forty (40) degrees C. Waters or wastes containing such substances, excluding normal household waste, shall exclude all visible floating oils, fats and greases. The use of chemical or physical means (such as temperature variation, emulsifying agents, mechanical mixers) to bypass or release fats, oils, and greases into the QDC Sewers is prohibited.
- 7.5.4.8. Any garbage that has not been properly shredded. Garbage grinders may be connected to the QDC Sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (0.76 hp metric) or greater shall be subject to the review and approval of the Director.
- 7.5.4.9. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the WWTF resulting in interference;
- 7.5.4.10. Unusual concentrations of dissolved solids such as, but not limited to, sodium chloride and sodium sulfate, and waste waters having excessive suspended solids concentrations.
- 7.5.4.11. Color or turbidity in such an amount that it will prevent the QDC from discharging a treated effluent in compliance with any state or federal rules, regulations or permit requirements.
- 7.5.4.12. COD concentrations in such quantities as to constitute a significant load on the QDC Sewers or to cause the effluent from the QDC Sewers to violate any state or federal rules, regulations or permit requirements, including but not limited to NPDES and RIPDES permits.
- 7.5.4.13. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by state or federal laws or regulations.
- 7.5.4.14. Any process wastewater, as defined by the Director, containing concentrations of the substances listed below in excess of the assigned discharge limits:

	Milligrams per Liter
Cadmium (Total)	0.26
Chromium (Total)	1.71
Copper (Total)	2.07
Cyanide (Total)	0.20
Lead (Total)	0.27
Mercury (Total)	0.003
Nickel (Total)	2.38
Silver (Total)	0.24
Zinc (Total)	0.76
TTO*	1.50

The term “TTO” shall mean total toxic organics, which is the summation of all quantifiable values greater than 0.01 milligrams per liter of the toxic organics listed at 40 C.F.R. § 433.11.

- 7.5.4.15. Concentrations of substances in excess of Federal Categorical Pretreatment standards, where applicable.
- 7.5.4.16. Pollutants which may create a fire or explosion hazard including, but not limited to, waste streams with a closed cup flashpoint of less than one-hundred forty (140) degrees F or sixty (60) degrees C using the test methods specified in 40 C.F.R. § 261.21.
- 7.5.4.17. Pollutants that result in the presence of toxic gases, vapors, or fumes in a quantity that may cause acute worker health and safety problems.
- 7.5.4.18. A five (5) day BOD greater than 300 parts per million by weight.
- 7.5.4.19. Total Suspended Solids greater than 300 parts per million by weight.
- 7.5.5. No user shall, by increasing the use of process water or in any other way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the Federal Categorical Pretreatment Standards, 40 C.F.R., or in any other pollutant specific limitation developed by the QDC. The QDC shall, in its sole discretion, use EPA formulas or any other reasonable method for determining discharge levels where dilution is reasonably suspected.
- 7.5.6. If any wastewater is discharged or is proposed to be discharged to the QDC Sewers in violation of the prohibitions described in this section, the Director may in his sole discretion:
  - 7.5.6.1. Reject the wastes;
  - 7.5.6.2. Require a discharger to demonstrate and implement those in-plant modifications that will reduce or eliminate the discharge of such substances to conform to these Rules;
  - 7.5.6.3. Require pretreatment, including storage facilities or flow equalization necessary to reduce or eliminate the objectionable characteristics or substances, so that the discharge will not violate these Rules;
  - 7.5.6.4. Require controls to be installed that will regulate the quantities and rates of

- discharge;
  - 7.5.6.5. Require payment to the QDC to cover its added cost of handling, monitoring, and treating the wastes;
  - 7.5.6.6. Revoke a discharger's permit; and
  - 7.5.6.7. Take any other administrative sanctions, enforcement actions, and remedial actions as may be desirable, necessary, or permitted to achieve the purpose of these Rules. When considering the above alternatives, the Director shall give consideration to the economic impact of each alternative on the discharger. If the Director permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Director, and shall be subject to the requirements of all applicable codes, ordinances, and laws.
- 7.5.7. Grease, oil, and sand interceptors shall be provided by the person generating such wastes when, in the opinion of the Director, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Director and shall be located as to be readily and easily accessible for cleaning and inspection. In the maintaining of these interceptors, the person generating the wastes shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal that are subject to review by the Director. Any removal and hauling of the collected materials not performed by generator's personnel must be performed by currently licensed waste disposal firms.
- 7.5.8. Where pretreatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the provider at his expense.
- 7.5.9. When required by the Director, the licensee or other permitted user of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Director. The manhole shall be installed by the licensee or other permitted user, at his expense, and shall be maintained by him so as to be safe and accessible at all times.
- 7.5.10. Whenever required by the Director by regulation, order, or permit, any industry discharging into the sanitary sewer shall monitor its discharge, perform analysis, keep records and report to the Director information needed to determine compliance with this regulation. This information may include:
- 7.5.10.1. Wastewater discharge rate (both peak and average);
  - 7.5.10.2. Chemical analysis of wastewaters;
  - 7.5.10.3. Information on raw materials, processes, and products affecting wastewater

- volume and quality;
  - 7.5.10.4. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials important to sewer use control;
  - 7.5.10.5. Plot plan of the property served showing sewer and pretreatment facility location;
  - 7.5.10.6. Details of wastewater pretreatment facilities;
  - 7.5.10.7. Details of systems to prevent and control losses of materials through spills to the QDC sewer.
- 7.5.11. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this regulation shall be determined in accordance with the most recent U.S. Environmental Protection Agency-approved methods and procedures (40 C.F.R. Part 403 and 40 C.F.R. Part 136), and shall be determined at the control manhole provided, or at any other suitable sampling site. Sampling shall be carried out by accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb, and property. The particular analyses involved will determine the duration and type of sampling which shall be conducted.
- 7.5.12. The Director shall be given forty-five (45) days' prior notification of:
- 7.5.12.1. Any proposed substantial change in volume or character of pollutants over that being discharged into the sanitary sewers at the time of this regulation's adoption; and
  - 7.5.12.2. Any proposed new discharge into the sanitary sewers from any source which would be a new source as defined by Section 306 of Public Law 92-500, or a proposed new discharge into the sanitary sewers from any source which would be subject to Section 301 of Public Law 92-500 if it were discharging such pollutants.
- 7.5.13. No statement contained in this Section shall be construed as preventing any special agreement or arrangement between the QDC and any industrial user whereby an industrial waste of unusual strength or character may be accepted by the QDC for treatment, subject to payment therefore by the industrial concern, provided that such agreements do not contravene federal and state pretreatment standards, Sections 7.5.3 and 7.5.4.

## **7.6. Protection from Damage**

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment that is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest by regular law enforcement agencies under charge of disorderly conduct.

## **7.7. Powers and Authority of Inspectors**

- 7.7.1. The Director and other duly authorized employees of the QDC bearing proper

credentials and identification shall be permitted:

- 7.7.1.1. To enter without delay all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this regulation;
  - 7.7.1.2. During regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, to have access to and to copy any records, inspect any monitoring equipment and sample any effluents which the owner or operator of such discharge source is required to sample under these rules or state or federal law;
  - 7.7.1.3. To set up on the user's property such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations. The owner or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper, or other industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
- 7.7.2. The Director and other duly authorized employees of the QDC bearing proper credentials and identification shall be permitted to enter all properties served by the sewage system for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair, and maintenance of any portion of the sewerage works lying within said property.

## **7.8. General Sewer Use Charges**

- 7.8.1. In general, sewer use charges shall reflect the average cost of treating all sanitary wastes. This shall be done by apportioning the total of all normal sewer works costs among the various categories of users in accordance with flows generated or capacity demanded. For users generating industrial wastes with characteristics that vary significantly from the composition of all other wastes introduced into the sewage works, the Director may require that the basic apportionment be supplemented to reflect the additional expense imposed on the QDC by such abnormalities.
- 7.8.2. Each user of the QDC's sewer works shall be charged monthly a fee determined by multiplying the flow contributed or capacity demanded by flow rates (dollars per 1000 gallons) determined by the Director. The flow rate will be established annually and will be the same for all categories of users.
- 7.8.3. In addition, users generating industrial wastes having abnormal treatment requirements may be charged additional amounts at rates established by the Director.

## **7.9. Industrial Discharge Permit System**

- 7.9.1. All industrial users connected to or discharging to the QDC Sewers must obtain a wastewater discharge permit. All industrial users proposing to connect to or



discharge into the QDC Sewers must obtain a wastewater discharge permit before connecting to or discharging to the QDC Sewers.

- 7.9.2. Industrial users seeking a wastewater discharge permit must have completed and filed with the QDC in application on the prescribed form, together with any applicable fee, by the date specified by the Director. In support of this application, the user shall submit the following information:
- 7.9.2.1. Name, business address, location of the facility (if different from business address), and North American Industrial Classification System (NAICS) number of the applicant;
  - 7.9.2.2. Total water consumption from all sources and supporting documentation when appropriate;
  - 7.9.2.3. Type, frequency, and volume of discharges;
  - 7.9.2.4. Average and peak wastewater flow rates, including daily, monthly, and seasonal variations, if any;
  - 7.9.2.5. Site plans, floor plans, mechanical and plumbing plans, pretreatment plans and details to show all building connections and appurtenances by size, locate on and elevation;
  - 7.9.2.6. Description of activities, pretreatment facilities and plant processes on the premises, including all materials and types of material that are or could be discharged;
  - 7.9.2.7. Type of product produced;
  - 7.9.2.8. Number of employees, number of shifts, and hours of work;
  - 7.9.2.9. The name and concentration of any pollutants in the discharge, for a minimum of four consecutive operating days, which are regulated by the QDC, the state or the federal government, and a written statement as to whether or not applicable pretreatment standards are being met, and if not, whether additional in-plant modification and additional pretreatment is required for the user to meet such applicable pretreatment standards;
  - 7.9.2.10. If additional pretreatment or in-plant modification will be required to meet the pretreatment standards, the user must provide a schedule by which to achieve the standards in the shortest possible time; (1) This schedule shall be reported as the Pretreatment Compliance Schedule. The following conditions shall apply to this schedule. (2) The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (e.g., hiring an engineer, completing preliminary plans, executing contracts for major components, commencing construction, completing construction). (3) Not later than fourteen (14) days following each completion date in the schedule, the user shall submit a progress report to the QDC including, at a minimum, whether or not he complied with the increments of progress. If such increment of progress was not completed on time, the user shall also report the date on which he expects to complete the increment of progress, the reason for the delay, and the steps being taken by the user to return to the schedule established. In no event shall completion dates for increments of progress be more than nine (9) months apart

- 7.9.2.11. Any other pertinent information as may be needed to evaluate the permit application. The Director shall evaluate the data furnished by the industrial user and may require additional information. Based on the application, the Director may issue a wastewater discharge permit subject to the terms and conditions enumerated in the permit. The Director may deny a request for a permit when the information supplied indicates the industrial user will be unable to reasonably meet QDC standards. Any person denied a permit may request a hearing in accordance with the provisions of Section 7.11.
- 7.9.3. Wastewater discharge permits shall be expressly subject to specific permit provisions contained therein as well as to provisions of these rules and all other regulations, user charges and fees established by the QDC. Permit conditions may include, but are not limited to, the following:
  - 7.9.3.1. The average and maximum wastewater constituents and characteristics permitted in the process water discharges;
  - 7.9.3.2. Limits on rate and time of discharge or requirements for flow regulation and equalization;
  - 7.9.3.3. Requirements for installation of inspection and sampling facilities and specifications for self-monitoring;
  - 7.9.3.4. Requirements for the submission of periodic self-monitoring compliance reports, including all notices and self-monitoring reports required by EPA, which shall include, but not be limited to, volume or rates of flow, concentrations of controlled pollutants or other information which relates to the generation of waste;
  - 7.9.3.5. Requirements for maintaining and submitting technical reports and plant records relating to wastewater discharges;
  - 7.9.3.6. Daily average and daily maximum discharge rates, or other appropriate conditions when pollutants subject to limitations and prohibitions are proposed or present in the user's wastewater discharge;
  - 7.9.3.7. Compliance schedules;
  - 7.9.3.8. Requirements for installation of pretreatment systems and spill prevention control plans;
  - 7.9.3.9. Provisions for authorized QDC employees and agents to enter and inspect the premises, including provisions for copying records, inspecting monitoring equipment and sampling effluent;
  - 7.9.3.10. Compliance with federal, state and other governmental laws, rules;
  - 7.9.3.11. Fees and costs including supplemental fees assessed because of the special nature of the user's effluent in accordance with the provisions of Section 7.8.3, and additional costs and fees including reasonable attorneys' fees based on the costs of enforcing these regulations or the permit.
- 7.9.4. Users shall provide treatment of wastewater as required to comply with this section, and shall achieve compliance with all federal, state, and QDC pretreatment standards within the time limitations specified by the federal, state, and QDC pretreatment regulations. Any equipment required to pretreat

wastewater to a level acceptable to the QDC shall be provided, operated and maintained at the user's expense. Detailed plans showing the pretreatment equipment and operating procedures shall be submitted to the QDC for review and shall be acceptable to the QDC before construction of the facilities. Any review and inspection conducted by the QDC is for the sole purpose of determining compliance with the technical provisions of these rules. The QDC does not assume responsibility for means, methods or techniques used, or for the safety of construction works, the site, or for compliance by users with applicable laws and regulations other than this section. Review of the QDC does not constitute any form of guarantee or insurance with respect to the performance of the equipment and processes. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the equipment as necessary to produce an effluent acceptable to the QDC under the provisions of this section. Any subsequent significant changes in the pretreatment equipment or method of operation shall be reported to and be acceptable to the QDC prior to the user's initiation of the changes.

- 7.9.5. Each user shall provide protection from accidental discharge of prohibited materials or other substances regulated by these rules. Equipment to prevent accidental discharge or prohibited materials into the facilities shall be provided and maintained at the owner's or user's own cost and expense. Detailed plans showing equipment and operating procedures to provide this protection shall be submitted to the QDC for review, and shall be approved by the QDC before construction. It is understood that any review and inspection conducted by the QDC is for the sole purpose of determining compliance with the technical provisions of these rules. The QDC does not assume responsibility for means, methods or techniques used, or for the safety of construction works, the site, or for compliance by users with applicable laws and regulations other than this section. Review by the QDC does not constitute any form of guarantee or insurance with respect to the performance of the equipment and processes. All existing users shall also complete such a plan as required by a compliance schedule or permit. No new user proposing to discharge into the QDC Sewers shall be permitted to introduce pollutants into the QDC Sewers until accidental discharge procedures have been approved by the QDC. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility of modifying the user's equipment as necessary to meet the requirements of these rules. In the case of an accidental discharge, it is the responsibility of the user to notify the QDC of the incident as soon as possible. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions.
- 7.9.6. Within five (5) days following an accidental discharge into the facilities, the user shall submit a detailed written report describing the nature and cause of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability that may be incurred by the QDC as a result of damage to the wastewater facilities, nor shall notification relieve the user of liability for any other damage to persons or property arising out of such accidental

discharge. Notification will not exempt the user from any fines, civil or criminal penalties or any other liability that may be imposed by these rules or other applicable law.

- 7.9.7. No permit holder shall discharge industrial wastewater in excess of the quantity, rate of discharge, concentrations or any other limits specified in the permit. Any person desiring to modify a discharge in a manner that would violate conditions of the existing permit must first apply for an amended permit.
- 7.9.8. Permits shall be issued for a specified time period, generally for one (1) year but not to exceed five (5) years. A permit may be issued for a period of less than one (1) year, or may be stated to expire on a specific date. If the user is not notified by the QDC thirty (30) days prior to the expiration of the permit, the permit shall automatically be extended for one three (3) month period.
- 7.9.9. An industrial user may apply for modification of a discharge permit by filing a new application form showing substantial, significant and material changes that have been proposed since filing the original application. No application for modification will be considered unless it demonstrates such changes. Within nine (9) months of the promulgation of a national categorical pretreatment standard, the wastewater discharge permit of users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user subject to a national categorical pretreatment standard has not previously submitted a wastewater discharge permit application, the user shall apply for a wastewater discharge permit within one hundred eighty (180) days after the promulgation of the applicable national categorical pretreatment standard. In addition, a user with an existing wastewater discharge permit shall submit to the Director within one hundred eighty (180) days after the promulgation of an applicable federal Categorical Pretreatment Standard the information required by Section 9.02(i) and (j). After review of the application and inspection of the facility, the Director may in his sole discretion modify the original permit. If such application is rejected, the existing permit shall remain in full force and effect. The terms and conditions of the permit may be subject to modification and changed by the Director during the life of the permit. The Director may in his sole discretion place further restrictions, limitations and conditions in a permit. The user shall be informed of any proposed changes in the permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance. A user may request a hearing on modifications to his or her permit in accordance with the provisions of Section 7.11.
- 7.9.10. Wastewater discharge permits are issued to a specific user for a specific operation. No wastewater discharge permit may be reassigned, transferred or sold to a new owner, new user, different premises, or a new or changed operation.
- 7.9.11. Any industrial user who violates the conditions of a permit, these rules, or applicable state and federal regulations is subject to having the permit revoked. Violations subjecting an industrial user to revocation of a permit include, but are not limited to, the following:

- 7.9.11.1. Failure of an industrial user to accurately report the wastewater constituents and characteristics of his or her discharge;
  - 7.9.11.2. Failure of an industrial user to report significant changes in operations, or wastewater constituents;
  - 7.9.11.3. Refusing the QDC statutorily authorized access to the industrial user's premises for the purposes of inspection or monitoring; or
  - 7.9.11.4. Violation of conditions of the permit. Revocation of an industrial user's discharge permit shall be in accordance with the notice and hearing provisions of Section 7.11. However, notwithstanding any other provisions of this section, the Director may in his sole discretion immediately revoke any discharge permit where the discharge reasonably appears to present an imminent endangerment to the health or welfare of persons.
- 7.9.12. Before any further discharge of industrial wastewater may be made by a user whose permit has been revoked, the user must apply for, and be granted, a reinstatement of the terminated permit or a new permit, as the Director may require, as well as paying costs occasioned by the violation. Any such fines, fees, charges and costs shall be paid for by the user before any new permit will be issued. When all costs cannot be readily determined, the QDC may require and accept a bond or irrevocable letter of credit which it considers sufficient and which will be subject to appropriate adjustment after all costs have been determined. Costs shall include, but not be limited to:
- 7.9.12.1. Inspection, monitoring, sampling and related expenses;
  - 7.9.12.2. Restitution to other affected parties;
  - 7.9.12.3. Reasonable attorneys' fees incurred by the QDC in enforcing the permit;
  - 7.9.12.4. Disconnecting and reconnecting the user to the facility; and
  - 7.9.12.5. Other actual damages incurred due to the violation.

## **7.10. Validity**

- 7.10.1. The invalidity of any section, clause, sentence, or provision of these rules shall not affect the validity of the remainder that can be given effect without such invalid part or parts.

## **7.11. Enforcement and Penalties**

- 7.11.1. Any person violating these rules may be sent a "Notice of Deficiency" by the Director. The Notice shall list the violations noted, the rules violated, and shall require that the violations be corrected within a reasonable time. Failure to correct such violations within the time allowed will result in the issuance of a "Notice of Violation" by the Director.
- 7.11.2. Any person violating the provisions of these rules may be served by the Director with a written "Notice of Violation" stating the nature of such violation. The violator shall immediately and permanently cease all violations. Nothing herein shall require issuance of a Notice of Deficiency prior to issuance of a Notice of

Violation. No prior notices shall be required for the Director to initiate civil proceedings in Superior Court.

7.11.3. Notwithstanding any provisions for notice or hearing, liability for violations of these rules shall be deemed to commence as the date such violation was discovered by the QDC or may otherwise be proven. The Notice of Violation issued by the Director pursuant to Section 7.11.2 shall require the violator to show cause at a hearing why he or she should not be found in violation of these rules and why enforcement action should not be taken.

7.11.4. The Notice of Violation shall state the time and place of the hearing, the legal authority and jurisdiction under which the hearing is to be held, a reference to the rules involved and a short and plain statement of the matters of fact and law asserted. The Notice of Violation shall be served personally or by registered or certified mail (return, receipt requested) allowing at least twenty (20) working days before the hearing. Service may be upon any agent or officer of a corporation.

7.11.4.1. Answer. Within fifteen (15) working days of service of the Notice of Violation, the violator shall file an Answer to it. For each claim set forth in the Notice of Violation, the Answer shall contain full, direct and specific answers, admitting, denying or explaining material facts. If there is insufficient knowledge to answer with specificity it shall be so stated, and this shall be treated as a general denial. The Answer shall contain all affirmative defenses that are relied upon and may cite the statutes and regulations that form the basis of each defense. All allegations contained in the Notice of Violation that are not specifically admitted in the Answer shall be deemed denied. The Hearing Officer upon his or her own initiative or upon the request of the QDC or the violator may permit the violator to amend an Answer or to postpone the hearing for good cause. If the violator fails to appear for the scheduled hearing, he or she may be found in default. Default constitutes, for purposes of this action and any subsequent action in Superior Court, an admission of all facts alleged in the Notice of Violation and a waiver of the violator's right to a hearing on the factual allegations in the Notice of Violation.

7.11.4.2. Hearing Officer. The Board of Directors of the QDC shall designate certain persons to act as hearing officers in cases arising under these rules. With the adoption of these rules, the Director is empowered to appoint persons who are duly designated by the Board of Directors of the QDC and who are not involved in the enforcement action to act as hearing officer. A person designated as a hearing officer shall be a person who meets specific qualifications adopted by the Board of Directors of the QDC. The hearing officer shall: (1) have the right to issue subpoenas in the name of the QDC to compel the appearance of witnesses and the production of any books, records or other documents; (2) take evidence; (3) transmit in a timely manner a report of the evidence and hearing, including transcripts and other evidence, together with findings of fact and conclusions of law, and recommendations of action to the Director. The Hearing Officer may also

issue findings as to the number of days during which the violation occurred and appropriate penalties.

7.11.4.3. Other Hearings. All other provisions for public hearings not specifically described herein shall be in accordance with R.I.G.L. § 42-35-9.

7.11.4.4. Orders by the Director. After the Director has reviewed the evidence, he may issue an order to the violator to cease and desist committing such violations, to remedy such violations, to revoke the violator's discharge permit, assess fines, and condition future permits upon payment of the costs of implementing and enforcing the terms of such permit, including attorneys' fees and administrative costs. The decision may include a finding as to the number of days during which the violation occurred and appropriate penalties. Every day in which a violation occurred shall be deemed a separate offense. The Superior Court shall have jurisdiction to enforce such order and the Director may institute civil or criminal proceedings in the name of the QDC.

#### 7.11.5. Civil/Criminal Penalties

7.11.5.1. Any person who shall violate the provisions of any permit, rule, regulation or order of the QDC shall be subject to a civil penalty of not more than twenty-five thousand dollars (\$25,000) for each day during which such violation occurs.

7.11.5.2. Any person who shall be found guilty of violating willfully or with criminal negligence, any provisions of any permit, rule or regulation, or an order of the QDC shall be punished by a fine of not more than twenty-five thousand dollars (\$25,000) or by imprisonment for not more than 30 days, or by both fine and imprisonment.

7.11.6. Notwithstanding any other provision herein, the Director may, after informal notice to the discharger as described below, immediately and effectively halt or prevent any discharge of pollutants into the QDC Sewers which reasonably appears to present an imminent endangerment to the health or welfare of persons. Upon determination by the Director that a discharge reasonably appears to present an imminent endangerment to the health or welfare of persons, he may issue an immediate compliance order. Informal notice shall consist of a telephone call to the discharging facility's owner or any agent or officer of a corporation. Such compliance order shall become effective notwithstanding inability to contact the foregoing persons. A registered letter, return receipt requested, which states the existence of the violation and the action deemed necessary will be sent as soon as practicable. No request for a hearing prior to issuance of the compliance order may be made. Any such immediate compliance order issued under this section without notice and prior hearing shall be effective for no longer than forty-five (45) days, provided, however, that for good cause shown such order may be extended one additional period not exceeding forty-five (45) days.

- 7.11.7. Notwithstanding any other provisions herein, the Director may, in accordance with the notice and procedures described below, halt or prevent any discharge into the QDC Sewers which presents or may present endangerment to the environment or which threatens to interfere with the operation of the facilities. Such Notice shall provide for a time within such said alleged violation shall be remedied, and shall inform the person to whom it is directed that a written request for a hearing on said alleged violation may be filed with the Director within ten (10) days after service of the notice. Notice will be deemed properly served upon a person if a copy thereof is served upon him or her personally sent by registered mail, return receipt requested, or such person is served with notice by any other method of service now or hereafter authorized in a civil action under the laws of this state. If a person upon whom a notice of violation has been served under the provisions of this section or if a person aggrieved by any such notice of violation requests a hearing before the Director within ten (10) days of the service of notice of violation, the Director shall set a time and place for said hearing, and shall give the person requesting such a hearing at least five (5) days written notice thereof. After such hearing, the Director may make findings of fact and law and shall sustain, modify or withdraw the notice of violation. If the Director sustains or modifies the notice, such decision shall be deemed a compliance order and shall be served upon the person responsible in any manner provided for the service of the notice of this section. Such compliance order shall state a time within which said violation shall be remedied. Nothing herein shall prohibit the Director from requiring immediate compliance. Whenever a compliance order has become effective, whether automatically or not, where no hearing has been requested, or where an immediate compliance order has been issued, or upon decision following hearing, the Director may institute injunctive proceedings in the Superior Court for enforcement of such compliance order and for appropriate temporary relief. In such proceedings the correctness of a compliance order shall be presumed and the person attacking such order shall bear the burden of proving error in such compliance order; except that the Director shall bear the burden of proving in such proceedings the correctness of an immediate compliance order. The remedy provided for in this section shall be in addition to other remedies provided by law. Any party aggrieved by a final judgment of the Superior Court may, within thirty (30) days from the date of entry of such judgment, petition the Supreme Court for a writ of certiorari to review any questions of law.
- 7.11.8. Notwithstanding the provisions of Sections 7.11.2 and 7.11.3, if the QDC or its duly authorized employees and agents, upon presenting identification and appropriate credentials, are denied access to carry out inspection, surveillance, and monitoring procedures, the Director may immediately institute civil proceedings, including proceedings for necessary injunctive relief.
- 7.11.9. If any person shall construct, install, alter or repair any sewer or connect to any sewer in violation of the requirements of these rules, the QDC may, in its discretion, order or direct such person to uncover and fully expose any or all portions of such sewer or connection and afford the QDC and its representatives adequate opportunity for examination and inspection of the work. If the



connection and appurtenances thereto shall be found not to be in full accord with the requirements of these rules and standards, the QDC may serve the offender with a written notice as provided in Section 7.11.2.

7.11.10. Affirmative Defenses to Discharge Violations.

7.11.10.1. Upset Provisions (1) For the purposes of this section, “Upset” means an exceptional incident in which there is unintentional and temporary noncompliance with pretreatment standards because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation. (2) An upset shall constitute an affirmative defense to an action brought for noncompliance with pretreatment standards if the requirements of Section 7.11.10(a)(3) are met. (3) A user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that: A. An upset occurred and the user can identify the cause(s) of the upset; B. The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; C. The user submitted the following information to the QDC within twenty-four (24) hours of becoming aware of the upset [if this information is provided orally, a written submission must be provided within five (5) days]; (i) a description of the discharge and cause of noncompliance; (ii) the period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; (iii) steps being taken and/or planned to reduce, eliminate and prevent recurrence of the noncompliance. (4) In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof. (5) The user shall control production of all discharges to the extent necessary to maintain compliance with Pretreatment Standards upon reduction, loss or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost or fails.

7.11.10.2. Bypass.

- a. “Bypass” means the intentional diversion of waste streams from any portion of the user’s treatment facility.
- b. “Severe property damage” means substantial physical damage to property, damage to the treatment facilities that causes them to become inoperable, or substantial and permanent loss of natural resources that can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- c. A user may allow bypass to occur where it does not violate pretreatment

standards or requirements, and only if it is necessary to assure efficient maintenance and/or operation. These bypasses are not subject to the provisions d, e, and f below.

- d. If a user knows in advance of the need for a bypass, the QDC shall be given notice, if possible at least ten (10) days before the date of the bypass.
- e. A user shall orally notify the QDC of an unanticipated bypass that exceeds applicable pretreatment standards or requirements within twenty-four (24) hours of becoming aware of the bypass. A written submission shall also be provided within five (5) days of becoming aware of the bypass, including exact times and dates, and if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.
- f. Bypass is prohibited and the QDC may take enforcement action against an individual user for a bypass, unless: A. bypass was unavoidable to prevent loss of life, personal injury or severe property damage; B. there are no feasible alternatives to bypass, such as use of auxiliary treatment facilities, retention of wastes, or maintenance during normal periods of downtime. This condition is not satisfied if adequate backup equipment should have been installed to prevent bypass which occurred during normal periods of equipment downtime or preventative maintenance; and C. the user submitted notices as required by Section 7.11.10(b)(4). The Director may approve an anticipated bypass, after considering its adverse effects, if the QDC determines that the bypass will meet the three conditions listed in this section.

#### 7.11.11. Confidential Information

Confidential information and data on a user obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agencies without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the QDC that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user.

When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to these regulations, any NPDES permit, any RIPDES Permit, and/or any pretreatment program; provided, however, that such portions of a report shall be available for use by the State or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information. Information accepted by the QDC as confidential, shall not be transmitted to any governmental agency or to the general public by the QDC until and unless a ten (10) day notification is given to the user.

#### 7.11.12. Septage Hauler Discharge Permits

- 7.11.12.1. No septage hauler shall discharge to the QDC WWTF without first obtaining a permit from the QDC. No septage hauler will be allowed a permit unless the hauler has a valid license issued by the Rhode Island Department of Environmental Management to haul septage waste.
- 7.11.12.2. Septage Hauler Discharge Permit applications shall be completed on a form provided by QDC. All information requested in the permit application must be provided, including any additional information determined to be necessary by the Director (a) The completed application and any supporting documentation must be submitted to the QDC at least sixty (60) days prior to the issuance of a permit. Applications for permit renewal must be submitted at least sixty (60) days prior to the expiration of any existing permit. (b) Incomplete permit applications will not be considered. At the discretion of the Director, an incomplete permit application may be returned to the applicant for additional information, or the incomplete permit application may be denied. (c) After receipt of a completed permit application, the Director may request additional information to supplement the submission. If supplemental information is not supplied within thirty (30) days of the request of the Director, the permit application is deemed denied. Applicants denied a permit due to failure to provide supplemental information in a timely manner may re-submit the entire permit application with all requested supplemental information as an application for a new permit.

7.11.12.3. Limitations and Prohibitions

- a. Only domestic septage originating from sources within the geographic boundaries of the State of Rhode Island may be discharged by a permitted septage hauler into the QDC WWTF.
- b. No commercial, institutional, or other non-residential septage that is not domestic in character shall be discharged into the QDC WWTF.
- c. Discharge of septage shall be limited to the times and locations selected by the Director. No septage shall be discharged into any user's connection, catch basin, storm drain, drainage system or manhole.
- d. In the discretion of the Director, septage hauler permit holders may be limited in the frequency of use or volume of discharge into the QDC WWTF. Limitations may be included in the terms and conditions of a septage hauler's permit, or may be established at any time by the Director.
- e. No septage hauler shall carry or discharge any material considered a hazardous waste under federal or state law, nor shall any hauler mix any amount of hazardous material with domestic septage for the purpose of dilution or for any other reason.
- f. Prohibited substances, as identified in Section 5.00 of these rules, shall apply to septage.
- g. The Director has the right to refuse the discharge of any load of septage into the QDC WWTF.

7.11.12.4. Fees

- a. Each septage hauler permit application must be accompanied by a permit application fee. The permit application fee amount shall be set by the Director.
- b. Permit holders shall be assessed a per-load charge, established by the Director.
- c. All applications for modifications or renewal of an existing permit shall be accompanied by the appropriate fee. The fee amount shall be established by the Director.
- d. The Director may revise fee amounts at any time. Any changes in permit application, modification, or renewal fees and changes in the per-load charge shall be incorporated by reference. Notice to all septage permit holders shall be sent to the address provided on the permit application at least twenty (20) days prior to the changes taking effect.

7.11.12.5. No less than sixty (60) days prior to the expiration of a permit, or to a change in operation of a permit holder requiring modification of an existing permit, the applicant shall submit an application for renewal or modification.

7.11.12.6. Each septage permit issued herein shall be valid for the period of time specified in the permit. No permit shall be issued or renewed for a time period to exceed three (3) years. A permit for the discharge of septage may be revoked at the discretion of the Director for violation of any of the provisions of these rules.

7.11.12.7. Septage haulers are subject to enforcement under the provisions of Section 11.00 for violation of any section of these rules.

7.11.12.8. Sampling and Testing

- a. The Director may require all permitted septage haulers to provide a representative sample of each load of septage prior to discharge into the QDC WWTF.
- b. Specific sampling methods, testing requirements, and other restrictions shall be included in the terms and conditions of the permit.
- c. The Director reserves the rights to have QDC personnel obtain samples of the septage prior to or during discharge.
- d. The Director may require the septage hauler to suspend the discharging of septage until the analysis of the sample is complete.

7.11.12.9. Discharge of Septage.

- a. Discharge of septage shall occur only at the locations designated by the Director. Discharge at any other location in the QDC system is absolutely prohibited.
- b. The hours of permitted discharge shall be established by the Director. Discharge shall be limited to the hours and days established by the Director.
- c. Discharge of septage must be performed under the supervision of designated

QDC personnel. Discharge without QDC supervision is absolutely prohibited.

7.11.12.10. Record Keeping Requirements

- a. The permittee must provide a completed QDC septage hauler manifest form. The form shall contain information regarding the septage from each septage generator. The permittee shall also sign the form, indicating that no wastes other than those listed have been accepted. The manifest must be reviewed by an QDC representative prior to discharge. Failure to accurately record every load, falsification of data, or failure to transmit the form to the plant operator prior to discharge may result in revocation of this permit and/or a fine of up to \$25,000 per day as allowed by these rules.
- b. The permittee shall retain all records which substantiate any information supplied in permit applications, monitoring information, septage manifest forms, records of data pertaining to hauled loads, and any other information requirements of these rules for a period of three (3) years. Records that are retained by the permittee must be made available for inspection by authorized representatives of the QDC
- c. In the event that a dispute or litigation involving the subject of any records that have been retained is pending, the records are to be kept by the permittee for a period of three (3) years following the resolution of such litigation or dispute.

## **8.0 Renewable Energy Systems**

### **8.1. Wind Energy Systems**

#### **8.1.1. Purpose**

The purpose of this Section is to regulate Wind Energy Systems (WES) and to promote the safe, effective and efficient use of WESs. WESs shall be allowed as an accessory use in the QGID, QLID, QWD, QPRD and QMUDD Land Use Districts.

#### **8.1.2. Application for a WES**

No WES shall be erected, constructed or installed without Development Plan Review approval. In addition to application requirements listed in the appropriate checklists, the application shall include:

- 8.1.2.1. Location of the proposed WES, and associated equipment;
- 8.1.2.2. Location, dimensions and types of existing structures on the property or adjacent properties within 1.5 times of the WES height utilizing the most recent aerial photography;
- 8.1.2.3. The location and height of any overhead utility lines within 1.5 times of the proposed WES height;
- 8.1.2.4. The proposed limits of vegetation clearing.
- 8.1.2.5. Building envelope setbacks.
- 8.1.2.6. WES foundation plans and specifications stamped by a Rhode Island Professional Engineer.
- 8.1.2.7. Specifications, including manufacturer and model, rotor diameter, tower height and tower type.
- 8.1.2.8. A description or plan of electrical plan components in sufficient detail to allow for a determination that the manner of installation conforms to the Rhode Island State Building Code.
- 8.1.2.9. Evidence of compliance with or non-applicability of Federal Aviation Administration requirements.
- 8.1.2.10. WES that will be connected to the power grid shall include a copy of the application for interconnection with the electrical utility provider, and if available, a copy of the interconnection agreement.
- 8.1.2.11. Any Met Tower, Lidar, Sodar or other applicable wind data that has been used in determining the feasibility of the SWES.
- 8.1.2.12. Operation and Maintenance plan for maintenance of access roads and storm water controls, as well as general procedures for operational maintenance of the WES.
- 8.1.2.13. Evidence that the applicant is procuring liability insurance in an amount and for the duration sufficient to cover loss or damage to persons and structures occasioned by the failure of the WES. The applicant shall provide evidence of liability insurance prior to obtaining a building permit.

### 8.1.3. WES Approval Standards

- 8.1.3.1. FAA approval.
- 8.1.3.2. The minimum setback of the WES from the property line shall be the height of the nacelle.
- 8.1.3.3. Advertising signage may not be attached to a WES, but may be painted on. This restriction does not apply to signs necessary for public safety purposes as required by a duly authorized regulatory authority.
- 8.1.3.4. A non-reflective exterior color designed to blend with the surrounding environment is required.
- 8.1.3.5. The applicant shall demonstrate through project site planning and proposed mitigation that the WES has minimal impacts on the character of surrounding neighborhoods and the community. This may include, but not be limited to, information regarding site selection, shadow flicker, turbine design or appearance, ice throw, buffering, screening, sound, or lighting. All electrical conduits shall be underground.
- 8.1.3.6. The owner of the property where a WES is located shall be required to obtain a demolition permit and remove and properly dispose of the structure within 180 days of its abandonment, which shall be defined as the ceasing of the continuous production of electricity for longer than two (2) years.

## 8.2. Large-Scale Ground-Mounted Solar Facilities

### 8.2.1. Purpose

The purpose of this section is to promote the creation of new large-scale ground-mounted solar photovoltaic installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of such installations. The provisions set forth in this section shall apply to the construction, operation, and/or repair of large-scale ground-mounted solar photovoltaic installations.

### 8.2.2. Applicability

This section applies to large-scale ground-mounted solar photovoltaic installations proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment. These facilities shall be allowed as accessory uses in the QGID, QLID, and QWD Land Use Districts. Development of these facilities as part of parking areas is encouraged and any alterations to parking lot design required to develop a large-scale ground-mounted solar array shall ordinarily be considered minor variances pursuant to Section 1.4.2.

### 8.2.3. Application for a Large-Scale Ground-Mounted Solar Array

Pursuant to the site plan review process, the project proponent shall provide the following documents:

- 8.2.3.1. Blueprints or drawings of the solar photovoltaic installation signed by a Professional Engineer licensed to practice in the State of Rhode Island showing the proposed layout of the system and any potential shading from nearby structures
- 8.2.3.2. One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;
- 8.2.3.3. Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;
- 8.2.3.4. FAA approval or statement of non-applicability;
- 8.2.3.5. An operation and maintenance plan;
- 8.2.3.6. Proof of liability insurance.

### 8.2.4. Utility Notification

No large-scale ground-mounted solar photovoltaic installation shall be constructed until evidence has been given to the QDC that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

### 8.2.5. Dimensional Requirements

#### 8.2.5.1. Setbacks

For large-scale ground-mounted solar photovoltaic installations, front, side and rear setbacks shall be as listed in Section 6.2.1, Table 4.

### 8.2.6. Appurtenant Structures

All appurtenant structures to large-scale ground-mounted solar photovoltaic installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.



#### 8.2.7. Design Standards

##### 8.2.7.1. Lighting

Lighting of solar photovoltaic installations shall be consistent with Section 6.5.2. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties.

##### 8.2.7.2. Signage

Signs on large-scale ground-mounted solar photovoltaic installations shall comply with Section 6.5.1. A sign consistent with Section 6.5.1 shall be required to identify the owner and provide a 24-hour emergency contact phone number. Solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar photovoltaic installation.

##### 8.2.7.3. Utility Connections

Reasonable efforts, as determined by the QDC, shall be made to place all utility connections from the solar photovoltaic installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

#### 8.2.8. Emergency Services

The large-scale solar photovoltaic installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the local fire chief. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.

#### 8.2.9. Monitoring and Maintenance

The large-scale ground-mounted solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s). All material modifications to a solar photovoltaic installation made after issuance of the required

building permit shall require approval by the QDC.

#### 8.2.10. Abandonment or Decommissioning

##### 8.2.10.1. Abandonment

Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the solar photovoltaic installation shall be considered abandoned when it fails to operate for more than one (1) year without the written consent of the QDC.

##### 8.2.10.2. Removal Requirements

Any large-scale ground-mounted solar photovoltaic installation which has reached the end of its useful life or has been abandoned shall be removed. The owner or operator shall physically remove the installation no more than 180 days after the date of discontinued operations. The owner or operator shall notify the QDC by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

- a. Physical removal of all large- scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.
- b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
- c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The QDC may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

## **9.0 Appendix Section**

- 9.1. *Environmental Review Form***
- 9.2. *Socio-Economic Review Application***
- 9.3. *Pre-Application Review Checklist***
- 9.4. *Technical Review Application Checklist***
- 9.5. *Wastewater Treatment Permit Application***
- 9.6. *Industrial Questionnaire***
- 9.7. *Memorandum of Agreement (December 16, 2010)***
- 9.8. *Municipal Services Agreement (July 6, 2010)***
- 9.9. *Project Completion Certification***

**APPENDIX 9.1**  
**QUONSET DEVELOPMENT CORPORATION**  
**QUONSET BUSINESS PARK**  
**ENVIRONMENTAL REVIEW FORM**

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**QUONSET DEVELOPMENT CORPORATION  
QUONSET BUSINESS PARK  
ENVIRONMENTAL REVIEW FORM**

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**1. Project Description**

A. Project Name\_\_\_\_\_

B. Project Proponent\_\_\_\_\_

C. Nature and brief description of the proposal (including but not limited to its size, general design elements, and other factors that will give an accurate understanding of its scope and nature).

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

D. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? Yes\_\_\_\_\_ No \_\_\_\_\_

If yes, explain\_\_\_\_\_

E. Do you know of any plans by others which may affect the property covered by your proposal? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, explain\_\_\_\_\_

F. City/Town\_\_\_\_\_

G. Street Address\_\_\_\_\_

H. Est. Commencement Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

I. Est. Completion Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

J. Approximate Cost \$\_\_\_\_\_

K. Current Status of Project Design\_\_\_\_\_

L. State total area of project \_\_\_\_\_ acres (Give site & type of land to be taken in 1/10 acres)

Developed \_\_\_\_\_ Agriculture\_\_\_\_\_

Open Space\_\_\_\_\_ Flood Plain\_\_\_\_\_

Wetland\_\_\_\_\_ Coastal Area\_\_\_\_\_

Recreation\_\_\_\_\_ Residential\_\_\_\_\_

Forests\_\_\_\_\_

M. Please include project location map.

N. What is the existing zoning for the area? \_\_\_\_\_

O. Please provide the following information if applicable:

Length of new roadway \_\_\_\_\_ land/miles  
Number of parking spaces \_\_\_\_\_ existing \_\_\_\_\_ future \_\_\_\_\_  
and size \_\_\_\_\_ sq. ft.

P. Construction

Expected duration of construction \_\_\_\_\_ months  
Expected construction hour \_\_\_\_\_ to \_\_\_\_\_  
Number of days a week of construction \_\_\_\_\_  
Please break down major construction tasks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Construction Work Force \_\_\_\_\_ number of workers

List any specially skilled workers that may be required \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Q. Operation

Planned life of facility # \_\_\_\_\_ years  
Expected total employment \_\_\_\_\_ number of employees

Hour of operation

Hour of the day \_\_\_\_\_ to \_\_\_\_\_

Day of the week \_\_\_\_\_ to \_\_\_\_\_

R. Does this project fall under the jurisdiction of NEPA?

Yes \_\_\_\_\_ No \_\_\_\_\_

S. List the local, state or federal agencies from which permits, licenses or government approvals will be sought including rezoning.

Agency Name

Type of Permit

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

T. List the local, state or federal agencies from which the proponent will seek financial assistance for this project.

Agency Name	Type of Permit
_____	_____
_____	_____
_____	_____

U. Will the project affect the future land use of the area, i.e., could this operation render any of the land unusable at a future time?

If yes, explain \_\_\_\_\_

V. Will this project result in additional bay traffic? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes,

1. Number of ships per week \_\_\_\_\_

2. Please describe all the routes to be used \_\_\_\_\_

3. Will ship traffic include other than goods movement, i.e., fishing research, recreational, etc. Yes \_\_\_\_\_ No \_\_\_\_\_

W. Will the proposal result in additional air or rail traffic? Yes \_\_\_\_\_ No \_\_\_\_\_

Explain \_\_\_\_\_

X. Will the proposal result in truck traffic? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, number of trucks per week \_\_\_\_\_

## 2. Assessment of Potential Environmental Impacts

### A. Open Space and Recreation

1. Might the project affect the condition, use, or access to any open space and/or recreation area? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, which areas and how is it affected? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. Is the project adjacent to or within ½ mile of an open space and/or recreation area?  
Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, which areas? \_\_\_\_\_

#### B. Historical Resources

1. Are there any sites or structures on or eligible for the National Register of Historic Sites on the project site or within ½ mile radius?  
Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, which sites or structures and give source \_\_\_\_\_

\_\_\_\_\_

2. Are there any archaeological sites on the project site or within a ½ mile radius? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, which site and source \_\_\_\_\_

#### C. Ecological Effects

1. Might the project affect fisheries or wildlife, especially any rare or endangered species as listed by the state and federal government?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, which species and how will they be affected \_\_\_\_\_

\_\_\_\_\_

2. Does the project remove any wildlife habitats? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, how much \_\_\_\_\_ acres

Type of habitat \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. Might the project affect vegetation, especially any rare or endangered species as listed by the state and federal government? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, which species? \_\_\_\_\_



4. Are there any of the following within ½ mile of the site: Flood hazard areas, coastal wetlands, dunes and beaches? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, which one and to what extent will they be altered or affected? Give Sources

\_\_\_\_\_

5. Are there any coastal or fresh water wetlands as defined in the Title 2 Chapter 1 G.L.R.I. on site or within a ½ mile radius of the site?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, which one and to what extent are they altered or affected?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. Will drainage from the project cause any situation of salt or fresh water wetlands? Yes \_\_\_\_\_ No \_\_\_\_\_

Identify which \_\_\_\_\_

7. Will the project affect shoreline erosion or accretion at the project site, downstream or in nearby coastal wetlands? Yes \_\_\_\_\_ No \_\_\_\_\_

Explain and give source of information \_\_\_\_\_

\_\_\_\_\_

8. Will the project affect geologically unstable areas? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, what kind \_\_\_\_\_

#### D. Water Quality and Quantity

1. Will the project result in changes in surface water drainage patterns?\*

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, explain \_\_\_\_\_

2. Will the project result in the introduction of pollutants into any of the following:

a. Salt	Yes _____ No _____
b. Surface fresh water body	Yes _____ No _____
c. Ground water	Yes _____ No _____

Give types and quantities of pollutants \_\_\_\_\_  
\_\_\_\_\_

3. Will the project generate sanitary sewage? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, quantity: \_\_\_\_\_ gallons per day

Disposed by:

- |                           |                  |
|---------------------------|------------------|
| 1) On-site septic systems | Yes ____ No ____ |
| 2) Public sewage systems  | Yes ____ No ____ |
| 3) Other means (describe) | _____            |

4. Give volume and character of wastewater to be produced.

\_\_\_\_\_ gallons per day. Composition of wastewater \_\_\_\_\_  
\_\_\_\_\_

5. How will wastewater be disposed of?

- a. Marine water \_\_\_\_\_
  - b. Surface fresh water body \_\_\_\_\_
  - c. Public sewage system \_\_\_\_\_
  - d. Other means (describe) \_\_\_\_\_
- \_\_\_\_\_

6. If connected to public sewage system,

a. what is the present level of treatment? \_\_\_\_\_  
\_\_\_\_\_

b. how will the proposed effluent affect the operation of the plant?  
\_\_\_\_\_  
\_\_\_\_\_

c. does the existing plant have the capacity to accept the additional effluent?  
\_\_\_\_\_  
\_\_\_\_\_

d. would extension of sewers be required? \_\_\_\_\_  
\_\_\_\_\_

e. what will be the temperature of the water to be discharged to sewer?

\_\_\_\_\_

7. What type of pre-treatment would the project provide? \_\_\_\_\_

\_\_\_\_\_

8. What is the classification of the water into which the wastewater will be discharged?

\_\_\_\_\_

9. Could the classification of the water be effected? \_\_\_\_\_

\_\_\_\_\_

10. Process Water

a. What will be the source of process water? \_\_\_\_\_

b. Will the process have an affect on water temperature? \_\_\_\_\_

11. What is the projected water demand \_\_\_\_\_ gal./day (peak day)

12. Water Supply:

a. Total capacity of system (4.6 MGD)

b. Water availability ( \_\_\_\_\_ MGD)

c. Projected water demand ( \_\_\_\_\_ MGD)

13. Will water be recycled, how and what conservation practices would be followed:

\_\_\_\_\_

\_\_\_\_\_

14. Is use of wells proposed? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, what is the impact of pumping rates on groundwater sources and how does that rate relate to other users of the same source?

\_\_\_\_\_

\_\_\_\_\_

15. Is the project over an aquifer recognized as an important present or future source of water supply? Yes \_\_\_\_\_ No \_\_\_\_\_

Explain and give source \_\_\_\_\_  
\_\_\_\_\_

16. (a) Is the project in the watershed of any surface water body used as a drinking water supply? Yes \_\_\_\_\_ No \_\_\_\_\_

(b) Are there any public or private drinking water wells within a ½ mile radius of the proposed project? Yes \_\_\_\_\_ No \_\_\_\_\_

17. Does the project involve any dredging? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, indicate:

Quantity of material to be dredged \_\_\_\_\_  
\_\_\_\_\_

Quality of material to be dredged (give chemical composition and make up)

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

Proposed method of dredging \_\_\_\_\_

\_\_\_\_\_

Proposed disposal sites \_\_\_\_\_

\_\_\_\_\_

Proposed season of year for dredging \_\_\_\_\_

\_\_\_\_\_

Are any fin or shellfish resource areas being affected by dredging? \_\_\_\_\_

\_\_\_\_\_

18. Will the proposed result in changes in currents or directions of water movements, in either marine or fresh water? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, explain \_\_\_\_\_

E. Air Quality

1. Might the project affect the air quality in the project area or the immediately adjacent area? Yes \_\_\_\_\_ No \_\_\_\_\_  
Explain and give source \_\_\_\_\_
2. Give type, source, and amount of pollutants emitted from the project site  
\_\_\_\_\_  
\_\_\_\_\_
3. Are there any sensitive receptors (e.g., hospitals, parks, schools, residential areas) which would be affected by pollutant emissions caused by the project, including construction dust? Yes \_\_\_\_\_ No \_\_\_\_\_  
  
If yes, which one? \_\_\_\_\_
4. Will access to the project area be primarily by automobile?  
  
Yes \_\_\_\_\_ No \_\_\_\_\_
5. What will be the major hour of traffic \_\_\_\_\_ and \_\_\_\_\_.  
  
What is the expected hourly peak traffic \_\_\_\_\_  
  
What alternatives are available to reduce transportation related air quality problems?  
\_\_\_\_\_
6. Is the project in a \_\_\_\_\_ nonattainment or \_\_\_\_\_ attainment area?  
  
If nonattainment, for which pollutant and how will EPA offset policy be followed?  
\_\_\_\_\_  
\_\_\_\_\_  
  
If attainment area, how will Prevention of Significant Deterioration be followed?  
\_\_\_\_\_  
\_\_\_\_\_
7. What emission control device will be used and what provisions for future control requirements will be incorporated? \_\_\_\_\_  
\_\_\_\_\_

8. How will the discharge affect the State Implementation Plan? \_\_\_\_\_

\_\_\_\_\_

9. Will the proposal result in the creation of odors? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, explain \_\_\_\_\_

#### F. Noise

1. Will the project result in the generation of noise:

during construction	Yes _____	No _____
after operation	Yes _____	No _____

If yes, explain \_\_\_\_\_

2. Are there any sensitive receptors (e.g., hospitals, parks, schools, residential areas) which would be affected by any noise caused by the project?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, give distance to each and expected increase \_\_\_\_\_

\_\_\_\_\_

3. Will truck, automobile serving the project create noise in area?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, to what extent and give source \_\_\_\_\_

\_\_\_\_\_

#### G. Solid Waste

1. How much solid waste will be generated? Estimate types and approximate amounts of waste material generated; e.g., industrial, domestic, hospital, sludge, construction debris, etc. \_\_\_\_\_

\_\_\_\_\_

2. What plans would be used for recycling? \_\_\_\_\_

\_\_\_\_\_

3. Where would solid waste be placed and by what transportation mode?

\_\_\_\_\_

4. How often will waste be picked up and what type of on-site storage will be used?

\_\_\_\_\_

\_\_\_\_\_

5. Hazardous Waste

a. Will any hazardous waste be produced? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, give type and amount and disposal requirements \_\_\_\_\_

\_\_\_\_\_

b. How will hazardous waste be transported, how frequently, and what type and size of storage is proposed? \_\_\_\_\_

\_\_\_\_\_

#### H. Land Use

1. Is project compatible with adjacent land use? Yes \_\_\_\_\_ No \_\_\_\_\_

What are the adjacent users

North \_\_\_\_\_ South \_\_\_\_\_ East \_\_\_\_\_ West \_\_\_\_\_

2. Is project in the coastal zone and will it conform to the Coastal Zone Management Plan? Explain \_\_\_\_\_

\_\_\_\_\_

3. How does project relate to the local city or town comprehensive plan?

\_\_\_\_\_

4. Describe any known conflicts or inconsistencies with current federal, state, and local land use, transportation, open space, recreation and environmental plans or policies. Consult with local or regional planning authorities.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I. Visual Character

1. Might the project cause a change in the visual character of the project area or its environs?  
Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, explain . \_\_\_\_\_

2. Are there any proposed structures which might be considered incompatible with existing adjacent structures in the vicinity in terms of size, physical proportion and scale, or significant differences in land use?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, explain \_\_\_\_\_

3. Might the project impair visual access to waterfront or other scenic areas?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, which area \_\_\_\_\_

J. Resource Conservation and Use

1. Might the project affect or eliminate land suitable for agriculture or forestry production?  
Yes \_\_\_\_\_ No \_\_\_\_\_

2. Is the area classified as prime agricultural land? Yes \_\_\_\_\_ No \_\_\_\_\_

3. Might the project directly affect the potential use of extraction of mineral or energy resource (e.g., oil, coal, sand, and gravel, etc.)?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, explain \_\_\_\_\_

4. Can existing electric power and/or gas and oil supplies accommodate user?

Yes \_\_\_\_\_ No \_\_\_\_\_

If no, what transmission lines or generating facilities will be required to meet needs? \_\_\_\_\_

\_\_\_\_\_

5. What is the net consumption of energy by the project by type? \_\_\_\_\_

\_\_\_\_\_

6. Describe plans for conserving energy resources \_\_\_\_\_

\_\_\_\_\_



K. Special Hazards

1. Does the project present any special hazard (i.e., radiation, explosion, toxic or other substances, hazardous to health)?\_\_\_\_\_

---

---

2. Does the proposal involve a risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation) in the event of an accident or upset condition?\_\_\_\_\_

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To the best of my knowledge, the above information is accurate as supplied by the applicant.

COMPLETED BY:

\_\_\_\_\_DATE\_\_\_\_\_

**APPENDIX 9.2**  
**QUONSET DEVELOPMENT CORPORATION**  
**QUONSET BUSINESS PARK**  
**SOCIO-ECONOMIC REVIEW APPLICATION**

---

**QUONSET DEVELOPMENT CORPORATION  
QUONSET BUSINESS PARK**

---

**SOCIO-ECONOMIC REVIEW APPLICATION**

---

**PROPERTY MANAGEMENT & DEVELOPMENT DIVISION**

**Financial**

**1. Please describe the project with respect to:**

- A. Size of project \_\_\_\_\_
- B. Nature of project \_\_\_\_\_
- C. What are the expected development costs of the project \_\_\_\_\_
  - 1. What is the estimated construction cost \_\_\_\_\_
  - 2. What are expected project expenses with respect to:
    - Wages \_\_\_\_\_ Utilities \_\_\_\_\_
    - Taxes \_\_\_\_\_ Other \_\_\_\_\_
    - Services \_\_\_\_\_

**2. How will the project be financed**

- A. Private capital \_\_\_\_\_
  - B. Loans and revenues \_\_\_\_\_
  - C. Federal or state funds \_\_\_\_\_
  - D. Other \_\_\_\_\_
- 1. If state or federal funds are required, what are the amounts?  
\_\_\_\_\_
  - 2. Is municipal participation required for the state of federal funds?  
Yes \_\_\_\_\_ No \_\_\_\_\_

### **3. Quonset Development Corporation Financing Involvement**

A. Is Quonset Development Corporation financing needed?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, attach application.

### **4. Employment and Wages**

A. What will be the direct employment of the project \_\_\_\_\_

1. Construction phase \_\_\_\_\_

a. Percent resident \_\_\_\_\_

2. Short term (start up) \_\_\_\_\_

a. Percent resident \_\_\_\_\_

3. Long term \_\_\_\_\_

a. Percent resident \_\_\_\_\_

B. What are the secondary employment effects? \_\_\_\_\_

C. Will training be required? If so, how will it be provided? \_\_\_\_\_

\_\_\_\_\_

D. What wage levels will be offered? \_\_\_\_\_

E. What will be the income and investment multiplier effects in the area?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### **5. Community Impact**

A. Describe the effect of the project on the population levels and distribution in the community. \_\_\_\_\_

\_\_\_\_\_

B. What additional costs will the community incur for providing needed services?

1. Sewer \_\_\_\_\_
2. Water \_\_\_\_\_
3. Housing \_\_\_\_\_
4. Police \_\_\_\_\_
5. Fire \_\_\_\_\_
6. Traffic and roads \_\_\_\_\_
7. Schools \_\_\_\_\_

C. How will the cost of services be reimbursed, and what amounts?

1. Taxes \_\_\_\_\_
2. Payment in lieu of taxes \_\_\_\_\_
3. User charges \_\_\_\_\_

**APPENDIX 9.3**  
**QUONSET DEVELOPMENT CORPORATION**  
**QUONSET BUSINESS PARK**  
**PRE-APPLICATION CHECKLIST**

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**QUONSET DEVELOPMENT CORPORATION  
QUONSET BUSINESS PARK ♦ TECHNICAL REVIEW COMMITTEE  
PRE-APPLICATION REVIEW SUBMISSION FORM**

---

Applicant Information

Applicant ( <i>Business</i> ) Name		
Address		
Contact	Telephone	Email

Owner Information (*if different*)

Name		
Address		
Contact	Telephone	Email

Engineer Information

Name		
Address		
Contact	Telephone	Email

Proposed Project Information

Subject Property ( <i>Plat/Lot</i> ) _____ Frontage Road _____ Size of Parcel _____ ( <i>acres</i> )	
Number of Jobs Anticipated: _____ within 1 year _____ within 5 years	
<div>Land Use District (<i>check</i>)</div> <div><input type="checkbox"/> Quonset Airport District (QAD) <input type="checkbox"/> Quonset General Industrial District (QGID) <input type="checkbox"/> Quonset Light Industrial District (QLID) <input type="checkbox"/> Quonset Mixed Use Development District (QMUDD) <input type="checkbox"/> Quonset Waterfront District (QWD)</div>	<div>Description of Project (<i>check all that apply</i>)</div> <div><input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Office <input type="checkbox"/> Other (<i>please describe</i>)</div>
This application is for: <input type="checkbox"/> New Development <input type="checkbox"/> Improvements to Existing Development	

Signature

Applicant's signature or authorized representative*	Date
---	------

\*Please provide evidence of delegation of owner's authority.

**QUONSET DEVELOPMENT CORPORATION  
QUONSET BUSINESS PARK ♦ TECHNICAL REVIEW COMMITTEE**

---

**PRE-APPLICATION REVIEW SUBMISSION CHECKLIST**

---

Requirements Checklist

All plans must have:

- ☐ Appropriate scale (suitable for presentation)
- ☐ Title block with the name of applicant and subject property address, plat/lot number, plan date, latest revision date, and graphic scale
- ☐ Vertical datum shall be QVD – no exceptions. Horizontal datum shall be NAD 83 (QDC Control Survey).

Four (4) sets of plans (11x17 or larger) at a scale appropriate to convey the development concept:

- ☐ Existing Conditions Plan: Adjacent uses, abutting streets, topography (1' contours), utilities, significant landscape and natural features, fixed reference points to include, fences, buildings, access roads and parking lots; property line and dimensions, plat/lot number, abutting plats/lots, sources of information, location map insert, magnetic north arrow.
- ☐ Conceptual Site Plan(s): Abutting streets, property line and dimensions, topography (1' contours) and proposed grading (conceptual), existing and proposed utilities, site access, building footprint, service areas, parking and loading layout, parking calculations, conceptual drainage system, location map insert, magnetic north arrow.
- ☐ Architectural Floor Plan(s): Building layout with square footage devoted to major uses within the building (i.e., warehouse, manufacturing, office, etc.), north arrow.
- ☐ Architectural Elevations (all four sides): Should convey the overall design intent of the building and other improvements and identify materials and colors. Renderings or photographs of similar projects may be used as long as they accurately convey the design intent.

- ☐ One set of sheet size plans for Pre-Application meeting

- ☐ PDF files of all drawings (on CD or e-mailed)

- ☐ Request for variances (if applicable)

Note: This checklist outlines the minimum requirements for staff review of a site plan. Nothing contained herein shall relieve the applicant of fulfilling the requirements of the Quonset Business Park Development Package.

**A complete application must be submitted to the Technical Review Committee at QDC, Quonset Business Park, 95 Cripe Street Drive, North Kingstown, RI, 02852. The 15 day review period does not begin until the application is complete and ALL materials have been received. Applicants are strongly encouraged to make an appointment with QDC staff to submit plans and review the completeness of the submission.**

---

**OFFICIAL USE ONLY**

The submission has been received and is found to be complete.

\_\_\_\_\_  
QDC Staff

\_\_\_\_\_  
Date



**APPENDIX 9.4**  
**QUONSET DEVELOPMENT CORPORATION**  
**QUONSET BUSINESS PARK**  
**TECHNICAL REVIEW CHECKLIST**

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**QUONSET DEVELOPMENT CORPORATION  
QUONSET BUSINESS PARK ♦ TECHNICAL REVIEW COMMITTEE  
TECHNICAL REVIEW SUBMISSION FORM**

Applicant Information

Applicant ( <i>Business</i> ) Name		
Address		
Contact	Telephone	Email

Owner Information (*if different*)

Name		
Address		
Contact	Telephone	Email

Engineer Information

Name		
Address		
Contact	Telephone	Email

Builder Information

Name		
Address		
Contact	Telephone	Email

Proposed Project Information

Subject Property ( <i>Plat/Lot</i> ) _____ Frontage Road _____ Size of Parcel _____ ( <i>acres</i> )	
Review Fee ( <i>check appropriate box</i> ) <input type="checkbox"/> \$2000 (projects with buildings greater than 40,000 SF) <input type="checkbox"/> \$1000 (projects with buildings between 5,000 SF and 40,000 SF) <input type="checkbox"/> \$500 (projects with buildings less than 5,000 SF)	
This application is for: <input type="checkbox"/> New Development <input type="checkbox"/> Improvements to Existing Development	

Signature

Applicant's signature or authorized representative*	Date
---	------

\*Please provide evidence of delegation of owner's authority.

**QUONSET DEVELOPMENT CORPORATION**  
**QUONSET BUSINESS PARK ♦ TECHNICAL REVIEW COMMITTEE**  
**TECHNICAL REVIEW SUBMISSION CHECKLIST**

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Requirements Checklist

All plans must have:

- ☐ Appropriate scale: civil 1"=40', architectural and trades as appropriate
- ☐ Title block with the name of applicant and subject property address, plat/lot number, plan date, latest revision date, and graphic scale
- ☐ Vertical datum shall be QVD – no exceptions. Horizontal datum shall be NAD 83 (QDC Control Survey).
- ☐ Stamp and signature of professional licensed in the State of Rhode Island (surveyor, engineer, architect, or landscape architect as appropriate)

Four (4) sets 36" x 24"

- ☐ Record Plan, not smaller than 1"=50'; depicting lot line and dimensions (provided by QDC); easements, lease options, RFR's, plat and lot number(s), all abutting plat and lot numbers
  - ☐ Existing Conditions Plan: Adjacent uses, topography (1' contours), utilities, significant landscape and natural features, fixed reference points to include, fences, buildings, access roads and parking lots; property line and dimensions, plat/lot number, sources of information, location map insert, magnetic north arrow.
  - ☐ Site Plan(s): Depicting property line and dimensions, setbacks, existing and proposed topography (1' contours), existing and proposed building footprints; parking, loading, and storage areas; proposed future expansion areas; parking calculations; existing and proposed utilities; storm drainage and detention/retention ponds; storm drainage management practices, impervious surface areas, location map insert, magnetic north arrow.
  - ☐ Building Plans: Depicting floor plans, elevations, plumbing, HVAC, electrical, structural, and fire suppression. Include north arrow.
  - ☐ Utility Connections (plans, profiles, and details as necessary): Depicting water, sewer, gas, electric, telecommunications, and storm drainage, specifying volumes and calculations. Provide standard details as necessary.
  - ☐ Storm Drainage Report consistent with RI Stormwater Design and Installation Standards Manual, 2010
  - ☐ Landscape Plan: Depicting all plantings, number and species, exterior lighting, signage, fences and berms.
  - ☐ Presentation quality rendering.
- ☐ PDF files with all drawings (on CD or e-mailed)
- ☐ Completed Industrial Questionnaire (<http://qdcqi.com/files/0000/0323/IndustrialQuestionnaire.pdf>)
- ☐ Other information as may be requested to determine compliance with Performance Standards
- ☐ Application Fee (see fee schedule on previous page) payable to the Quonset Development Corporation.
- ☐ At the time of final approval, the applicant shall provide two complete sets of plans, pdf files of all drawings, and AutoCAD files for civil drawings.

Note: This checklist outlines the minimum requirements for staff review of a site plan. Nothing contained herein shall relieve the applicant of fulfilling the requirements of the Quonset Business Park Development Package.

**A complete application must be submitted to the Technical Review Committee at QDC, Quonset Business Park, 95 Cripe Street, North Kingstown, RI, 02852. The 30 day review period does not begin until the application is complete and ALL materials have been received. Applicants are strongly encouraged to make an appointment with QDC staff to submit plans and review the completeness of the submission.**

---

**OFFICIAL USE ONLY**

The submission has been received and is found to be complete.

\_\_\_\_\_

QDC Staff

\_\_\_\_\_

Date

**APPENDIX 9.5**  
**QUONSET DEVELOPMENT CORPORATION**  
**QUONSET BUSINESS PARK**  
**WASTEWATER TREATMENT PERMIT APPLICATION**

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**QUONSET DEVELOPMENT CORPORATION  
QUONSET BUSINESS PARK ♦ WASTEWATER TREATMENT FACILITY  
WASTEWATER TREATMENT PERMIT APPLICATION**

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**PART I GENERAL INFORMATION**

**A. STATUS**

1. Application
  - a. \_\_\_\_\_ New Permit      b. \_\_\_\_\_ Renewal
2. Discharge
  - a. Existing Facility
    - 1) \_\_\_\_\_ Existing Discharge
    - 2) \_\_\_\_\_ Proposed Discharge
  - b. \_\_\_\_\_ New Construction

**B. FACILITY INFORMATION**

1. Name of Facility  
\_\_\_\_\_  
\_\_\_\_\_
2. Facility Contact
  - a. Name \_\_\_\_\_
  - b. Title \_\_\_\_\_
  - c. Telephone \_\_\_\_\_
3. Facility Address:  
\_\_\_\_\_  
\_\_\_\_\_
4. Mailing Address (complete if different from B.3 above)  
\_\_\_\_\_  
\_\_\_\_\_

**PART II CLASSIFICATIONS**

- A. SIC Codes \_\_\_\_\_  
\_\_\_\_\_

B. FACILITY CATEGORY – Check the one box which you believe represents the most accurate description of your facility and it's discharges.

1. Industrial Manufacturing

- a. \_\_\_\_\_ subject to Federal EPA Categorical Standards
- b. \_\_\_\_\_ discharging toxic substances/prohibited pollutants but not subject to federal EPA Categorical Standards.
- c. \_\_\_\_\_ discharging or having the potential to discharge hi-level conventional (BOD, TSS, pH, oil & grease, fecal coliforms) pollutant loads.
- d. \_\_\_\_\_ sanitary or non-toxic discharges, but using solvents, toxic and/or hazardous chemicals that could potentially be discharged to the sewers.
- e. \_\_\_\_\_ discharging only sanitary wastes and/or non-toxic discharges.

2. Non-Manufacturing/Commercial

- a. \_\_\_\_\_ non-manufacturing businesses that generate only a small amount of domestic waste from their employees.
- b. \_\_\_\_\_ non-manufacturing businesses that generate domestic waste but may potentially discharge one or more conventional pollutants (BOD, TSS, pH, oil and grease, fecal coliform) at higher levels. (Example: restaurants, grease)

3. Miscellaneous

- a. \_\_\_\_\_ Residential
- b. \_\_\_\_\_ Housing developments or apartment complexes that have no possibility of generating a process waste.
- c. \_\_\_\_\_ Schools or governmental agencies that generate only domestic waste from students or employees.
- d. - Governmental or Quasi-public agencies
  - 1) \_\_\_\_\_ discharging toxic substances/prohibited pollutants, but who are not subject to Federal EPA Categorical Standards.
  - 2) \_\_\_\_\_ sanitary or non-toxic discharges using solvents, toxic and/or hazardous chemicals that could potentially be discharged to the sewers.

## PART III AUTHORIZATIONS

A. Designate Company Organization:

\_\_\_\_\_ Sole Proprietorship    \_\_\_\_\_ Corporation    \_\_\_\_\_ Partnership

B. Name and Title of Signing Official:

(Name)	(Title)
--------	---------

C. Name(s) of Authorized Agent(s):

Name \_\_\_\_\_  
(Title)

Address \_\_\_\_\_

Phone

Name \_\_\_\_\_  
(Title)

Address \_\_\_\_\_

Phone

D. NOTE: The Authority will accept the above named persons as the user's (Company's) authorized agent or representative until notified otherwise.

1. An authorized agent or authorized company representative is a person who is a principal executive officer or other corporate officer with signatory powers as per the company's by-laws or per a vote of the directors if the company is a corporation; a general partner or proprietor if the company is a partnership or sole proprietorship respectively; or a duly authorized representative of an individual designated above if such representative is responsible for the overall operation of the facility and has the authority to sign contracts, permits, permit applications, monitoring results and other documents in the company's name and otherwise bind the company. Please complete and submit appropriate certification form on the following pages with this application.
2. The Authority will not accept documents signed by persons other than the Company's authorized agent(s) or authorized representative(s).

## E. CONFIDENTIALITY

Any information submitted to the Rhode Island Port Authority pursuant to the pretreatment regulations may be claimed as confidential by the submitter. This claim must be asserted at the time of the submission in the manner described below. If no claim is made at the time of the submission, the Authority or authorized state or federal agencies may make the information available to the public without further notice. Effluent data, however, shall at all times be available to the public without restrictions

A business confidentiality claim may be asserted by attaching or placing on this information, a cover sheet, or a stamped or typed legend upon each page, or other suitable form of notice employing language such as “trade secret”, “proprietary”, or “company confidential.”

Allegedly confidential portions of otherwise non-confidential documents should be clearly identified as such, and may be submitted separately to facilitate identification and handling by the Authority. If confidential treatment is desired only until a certain date or until the occurrence of a certain event, notice should also state such.

Information covered by such claims will be disclosed only to the extent, and by means of the procedures, set forth in the federal EPA regulations at 40- CFR 2.

- F. I have personally examined and am familiar with the information submitted in this document and attachments. Based upon my inquiry of those individuals immediately responsible for obtaining the information reported herein, I believe that the information submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and/or imprisonment.

---

Date

---

Signature of Official (Seal if applicable)

---

(Print Name & Title



CERTIFICATION OF AUTHORITY, PARTNERSHIP

I, \_\_\_\_\_, certify

that I am a general partner of the company herein: that \_\_\_\_\_

who signed this \_\_\_\_\_ on behalf of the

company, was then \_\_\_\_\_ of said company; that  
(Title)

said Permit Application \_\_\_\_\_ was duly signed for and in

behalf of said company by authority of its governing body, and is within the scope of the

company's powers.

\_\_\_\_\_

CERTIFICATION OF AUTHORITY, SOLE PROPRIETORSHIP

I, \_\_\_\_\_, certify

that I am the sole proprietor and \_\_\_\_\_ of the  
(Title)

company herein: that \_\_\_\_\_ who

signed this \_\_\_\_\_ on behalf of the

company, was then \_\_\_\_\_ of said company; that  
(Title)

said Permit Application \_\_\_\_\_ was duly signed for and in

behalf of said company and is within the scope of the company's powers.

\_\_\_\_\_

CORPORATE CERTIFICATION OF AUTHORITY

I, \_\_\_\_\_, certify

that I am the \_\_\_\_\_ of the  
(Title)

corporation herein: that \_\_\_\_\_

who signed this Permit Application on behalf of the

corporation, was then \_\_\_\_\_

of said corporation; that said document was duly signed for and in behalf of said

corporation by authority of its governing body, and is within the scope of the

corporation's powers.

\_\_\_\_\_

CORPORATE CERTIFICATION OF VOTE

At a duly authorized meeting of the Board of Directors of the

\_\_\_\_\_ held on \_\_\_\_\_  
(Name of Corporation) (Date)

at which all the Directors were present or waived notice, it was voted that

\_\_\_\_\_ (Name) \_\_\_\_\_ (Title)

of this company shall be, and hereby is, authorized to execute permit applications, permits, contracts, bonds, monitoring results, and other documents in the name and on behalf of said company, and to affix the corporate seal thereto, and such execution of any documents in this company's name on its behalf by its \_\_\_\_\_ (Title)

shall be valid and binding upon this company.

A true copy

ATTEST \_\_\_\_\_  
Clerk

Place of business \_\_\_\_\_  
\_\_\_\_\_

I hereby certify that I am the clerk of the \_\_\_\_\_

that \_\_\_\_\_ is the duly elected

\_\_\_\_\_ of said company, and that the above vote has not  
(Title)

been amended or rescinded and remains in full force and effect as of the date of this

permit/ permit application.

\_\_\_\_\_  
Clerk

(CORPORATE SEAL)

#### IV. OPERATIONS/PRODUCT INFORMATION

##### A. Product or Service Information

1. Plant Operations Affecting the Characteristics of Discharge

Brief description of manufacturing or service activity on premises:

---

---

---

Raw Materials Used: \_\_\_\_\_

---

---

2. Principal Product or Service: \_\_\_\_\_

---

---

3. Describe Water Using Processes: \_\_\_\_\_

---

---

##### B. Plant Operational Characteristics

1. Type of Discharge: \_\_\_\_\_ Batch \_\_\_\_\_ Continuous

2. If batch, average number of batches per 24 hours \_\_\_\_\_

---

3. Is there a regularly scheduled shutdown? \_\_\_\_\_

When? \_\_\_\_\_

---

4. Is production seasonal? If yes, explain indicating month(s) of peak production:

---

---

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5. Average number of employees per shift:

\_\_\_\_\_ 1<sup>st</sup>; \_\_\_\_\_ 2<sup>nd</sup>; \_\_\_\_\_ 3<sup>rd</sup>

6. Shift start times:

\_\_\_\_\_ 1<sup>st</sup>; \_\_\_\_\_ 2<sup>nd</sup>; \_\_\_\_\_ 3<sup>rd</sup>

7. Shift normally worked each day:

	Sun	Mon	Tues	Wed	Thurs	Fri	Sat
1 <sup>st</sup>	___	___	___	___	___	___	___
2 <sup>nd</sup>	___	___	___	___	___	___	___
3 <sup>rd</sup>	___	___	___	___	___	___	___

8. Is there a Spill Prevention Control and Countermeasure Plan in effect for this plant?

\_\_\_\_\_Yes      \_\_\_\_\_No

### C. Water Consumption

1. Raw Water Sources: If other than the Rhode Island Port Authority

a. Source (city, well, etc.)	Quantity
_____	_____ gallons per day
_____	_____ gallons per day
_____	_____ gallons per day

b. List past twelve months water consumption from water bills:

Water Bill Acct. # \_\_\_\_\_

1<sup>st</sup> 6 month period, 20\_\_\_\_: \_\_\_\_\_

2<sup>nd</sup> 6 month period, 20\_\_\_\_: \_\_\_\_\_

Units are in: \_\_\_\_\_gpd      \_\_\_\_\_100 cf      \_\_\_\_\_ other (specify)  
 \_\_\_\_\_

Volume from other sources: \_\_\_\_\_ gallons per day

2. Describe any raw water treatment processes in use: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. List Water Consumption in Plant

Cooling Water	_____	gallons per day
Boiler Feed	_____	gallons per day
Process Water	_____	gallons per day
Sanitary System	_____	gallons per day
Contained in product	_____	gallons per day
Other	_____	gallons per day

D. DISCHARGE INFORMATION

1. Quantity of Wastewater Discharged 6:00 am – 9:00 am \_\_\_\_\_ gal.  
Quantity of Wastewater Discharged 9:00 am – 12:00 N \_\_\_\_\_ gal  
Quantity of Wastewater Discharged 12:noon – 3:00 pm \_\_\_\_\_ gal  
Quantity of Wastewater Discharged 3:00 pm – 6:00 pm \_\_\_\_\_ gal.  
Quantity of Wastewater Discharged 6:00 pm – 12:00 M \_\_\_\_\_ gal  
Quantity of Wastewater Discharged 12:00 M – 6:00 am \_\_\_\_\_ gal

\*If Quantity unavailable, estimate the percentage of Total Wastewater Discharged at the various periods.

2. How many Points of Discharge are there to sewer? What is the Location and size of the outfall to sewer? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Are there any methods of water conservation and/or waste recovery programs practiced at this facility?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, outline methods \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Is any form of pretreatment (see following list) practiced at this facility?

Yes \_\_\_\_\_ No \_\_\_\_\_

5. For all waste streams which are treated before discharge, check the appropriate boxes for types of pretreatment used at this facility.

5.(continued) (check appropriate boxes)

\_\_\_\_ Oil Separation

\_\_\_\_ Biological

____ Grease Trap	____ Equalization
____ Sedimentation	____ Recovery
____ Filtration	____ Gasoline Trap
____ Chemical Addition	____ Other (Specify) _____
____ Neutralization/pH Adjustment	_____
	_____
	_____

Provide any additional descriptive Information (Include drawings, etc. if available): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. a. Does the Industry have a copy of Sewer Rules & Regulations?

Yes \_\_\_\_\_ No \_\_\_\_\_

If answer is No, contact Authority at 295-0044 immediately and request a copy.

b. Does your facility comply with those discharge standards described in Article III of the Rules & Regulations?

Yes \_\_\_\_\_ No \_\_\_\_\_ Do not know \_\_\_\_\_

If NO or Do Not Know, indicate steps and schedule that will be followed in order to comply \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



7. Check the box beside each constituent which is present or suspected to be present in the effluent (discharge water).

Parameter 216	present	Parameter 216	present
Color 00080		Copper 01042	
Ammonia 00610		Iron 01045	
Organic Nitrogen 00605		Lead 01051	
Nitrate 00620		Magnesium 00927	
Nitrite 00615		Manganese 01055	
Phosphorus 00665		Mercury 71900	
Sulfate 00945		Molybdenum 01062	
Sulfide 00745		Nickel 01067	
Sulfite 00740		Selenium 01147	
Bromide 71870		Silver 01077	
Chloride 00940		Potassium 00937	
Cyanide 00720		Sodium 00929	
Fluoride 00951		Thallium 01059	
Aluminum 01105		Titanium 01152	
Antimony 01097		Tin 01102	
Arsenic 01002		Zinc 01092	
Beryllium 01012		Algaecides* 74051	
Barium 01007		Chlorinated organic compounds* 74052	
Boron 01022		Pesticides* 74053	
Cadmium 01027		Oil & grease 00550	
Calcium 00216		Phenols 32730	
Cobalt 01047		Surfactants 38260	
Chromium 01034		Chlorine 50060	
Fecal coliform bacteria 74055		Radioactivity* 74050	

\*See following pages for listing

Priority Pollutants (from 40 CFR 401.5)

1. acenaphthene	45. methyl chloride (chloromethane)
2. acrolein	46. methyl bromide (bromomethane)
3. acrylonitrile	47. bromoform (tribromomethane)
4. benzene	48. dichlorobromomethane
5. benzidine	49. trichlorofluoromethane
6. carbon tetrachloride (tetrachloromethane)	50. dichlorodifluoromethane
7. Chlorobenzene	51. chlorodibromomethane
8.1,2,4 – trichlorobenzene	52. Hexachlorobutadiene
9. hexachlorobenzene	53. hexachlorocyclopentadiene
10.1,2-dichloroethane	54. isophorone
11. 1,1,1-trichloroethane	55. naphthalene
12. hexachloroethane	56. nitrobenzene
13. 1,1-dichloroethane	57. 2-nitrophenol
14. 1,1,2-trichloroethane	58. 4-nitrophenol
15. 1,1,2,2-tetrachloroethane	59. 2,4-dinitrophenol
16. chloroethane	60. 4,6-dinitro-o-cresol
17. bis (chloroethyl) ether	61. N-nitrosodimethylamine
18. bis (2-chloroethyl) ether	62. N-nitrosodiphenylamine
19. 2-chloroethyl vinyl ether (mixed)	63. N-nitrosodi-n-propylamine
20. 2-chloronaphthalene	64. pentachlorophenol
21. 2,4,6-trichlorophenol	65. phenol
22. parachlorometa cresol	66. bis(2-ethylhexyl) phthalate
23. chloroform (trichloromethane)	67. butyl benzyl phthalate
24. 2-chlorophenol	68. di-n-butyl phthalate
25. 1,2-dichlorobenzene	69. di-n-octyl phthalate
26. 1,3-dichlorobenzene	70. diethyl phthalate
27. 1,4-dichlorobenzene	71. dimethyl phthalate
28. 3,3-dichlorobenzidine	72. 1,2-benzanthracene (benzo (a) anthracene)
29. 1,1-dichloroethylene	73. benzo (a) pyrene (3,4-benzopyrene)
30. 1,2-trans-dichloroethylene	74. 3,4-benzofluoranthene (benzo(b) fluoranthene)
31. 2,4-dichlorophenol	75. 11,12-benzofluoranthene (benzo(k) fluoranthene)
32. 1,2-dichloropropane	76. chrysene
33. 1,2-dichloropropylene (1,3-dichloropropene)	77. acenaphthylene
34. 2,4-dimethylphenol	78. anthracene
35. 2,4-dinitrotoluene	79. 1,12-benzoperylene (benzo(ghi) perylene)
36. 2,6-dinitrotoluene	80. fluorene
37. 1,2-diphenylhydrazine	81. phenanthrene
38. ethylbenzene	82. 1,2,5-6-dibenzanthracene (dibenzo (a,h) anthracene)
39. fluoranthene	83. indeno (1,2,3-cd) pyrene (1,2-o-phenylene pyrene)
40. 4-chlorophenyl phenyl ether	84. pyrene
41. 4-bromophenyl phenyl ether	85. tetrachloroethylene
42. bis(2-chloroisopropyl) ether	86. toluene
43. bis(2-chloroethoxy) methane	87. trichloroethylene
44. methylene chloride (dichloromethane)	88. vinyl chloride (chloroethylene)

Priority Pollutants (from 40 CFR 201.5) continued

89. aldrin
90. dieldrin
91. chlordane (technical mixture)
92. 4,4'-DT
93. 4,4'-DDE (p,p'-DDX)
94. 4,4''-DDD (p,p'-TDE)
95. alpha-endosulfan
96. beta-endosulfan
97. endosulfan sulfate
98. endrin
99. endrin aldehyde
100. heptachlor
101. heptachlor epoxide (BHC=hexachlorocyclohexane)
102. alpha-BHC
103. beta-BHC
104. gamma-BHC (lindane)
105. delta-BHC (PCB-polychlorinated biphenyls)
106. PCB 1242 (Arochlor 1242)
107. PCB-1254 (Arochlor 1254)
108. PCB-1221 (Arochlor 1221)
109. PCB-1232 (Arochlor 1232)
110. PCB-1248 (Arochlor 1248)
111. PCB-1260 (Arochlor 1260)
112. PCB-1016 (Arochlor 1016)
113. Toxaphene
114. Antimony
115. Arsenic
116. Asbestos
117. Beryllium
118. Cadmium
119. Chromium
120. Copper
121. Cyanide
122. Lead
123. Mercury
124. Nickel
125. Selenium
126. Silver
127. Thallium
128. Zinc
129. 2,3,7,8-tetrachloro-dibenzo-p-dioxin (TCDD)

E. LIST ALL CHEMICALS USED AT THE FACILITY

Attach a Material Safety DATA SHEET (MSDS) for each chemical

F. NON-DISCHARGED WASTES

1. Are any waste liquids or sludges removed from facility site?

Yes \_\_\_\_\_ No \_\_\_\_\_

If YES, these may best be described and quantified as:

TYPE	ESTIMATED GALLONS/YEAR
_____ Waste Solvent	_____
_____ Waste Product	_____
_____ Oil	_____
_____ Grease	_____
_____ Pretreatment Sludge	_____
_____ Inks/Dyes	_____
_____ Thinner	_____
_____ Paints	_____
_____ Acids & Alkalis	_____
_____ Plating Wastes	_____
_____ Pesticides	_____
_____ Other (specify)	_____
_____	_____
_____	_____
_____	_____

2. Does your company remove the above wastes from the facility?

Yes \_\_\_\_\_ No \_\_\_\_\_

If "NO", state the name(s) and address(es) of all waste haulers.

a. \_\_\_\_\_ b. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Zip \_\_\_\_\_ Zip \_\_\_\_\_

Permit No. \_\_\_\_\_ Permit No. \_\_\_\_\_

(If applicable)

(If applicable)

3. Are any sludges, liquids, etc. placed with trash for disposal?

Yes \_\_\_\_\_ No \_\_\_\_\_

Describe \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. Do you have an EPA ID No. Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, please list it \_\_\_\_\_

#### G. SPILL CONTROL

1. Do you have any formal plan in the event of a chemical spill to insure that chemicals do not get into the sewer?

Yes \_\_\_\_\_ No \_\_\_\_\_

#### H. EMERGENCY INFORMATION

In the event of an emergency at the facility during non-working hours, list the names, addresses and telephone numbers of at least two individuals who can be called.

Name _____	Name _____
Address _____	Address _____
_____	_____
Telephone _____	Telephone _____

1. Do you have a list of substances used at your facility as required under "Right to Know" regulations? Yes \_\_\_\_\_ No \_\_\_\_\_

If "Yes", attach the most current listing.

If "No", Explain \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**APPENDIX 9.6**  
**QUONSET DEVELOPMENT CORPORATION**  
**QUONSET BUSINESS PARK**  
**INDUSTRIAL QUESTIONNAIRE**

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**QUONSET DEVELOPMENT CORPORATION  
QUONSET BUSINESS PARK  
INDUSTRIAL QUESTIONNAIRE**

---

Industry Name: \_\_\_\_\_

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

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Name/Title of Industry Person Supplying most information:

\_\_\_\_\_

Name/Title of Industry Person to Contact for further information:

\_\_\_\_\_

**INDUSTRIAL QUESTIONNAIRE CERTIFICATION**

I have personally examined and am familiar with the information submitted in this Industrial Questionnaire which was submitted to the Quonset Development Corporation on \_\_\_\_\_ . Based upon my inquiry of those individuals immediately responsible for obtaining the information reported herein, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and/or imprisonment.

\_\_\_\_\_  
*Signature of Authorized Representative*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Print Name and Title*

NOTE: An authorized agent or authorized company representative is a person who is a principal executive officer or other corporate officer with signatory powers as per the company's by-laws or per a vote of the directors if the company is a corporation; a general partner or proprietor if the company is a partnership or sole proprietorship respectively; or a duly authorized representative of an individual designated above if such representative is responsible for the overall operation of the facility and has the authority to sign contracts, permits, permit applications, monitoring results and other documents in the company's name and otherwise bind the company.



1) Facility Standard Industrial Classification (SIC) Code: \_\_\_\_\_

\_\_\_\_\_

2) Describe the Nature of the Manufacturing or Service activity provided by the Company and list the Industrial/Manufacturing Process Involved: (Tanning, Electroplating, etc.) Indicate which ones are water using processes. (*Construct Process Flow Diagram on Separate Sheet*)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3) Does the Industry foresee any Expansion or Contraction of Operations?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4) Identify Products, By-products and Waste Products:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5) Maximum Production Rate:

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6) Are there any Seasonal Changes in the operation of the industry?

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7) Average Production Rate, at present: \_\_\_\_\_

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8) List Names of Principal Raw Materials, Solvents, Chemicals involved in process and/or used at the Facility: *(Enclose copies of material Data Safety Sheets (MSDS) for all key process chemicals or chemicals commonly stored or used in the facility)*

<u>Name of Chemical or Raw Material</u>	<u>Rate of Consumption</u>
Lime	_____
Sodium Sulfide	_____
Sodium Sulfhydrate	_____
Basic Chromium Sulfate	_____
Vegetable Compounds	_____
Mineral Acids	_____
Sodium Chloride	_____

8) (continued)

<u>Name of Chemical or Raw Material</u>	<u>Rate of Consumption</u>
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Soda Ash	_____
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Caustic Soda	_____
--------------	-------

Ammonia	_____
---------	-------

Cyanide	_____
---------	-------

Presic Acid	_____
-------------	-------

Kerosene	_____
----------	-------

Detergents	_____
------------	-------

Tannin Extracts	_____
-----------------	-------

Oils	_____
------	-------

Dyes	_____
------	-------

Other	_____
-------	-------

_____	
_____	
_____	
_____	
_____	
_____	
_____	
_____	
_____	
_____	

9) Are there any storage tanks for Liquid Chemicals? \_\_\_\_\_

\_\_\_\_\_

If yes, how many tanks and what are the volumes? \_\_\_\_\_

\_\_\_\_\_

- 10) a. Quantity of Wastewater Discharged 6:00 AM - 9:00 AM \_\_\_\_\_ Gal.  
Quantity of Wastewater Discharged 9:00 AM - 12:00 PM \_\_\_\_\_ Gal.  
Quantity of Wastewater Discharged 12:00 PM - 3:00 PM \_\_\_\_\_ Gal.  
Quantity of Wastewater Discharged 3:00 PM - 6:00 PM \_\_\_\_\_ Gal.  
Quantity of Wastewater Discharged 6:00 PM - 12:00 AM \_\_\_\_\_ Gal.  
Quantity of Wastewater Discharged 12:00 AM - 6:00 AM \_\_\_\_\_ Gal.

*Note: If Quantity is unavailable, estimate the percentage of Total Wastewater discharged at the various periods.*

10) b. Indicate in Average Gallons Per Day

*Domestic Wastes	_____ ( ) estimated ( ) measured
*Cooling Water, Non-contact	_____ ( ) estimated ( ) measured
*Boiler/Lower Blowdown	_____ ( ) estimated ( ) measured
*Cooling Water, Contact	_____ ( ) estimated ( ) measured
*Process	_____ ( ) estimated ( ) measured
*Equipment Facility Washdown	_____ ( ) estimated ( ) measured
*Air Pollution Control Unit	_____ ( ) estimated ( ) measured
*Stormwater Run-off to Sewer	_____ ( ) estimated ( ) measured
*Other (Describe)	_____ ( ) estimated ( ) measured

11) Is Discharge of Wastewater Continuous \_\_\_\_\_ or Batch \_\_\_\_\_?

If Batch, when and how much is dumped? \_\_\_\_\_

\_\_\_\_\_

12) How many Points of Discharge are there to Sewer? What is the location and size of Outfall to sewer? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

13) Is Pretreatment provided Before Discharge? \_\_\_\_\_

If Yes, Describe Process (Screening, Settling, Dewatering, pH Adjustment, Filtration, Oil/Grease Separation, etc.): \_\_\_\_\_

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- 14) If Sludge is produced, where is its final destination and how often is it collected? What is the Name, Address and Telephone Number of Trucker who removes the sludge from the industry?

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- 15) Add any additional useful information here: \_\_\_\_\_

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- 16) If pretreatment is not provided, describe space available for such facilities to be added: \_\_\_\_\_

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17) Does your Facility have a formal plan in the event of a Chemical Spill to insure that chemicals do not get into the sewer?

Yes \_\_\_\_\_ No \_\_\_\_\_

18) Does the industry have a copy of the Sewer Ordinance?

Yes \_\_\_\_ No \_\_\_\_

19) Please indicate

a. Number of shifts to be operated \_\_\_\_\_

b. Number of personnel employed on each shift and number of days per week shift operates:

<u>Shift No.</u>	<u>Number of personnel on shift</u>	<u>Days per week shift operates</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

**APPENDIX 9.7**  
**QUONSET DEVELOPMENT CORPORATION**  
**QUONSET BUSINESS PARK**  
MEMORANDUM OF AGREEMENT  
(DECEMBER 16, 2010)

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MEMORANDUM OF AGREEMENT

THIS AGREEMENT is between the TOWN of NORTH KINGSTOWN, a municipal corporation of the State of Rhode Island, by and through its Town Council (the "Town") and QUONSET DEVELOPMENT CORPORATION, a governmental agency and public instrumentality (the "QDC") authorized, created and established pursuant to Chapter 42-64.10 of the Rhode Island General Laws, as amended (the "General Laws").

Recitals

A. This Agreement is entered into pursuant to Section 42-64.10-6(e) of the General Laws and is intended to provide for the matters referred to therein as well as other matters of mutual concern to the Town and the QDC.

B. Quonset Business Park consists of approximately 3,194 acres including property owned by the State of Rhode Island, the Rhode Island Economic Development Corporation, the Town of North Kingstown, and numerous private parties.

C. The QDC and the Town desire to develop uniform development regulations for the Quonset Business Park.

D. It is the goal of the parties to agree upon mutually satisfactory uniform development regulations by January 1, 2011. The parties shall endeavor to implement the various aspects of this Agreement by January 10, 2011, it being acknowledged and agreed that in some cases the actions necessary to implement this Agreement may take longer than originally anticipated and may be reasonably extended.

Agreements

NOW, THEREFORE, in consideration of the promises made herein, and other good and valuable consideration, the parties agree as follows:

1. Definitions. For the purpose of this Agreement, the following words and phrases are defined as set forth below.

(a) Quonset Business Park: shall have the meaning set forth in Section 42-64.10-4 of the General Laws and is shown on Exhibit A attached hereto and incorporated herein by reference.

(b) Municipal Services Agreement: that certain agreement by and between the Town and QDC, as agent and attorney for the Rhode Island Economic Development Corporation, dated July 6, 2010 and recorded in the Land Evidence Records of the Town of North Kingstown in Book 2489 at Page 66.

(c) Master Plan: Quonset Business Park Master Land Use and Development Plan, 2008.

006283



(d) Development Package: Quonset Business Park Development Package which contains the development regulations for projects at Quonset Business Park and which is on file with the Rhode Island Secretary of State.

(e) Lot Recording Agreement: Quonset/Davisville Lot Recording Agreement, dated November 9, 2000 and recorded in the Land Evidence Records of the Town of North Kingstown in Book 1285 at Page 274.

2. Uniform Development Regulations. The Town and QDC will work together in a diligent and commercially reasonable manner to develop uniform development regulations (the "Uniform Regulations") governing the development or re-development of real estate located in the Quonset Business Park (hereinafter, the "Park"). Upon agreement of the parties on the Uniform Regulations applicable to the Park, the QDC and the Town will, as soon as reasonably possible, take the following additional actions:

- (a) The Town will amend its Zoning Ordinance and related maps to designate the Park as one (1) zoning district (the "Quonset Zone"). In addition, the Town will amend its Zoning Ordinance and Subdivisions and Land Development Regulations, as they relate to the development or redevelopment of real estate located in the Quonset Zone, to adopt the Uniform Regulations.
- (b) The Town will amend its Comprehensive Community Plan to specify that the Town and the QDC will develop a unified development review process that meets the goals and policies of the Town and the QDC. The Town will also amend the Subdivisions and Land Development Regulations and Zoning Ordinance to adopt the Uniform Regulations. The amendments made to the Zoning Ordinance and Subdivisions and Land Development Regulations shall be consistent with the Comprehensive Community Plan. Any amendments to the QDC Master Plan shall be consistent with the North Kingstown Comprehensive Plan as it relates to the Park.
- (c) The QDC will amend its Master Plan (and related land use plans) and Development Package to adopt the Uniform Regulations.
- (d) The parties acknowledge and agree that with respect to the division of land within the Park, the Uniform Regulations shall incorporate the current requirements and be consistent with the existing Lot Recording Agreement. Said Lot Recording Agreement shall be terminated upon adoption of the Uniform Regulation by the QDC and the Town as set forth herein and completion of items (a), (b), and (c) of this Section 2.
- (e) As used herein, the term "development regulations" shall refer to the Town's Zoning Ordinance, the Town's Subdivisions and Land Development Regulations, the Town's Comprehensive Plan, QDC's Master Plan, and QDC's Development Package, as the case may be.

3. Administration of Uniform Development Regulations. The QDC, through a Technical Review Committee (described herein) (the "TRC"), will administer the Uniform Regulations and oversee the development and redevelopment of real estate within the Park in accordance with the Uniform Regulations.

- (a) The TRC will be comprised of the following members: (i) the Managing Director of the QDC, who will be the chair of the TRC, (ii) the Director of Development Services of QDC (or his/her designee), (iii) the Director of Public Works of QDC (or his/her designee), (iv) the Director of the Department of Planning and Development for the Town (or his/her designee), and (v) the Director of the Department of Public Works for the Town (or his/her designee). The members identified in items (i), (ii), and (iii) above are hereinafter referred to collectively as the "QDC Members" and individually as a "QDC Member". The members identified in items (iv) and (v) above are hereinafter referred to collectively as the "Town Members" and individually as a "Town Member". The TRC shall also include the following advisory members (the "Advisory Members"): (i) two (2) design professionals appointed by the QDC, who will serve at the pleasure of the QDC, and who shall possess the following minimum qualifications: One (1) must have a professional background and license in landscape architecture and either practice or teach in that field, and one (1) must have a professional background and license in architecture and design and either practice or teach in that field, and (ii) the Town Fire Chief (or his/her designee) and/or the State Fire Marshall (or his/her designee). Any action to be taken by the TRC may be authorized by the concurrence of at least two (2) QDC members and at least one (1) Town Member; provided, however, that if neither Town Member is in attendance at a meeting of the TRC, the TRC shall be entitled to take any action upon the concurrence of at least two (2) of the QDC Members. The Uniform Regulations shall specify meeting notification requirements to members of the TRC as well as to the applicants. If the TRC does not approve a proposed project, the members of the TRC who oppose the project shall be obligated to identify the particular section(s) of the Uniform Regulations with which the proposed project does not conform. Any applicant whose project is denied by the TRC for failure to conform with the Uniform Regulations shall be advised of the finding of non-conformance and provided an opportunity to address such finding.
- (b) The Uniform Regulations shall provide that all minor requests for a variance of the Uniform Regulations will be decided by the TRC. All variances are deemed to be minor unless the Managing Director of QDC and the Director of the Department of Planning and Development for the Town (a) determine that a variance is not minor or (b) cannot agree on whether a variance is minor. All major variances described above shall be granted only upon receipt of approval from both the QDC Board of Directors and the Town Planning Commission.
- (c) All licenses, including but not limited to victualing, Sunday sales or liquor licenses, shall be subject to the applicable application processes of the Town.
- (d) Notwithstanding anything herein to the contrary, nothing herein shall limit the rights and powers of the Rhode Island Economic Development Corporation and the QDC as its agent and attorney in fact, as set forth in Chapters 64 and 64.10 of Title 42 of the General Laws, or otherwise as provided in the General Laws.

4. Enforcement of Uniform Development Regulations. Consistent with § 42-64.10-6(e) of the General Laws the parties agree that QDC shall be responsible for the enforcement of the Uniform Regulations or any decision of the TRC within the Park. In the event that the QDC has issued two (2) Notices of Violation with respect to any violation of the Uniform Regulations or any decision of the TRC and said violation has not been remedied to the satisfaction of the QDC, then, upon notice from the QDC, the Town, through its Code Enforcement Office, shall enforce the Uniform Regulations or the TRC decision, as the case may be. Notwithstanding the foregoing, nothing contained herein shall be deemed a waiver by the Town or the QDC of its enforcement authority and the Town or QDC may, at any time, enforce the Uniform Regulations or any decision of the TRC. For any enforcement actions that are taken to municipal court or another higher court, the Town and the QDC shall equally share all legal and other costs of said enforcement.

5. No Amendments. QDC and the Town agree that upon adoption of the Uniform Regulations (and amendment of each parties' respective development regulations as set forth in Section 2 hereof) no amendment or modification to the parties' respective development regulations with respect to the Park shall be effective unless and until (i) advanced written notice of the proposed amendment is given to the other party, (ii) the Town's Planning Commission and QDC's Strategic Planning Committee have agreed upon mutually satisfactory amendments to the Uniform Regulations, and (iii) both QDC and the Town amend their respective development regulations to incorporate the agreed-upon amendments to the Uniform Regulations.

6. Termination. This Agreement and the parties' obligations hereunder shall be coterminous with the Municipal Services Agreement. In addition, either party may terminate this Agreement at any time and for any reason (or no reason at all) by providing ninety (90) days advanced written notice thereof to the other party, in which event this Agreement shall terminate and be of no further force or effect upon the expiration of said ninety (90) day period. Any approvals and projects implemented during the period of this Agreement will continue in full force and effect and will run with the land.

7. Additional Property. The parties acknowledge and agree that the Park may include any additional real estate acquired by QDC after the date hereof (including any real estate that is the subject of any purchase and sale or other agreement to which the QDC is a party, as of the date hereof, specifically including real property identified as Town Tax Assessor Plat 181, Lot 15). Upon written request by the QDC, the Town, upon approval of the Town Council, may amend its development regulations to expand the Quonset Zone to incorporate said additional real estate. Upon written request by the QDC, said request to expand the Quonset Zone to include additional property shall be reviewed by the North Kingstown Planning Commission which shall forward its recommendation to the Town Council. All such additions to or expansion of the Quonset Zone zoning district shall be subject to approval by the Town Council.

8. Default. In the event of a dispute or default under the terms of this Agreement; and if the parties are unable to resolve the issue by informal negotiations, the parties may agree to mediation, otherwise either party shall be entitled to pursue any and all remedies available

under law, in equity or otherwise and to recover damages.

9. Paragraph Titles. Paragraph and Subparagraph titles are for convenience of reference only and will not be considered in the interpretation or construction of any of the provisions hereof.

10. Counterparts. This Agreement may be executed in any number of counterparts each of which shall be deemed to be an original and all of which together shall constitute but one and the same instrument.

**[SIGNATURES APPEAR ON THE FOLLOWING PAGE]**

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the  
16th day of DE, 2010.

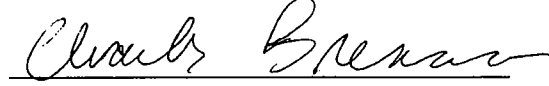
In the Presence of:

TOWN OF NORTH KINGSTOWN


Michael E. Embury

  
Michael S. Bestwick

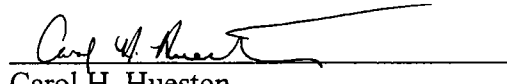
Michael E. Embury

  
Charles Brennan

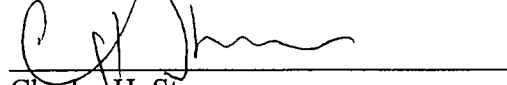
Michael E. Embury

  
Elizabeth S. Dolan

Michael E. Embury


  
Carol H. Hueston

Michael E. Embury

  
Charles H. Stamm

Andrews

QUONSET DEVELOPMENT CORPORATION

By:   
Steven J. King, P.E.  
Managing Director

**QUONSET**  
DEVELOPMENT CORPORATION

Technical Support Services  
95 Cline St.  
North Kingstown, RI 02852  
Tel: (401) 295-0044  
Fax: (401) 294-9885

BK 2534 PG 012

EXHIBIT A

NO.	REVISION	CHECKED BY	DATE	APP'D BY
DESIGN B	A.A.	ENGINEER		
SCALE		PROJECT NO.		
CONTRACT NO.		FILE NAME		
DATE		DATE		

EXHIBIT B

QUONSET BUSINESS PARK

PERIMETER

31M ACRES

QUONSET DEVELOPMENT CORPORATION

ACTING AS AGENT AND ATTORNEY IN FACT FOR  
THE QUONSET BUSINESS PARK DEVELOPMENT CORPORATION

Quonset Business Park

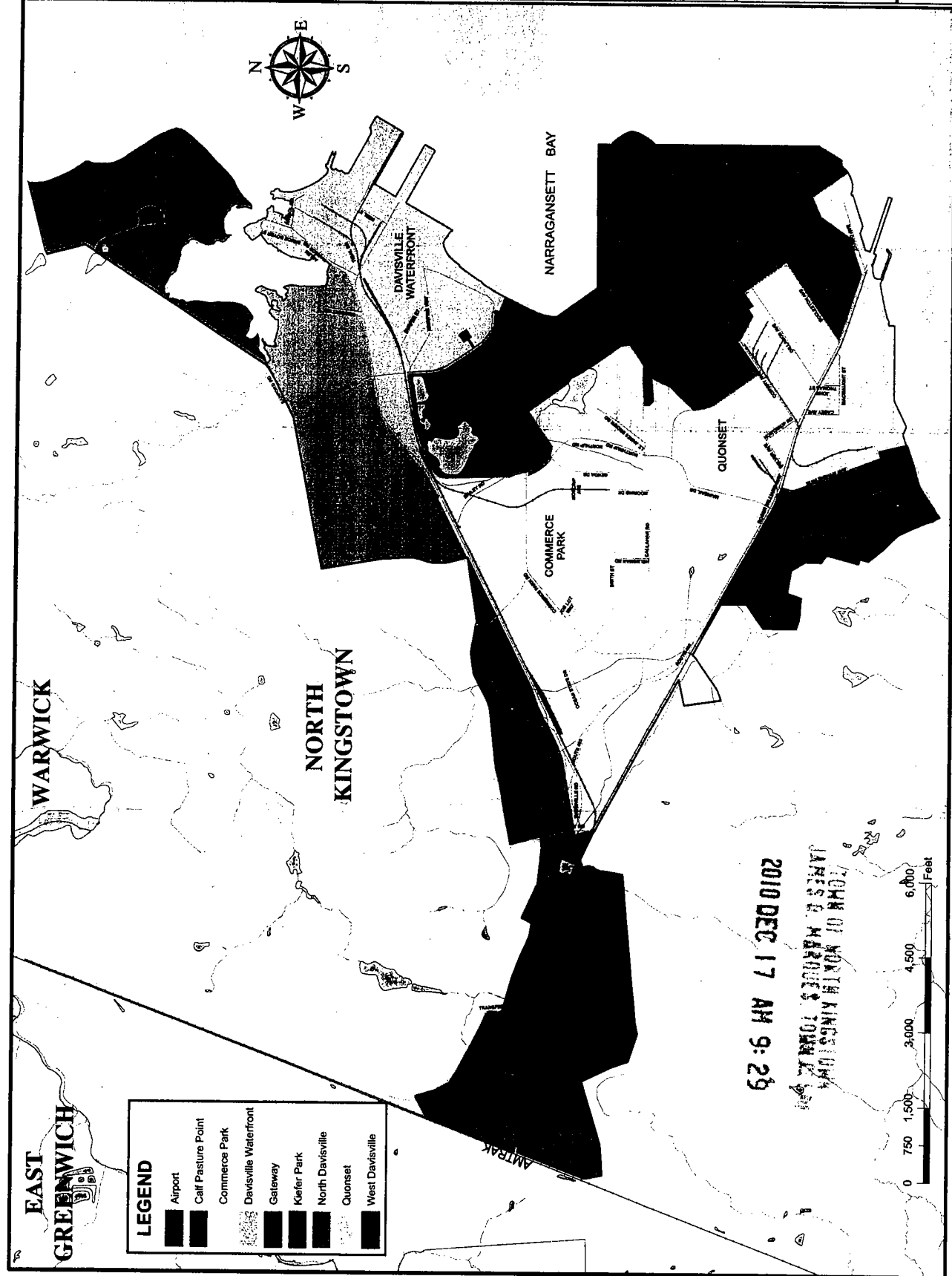
SHEET NO.

1

DATE

26344

OF 1 SHEET



**APPENDIX 9.8**  
**QUONSET DEVELOPMENT CORPORATION**  
**QUONSET BUSINESS PARK**  
**MUNICIPAL SERVICES AGREEMENT**  
**(JULY 6, 2010)**

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MUNICIPAL SERVICES AGREEMENT

THIS AGREEMENT is between the TOWN of NORTH KINGSTOWN, a municipal corporation of the State of Rhode Island, by and through its Town Council (the "Town") and RHODE ISLAND ECONOMIC DEVELOPMENT CORPORATION ("EDC") acting by and through its agent and attorney in fact, QUONSET DEVELOPMENT CORPORATION, a governmental agency and public instrumentality authorized, created and established pursuant to Chapter 42-64.10 of the Rhode Island General Laws, as amended (hereinafter collectively referred to as "QDC").

Recitals

1. This Agreement is entered into pursuant to 42-64.10-6(e), (f) and (g), 42-64.10-11(a) and 42-64-20(a) of the General Laws, as amended, and is intended to provide for the matters referred to therein as well as other matters of mutual concern to the Town and the QDC.
2. Quonset Business Park consists of approximately 3,207 acres including property owned by the State of Rhode Island, the Rhode Island Economic Development Corporation, the Town of North Kingstown, and numerous private parties.
3. The State of Rhode Island acting by and through the Department of Transportation owns approximately 860 acres of the Quonset Business Park consisting of the State Airport property and certain road rights of way.
4. The State of Rhode Island has invested over \$100,000,000 in the acquisition and improvement of Quonset Business Park and together with the U.S. Government has invested an additional \$350,000,000 in improving freight rail service and improving access with a limited access freeway – RI Route 403.
5. There are currently approximately 25 miles of roads in the Quonset Business Park of which QDC maintains 14 miles, the Town maintains 6 miles and RIDOT maintains 5 miles.
6. The Quonset Business Park is currently home to 168 businesses employing approximately 8,800 employees and includes approximately 1,355 acres of developable property, of which 498 acres has been sold to third parties and approximately 411 acres have been leased to third parties. Property taxes paid directly to the Town of North Kingstown total approximately \$3,600,000, in addition the QDC currently makes payments in lieu of real property taxes in the amount of \$700,000 per year to the Town with respect to the Leased Property.
7. The QDC and the Town desire to maintain a high quality, first class business park with robust infrastructure, clean, attractive common areas, quality open space and amenities and wish to share in the cost of providing such services.



Agreements

NOW, THEREFORE, the parties hereto, for mutual consideration paid, receipt of which is acknowledged, have agreed as follows:

1. Definitions. For the purpose of this Agreement, the following words and phrases are defined as set forth below.

(a) Quonset Business Park: Approximately 3,207 acres as shown on Exhibit B attached hereto.

(b) Municipal Services: The municipal services referred to in this Agreement shall consist of police protection and fire protection which are further described below. Sewage disposal, water supply and solid waste disposal and management are not municipal services within the context of this Agreement. It is understood that the levels of Municipal Services provided by the Town at Quonset Business Park will reflect the number, nature and use intensity, from time to time, of the facilities located at Quonset Business Park and that pursuant to §42-64-13(d), the Town is obligated to provide police, fire, sanitation, health protection and other municipal services of the same character and to the same extent as those provided for other residents of the Town. The parties acknowledge that the Town does not currently provide trash removal and health protection services to residents of the Town.

(i) Fire Protection: Fire protection services, including fire prevention, fire suppression and rescue.

(ii) Police Protection: Police protection services, including crime prevention, investigation and prosecution and other law enforcement services.

(c) Roadway Maintenance: Routine non-capital roadway maintenance services including surface repair (limited paving, crack sealing, chip sealing, pot hole patching) snow removal, grass cutting, brush cutting, street sweeping, line striping and routine maintenance of catch basins and storm drainage systems, installation and maintenance of traffic signs, and the imposition of traffic and parking regulations.

(d) Roadway Improvements. Roadway repair and improvements of a capital nature including resurfacing, pavement rehabilitation and reconstruction and other improvements which would appropriately be treated as capital expenditures, and storm drainage system, repair reconstruction and improvements which would appropriately be treated as capital expenditures.

(e) Roadway: the entire area within the roadway right-of-way as shown on Exhibit A attached hereto and made a part hereof.

(f) Common Areas: The Common Areas include primary and secondary roads, three beaches (Compass Rose Beach, Blue Beach and Spink's Neck Beach), a 2.4 mile bike path and parking for access to Calf Pasture Point as shown on Exhibit A attached hereto and made a part

hereof.

2. Fire and Police Protection. The Town will provide Fire Protection and Police Protection to Quonset Business Park.

3. Roadways.

(a) Freeway access to the Quonset Business Park is provided by Route 403, which is operated and maintained by Rhode Island Department of Transportation ("RIDOT").

(b) The Roadways within the Quonset Business Park are categorized in two (2) categories (i) primary roads and (ii) secondary roads. The primary roads are Roger Williams Way, West Davisville Road, Davisville Road and Gate Road. All other roads within Quonset Business Park are secondary roads and are identified on Exhibit A.

(c) The QDC during the term of this Agreement will perform Roadway Maintenance and Roadway Improvements with respect to the Roadways and will have authority to grant all curb cuts and road opening permits with respect to all Roadways within Quonset Business Park.

It is anticipated that as additional areas of Quonset Business Park are developed, additional roadways may be constructed. To the extent that QDC intends to construct new road, the Town will be provided an opportunity to review plans and specifications.

4. Storm Water Drainage System.

The QDC will, during the term of this Agreement, as part of the Roadway Maintenance and Roadway Improvements, maintain, repair and replace, as necessary, all storm water drainage facilities within the Roadways or appurtenant thereto.

5. Common Area Maintenance Costs.

(a) The QDC will perform Roadway Maintenance and common area maintenance, which includes routine maintenance of the beaches, bike path and parking access to Calf Pasture Point, which are included in the Common Areas, (collectively "Common Area Maintenance"). The initial contribution for Common Area Maintenance costs will be \$485.00 per acre. The Town's share of such costs will be determined by multiplying the total acreage owned by the Town plus the acreage owned by private parties and taxed by the Town by \$485.00 per acre. As of the date of this Agreement, the total acreage owned by the Town plus the acreage owned by private parties is 662 acres. Therefore, the Town's share of Common Area Maintenance costs is currently \$321,070.00. The property owned by the Town and the property owned by private parties is shown on Exhibit B attached hereto.

(b) The Town shall make quarterly payments to the QDC of the Common Area Maintenance costs commencing July 1, 2010 and thereafter continuing during the term of this Agreement. The total acreage owned by the Town plus the acreage owned by private parties will be calculated by the QDC based upon ownership as of December 31 of each year and QDC will

provide such calculation to the Town by March 31 of each year during the term of this Agreement. In making such calculation, the land comprising the Allen Harbor Landfill and the Calf Pasture Point Property (approximately 208.1 ac.) is not included in the calculation of the total acreage owned by the Town.

(c) Payments for the first three fiscal years during the term of this Agreement will be phased in with the Town paying one third of its total share during the first fiscal year, two thirds of its total share during the second fiscal year and one hundred percent of its share during each following fiscal year during the term of this Agreement. Payments will be made quarterly on July 1, October 1, January 1 and April 1. With respect to any partial fiscal year arising at the commencement or termination of this Agreement, the Town's payment will be adjusted to reflect the total number of days this Agreement is in effect with respect to such fiscal years at the commencement or termination of this Agreement.

(d) The annual per acre charge (\$485.00 during the first year) will be increased at the rate of 2.5% per year for each subsequent year, including the second and third years, during the term of this Agreement.

#### 6. Infrastructure Fund.

The QDC will establish an infrastructure fund to be maintained and administered by the QDC during the term of this Agreement. The infrastructure fund will be used for Roadway Improvements. The fund may also be used for dredging for the Allen Harbor access channel as necessary. The QDC will make disbursements from the infrastructure fund as it deems appropriate to cover the costs of Roadway Improvements. Disbursements for dredging of the Allen's Harbor access channel shall be mutually agreed to by the Town and QDC. The QDC will annually provide the Town an accounting with respect to disbursements from the infrastructure fund. Such accounting will be provided within ninety (90) days following the end of QDC's fiscal year. Commencing September 1, 2010, the parties will make quarterly contributions to the infrastructure fund as follows:

(a) The initial annual payment to the fund will be \$400,000, of which \$300,000 is for Roadway Improvements and \$100,000 is for dredging the Allen Harbor access channel. The annual payment will be subject to adjustment as hereinafter provided. The parties share of the payments will be determined as provided below:

(1) The annual payment to the infrastructure fund for dredging costs allocable to the Allen Harbor access channel (\$100,000.00) will be paid 70% by the Town (\$70,000.00) and 30% by QDC (\$30,000.00).

(2) The payment to the infrastructure fund for Roadway Improvements shall be based on the following calculations:

(i) The total road frontage of the secondary roads at Quonset Business Park is 156,606 feet.

(ii) The roadway frontage consists of five (5) categories as follows:

- A. QDC vacant property ("QDC Vacant").
- B. Property operated by RIAC ("RIAC").
- C. QDC leased property ("QDC Leased").
- D. Privately owned property ("Sold Property").
- E. Town owned property ("Town").

(iii) QDC and the Town will each be responsible for its pro rata share of the contribution to the infrastructure fund ("Cost") determined by the following formula:

- A. QDC share  $[(\text{QDC Vacant} \& \text{RIAC}) / \text{Total}] \times \text{Cost}$
- B. Town share  $[(\text{QDC Leased and Sold Property and Town}) / \text{Total}] \times \text{Cost}$

For example, if the first year's cost for Roadway Improvements (the "Cost") is \$300,000 and the roadway frontages are:

- A. QDC Vacant – 64,983 feet
- B. QDC Leased – 24,361 feet
- C. RIAC – 7,915 feet
- D. Sold – 48,030 feet
- E. Town – 11,317 feet

(The current Roadway frontage is set forth on Exhibit C attached hereto.)

Then based on the formula, the QDC share is \$139,646 and the Town share is \$160,354. The "Cost" for the first five years of this Agreement are fixed at \$300,000.00 and thereafter will be determined in accordance with Section 6(d) below.

(b) The QDC will update annually the actual road frontages for purposes of calculating the QDC's and the Town's pro rata share of the Cost. Such calculations shall be made by QDC in January of each year.

(c) QDC and the Town will make payments of their respective pro rata share into the infrastructure fund within thirty (30) days of receipt of such calculation.

(d) Payments to the infrastructure fund will be increased every five (5) years based on the actual expenditures incurred during the prior five (5) year period. Such increases shall be based on the average annual expenditures during the five (5) year period prior to the adjustment date and the increase will not be less than 5% nor more than 20% of the payment to the infrastructure fund during the immediately prior five (5) year period.

7. Building Code Enforcement. It is agreed that the State Building Code and State Fire Code will be enforced with respect to all property at Quonset Business Park, regardless of ownership (whether or not such properties are leased to others) by the State Building Commissioner, the State Building Code Committee and the State Fire Marshall's Office. The

parties will take all actions necessary to implement the foregoing.

8. Termination. This Agreement will terminate on June 30, 2020 but may be extended for a period of ten (10) years by written mutual agreement of the parties hereto.

9. Technical Review Committee. It is the intention of the Town and QDC to continue meeting on a voluntary basis (customarily meetings are held once a month) to review proposed and ongoing projects located at Quonset Business Park. Representatives of the QDC and representatives of the Town, which may include the Director of Planning, the Fire Chief, Police Chief, Town Engineer, Public Works Director, Building Official, Fire Marshall or their respective designee may attend the meetings. Recommendations or suggestions arising out of such meetings are not binding on the Town or QDC. The meetings are intended to serve as a means of communication between the Town and QDC and to address the specifics of proposed and ongoing projects at Quonset Business Park.

10. Lot Recording Agreement. The Town and QDC entered into a Lot Recording Agreement dated November 9, 2000. The Lot Recording Agreement is a voluntary agreement which may be terminated by either party on thirty (30) days prior notice.



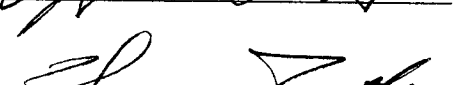

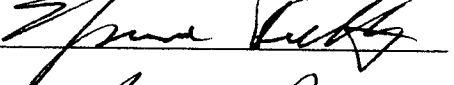

11. Default. In the event of a dispute or default under the terms of this Agreement; and if, the parties are unable to resolve the issue by informal negotiations, the parties may agree to mediation, otherwise either party shall be entitled to pursue any and all remedies available under law, in equity or otherwise and to recover damages, including without limitation, reasonable attorney's fees.

12. Paragraph Titles. Paragraph and Subparagraph titles are for convenience of reference only and will not be considered in the interpretation or construction of any of the provisions hereof.

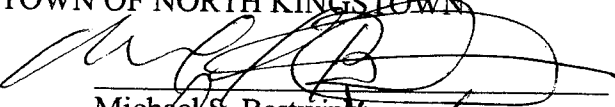

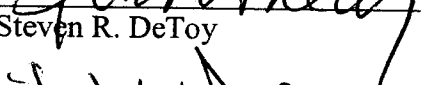
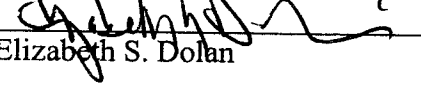
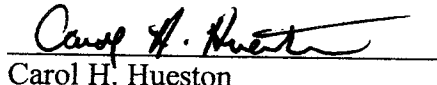
13. Prior Agreements. This Agreement supersedes and replaces the Municipal Services Agreement dated April 28, 1980 between the Town and the EDC.

6th IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the day of July, 2010.


In the Presence of:

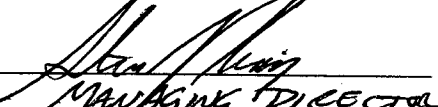
  
  
  
  
  


TOWN OF NORTH KINGSTOWN

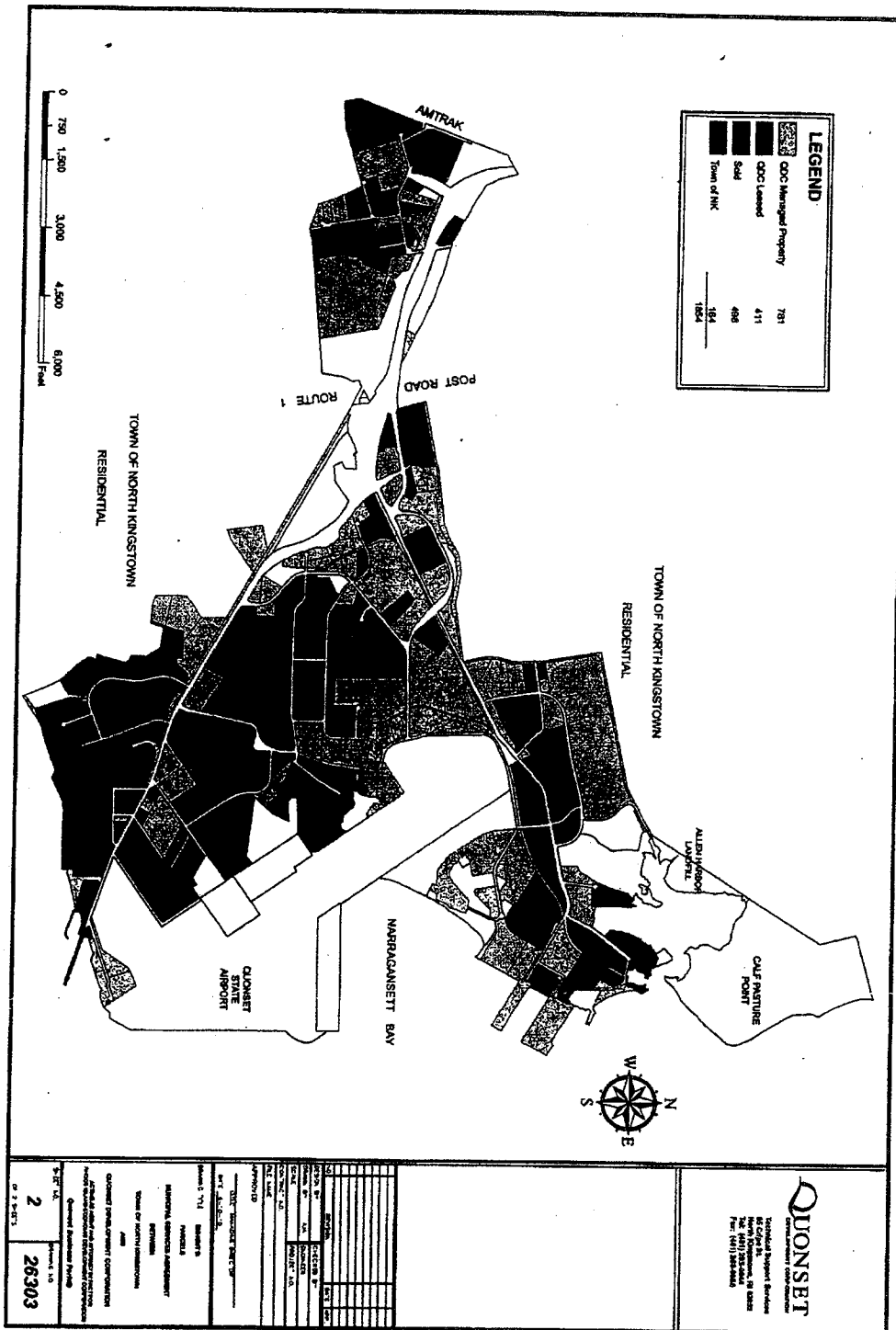
  
Michael S. Bestwick  
  
Steven R. DeToy  
  
Elizabeth S. Dolan  
  
Carol H. Hueston  
  
Charles H. Stamm

RHODE ISLAND ECONOMIC DEVELOPMENT CORPORATION ("EDC") acting by and through its agent and attorney in fact, QUONSET DEVELOPMENT CORPORATION



By:   
Its: MANAGING DIRECTOR







## EXHIBIT C - FRONTAGE

MUNICIPAL SERVICES AGREEMENT  
BETWEEN  
TOWN OF NORTH KINGSTOWN  
AND

## QUONSET DEVELOPMENT CORPORATION

STREET NAME	STREET INFORMATION WITHIN THE PARK		FRONTAGE		QDC		SOLD	FRAC		TOWN	TOTAL
	LENGTH (FEET)	OF LANES	LENGTH MILES	VACANT	LEASE	LEASE		OF	FRAC		
<i>Primary Roads</i>											
DAVISVILLE ROAD	11597	2	2.20	14941	7391					106	22438
GATE ROAD	2286	4	0.43	1806	2048	587					4441
ROGER WILLIAMS WAY	8008	4	1.52	7486	3487	1154				1588	15120
WEST DAVISVILLE ROAD	1630	2	0.31	613	766	400					1779
<b>SUBTOTAL</b>	<b>23531</b>		<b>4.46</b>	<b>24856</b>	<b>13692</b>	<b>2141</b>				<b>1395</b>	<b>43778</b>
<i>Secondary Roads</i>											
AIRPORT STREET	1630	2	0.31		840					1102	
ALL AMERICAN WAY	1744	2	0.33	2625		1561					4186
ALLENS HARBOR WAY	2500	2	0.47	546	1651					1179	3376
BABCOCK ROAD	2352	2	0.45	1422	1226	835				1122	4605
BELVER AVENUE	670	2	0.13	540		615					1155
BONEAU ROAD	560	2	0.11			1184					1184
BROADWAY	1800	2	0.34	1200							1200
BURLINGHAM AVE	2072	2	0.39	127	1790	2076				1066	3983
CALLAHAN ROAD	4450	2	0.84	1651		6140					8857
CASEY AVENUE	758	2	0.14	42	668	725					1435
CIRCUIT DRIVE	3478	2	0.66	251	971	5564				342	6786
COMMERCE PARK ROAD	6677	2	1.26	8374		3635					12351
COMPASS CIRCLE	2698	2	0.51	3113	759	2204					6076
CONWAY AVENUE	2815	2	0.63	2428	804	586				50	3968
CRUISE STREET	2845	2	0.54	581	1598	2752				427	4931
CROSS PARK AVENUE	1263	2	0.24	1109	257	602					2395
DILLABUR AVENUE	1463	2	0.28	840	1123	491					2454
ECCLESTON AVENUE	1905	2	0.36		1894					1903	3797
FOLLIAGE DR	785	2	0.15	64		1715					1779
GENOA DRIVE	1709	2	0.32	2348		910					3258
HELMESMAN ROAD	720	2	0.14			1385					1385
IAFRATE WAY	191	2	0.04		178	139					317
JOB LOT WAY	428	2	0.08			913					913

## EXHIBIT C-FRONTAGE

## MUNICIPAL SERVICES AGREEMENT

BETWEEN  
TOWN OF NORTH KINGSTOWN

AND

QUONSET DEVELOPMENT CORPORATION

## STREET INFORMATION WITHIN THE PARK

## FRONTAGE

STREET NAME	LENGTH (FEET)	OF LANES	LENGTH MILES	QDC Vacant	QDC Lease	Sold	FRAC of NK	Town of NK	TOTAL
JOHN THOMAS ST	454	2	0.09	433	420				853
JONES ROAD	3552	2	0.67	3530			3625		7155
KEEL STREET	1208	2	0.23	1540	811				2351
LT. JAMES BROWN	1448	2	0.27	37	410			2536	2883
MAGNAUGHT ST	1316	2	0.25	92	1723	490			2305
MAINSAIL DRIVE	2926	2	0.55	452		3181		2838	6471
MARINE ROAD	1328	2	0.25	2423	1469				3892
MARTIME WAY	2120	2	0.40	4715			91		4806
MOORING DRIVE	682	2	0.13	627		660			1287
MOSCRIPT AVE	709	2	0.13	790		750			1540
NORTHROP ROAD	4074	2	0.77	5267			1144	1330	7741
OCEAN STATE DRIVE	1528	2	0.29	1915		1332			3247
PATROL ROAD	1246	2	0.24	1194	1241				2435
ROMANO VINEYARD WAY	4031	2	0.76	6413	898	668			7978
SANFORD ROAD	1426	2	0.27	1658				99	1757
SMITH STREET	3294	2	0.62	979		5403			6382
THOMPSON ROAD	708	2	0.13	153	1161				1314
TIDAL DRIVE	1482	2	0.28	879	1820			378	2699
TRANSFER WAY	342	2	0.06						378
WESCOTT RD	926	2	0.18	1307	269				1576
WHITECAP DRIVE	688	2	0.13			1514			1514
ZARBO AVENUE	1424	2	0.27	3318	280				3598
SUBTOTAL	80796		15	64983	24361	48030	7915	11317	156606
TOTALS	104327		20	89839	38053	50171	9310	13011	200384

TOWN OF NORTH KINGSTOWN  
JAMES D. HANCOCK, TOWN CLERK

2010 JUL -6 AM 10:42

**APPENDIX 9.9**  
**QUONSET DEVELOPMENT CORPORATION**  
**QUONSET BUSINESS PARK**  
**PROJECT COMPLETION CERTIFICATION**

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**QUONSET DEVELOPMENT CORPORATION  
QUONSET BUSINESS PARK**

---

**PROJECT COMPLETION CERTIFICATION**

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**AS-BUILT CHECKLIST AND INSTRUCTIONS:**

As-built record drawings are required for water, sewer, gas, underground electric, telecommunications, roadway, and drainage plans. Use the following PROCESS and CHECKLIST in preparing as-built plans.

**PROCESS:**

- I. Submit all as-builts to QDC, including:
  - ☐ 1 Hard copy & PDF format
  - ☐ 1 Digital CD in AutoCAD file format
  - ☐ 1 Completed and Sealed As-Built Checklist
  
- II. Plans are reviewed by Staff. Approval requires the following:
  - ☐ Final inspection stormwater infrastructure required
  - ☐ Final inspection and water/sewer tests with approvals required.
  
- III. QDC will notify the design professional of plan review results.

**AS-BUILT CHECKLIST**

As-builts must be submitted prior to any building certificate of occupancy. The following checklist must be attached to each set of as-builts submitted for approval. Each blank must be initialed by the applicant as being included on the as-builts or marked N/A if not applicable to the project. All plan sheets must be 24" X 36" hard copy and AutoCAD format on CD. Lettering shall be bold, clear and a minimum of 1/8" in height. All applicable information listed below must be included on all as-built drawings.

**1: AS-BUILT GENERAL INFORMATION:**

- A ☐ Project Name: \_\_\_\_\_
- B ☐ Project Address: \_\_\_\_\_
- C ☐ Submitted by: \_\_\_\_\_ Phone: \_\_\_\_\_
- D ☐ (Please check)
  - (1) ☐ Hard Copy or PDF format
  - (2) ☐ Digital CD with AutoCAD format
- E ☐ Transmittal Date \_\_\_\_\_
- F ☐ **Note: Each sheet must include the Engineer's Seal that it is an As-Built drawing of the section that is shown.**
- G ☐ When the QDC has accepted the plans (with signatures), provide the following items to the QDC for recordkeeping: One full sized plan set (with signatures), and electronic files in PDF and AutoCAD format on CD-Rom. This CD-Rom shall include the name of the project, plat & lot numbers, name of the engineering firm providing the CD, and (preferably) a paper insert with an index listing the contents of the CD.

**2: SITE DATA:** At the minimum, all as-builts shall provide the following information:

- A ☐ Total number of lots
- B ☐ Total linear footage of infrastructure chart,
  - (1) ☐ \_\_\_\_\_ Streets (List individually in lengths)
  - (2) ☐ \_\_\_\_\_ Water mains (Identify size and length)
  - (3) ☐ \_\_\_\_\_ Sewer mains (Identify size and length)
  - (4) ☐ \_\_\_\_\_ Number of valves (For each size)
  - (5) ☐ \_\_\_\_\_ Number of fire hydrants
  - (6) ☐ \_\_\_\_\_ Number of manholes
  - (7) ☐ \_\_\_\_\_ Other (Any additional appurtenances)

### 3 : GENERAL INFORMATION :

- A[ ] Copy of recorded plat or deed of property, indicating easements and right of way
- B[ ] Boundary of tract by courses and distance with references
- C[ ] Tie to QDC control survey
- D[ ] Vicinity map to scale
- E[ ] Scale of drawings and bar scale
- F[ ] North arrow
- G[ ] Location of benchmark with QVD (Quonset Vertical Datum is a mean low water, MLW, datum based upon U.S. Navy MLW in the NGVD' 29 vertical datum)
- H[ ] Seal and signature of Rhode Island registered P.E. or P.L.S. on each sheet that performed as-builts.
- I[ ] All easements identified and dimensioned
- J[ ] Statement designating drawings are "As-Built" on each sheet

### 4 : STREETS (Public or Private)

- A [ ] Horizontal alignment with radii, P.C.'s, and P.T.'s of all curves
- B [ ] Vertical alignment with centerline grades, vertical curve lengths and station and elevation of all PVC's and PVT's and centerline profile.
- C [ ] Dimensioned right of way and street widths
- D [ ] Pavement section
- E [ ] Typical cross section

### 5 : STORM DRAINAGE:

- A[ ] Ditches, swales, pipes and drainage easements adjacent to the project shown.
- B[ ] Any stormwater lines shall include the following information (at a minimum): pipe size, length of line, slope of line, type of pipe and distance from near property line.
- C[ ] Display size and location of existing culverts, storm drains and other drainage features within the street or within the right-of-way of streets or roads adjoining the tract.
- D[ ] Need to show type, size and location of stormwater best management practice(s).
- E[ ] Permanent drainage easements shown and labeled for storm sewers and ditches outside of the streets where the system is maintained by the QDC
- F[ ] Details of Stormwater management device agreements and any or private drainage easements shall be noted.
- G[ ] Need to show 20 foot drainage easement along drainage system (10 foot either side of drainage system).
- H[ ] Need to show location of all drainage structures including type of structure (frame, grate, and box, and drop inlet). Need to show all elevation including top of structure and pipe(s).
- I [ ] Need to show location of all drainage ditches. In addition, need to show typical drainage ditch section.
- J[ ] Headwall or flared end dimensions and elevations need to be shown as well as the pipe invert.
- K [ ] Indication of direction of flow (flow arrows).
- L [ ] Certification by professional engineer registered in Rhode Island that the ditch soil compaction meets QDC specifications.

### 6 : WATER SYSTEM:

- A[ ] Overall master plan of project (including all phases)
- B[ ] Water and sewer drawings may be shown on same sheet or separate. Show common stationing for both systems (if applicable).
- C[ ] Show stationing of water laterals (services)
- D[ ] Pipe size and material labeled
- E[ ] Separation from water, sanitary and storm sewer shown on plans
- F[ ] All valves and blowoffs shall have at least two dimensions from fixed landmarks (i.e. hydrants, manholes, light poles, etc.) on the water sheet and in a magnified inset. Include description of size and type of valve on water sheet.

- G[ ] Certification by Professional Engineer registered in Rhode Island that system was installed in accordance with the water extension agreements and ditch and soil compactions meets QDC specifications  
     (1.) [ ] Certification on the plans  
     (2.) [ ] A separate certification sheet is provided
- H[ ] A separate, recorded easement for utility extensions outside public rights of way.
- I [ ] Tap sizes, location and station

## 7: SANITARY SEWER SYSTEM

- A[ ] Overall master plan of project (including all phases)
- B[ ] Water and sewer drawings may be shown on same sheet or separate. Show common stationing for both systems (if applicable).
- C[ ] Show stationing of sewer laterals (services) and show stationing of piers when applicable.
- D[ ] Pipe size and material labeled
- E[ ] Separation from water, sanitary and storm sewer shown on plans
- F[ ] Rim, invert and grade elevations in plan and profile.
- G[ ] Grades of sewer lines and angles at manholes.
- H[ ] Certification by Professional Engineer registered in Rhode Island that system was installed in accordance with the sewer extension agreements and ditch coil compaction meets QDC specifications.  
     (1)[ ] Certification on the plans  
     (2)[ ] A separate certification sheet is provided
- I [ ] A separate, recorded easement for utility extensions outside public rights of way.
- J[ ] Tap size, location and station

## AS-BUILTS CERTIFICATION

All construction has been completed in accordance with the construction drawings, and applicable City standards and ordinances. Any and all deviations from the approved plans are shown on the attached as-built and have been certified by an engineer to be true and correct.

<i>Place engineer Seal here</i>	Date: _____ Name: _____ Company: _____ Address: _____ City & State: _____ Phone: _____
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- Developer's Certification that the installation of work has been completed free of any and all liens or encumbrances.
- Developer shall deliver satisfactory lien waivers from all contractors, subcontractors or material. Men performing work or delivering materials to be used.
- Developer shall deliver an assignment, signed by the contractor and developer and in a form and content satisfactory to the QDC assigning all of the contractor's warranties to the QDC

**This form needs to be filled in above the dotted line by the engineer and submitted with the check list above completed.**

As-Built Project Summary : Provide the following information:

**WATER SYSTEM**

<u>Pipe Size</u>	<u>Material</u>	<u>Total Linear Feet Installed</u>
4"	[ ] PVC [ ] DI	_____
6"	[ ] PVC [ ] DI	_____
8"	[ ] PVC [ ] DI	_____
12"	[ ] PVC [ ] DI	_____
16"	[ ] PVC [ ] DI	_____
24"	[ ] PVC [ ] DI	_____
Other: _____	[ ] PVC [ ] DI	_____
Other: _____	[ ] PVC [ ] DI	_____

<u>Valve Size</u>	<u>Total Number Installed</u>
4"	_____
6"	_____
8"	_____
12"	_____
16"	_____
24"	_____
Other: _____	_____
Other: _____	_____

Fire Hydrant Assemblies with Valves

Manufacturer: \_\_\_\_\_ Number Installed \_\_\_\_\_

Blow Off Assemblies

<u>Size Installed</u>	<u>Number Installed</u>
_____	_____
_____	_____
_____	_____

**SEWER SYSTEM**

<u>Pipe Size</u>	<u>Material</u>	<u>Total Linear Feet Installed</u>
8"	[ ] PVC [ ] DI	_____
Other: _____	[ ] PVC [ ] DI	_____
Other: _____	[ ] PVC [ ] DI	_____

Total Number of Manhole Assemblies Installed \_\_\_\_\_

Total Number of Pump Stations Installed \_\_\_\_\_

Total Number of Pump Stations Removed \_\_\_\_\_

NOTE: If any private on site systems were installed, please provide same information as required for QDC systems. Private systems should be provided on separate sheets.

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Water As-Builts Reviewed Date	_____
QDC Representative	_____
Sewer As-Builts Reviewed Date	_____
QDC Representative	_____
Storm Water As-Builts Reviewed Date	_____
QDC Representative	_____