



January 16, 2014

Mr. Leo Hellested, P.E. - Chief
Rhode Island Department of Environmental Management
Office of Waste Management, Division of Site Remediation
235 Promenade Street
Providence, Rhode Island 02908-5767

Attn: Kelly Owens

Re: **Notification of Release**
Blackstone Valley Preparatory School
AP 2, Lot 26
52 Broad Street, Cumberland, RI
PARE Project No. 13062.09

Dear Ms. Owens:

On behalf of Civic Builders, and in accordance with Section 5.00 of the Rhode Island Department of Environmental Management (RIDEM) Remediation Regulations (Regulations), Pare Corporation (PARE) has prepared this Notification of Release (NOR) for the above referenced project. The following sections of this letter provide the required information to address Items A through J of Section 5.02 of the Regulations, Contents of Notification.

The Site is located at 52 Broad Street in Cumberland, RI and is the location of the future Blackstone Valley Preparatory Charter School. Up until construction of the new school, the Site had been a public park dating back to the late 1970s. Prior to that, it had been the site of a single family home with a detached garage. PARE performed a Phase I Environmental Site Assessment (ESA) in July 2013 for the proposed school site in accordance with ASTM E-1527-05. Based on the findings of the Phase I ESA, the Site was never known to be contaminated or ever suspected of being contaminated. The Release reported herein was discovered during the construction of a new school building and consisted of oil-impacted soil discovered approximately 8 feet below grade. As discussed in subsequent sections of this report, the Release was relatively limited in size (confined to an area less than 12 feet by 14 feet), and has, in PARE's opinion, been substantially addressed through excavation of contaminated soil.

5.02(A) – The Notifier and Owner of the Site is Civic Builders, 304 Hudson Street, New York, NY, 10013. The contact phone number is (212) 571-7260 (extension 316), and the contact person is Ms. Janelle Bosek.

5.02(B) – The property is an approximately 1.3-acre parcel located at 52 Broad Street, which is identified as Lot 26 on Cumberland Tax Assessor's Plat Map 2. At this time, the property is zoned commercial. At the time of the writing of the Phase I ESA; however, the property was zoned open space. Much of the development in the area appears to be dense and a mixture of residential and commercial uses. Industrial uses are also present in the area, particularly along the Blackstone River south and west of the site.





Prior to construction, the Site was partially cleared, with the exception of a few mature trees along the north, east, and western edges of the Site. The Site was used as a Town-owned public park with recreational facilities, including a basketball court, street hockey court, and a skate park. With the exception of the basketball courts, hockey area, and skate part, the Site was primarily lawn and landscaped areas.

Based on data reviewed for the July 2013 Phase I ESA, it appears that a two story residence and a detached automobile garage were located on Site, possibly as late as 1977. The Town took ownership of the Site in 1968, and the 1977 aerial photograph is the first aerial photograph where these structures cannot be seen, suggesting that these structures were demolished sometime between 1968 and 1977.

5.02(C) – On Saturday December 28, 2013, PARE was on-Site to observe the construction of the new Blackstone Valley Preparatory School. At that time, excavation for the construction of a continuous building footing was being performed approximately 55 feet north of the southern property line. At a depth of approximately 8 feet below existing grade, PARE personnel observed potentially contaminated soil, which appeared to be impacted by a black substance with a significant petroleum odor. The discovery of the potentially contaminated soil occurred in the vicinity of an old building foundation, which was encountered at this location and depth on that same day. Excavation was ceased until further investigation could be performed.

5.02(D) – Between Monday December 30, 2013 and Monday January 6, 2014, PARE conducted a limited subsurface investigation at the Site, which included excavation, removal, stockpiling, and sampling of the impacted soil. The initial investigation occurred on December 30, 2013 and included the excavation of approximately 40 to 45 cubic yards of soil. After PARE's initial investigation, one sidewall confirmatory sample had contaminant concentrations in excess of the RI DEM Method 1 Industrial/Commercial Direct Exposure Criteria (I/C DEC). As a result, PARE returned to the Site on January 6, 2014 to remove additional soil from the offending sidewall and collect additional confirmatory samples. The investigation included the collection of eight (8) discrete confirmatory samples from the sidewalls and bottom of the excavation, as well as one (1) composite waste characterization sample from the stockpile of excavated contaminated material. These samples are shown on the attached *Sample Location Plan* and are designated as Conf-1 through Conf-8.

PARE sent the 8 confirmatory samples and waste characterization sample with chain-of-custody documentation to New England Testing Laboratory, LLC of North Providence, Rhode Island for chemical analysis. The confirmatory samples were tested for:

- Total Lead, EPA method (6010C),
- Volatile Organic Compounds (VOCs), EPA method 8260B,
- Semi-Volatile Organic Compounds (SVOCs), EPA method 8270D, and
- Total Petroleum Hydrocarbons (TPH), method 8100M.

In addition to the above analyses, the waste characterization sample was also tested for:

- Polychlorinated Biphenyls (PCBs), EPA method 8082A,
- Pesticides, EPA method 8081B,
- Total Metals, EPA method (6010C),
- TCLP Metals, EPA method (6010C),



- Free Liquids, EPA method (9095B),
- Percent Organics, ASTM method D2974, and
- Cyanide, method 9014.

The analytical results are provided in the attached analytical summary table.

PARE collected Conf-1 through Conf-4 and the waste characterization sample (identified as "Waste" on the chain-of-custody) on December 30, 2013. Elevated concentrations of total petroleum hydrocarbon (TPH), toxicity characteristic leaching procedure (TCLP) lead and total lead were reported in the waste characterization sample. Based on a hydrocarbon fingerprint analysis, the petroleum type in the waste characterization sample was reported by the laboratory to be a mix of No.2 heating oil/diesel and No.6 fuel oil or motor oil/lubricant. In addition, elevated concentrations of some semi-volatile organic compounds (SVOCs), specifically poly-nuclear aromatic hydrocarbons (PAHs) at Conf-2 were reported. Given the elevated concentration of lead reported in the waste characterization sample, PARE had the sidewall and bottom samples re-analyzed for total lead. As with the PAH sample results, lead was reported to be elevated at sample location Conf-2. The elevated concentration of lead and most of the elevated PAH concentrations exceeded their RIDEM Method 1 Residential Direct Exposure Criteria (RDEC), while one PAH exceeded its I/C DEC. The elevated concentrations of the constituents found in Conf-2 were not reported in the other sidewall samples; Conf-1, Conf-3, or Conf-4 or the bottom sample, Conf-5.

Due to the elevated concentrations of SVOCs and total lead at Conf-2, PARE coordinated further excavation of the contaminated soil and collected additional confirmatory samples on January 6, 2014. Material was removed on the side of the excavation where Conf-2 was located, which was excavated eastward approximately three (3) feet. New confirmatory samples were collected from this sidewall and analyzed for SVOCs and total lead. Slightly elevated concentrations of lead and two SVOCs were reported in sample Conf-7, which was located near the bottom of the 11-foot deep eastern side. These constituents were reported slightly above their respective RDEC thresholds.

It should be noted that approximately 6 feet of soil below the original grade was excavated for the construction of the continuous footing prior to encountering any suspect contaminated soil. As result, much of the Site had already been lowered by 6 feet prior to encountering any suspect contaminated soil. Only a small area along the southern and eastern property line remained at the original grade. The excavation performed as part of this investigation started at the bottom of the southern and eastern sidewall embankment and went approximately 5 feet further below grade. This resulted in 11-foot sidewalls on the southern and eastern side of the excavation and 5-foot sidewalls on the northern and western sidewalls. According to the RIDEM "*Guidelines for Expedited Excavation and Disposal Response Actions*" Policy Memorandum (2012-01), pre-approved confirmation sampling requires that excavations with sidewalls deeper than 5 feet be sampled every 5 feet of wall height. Because none of the side walls were greater than 25 feet in length, PARE collected two side wall samples from each of the 11-foot side walls (Conf-1, Conf-6, Conf-7, and Conf-8), one sample from each of the 5-foot side walls (Conf-3 and Conf-4), and one bottom sample (Conf-5).

Visibly, the contaminated section of soil was encountered at a depth of 8 to 9 feet below original grade, approximately 5 feet west of a stone foundation associated with the former residence. The excavation of contaminated material was approximately 20 feet by 14 feet and 5 feet in depth. All contaminated



material was stockpiled on-Site on a layer of polyethylene sheeting and was also covered by polyethylene sheeting. Groundwater was not observed in the excavation.

5.02(E) – Based on PARE's initial assessment, it appears as though the source of the Release (i.e., elevated concentrations of lead, SVOCs, and TPH) is an isolated pocket of petroleum that was buried on-Site. PARE believes that the buried waste encountered near the foundation of the former residence has been in place since, and possibly before, the former residence was demolished between 1968 and 1977. Based on the depth of the excavation, and the elevated concentrations of contaminants at Conf-2 as discussed above, it is possible that the Release ranges in depth from 8 feet below original grade to approximately 11 feet below original grade. Based on the depth and the area in which the excavation was located, PARE's initial and preliminary estimate of contaminated soil is approximately 50 to 60 cubic yards, or approximately 75 to 110 tons. This estimate is approximate and will be verified by the hauler of the material upon disposal.

5.02(F) – At this time, all contaminated soil removed from the excavation has been stockpiled on a layer of polyethylene sheeting on the south end of the Site and has been covered by an additional layer of polyethylene sheeting (the location of this stockpile is shown on the attached *Sample Location Plan*). Based on confirmatory sampling results, it appears that the contaminated soil has been substantially removed from the excavation, with reported concentrations of TPH, total lead, SVOCs and VOCs, reported at trace or non-detect levels on three of the four sidewalls and excavation bottom. However, the reported concentrations on the east wall of the excavation for lead (175 mg/kg), chrysene (0.47 mg/kg), and benzo(a)pyrene (0.50 mg/kg), slightly exceeded their respective RDEC thresholds (150 mg/kg, 0.40 mg/kg, and 0.40 mg/kg, respectively). It should be noted that these concentrations were reported at a depth of approximately 11 feet below original grade. Sample Conf-6 was collected at a depth of approximately 3 feet below original grade on the same sidewall and had lead and PAH concentrations reported significantly below their respective RDEC criteria or below their laboratory method detection limits. As such, it appears that any residual contamination in the excavation is limited to the deepest part of the excavation and will eventually be covered with several feet of clean soil.

The Release was discovered as part of an ongoing construction project, was excavated, and currently does not represent an imminent threat to human health or the environment. It is proposed that the Release be addressed by disposing of the contaminated soil at a licensed facility (e.g., the Rhode Island Resource Recovery Corporation). As necessary for the installation of the continuous footing, the excavation shall be backfilled with clean suitable soil.

5.02(G) – An initial assessment was made as to whether or not the Release presents an Imminent Hazard as defined in Section 3.36 of the Regulations. PARE's assessment was made with respect to the future use of the property (i.e., a school), the action that has been taken to date, and the likelihood of exposure from the contaminants of concern. Based on the information obtained to date, the Release **does not** appear to:

1. Pose an immediate and substantial threat or risk of acute or chronic adverse effect on human health;
2. Pose a threat or risk of harm, which could cause immediate destruction or significant adverse impact on an Environmentally Sensitive Area or the contamination of a wellhead protection area or other drinking water source; or
3. Pose an immediate threat of fire or explosion.



PARE performed an environmental due diligence for the Site prior to construction. Specifically, PARE performed a Phase I ESA in accordance with ASTM E1527-05 to evaluate whether the Site could be considered potentially contaminated. The results of the ESA provided no direct evidence that the Site had ever been impacted by a release. The Site was not listed by the RIDEM as a State Hazardous Waste Site, LUST site, or in any other database that would indicate a past release at the property. In addition, the past use of the Site was as a public park and single family residence, which both represent relatively low risks of significant environmental concerns. The only potential risk identified during the Phase I ESA was the former presence of a gas station on the abutting parcel to the south of the Site. It is believed that groundwater in the vicinity of the Site flows in a southerly and westerly direction, which would make the former gas station downgradient from the Site. Given the proximity of the former gas station and the unknown disposition of the former USTs at the gas station, it was deemed prudent to perform an investigation of shallow groundwater beneath the southern edge of the Site.

The limited groundwater investigation was performed less as a result of a substantial concern about groundwater, but more because it could be done easily and without much expense when done as part of the project's geotechnical investigation. The limited groundwater investigation included the advancement of three geotechnical borings along the common property line between the Site and the former gas station property. At each location, bedrock was encountered at a depth ranging from 6 feet to 14 feet. Groundwater was not encountered in any of the three boring locations. The results of the limited groundwater investigation eliminated the possibility that shallow groundwater beneath the Site has been impacted by the adjacent former gas station facility.

Groundwater information reviewed by PARE indicates that the Site is located within a GB groundwater area. Groundwater that is classified by the RIDEM as GB is considered unsuitable for drinking water without treatment due to known or presumed degradation. According to Rhode Island Geographical Information System (RIGIS) data reviewed by PARE, the Site is partially located within the Lower Blackstone Moshassuck ground water reservoir and the Blackstone River Sub-basin watershed. According to RIGIS data, the Site is not located within a wellhead protection area or sole source aquifer. Therefore, based on the Site being located in a GB groundwater area and not being located within a wellhead protection area, it does not appear as though this release poses a significant threat of contaminating a wellhead protection area or other drinking water source. Given that the contamination has been substantially removed and no groundwater was encountered in the excavation, the threat that this Release will migrate to groundwater in the future is extremely low.

With regard to potential vapor intrusion, as part of the Phase I ESA performed in July 2013, PARE concluded that the potential for vapor intrusion at the Site was very low. At this time, given that the Release has been substantially addressed, the risk for vapor intrusion continues to be very low. It is noted, however, that a passive radon collection system is planned as part of this construction project. This system is planned for the sole reason that is far more cost-effective to install a passive collection system during construction than to retrofit a building after construction. At this time, there is no direct evidence that radon is going to be an issue at this Site. Should a vapor intrusion issue be discovered in the future, the passive collection system being installed for radon could be utilized to address vapor intrusion.

5.02(H) – The Release has impacted a site that is currently being developed for the future use as a school. At the time of this writing, the Site is zoned commercial. At the time of the writing of the Phase I ESA; however, the property was zoned open space.



5.02(I) – As stated above, the underlying groundwater classification at the Site is GB.

5.02(J) – At this time, it is anticipated that the aerial and vertical extent of contaminated soil was relatively discrete and limited to the excavation described in earlier sections of this letter, and that a Background Determination per Section 8.06 of the Regulations will not be required for the Site.

It is PARE's opinion that the Release is limited to the isolated pocket of petroleum-impacted soil found in an area approximately 20 feet by 14 feet. Based on the limited subsurface investigation, it does not appear that groundwater was impacted as a result of this Release. Although TPH, lead, and SVOCs were reported at relatively high concentrations in the stockpiled material (i.e., the waste characterization sample), it appears that the actual extents of contamination were limited to an isolated pocket of petroleum-impacted soil. PARE believes that this Release has been substantially addressed in the removal and the stockpiling of the impacted material on-Site. As stated above, this Release was discovered as part of an ongoing construction project. Because construction is ongoing, an expeditious review of this NOR would be appreciated.

While not part of a typical Notification of Release, PARE also reviewed Section 7.07 of the Remediation Regulations because the Site is being developed into a school. Section 7.07 was reviewed for the purposes of Public Involvement. and Part A(iii) of this section specifically states, "Whenever a site that is known to be contaminated or is suspected of being contaminated based upon its past use is considered for possible reuse as the location of a School, Child-Care Facility, or as a Recreational Facility for Public Use that supports existing or proposed Active Recreation...", and goes on to describe the requirements for public involvement. PARE does not believe that this particular Public Involvement criterion is applicable to this Site because the Site was never known or suspected to be contaminated. However, even though this public involvement requirement does not appear to be applicable to this Site, there was substantial public comment opportunity prior to construction. There were several public meetings for this project, including:

- Planning board meetings held on May 30, 2013, July 31, 2013, September 5, 2013, and September 25, 2013,
- Town council meetings held on August 31, 2013, September 4, 2013, and September 18, 2013, and
- A community meeting held on September 9, 2013 at the Lusitania Club.

Meeting minutes from these public meetings are attached.

PARE believes that the degree of Public Involvement that occurred prior to the start of construction would have generated comments pertaining to environmental issues, had any environmental concerns existed for the Site.



Ms. Kelly Owens, RIDEM

(7)

January 16, 2014

We anticipate that RIDEM will issue a Letter of Responsibility for this Site and we will provide additional information as requested. As stated above, because construction is ongoing at the Site, an expeditious review of this letter by RIDEM would help the project to move forward in a timely manner. In the meantime, should you have any questions regarding the Notification of Release, please contact us at your earliest convenience.

Sincerely,

Timothy P. Thies, P.E.
Managing Engineer

TPT/MLD/abv

Cc: Ms. Janelle Bosek – Civic Builders
Mr. Andrew Chagnon, P.E. (PARE)
Mr. George G. Palmisciano, P.E. (PARE) w/o attachments

Attachments: (1) Sample Location Plan
(2) Analytical Data Summary Table
(3) Certificates of Analysis and Chain-of-Custody Documentation
(4) Public Meeting Minutes
(5) Notification of Release Form

ATTACHMENT NO. 1
SAMPLE LOCATION PLAN



CONF-2

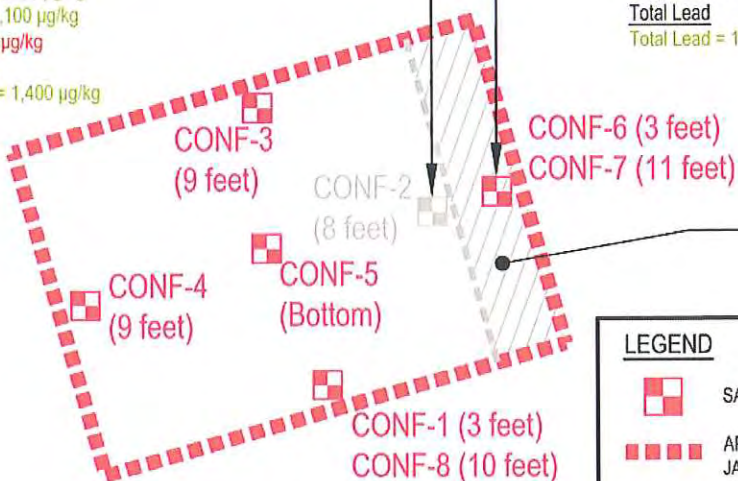
SVOCs

Benzo(a)anthracene = 1,500 µg/kg
Benzo(b)fluoranthene = 2,200 µg/kg
Benzo(g,h,i)perylene = 1,100 µg/kg
Benzo(a)pyrene = 1,800 µg/kg
Chrysene = 1,600 µg/kg
Indeno(1,2,3-cd)pyrene = 1,400 µg/kg
Total Lead
Total Lead = 287 mg/kg

CONF-7

SVOCs

Benzo(a)pyrene = 500 µg/kg
Chrysene = 470 µg/kg
Total Lead
Total Lead = 175 mg/kg



SOIL REMOVED AFTER RECEIPT OF CONF-2 ANALYTICAL RESULTS

LEGEND

- SAMPLE LOCATION
- APPROXIMATE LIMITS OF EXCAVATION ON JANUARY 6, 2014

NOTE: CONCENTRATIONS SHOWN IN RED EXCEED RIDEM I/C DEC
CONCENTRATIONS SHOWN IN GREEN EXCEED RIDEM R DEC

INSET A



NOT TO SCALE



PARE CORPORATION
ENGINEERS - SCIENTISTS - PLANNERS
8 BLACKSTONE VALLEY PLACE
LINCOLN, RI 02865
401-334-4100

PROJECT NO. 13062.00

DATE: JANUARY 2014

Sample Location Plan
Blackstone Valley Preparatory School
52 Broad Street
Notification of Release

Cumberland, Rhode Island

ATTACHMENT NO. 2
ANALYTICAL DATA SUMMARY TABLE



SOIL SAMPLING DATA SUMMARY

Constituent		Soil Standards and Reference Concentrations			Results									
Parameter	Method	RIDEM Method 1 Residential	RIDEM Method 1 Ind./Comm.	RIIRRC ACM Policy	Units	Confirmatory Sampling								Waste Char. (Stockpile)
						CONF-1 (3 feet)	CONF-2 (8 feet)	CONF-3 (9 feet)	CONF-4 (9 feet)	CONF-5 (Bottom)	CONF-6 (3 feet)	CONF-7 (11 feet)	CONF-8 (10 feet)	
Metals (TCLP)														
Arsenic	6010C			2.5	mg/L	NT	NT	NT	NT	NT	NT	NT	NT	NT
Barium	6010C			50	mg/L	NT	NT	NT	NT	NT	NT	NT	NT	NT
Cadmium	6010C			0.5	mg/L	NT	NT	NT	NT	NT	NT	NT	NT	NT
Chromium	6010C			2.5	mg/L	NT	NT	NT	NT	NT	NT	NT	NT	NT
Lead	6010C			2.5	mg/L	NT	NT	NT	NT	NT	NT	NT	NT	3.102
Mercury	7470A			0.1	mg/L	NT	NT	NT	NT	NT	NT	NT	NT	1.52
Selenium	6010C			0.5	mg/L	NT	NT	NT	NT	NT	NT	NT	NT	1.62
Silver	6010C			2.5	mg/L	NT	NT	NT	NT	NT	NT	NT	NT	1.62
Metals (Total)														
Arsenic	6010C	7	7	7	mg/kg	NT	NT	NT	NT	NT	NT	NT	NT	12.3
Barium	6010C	5,500	10,000	10,000	mg/kg	NT	NT	NT	NT	NT	NT	NT	NT	91.5
Cadmium	6010C	39	1,000	1,000	mg/kg	NT	NT	NT	NT	NT	NT	NT	NT	3.42
Chromium (Total)*	6010C	390	10,000	10,000	mg/kg	NT	NT	NT	NT	NT	NT	NT	NT	16.7
Lead	6010C	150	500	500	mg/kg	57	287	7.47	111	43.5	1.92	175	5.81	1710
Mercury	7470A	23	610	610	mg/kg	NT	NT	NT	NT	NT	NT	NT	NT	38.4
Selenium	6010C	390	10,000	10,000	mg/kg	NT	NT	NT	NT	NT	NT	NT	NT	1.62
Silver	6010C	200	10,000	10,000	mg/kg	NT	NT	NT	NT	NT	NT	NT	NT	7.64
VOCs														
n-Butylbenzene	8260B	NS	NS	NS	mg/kg	ND	ND	ND	ND	ND	ND	ND	ND	ND
sec-Butylbenzene	8260B	NS	NS	NS	mg/kg	ND	ND	ND	ND	ND	ND	ND	ND	0.17
Ethylbenzene	8260B	71	10,000	10,000	mg/kg	ND	ND	ND	ND	ND	ND	ND	ND	ND
Isopropyl benzene	8260B	27	10,000	10,000	mg/kg	ND	ND	ND	ND	ND	ND	ND	ND	ND
p-Isopropyltoluene	8260B	NS	NS	NS	mg/kg	ND	ND	ND	ND	ND	ND	ND	ND	0.25
Naphthalene	8260B	NS	NS	NS	mg/kg	ND	ND	ND	ND	ND	ND	ND	ND	0.48
n-Propylbenzene	8260B	NS	NS	NS	mg/kg	ND	ND	ND	ND	ND	ND	ND	ND	ND
Styrene	8260B	13	190	190	mg/kg	ND	ND	ND	ND	ND	ND	ND	ND	ND
Toluene	8260B	190	10,000	10,000	mg/kg	ND	ND	ND	ND	ND	ND	ND	ND	ND
1,2,4-Trimethylbenzene	8260B	NS	NS	NS	mg/kg	ND	ND	ND	ND	ND	ND	ND	ND	0.33
1,3,5-Trimethylbenzene	8260B	NS	NS	NS	mg/kg	ND	ND	ND	ND	ND	ND	ND	ND	0.19
Xylenes (total)	8260B	110	10,000	10,000	mg/kg	ND	ND	ND	ND	ND	ND	ND	ND	ND
SVOCs														
Acenaphthene	8270D	43	10,000	10,000	mg/kg	ND	ND	ND	ND	ND	ND	ND	ND	0.48
Acenaphthylene	8270D	23	10,000	10,000	mg/kg	ND	0.14	ND	ND	ND	ND	ND	ND	ND
Anthracene	8270D	35	10,000	10,000	mg/kg	ND	0.28	ND	ND	ND	ND	ND	ND	0.31
Benzo(a)anthracene	8270D	0.9	7.8	7.8	mg/kg	ND	1.5	ND	ND	ND	ND	0.44	ND	0.32
Benzo(a)pyrene	8270D	0.4	0.8	0.8	mg/kg	ND	1.8	ND	ND	ND	ND	0.5	ND	0.34
Benzo(b)fluoranthene	8270D	0.9	7.8	7.8	mg/kg	ND	2.2	ND	ND	ND	ND	0.71	ND	0.51
Benzo(g,h,i)perylene	8270D	0.8	10,000	10,000	mg/kg	ND	1.1	ND	ND	ND	ND	0.28	ND	0.25
Benzo(k)fluoranthene	8270D	0.9	7.8	7.8	mg/kg	ND	0.74	ND	ND	ND	ND	0.25	ND	ND
Bis(2-Ethylhexyl)phthalate	8270D	46.0	410	410	mg/kg	ND	ND	ND	ND	ND	ND	ND	ND	ND
Chrysene	8270D	0.4	780	780	mg/kg	ND	1.6	ND	ND	ND	ND	0.47	ND	0.43
Dibenzo(a,h)anthracene	8270D	0.4	0.8	0.8	mg/kg	ND	0.32	ND	ND	ND	ND	ND	ND	ND
Dibenzofuran	8270D	NS	NS	NS	mg/kg	ND	ND	ND	ND	ND	ND	ND	ND	0.36
Fluoranthene	8270D	20	10,000	10,000	mg/kg	ND	2.7	ND	ND	ND	ND	0.89	ND	0.89
Fluorene	8270D	28	10,000	10,000	mg/kg	ND	ND	ND	ND	ND	ND	ND	ND	0.58
Indeno(1,2,3-cd)pyrene	8270D	0.9	7.8	7.8	mg/kg	ND	1.4	ND	ND	ND	ND	0.36	ND	0.31
2-Methyl naphthalene	8270D	123	10,000	10,000	mg/kg	ND	ND	ND	ND	ND	ND	ND	ND	1.7
Naphthalene	8270D	54	10,000	10,000	mg/kg	ND	ND	ND	ND	ND	ND	ND	ND	0.51
Phenanthrene	8270D	40	10,000	10,000	mg/kg	ND	1.1	ND	ND	ND	ND	0.17	ND	1.3
Pyrene	8270D	13	10,000	10,000	mg/kg	ND	2.7	ND	ND	ND	ND	0.79	ND	0.74
PCBs														
	8082A	10	10	10	mg/kg	NT	NT	NT	NT	NT	NT	NT	NT	NT
Pesticides														
	8081B				mg/kg	NT	NT	NT	NT	NT	NT	NT	NT	NT
TPHs														
	8100M	500	2,500	2,500	mg/kg	ND	163	ND	56	ND	ND	52	ND	2320
Free Liquids														
	9095A			0	mg/kg	NT	NT	NT	NT	NT	NT	NT	NT	0.00
Total Organic Matter														
	ASTM D2974				%	NT	NT	NT	NT	NT	NT	NT	NT	1.71
Total Cyanide														
	SM4500CN-E				mg/kg	NT	NT	NT	NT	NT	NT	NT	NT	4.07
PID Screening														
					ppm	0	0	0	0	0	0	0	0	27.2

Notes : = Soil with contaminant concentrations in excess of the R DEC but below the I/C DEC
 = Soil with contaminant concentrations in excess of the I/C DEC
 ND = Not Detected
 NS = No Standard
 NT = Not Tested
 * R DEC and I/C DEC based on Chromium VI(Hexavalent), Chromium III(Trivalent) R DEC = 1,400 mg/kg, I/C DEC = 10,000 mg/kg

ATTACHMENT NO. 3
CERTIFICATES OF ANALYSIS AND CHAIN-OF-CUSTODY
DOCUMENTATION





REPORT OF ANALYTICAL RESULTS

NETLAB Case Number Z1230-23

Prepared for:

Attn: M. Dowdell
Pare Corporation
8 Blackstone Valley Place
Lincoln, RI 02865

Report Date: January 3, 2014

Reviewed By:

Richard Warila
Laboratory Director

Lab # RI010

NEW ENGLAND TESTING LABORATORY, INC.

1254 Douglas Avenue, North Providence, RI 02904

(401) 353-3420

SAMPLES SUBMITTED and REQUEST FOR ANALYSIS:

The samples listed in Table I were submitted to New England Testing Laboratory on December 30, 2013. The group of samples appearing in this report was assigned an internal identification number (case number) for laboratory information management purposes. The client's designations for the individual samples, along with our case numbers, are used to identify the samples in this report. This report of analytical results pertains only to the sample(s) provide to us by the client which are indicated on the custody record. The case number for this sample submission is Z1230-23

Custody records are included in this report.

Site: CB-BVP-Contaminated Soil

TABLE I, Samples Submitted

Sample ID	Date Sampled	Matrix	Analysis Requested
Conf-1	12/30/13	Soil	Table II
Conf-2	12/30/13	Soil	Table II
Conf-3	12/30/13	Soil	Table II
Conf-4	12/30/13	Soil	Table II
Waste	12/30/13	Soil	Table III

TABLE II, Analysis and Methods

ANALYSIS	PREPARATION METHOD	DETERMINATIVE METHOD
Total Petroleum Hydrocarbons	3550C	8100M
Semi-volatile Organic Compounds	3550C	8270D
Volatile Organic Compounds	5035	8260B

TABLE III, Analysis and Methods

ANALYSIS	PREPARATION METHOD	DETERMINATIVE METHOD
Cyanide	NA	9014
Free Liquids	NA	9095B
Total Organic Matter	NA	ASTM D2974
Total Petroleum Hydrocarbons	3550C	8100M
PCB	3541	8082A
Pesticides	3541	8081B
Semi-volatile Organic Compounds	3550C	8270D
Volatile Organic Compounds	5035	8260B
Total Metals		
Arsenic	3050B	6010C
Barium	3050B	6010C
Cadmium	3050B	6010C
Chromium	3050B	6010C
Lead	3050B	6010C
Mercury	NA	7471B
Selenium	3050B	6010C
Silver	3050B	6010C
TCLP Extraction	1311	NA
Arsenic	3010A	6010C
Barium	3010A	6010C
Cadmium	3010A	6010C
Chromium	3010A	6010C
Lead	3010A	6010C
Mercury	NA	7470A
Selenium	3010A	6010C
Silver	7760	6010C

These methods are documented in:

Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, SW-846, USEPA/OSW.

CASE NARRATIVE:

Sample Receipt

The samples were all appropriately cooled and preserved upon receipt. The samples were received in the appropriate containers. The chain of custody was adequately completed and corresponded to the samples submitted.

Metals

All analyses were performed according to NETLAB's documented Standard Operating Procedures, within all required holding times, and with appropriate quality control measures. All QC was within laboratory established acceptance criteria. The samples were received, processed, and reported with no anomalies.

PCBs

All samples were extracted and analyzed within method specified holding times and according to NETLAB's documented standard operating procedures. The results for the associated calibration, method blank and laboratory control sample (LCS) were within method specified quality control criteria.

Pesticides

All samples were extracted and analyzed within method specified holding times and according to NETLAB's documented standard operating procedures. The results for the associated calibration, method blank and laboratory control sample (LCS) were within method specified quality control criteria.

Semi-volatile Compounds

All samples were extracted and analyzed within method specified holding times and according to NETLAB's documented standard operating procedures. The results for the associated calibration, method blank and laboratory control sample (LCS) were within method specified quality control criteria.

Total Petroleum Hydrocarbons

All samples were extracted and analyzed within method specified holding times and according to NETLAB's documented standard operating procedures. The results for the associated calibration, method blank and laboratory control sample (LCS) were within method specified quality control criteria.

The profile for sample "Waste" prevented the quantification of the associated surrogate. As a result, the surrogate recovery was reported as "obscured".

Volatile Organic Compounds

All samples were analyzed within method specified holding times and according to NETLAB's documented standard operating procedures. The results for the associated calibration, method blank and laboratory control sample (LCS) were within method specified quality control criteria.

Wet Chemistry

All samples were analyzed within method specified holding times and according to NETLAB's documented standard operating procedures.

Waste

Parameter	Result	Reporting Limit	Date Analyzed
Cyanide, mg/kg*	4.07	0.20	12/31/13
Free Liquids	No Free Liquids	NA	12/31/13
Total Organic Matter, %	1.71	NA	1/2/14

ND = Not Detected

NA = Not Applicable

*Dry Weight Basis

Sample: Waste

Case No. Z1230-23

Date TCLP Extracted: 12/31/13

Date Analyzed*: 1/2/14

<u>TCLP Extractable Metals</u>	<u>Result, mg/L</u>	<u>Regulatory Limit, mg/L</u>
Arsenic	<0.02	5.0
Barium	<0.5	100.0
Cadmium	<0.01	1.0
Chromium	<0.02	5.0
Lead	3.102	5.0
Mercury	<0.002	0.2
Selenium	<0.05	1.0
Silver	<0.02	5.0

* Date Completed

Sample: Conf-1		Analyst's Initials: BJ
Case No. Z1230-23		
Date Collected: 12/30/13		
Sample Matrix: Soil		
Subject: TPH		
Prep Method: EPA 3550C	Date Extracted	Date Analyzed
Analytical Method: EPA 8100 M	12/30/13	12/31/13
Compound	Concentration, mg/kg* (ppm)	Reporting Limit mg/kg* (ppm)
Total Petroleum Hydrocarbons	ND	21
Surrogates:		
Compound	% Recovery	Limits
Chlorooctadecane	83	62-151

Sample: Conf-2		Analyst's Initials: BJ
Case No. Z1230-23		
Date Collected: 12/30/13		
Sample Matrix: Soil		
Subject: TPH		
Prep Method: EPA 3550C	Date Extracted	Date Analyzed
Analytical Method: EPA 8100 M	12/30/13	12/31/13
Compound	Concentration, mg/kg* (ppm)	Reporting Limit mg/kg* (ppm)
Total Petroleum Hydrocarbons	163	22
Surrogates:		
Compound	% Recovery	Limits
Chlorooctadecane	75	62-151

ND = Not Detected

*Dry Weight Basis

Sample: Conf-3		Analyst's Initials: BJ
Case No. Z1230-23		
Date Collected: 12/30/13		
Sample Matrix: Soil		
Subject: TPH		
Prep Method: EPA 3550C	Date Extracted	Date Analyzed
Analytical Method: EPA 8100 M	12/30/13	12/31/13
Compound	Concentration, mg/kg* (ppm)	Reporting Limit mg/kg* (ppm)
Total Petroleum Hydrocarbons	ND	20
Surrogates:		
Compound	% Recovery	Limits
Chlorooctadecane	95	62-151

Sample: Conf-4		Analyst's Initials: BJ
Case No. Z1230-23		
Date Collected: 12/30/13		
Sample Matrix: Soil		
Subject: TPH		
Prep Method: EPA 3550C	Date Extracted	Date Analyzed
Analytical Method: EPA 8100 M	12/30/13	12/31/13
Compound	Concentration, mg/kg* (ppm)	Reporting Limit mg/kg* (ppm)
Total Petroleum Hydrocarbons	56	22
Surrogates:		
Compound	% Recovery	Limits
Chlorooctadecane	101	62-151

ND = Not Detected

*Dry Weight Basis

Sample: Waste		Analyst's Initials: BJ
Case No. Z1230-23		
Date Collected: 12/30/13		
Sample Matrix: Soil		
Subject: TPH		
Prep Method: EPA 3550C	Date Extracted	Date Analyzed
Analytical Method: EPA 8100 M	12/30/13	12/31/13
Compound	Concentration, mg/kg* (ppm)	Reporting Limit mg/kg* (ppm)
Total Petroleum Hydrocarbons	2,320	33
Surrogates:		
Compound	% Recovery	Limits
Chlorooctadecane	Obscured	62-151

ND = Not Detected

*Dry Weight Basis

METALS RESULTS

The presence of the NETLAB LOGO in the top right corner of each page in this section indicates:

The Technical Manager of the Metals Analysis Department certifies that the results included in this section have been reviewed and approved. Any exceptions or qualifications of substance have been reported in the case narrative.

METALS RESULTS



Case Number: Z1230-23
 Sample ID: WASTE
 Date collected: 12/30/13
 Matrix: SOIL
 Solids, %: 60.27
 Sample Type: Total

Analyst MM/JC/JM

Parameter	CAS Number	Preparative Method	Analytical Method	Result	Reporting Limit	Units	Date of Preparation	Date Analyzed
Arsenic	7440-38-2	3050B	6010C	12.3	1.11	mg/kg	12/31/13	1/2/14
Barium	7440-39-3	3050B	6010C	91.5	0.55	mg/kg	12/31/13	1/2/14
Cadmium	7440-43-9	3050B	6010C	3.42	0.55	mg/kg	12/31/13	1/2/14
Chromium	7440-47-3	3050B	6010C	16.7	0.55	mg/kg	12/31/13	1/2/14
Lead	7439-92-1	3050B	6010C	1710	0.55	mg/kg	12/31/13	1/2/14
Mercury	7439-97-6	NA	7471B	38.40	5.139	mg/kg	1/2/14	1/2/14
Selenium	7782-49-2	3050B	6010C	ND	1.11	mg/kg	12/31/13	1/2/14
Silver	7440-22-4	3050B	6010C	7.64	0.55	mg/kg	12/31/13	1/2/14

ND indicates Not Detected.

All results are reported on a dry weight basis.

METALS RESULTS



Sample ID: Preparation Blank
 Matrix SOIL
 Solids, % 100
 Sample Type: Total

Analyst MM/JC/JM

		Preparative	Analytical		Reporting		Date of	Date
Parameter	CAS Number	Method	Method	Result	Limit	Units	Preparation	Analyzed
Arsenic	7440-38-2	3050B	6010C	ND	0.67	mg/kg	12/31/13	1/2/14
Barium	7440-39-3	3050B	6010C	ND	0.33	mg/kg	12/31/13	1/2/14
Cadmium	7440-43-9	3050B	6010C	ND	0.33	mg/kg	12/31/13	1/2/14
Chromium	7440-47-3	3050B	6010C	ND	0.33	mg/kg	12/31/13	1/2/14
Lead	7439-92-1	3050B	6010C	ND	0.33	mg/kg	12/31/13	1/2/14
Mercury	7439-97-6	NA	7471B	ND	0.067	mg/kg	1/2/14	1/2/14
Selenium	7782-49-2	3050B	6010C	ND	0.67	mg/kg	12/31/13	1/2/14
Silver	7440-22-4	3050B	6010C	ND	0.33	mg/kg	12/31/13	1/2/14

ND indicates Not Detected.

All results are reported on a dry weight basis.

LABORATORY CONTROL SAMPLE RECOVERY

Internal

Parameter	True Value	Result	Units	Recovery, %	LCL, %	UCL, %	Date Analyzed
Arsenic	13.3	13.5	mg/kg	101	80	120	1/2/14
Barium	66.7	63.3	mg/kg	95	80	115	1/2/14
Cadmium	66.7	62.6	mg/kg	94	80	113	1/2/14
Chromium	66.7	61.3	mg/kg	92	80	115	1/2/14
Lead	66.7	62.7	mg/kg	94	80	114	1/2/14
Mercury	0.133	0.135	mg/kg	101	80	120	1/2/14
Selenium	13.3	14.0	mg/kg	105	80	120	1/2/14
Silver	33.3	32.6	mg/kg	98	80	120	1/2/14

RESULTS: PCBs

The presence of the NETLAB LOGO in the top right corner of each page in this section indicates:

The Technical Manager of the Organics Analysis Department certifies that the samples included in this section have been prepared and analyzed using the procedures cited and that the results have been reviewed and approved. Any exceptions or qualifications of substance have been reported in the case narrative.

Sample: Waste		Analyst's Initials: BJ
Case No.: Z1230-23		
Date Collected: 12/30/13		
Sample Matrix: Soil		
Subject: PCBs	Date Extracted	Date Analyzed
Prep Method: EPA 3541	12/31/13	12/31/13
Analytical Method: EPA 8082A		
Compound	Concentration ug/kg* (ppb)	Reporting Limit ug/kg* (ppb)
Aroclor-1221	N.D.	100
Aroclor-1232	N.D.	100
Aroclor-1016	N.D.	100
Aroclor-1242	N.D.	100
Aroclor-1248	N.D.	100
Aroclor-1254	N.D.	100
Aroclor-1260	N.D.	100
Aroclor-1262	N.D.	100
Aroclor-1268	N.D.	100
Surrogates:		
Compound	% Recovery	Limits
TCMX	80	45-109
DCBP	73	53-127

*Dry Weight Basis
 N.D. = Not Detected

Sample: Method Blank		Analyst's Initials: BJ
Case No.: Z1230-23		
Date Collected: NA		
Sample Matrix: Soil		
Subject: PCBs	Date Extracted	Date Analyzed
Prep Method: EPA 3541	12/31/13	12/31/13
Analytical Method: EPA 8082A		
Compound	Concentration ug/kg (ppb)	Reporting Limit ug/kg (ppb)
Aroclor-1221	N.D.	100
Aroclor-1232	N.D.	100
Aroclor-1016	N.D.	100
Aroclor-1242	N.D.	100
Aroclor-1248	N.D.	100
Aroclor-1254	N.D.	100
Aroclor-1260	N.D.	100
Aroclor-1262	N.D.	100
Aroclor-1268	N.D.	100
Surrogates:		
Compound	% Recovery	Limits
TCMX	92	45-109
DCBP	99	53-127

N.D. = Not Detected

PCB Laboratory Control Spike

Subject: PCB	Date Extracted			Date Analyzed
Prep Method: EPA 3541	12/31/13			12/23/13
Analytical Method: EPA 8082A				
Compound	Amount Spiked mg/kg	Result mg/kg	Recovery %	Recovery Limits
Aroclor 1016	0.500	0.467	93	53-140
Aroclor 1260	0.500	0.514	103	60-126
Surrogates:				
Compound	% Recovery	Limits		
TCMX	87	45-109		
DCBP	93	53-127		

RESULTS: PESTICIDES

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Sample: Waste		Analyst's Initials: BJ
Case No.: Z1230-23		
Date Collected: 12/30/13		
Sample Matrix: Soil		
Subject: Pesticides	Date Extracted	Date Analyzed
Prep Method: EPA 3541	12/31/13	1/2/14
Analytical Method: EPA 8081B		
Compound	Concentration ug/kg* (ppb)	Reporting Limit ug/kg* (ppb)
Aldrin	N.D.	5
alpha-BHC	N.D.	5
beta-BHC	N.D.	5
delta-BHC	N.D.	5
gamma-BHC	N.D.	5
alpha-Chlordane	N.D.	5
gamma-Chlordane	N.D.	5
Chlordane	N.D.	50
4,4'-DDD	N.D.	5
4,4'-DDE	N.D.	5
4,4'-DDT	N.D.	5
Dieldrin	N.D.	5
Endosulfan I	N.D.	5
Endosulfan II	N.D.	5
Endosulfan sulfate	N.D.	5
Endrin	N.D.	5
Endrin aldehyde	N.D.	5
Endrin Ketone	N.D.	5
Heptachlor	N.D.	5
Heptachlor epoxide	N.D.	5
Methoxychlor	N.D.	5
Toxaphene	N.D.	50
Surrogates:		
Compound	% Recovery	Limits
TCMX	68	51-109
DCBP	76	42-112

*Dry Weight Basis
N.D. = Not Detected

Sample: Method Blank		Analyst's Initials: BJ
Case No.: Z1230-23		
Date Collected: N.A.		
Sample Matrix: Soil		
Subject: Pesticides	Date Extracted	Date Analyzed
Prep Method: EPA 3541	12/31/13	1/2/14
Analytical Method: EPA 8081B		
Compound	Concentration ug/kg (ppb)	Reporting Limit ug/kg (ppb)
Aldrin	N.D.	5
alpha-BHC	N.D.	5
beta-BHC	N.D.	5
delta-BHC	N.D.	5
gamma-BHC	N.D.	5
alpha-Chlordane	N.D.	5
gamma-Chlordane	N.D.	5
Chlordane	N.D.	50
4,4'-DDD	N.D.	5
4,4'-DDE	N.D.	5
4,4'-DDT	N.D.	5
Dieldrin	N.D.	5
Endosulfan I	N.D.	5
Endosulfan II	N.D.	5
Endosulfan sulfate	N.D.	5
Endrin	N.D.	5
Endrin aldehyde	N.D.	5
Endrin Ketone	N.D.	5
Heptachlor	N.D.	5
Heptachlor epoxide	N.D.	5
Methoxychlor	N.D.	5
Toxaphene	N.D.	50
Surrogates:		
Compound	% Recovery	Limits
TCMX	95	51-109
DCBP	88	42-112

*Dry Weight Basis
N.D. = Not Detected

Pesticide Laboratory Control Spike



Date Collected: NA				
Sample Matrix: SOIL				
Subject: Pesticides	Date Extracted			Date Analyzed
Prep Method: EPA 3541	12/31/2013			1/2/2014
Analytical Method: EPA 8081A				
Compound	Spike Amount ng/mL (ppb)	Recovery ng/mL (ppb)	Recovery %	Recovery Limits
alpha-BHC	40	31.5	79	54-110
gamma-BHC	40	32.2	81	57-107
beta-BHC	40	32.7	82	58-114
delta-BHC	40	21.1	53	40-111
Heptachlor	40	32.4	81	55-113
Aldrin	40	31.0	77	53-114
Heptachlor epoxide	40	34.5	86	53-112
gamma-Chlordane	40	34.1	85	55-111
alpha-Chlordane	40	33.6	84	54-114
4,4'-DDE	40	37.4	94	54-117
Endosulfan I	40	33.6	84	52-113
Dieldrin	40	31.7	79	55-113
Endrin	40	30.1	75	50-127
4,4'-DDD	40	38.4	96	57-123
Endosulfan II	40	30.4	76	53-111
4,4'-DDT	40	33.9	85	52-126
Endrin aldehyde	40	41.5	104	40-136
Methoxychlor	40	31.9	80	67-128
Endosulfan sulfate	40	28.6	71	57-106
Endrin Ketone	40	34.9	87	51-119
Surrogates:				
Compound	% Recovery	Limits		
TCMX	92	51-109		
DCBP	83	42-112		



RESULTS: SEMIVOLATILE ORGANIC COMPOUNDS

The presence of the NETLAB LOGO in the top right corner of each page in this section indicates:

The Technical Manager of the Organics Analysis Department certifies that the samples included in this section have been prepared and analyzed using the procedures cited and that the results have been reviewed and approved. Any exceptions or qualifications of substance have been reported in the case narrative.

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: Pare Corporation
 Method: 8270 Lab Sample ID: Conf-1
 Matrix: (soil/water/air) SOIL Lab File ID: B123106.D
 Sample wt/vol: 20.434 (g/ml) G Date Sampled: 12/30/2013
 Level: (low/med) LOW Date Extracted: 12/30/2013
 % Moisture: 10.65 Date Analyzed: 12/31/2013
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
62-75-9	n-Nitrosodimethylamine		160	U
110-86-1	Pyridine		110	U
108-95-2	Phenol		110	U
62-53-3	Aniline		110	U
111-44-4	bis(2-Chloroethyl)ether		110	U
95-57-8	2-Chlorophenol		110	U
541-73-1	1,3-Dichlorobenzene		110	U
106-46-7	1,4-Dichlorobenzene		110	U
95-50-1	1,2-Dichlorobenzene		110	U
95-48-7	2-Methylphenol		110	U
108-60-1	bis(2-chloroisopropyl)ether		110	U
106-44-5	3- & 4-Methylphenol		220	U
621-64-7	n-Nitroso-di-n-propylamine		110	U
67-72-1	Hexachloroethane		110	U
98-95-3	Nitrobenzene		110	U
78-59-1	Isophorone		110	U
88-75-5	2-Nitrophenol		270	U
105-67-9	2,4-Dimethylphenol		550	U
65-85-0	Benzoic acid		820	U
111-91-1	bis(2-Chloroethoxy)methane		110	U
120-83-2	2,4-Dichlorophenol		270	U
120-82-1	1,2,4-Trichlorobenzene		110	U
91-20-3	Naphthalene		110	U
106-47-8	4-Chloroaniline		110	U
87-68-3	Hexachlorobutadiene		110	U
59-50-7	4-Chloro-3-methylphenol		270	U
91-57-6	2-Methylnaphthalene		110	U
77-47-4	Hexachlorocyclopentadiene		110	U
88-06-2	2,4,6-Trichlorophenol		110	U
95-95-4	2,4,5-Trichlorophenol		110	U
91-58-7	2-Chloronaphthalene		110	U
88-74-4	2-Nitroaniline		110	U
131-11-3	Dimethyl phthalate		110	U
208-96-8	Acenaphthylene		110	U
606-20-2	2,6-Dinitrotoluene		110	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-1

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: Pare Corporation
 Method: 8270 Lab Sample ID: Conf-1
 Matrix: (soil/water/air) SOIL Lab File ID: B123106.D
 Sample wt/vol: 20.434 (g/ml) G Date Sampled: 12/30/2013
 Level: (low/med) LOW Date Extracted: 12/30/2013
 % Moisture: 10.65 Date Analyzed: 12/31/2013
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
99-09-2	3-Nitroaniline		110	U
83-32-9	Acenaphthene		110	U
51-28-5	2,4-Dinitrophenol		270	U
100-02-7	4-Nitrophenol		270	U
132-64-9	Dibenzofuran		110	U
121-14-2	2,4-Dinitrotoluene		110	U
84-66-2	Diethyl phthalate		110	U
86-73-7	Fluorene		110	U
7005-72-3	4-Chlorophenyl phenyl ether		110	U
100-01-6	4-Nitroaniline		110	U
534-52-1	4,6-Dinitro-2-methylphenol		270	U
86-30-6	n-Nitrosodiphenylamine		110	U
101-55-3	4-Bromophenyl phenyl ether		110	U
118-74-1	Hexachlorobenzene		110	U
87-86-5	Pentachlorophenol		270	U
85-01-8	Phenanthrene		110	U
120-12-7	Anthracene		110	U
84-74-2	Di-n-butylphthalate		160	U
206-44-0	Fluoranthene		110	U
92-87-5	Benzidine		3300	U
129-00-0	Pyrene		110	U
85-68-7	Butyl benzyl phthalate		110	U
91-94-1	3,3'-Dichlorobenzidine		270	U
56-55-3	Benzo(a)anthracene		110	U
218-01-9	Chrysene		110	U
117-81-7	bis(2-Ethylhexyl)phthalate		160	U
117-84-0	Di-n-octyl phthalate		160	U
205-99-2	Benzo(b)fluoranthene		110	U
207-08-9	Benzo(k)fluoranthene		110	U
50-32-8	Benzo(a)pyrene		110	U
53-70-3	Dibenz(a,h)anthracene		110	U
193-39-5	Indeno(1,2,3-cd)pyrene		110	U
191-24-2	Benzo(g,h,i)perylene		110	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-2

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: Pare Corporation
 Method: 8270 Lab Sample ID: Conf-2
 Matrix: (soil/water/air) SOIL Lab File ID: B123109.D
 Sample wt/vol: 20.187 (g/ml) G Date Sampled: 12/30/2013
 Level: (low/med) LOW Date Extracted: 12/30/2013
 % Moisture: 8.51 Date Analyzed: 12/31/2013
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
62-75-9	n-Nitrosodimethylamine		160	U
110-86-1	Pyridine		110	U
108-95-2	Phenol		110	U
62-53-3	Aniline		110	U
111-44-4	bis(2-Chloroethyl)ether		110	U
95-57-8	2-Chlorophenol		110	U
541-73-1	1,3-Dichlorobenzene		110	U
106-46-7	1,4-Dichlorobenzene		110	U
95-50-1	1,2-Dichlorobenzene		110	U
95-48-7	2-Methylphenol		110	U
108-60-1	bis(2-chloroisopropyl)ether		110	U
106-44-5	3- & 4-Methylphenol		220	U
621-64-7	n-Nitroso-di-n-propylamine		110	U
67-72-1	Hexachloroethane		110	U
98-95-3	Nitrobenzene		110	U
78-59-1	Isophorone		110	U
88-75-5	2-Nitrophenol		270	U
105-67-9	2,4-Dimethylphenol		540	U
65-85-0	Benzoic acid		820	U
111-91-1	bis(2-Chloroethoxy)methane		110	U
120-83-2	2,4-Dichlorophenol		270	U
120-82-1	1,2,4-Trichlorobenzene		110	U
91-20-3	Naphthalene		110	U
106-47-8	4-Chloroaniline		110	U
87-68-3	Hexachlorobutadiene		110	U
59-50-7	4-Chloro-3-methylphenol		270	U
91-57-6	2-Methylnaphthalene		110	U
77-47-4	Hexachlorocyclopentadiene		110	U
88-06-2	2,4,6-Trichlorophenol		110	U
95-95-4	2,4,5-Trichlorophenol		110	U
91-58-7	2-Chloronaphthalene		110	U
88-74-4	2-Nitroaniline		110	U
131-11-3	Dimethyl phthalate		110	U
208-96-8	Acenaphthylene		140	
606-20-2	2,6-Dinitrotoluene		110	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-1

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: Pare Corporation
 Method: 8270 Lab Sample ID: Conf-2
 Matrix: (soil/water/air) SOIL Lab File ID: B123109.D
 Sample wt/vol: 20.187 (g/ml) G Date Sampled: 12/30/2013
 Level: (low/med) LOW Date Extracted: 12/30/2013
 % Moisture: 8.51 Date Analyzed: 12/31/2013
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
99-09-2	3-Nitroaniline		110	U
83-32-9	Acenaphthene		110	U
51-28-5	2,4-Dinitrophenol		270	U
100-02-7	4-Nitrophenol		270	U
132-64-9	Dibenzofuran		110	U
121-14-2	2,4-Dinitrotoluene		110	U
84-66-2	Diethyl phthalate		110	U
86-73-7	Fluorene		110	U
7005-72-3	4-Chlorophenyl phenyl ether		110	U
100-01-6	4-Nitroaniline		110	U
534-52-1	4,6-Dinitro-2-methylphenol		270	U
86-30-6	n-Nitrosodiphenylamine		110	U
101-55-3	4-Bromophenyl phenyl ether		110	U
118-74-1	Hexachlorobenzene		110	U
87-86-5	Pentachlorophenol		270	U
85-01-8	Phenanthrene		1100	
120-12-7	Anthracene		280	
84-74-2	Di-n-butylphthalate		160	U
206-44-0	Fluoranthene		2700	
92-87-5	Benzidine		3300	U
129-00-0	Pyrene		2700	
85-68-7	Butyl benzyl phthalate		110	U
91-94-1	3,3'-Dichlorobenzidine		270	U
56-55-3	Benzo(a)anthracene		1500	
218-01-9	Chrysene		1600	
117-81-7	bis(2-Ethylhexyl)phthalate		160	U
117-84-0	Di-n-octyl phthalate		160	U
205-99-2	Benzo(b)fluoranthene		2200	
207-08-9	Benzo(k)fluoranthene		740	
50-32-8	Benzo(a)pyrene		1800	
53-70-3	Dibenz(a,h)anthracene		320	
193-39-5	Indeno(1,2,3-cd)pyrene		1400	
191-24-2	Benzo(g,h,i)perylene		1100	

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-2

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: Pare Corporation
 Method: 8270 Lab Sample ID: Conf-3
 Matrix: (soil/water/air) SOIL Lab File ID: B123107.D
 Sample wt/vol: 20.58 (g/ml) G Date Sampled: 12/30/2013
 Level: (low/med) LOW Date Extracted: 12/30/2013
 % Moisture: 4.14 Date Analyzed: 12/31/2013
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
62-75-9	n-Nitrosodimethylamine		150	U
110-86-1	Pyridine		100	U
108-95-2	Phenol		100	U
62-53-3	Aniline		100	U
111-44-4	bis(2-Chloroethyl)ether		100	U
95-57-8	2-Chlorophenol		100	U
541-73-1	1,3-Dichlorobenzene		100	U
106-46-7	1,4-Dichlorobenzene		100	U
95-50-1	1,2-Dichlorobenzene		100	U
95-48-7	2-Methylphenol		100	U
108-60-1	bis(2-chloroisopropyl)ether		100	U
106-44-5	3- & 4-Methylphenol		200	U
621-64-7	n-Nitroso-di-n-propylamine		100	U
67-72-1	Hexachloroethane		100	U
98-95-3	Nitrobenzene		100	U
78-59-1	Isophorone		100	U
88-75-5	2-Nitrophenol		250	U
105-67-9	2,4-Dimethylphenol		510	U
65-85-0	Benzoic acid		760	U
111-91-1	bis(2-Chloroethoxy)methane		100	U
120-83-2	2,4-Dichlorophenol		250	U
120-82-1	1,2,4-Trichlorobenzene		100	U
91-20-3	Naphthalene		100	U
106-47-8	4-Chloroaniline		100	U
87-68-3	Hexachlorobutadiene		100	U
59-50-7	4-Chloro-3-methylphenol		250	U
91-57-6	2-Methylnaphthalene		100	U
77-47-4	Hexachlorocyclopentadiene		100	U
88-06-2	2,4,6-Trichlorophenol		100	U
95-95-4	2,4,5-Trichlorophenol		100	U
91-58-7	2-Chloronaphthalene		100	U
88-74-4	2-Nitroaniline		100	U
131-11-3	Dimethyl phthalate		100	U
208-96-8	Acenaphthylene		100	U
606-20-2	2,6-Dinitrotoluene		100	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-1

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: Pare Corporation
 Method: 8270 Lab Sample ID: Conf-3
 Matrix: (soil/water/air) SOIL Lab File ID: B123107.D
 Sample wt/vol: 20.58 (g/ml) G Date Sampled: 12/30/2013
 Level: (low/med) LOW Date Extracted: 12/30/2013
 % Moisture: 4.14 Date Analyzed: 12/31/2013
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
99-09-2	3-Nitroaniline		100	U
83-32-9	Acenaphthene		100	U
51-28-5	2,4-Dinitrophenol		250	U
100-02-7	4-Nitrophenol		250	U
132-64-9	Dibenzofuran		100	U
121-14-2	2,4-Dinitrotoluene		100	U
84-66-2	Diethyl phthalate		100	U
86-73-7	Fluorene		100	U
7005-72-3	4-Chlorophenyl phenyl ether		100	U
100-01-6	4-Nitroaniline		100	U
534-52-1	4,6-Dinitro-2-methylphenol		250	U
86-30-6	n-Nitrosodiphenylamine		100	U
101-55-3	4-Bromophenyl phenyl ether		100	U
118-74-1	Hexachlorobenzene		100	U
87-86-5	Pentachlorophenol		250	U
85-01-8	Phenanthrene		100	U
120-12-7	Anthracene		100	U
84-74-2	Di-n-butylphthalate		150	U
206-44-0	Fluoranthene		100	U
92-87-5	Benzidine		3000	U
129-00-0	Pyrene		100	U
85-68-7	Butyl benzyl phthalate		100	U
91-94-1	3,3'-Dichlorobenzidine		250	U
56-55-3	Benzo(a)anthracene		100	U
218-01-9	Chrysene		100	U
117-81-7	bis(2-Ethylhexyl)phthalate		150	U
117-84-0	Di-n-octyl phthalate		150	U
205-99-2	Benzo(b)fluoranthene		100	U
207-08-9	Benzo(k)fluoranthene		100	U
50-32-8	Benzo(a)pyrene		100	U
53-70-3	Dibenz(a,h)anthracene		100	U
193-39-5	Indeno(1,2,3-cd)pyrene		100	U
191-24-2	Benzo(g,h,i)perylene		100	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-2

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: Pare Corporation
 Method: 8270 Lab Sample ID: Conf-4
 Matrix: (soil/water/air) SOIL Lab File ID: B123108.D
 Sample wt/vol: 20.089 (g/ml) G Date Sampled: 12/30/2013
 Level: (low/med) LOW Date Extracted: 12/30/2013
 % Moisture: 8.22 Date Analyzed: 12/31/2013
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
62-75-9	n-Nitrosodimethylamine		160	U
110-86-1	Pyridine		110	U
108-95-2	Phenol		110	U
62-53-3	Aniline		110	U
111-44-4	bis(2-Chloroethyl)ether		110	U
95-57-8	2-Chlorophenol		110	U
541-73-1	1,3-Dichlorobenzene		110	U
106-46-7	1,4-Dichlorobenzene		110	U
95-50-1	1,2-Dichlorobenzene		110	U
95-48-7	2-Methylphenol		110	U
108-60-1	bis(2-chloroisopropyl)ether		110	U
106-44-5	3- & 4-Methylphenol		220	U
621-64-7	n-Nitroso-di-n-propylamine		110	U
67-72-1	Hexachloroethane		110	U
98-95-3	Nitrobenzene		110	U
78-59-1	Isophorone		110	U
88-75-5	2-Nitrophenol		270	U
105-67-9	2,4-Dimethylphenol		540	U
65-85-0	Benzoic acid		810	U
111-91-1	bis(2-Chloroethoxy)methane		110	U
120-83-2	2,4-Dichlorophenol		270	U
120-82-1	1,2,4-Trichlorobenzene		110	U
91-20-3	Naphthalene		110	U
106-47-8	4-Chloroaniline		110	U
87-68-3	Hexachlorobutadiene		110	U
59-50-7	4-Chloro-3-methylphenol		270	U
91-57-6	2-Methylnaphthalene		110	U
77-47-4	Hexachlorocyclopentadiene		110	U
88-06-2	2,4,6-Trichlorophenol		110	U
95-95-4	2,4,5-Trichlorophenol		110	U
91-58-7	2-Chloronaphthalene		110	U
88-74-4	2-Nitroaniline		110	U
131-11-3	Dimethyl phthalate		110	U
208-96-8	Acenaphthylene		110	U
606-20-2	2,6-Dinitrotoluene		110	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-1

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: Pare Corporation
 Method: 8270 Lab Sample ID: Conf-4
 Matrix: (soil/water/air) SOIL Lab File ID: B123108.D
 Sample wt/vol: 20.089 (g/ml) G Date Sampled: 12/30/2013
 Level: (low/med) LOW Date Extracted: 12/30/2013
 % Moisture: 8.22 Date Analyzed: 12/31/2013
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
99-09-2	3-Nitroaniline		110	U
83-32-9	Acenaphthene		110	U
51-28-5	2,4-Dinitrophenol		270	U
100-02-7	4-Nitrophenol		270	U
132-64-9	Dibenzofuran		110	U
121-14-2	2,4-Dinitrotoluene		110	U
84-66-2	Diethyl phthalate		110	U
86-73-7	Fluorene		110	U
7005-72-3	4-Chlorophenyl phenyl ether		110	U
100-01-6	4-Nitroaniline		110	U
534-52-1	4,6-Dinitro-2-methylphenol		270	U
86-30-6	n-Nitrosodiphenylamine		110	U
101-55-3	4-Bromophenyl phenyl ether		110	U
118-74-1	Hexachlorobenzene		110	U
87-86-5	Pentachlorophenol		270	U
85-01-8	Phenanthrene		110	U
120-12-7	Anthracene		110	U
84-74-2	Di-n-butylphthalate		160	U
206-44-0	Fluoranthene		110	U
92-87-5	Benzidine		3200	U
129-00-0	Pyrene		110	U
85-68-7	Butyl benzyl phthalate		110	U
91-94-1	3,3'-Dichlorobenzidine		270	U
56-55-3	Benzo(a)anthracene		110	U
218-01-9	Chrysene		110	U
117-81-7	bis(2-Ethylhexyl)phthalate		160	U
117-84-0	Di-n-octyl phthalate		160	U
205-99-2	Benzo(b)fluoranthene		110	U
207-08-9	Benzo(k)fluoranthene		110	U
50-32-8	Benzo(a)pyrene		110	U
53-70-3	Dibenz(a,h)anthracene		110	U
193-39-5	Indeno(1,2,3-cd)pyrene		110	U
191-24-2	Benzo(g,h,i)perylene		110	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-2

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: Pare Corporation
 Method: 8270 Lab Sample ID: Waste
 Matrix: (soil/water/air) SOIL Lab File ID: B123110.D
 Sample wt/vol: 20.916 (g/ml) G Date Sampled: 12/30/2013
 Level: (low/med) LOW Date Extracted: 12/30/2013
 % Moisture: 39.73 Date Analyzed: 12/31/2013
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
62-75-9	n-Nitrosodimethylamine		240	U
110-86-1	Pyridine		160	U
108-95-2	Phenol		160	U
62-53-3	Aniline		160	U
111-44-4	bis(2-Chloroethyl)ether		160	U
95-57-8	2-Chlorophenol		160	U
541-73-1	1,3-Dichlorobenzene		160	U
106-46-7	1,4-Dichlorobenzene		160	U
95-50-1	1,2-Dichlorobenzene		160	U
95-48-7	2-Methylphenol		160	U
108-60-1	bis(2-chloroisopropyl)ether		160	U
106-44-5	3- & 4-Methylphenol		320	U
621-64-7	n-Nitroso-di-n-propylamine		160	U
67-72-1	Hexachloroethane		160	U
98-95-3	Nitrobenzene		160	U
78-59-1	Isophorone		160	U
88-75-5	2-Nitrophenol		400	U
105-67-9	2,4-Dimethylphenol		800	U
65-85-0	Benzoic acid		1200	U
111-91-1	bis(2-Chloroethoxy)methane		160	U
120-83-2	2,4-Dichlorophenol		400	U
120-82-1	1,2,4-Trichlorobenzene		160	U
91-20-3	Naphthalene		510	
106-47-8	4-Chloroaniline		160	U
87-68-3	Hexachlorobutadiene		160	U
59-50-7	4-Chloro-3-methylphenol		400	U
91-57-6	2-Methylnaphthalene		1700	
77-47-4	Hexachlorocyclopentadiene		160	U
88-06-2	2,4,6-Trichlorophenol		160	U
95-95-4	2,4,5-Trichlorophenol		160	U
91-58-7	2-Chloronaphthalene		160	U
88-74-4	2-Nitroaniline		160	U
131-11-3	Dimethyl phthalate		160	U
208-96-8	Acenaphthylene		160	U
606-20-2	2,6-Dinitrotoluene		160	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-1

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: Pare Corporation
 Method: 8270 Lab Sample ID: Waste
 Matrix: (soil/water/air) SOIL Lab File ID: B123110.D
 Sample wt/vol: 20.916 (g/ml) G Date Sampled: 12/30/2013
 Level: (low/med) LOW Date Extracted: 12/30/2013
 % Moisture: 39.73 Date Analyzed: 12/31/2013
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
99-09-2	3-Nitroaniline		160	U
83-32-9	Acenaphthene		480	
51-28-5	2,4-Dinitrophenol		400	U
100-02-7	4-Nitrophenol		400	U
132-64-9	Dibenzofuran		360	
121-14-2	2,4-Dinitrotoluene		160	U
84-66-2	Diethyl phthalate		160	U
86-73-7	Fluorene		580	
7005-72-3	4-Chlorophenyl phenyl ether		160	U
100-01-6	4-Nitroaniline		160	U
534-52-1	4,6-Dinitro-2-methylphenol		400	U
86-30-6	n-Nitrosodiphenylamine		160	U
101-55-3	4-Bromophenyl phenyl ether		160	U
118-74-1	Hexachlorobenzene		160	U
87-86-5	Pentachlorophenol		400	U
85-01-8	Phenanthrene		1300	
120-12-7	Anthracene		310	
84-74-2	Di-n-butylphthalate		240	U
206-44-0	Fluoranthene		890	
92-87-5	Benzidine		4800	U
129-00-0	Pyrene		740	
85-68-7	Butyl benzyl phthalate		160	U
91-94-1	3,3'-Dichlorobenzidine		400	U
56-55-3	Benzo(a)anthracene		320	
218-01-9	Chrysene		430	
117-81-7	bis(2-Ethylhexyl)phthalate		240	U
117-84-0	Di-n-octyl phthalate		240	U
205-99-2	Benzo(b)fluoranthene		510	
207-08-9	Benzo(k)fluoranthene		160	U
50-32-8	Benzo(a)pyrene		340	
53-70-3	Dibenz(a,h)anthracene		160	U
193-39-5	Indeno(1,2,3-cd)pyrene		310	
191-24-2	Benzo(g,h,i)perylene		250	

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-2

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: Pare Corporation
 Method: 8270 Lab Sample ID: BSS123013-2
 Matrix: (soil/water/air) SOIL Lab File ID: B123103.D
 Sample wt/vol: 20 (g/ml) G Date Sampled: 12/30/2013
 Level: (low/med) LOW Date Extracted: 12/30/2013
 % Moisture: 0 Date Analyzed: 12/31/2013
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
62-75-9	n-Nitrosodimethylamine		150	U
110-86-1	Pyridine		100	U
108-95-2	Phenol		100	U
62-53-3	Aniline		100	U
111-44-4	bis(2-Chloroethyl)ether		100	U
95-57-8	2-Chlorophenol		100	U
541-73-1	1,3-Dichlorobenzene		100	U
106-46-7	1,4-Dichlorobenzene		100	U
95-50-1	1,2-Dichlorobenzene		100	U
95-48-7	2-Methylphenol		100	U
108-60-1	bis(2-chloroisopropyl)ether		100	U
106-44-5	3- & 4-Methylphenol		200	U
621-64-7	n-Nitroso-di-n-propylamine		100	U
67-72-1	Hexachloroethane		100	U
98-95-3	Nitrobenzene		100	U
78-59-1	Isophorone		100	U
88-75-5	2-Nitrophenol		250	U
105-67-9	2,4-Dimethylphenol		500	U
65-85-0	Benzoic acid		750	U
111-91-1	bis(2-Chloroethoxy)methane		100	U
120-83-2	2,4-Dichlorophenol		250	U
120-82-1	1,2,4-Trichlorobenzene		100	U
91-20-3	Naphthalene		100	U
106-47-8	4-Chloroaniline		100	U
87-68-3	Hexachlorobutadiene		100	U
59-50-7	4-Chloro-3-methylphenol		250	U
91-57-6	2-Methylnaphthalene		100	U
77-47-4	Hexachlorocyclopentadiene		100	U
88-06-2	2,4,6-Trichlorophenol		100	U
95-95-4	2,4,5-Trichlorophenol		100	U
91-58-7	2-Chloronaphthalene		100	U
88-74-4	2-Nitroaniline		100	U
131-11-3	Dimethyl phthalate		100	U
208-96-8	Acenaphthylene		100	U
606-20-2	2,6-Dinitrotoluene		100	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-1

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: Pare Corporation
 Method: 8270 Lab Sample ID: BSS123013-2
 Matrix: (soil/water/air) SOIL Lab File ID: B123103.D
 Sample wt/vol: 20 (g/ml) G Date Sampled: 12/30/2013
 Level: (low/med) LOW Date Extracted: 12/30/2013
 % Moisture: 0 Date Analyzed: 12/31/2013
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
99-09-2	3-Nitroaniline		100	U
83-32-9	Acenaphthene		100	U
51-28-5	2,4-Dinitrophenol		250	U
100-02-7	4-Nitrophenol		250	U
132-64-9	Dibenzofuran		100	U
121-14-2	2,4-Dinitrotoluene		100	U
84-66-2	Diethyl phthalate		100	U
86-73-7	Fluorene		100	U
7005-72-3	4-Chlorophenyl phenyl ether		100	U
100-01-6	4-Nitroaniline		100	U
534-52-1	4,6-Dinitro-2-methylphenol		250	U
86-30-6	n-Nitrosodiphenylamine		100	U
101-55-3	4-Bromophenyl phenyl ether		100	U
118-74-1	Hexachlorobenzene		100	U
87-86-5	Pentachlorophenol		250	U
85-01-8	Phenanthrene		100	U
120-12-7	Anthracene		100	U
84-74-2	Di-n-butylphthalate		150	U
206-44-0	Fluoranthene		100	U
92-87-5	Benzidine		3000	U
129-00-0	Pyrene		100	U
85-68-7	Butyl benzyl phthalate		100	U
91-94-1	3,3'-Dichlorobenzidine		250	U
56-55-3	Benzo(a)anthracene		100	U
218-01-9	Chrysene		100	U
117-81-7	bis(2-Ethylhexyl)phthalate		150	U
117-84-0	Di-n-octyl phthalate		150	U
205-99-2	Benzo(b)fluoranthene		100	U
207-08-9	Benzo(k)fluoranthene		100	U
50-32-8	Benzo(a)pyrene		100	U
53-70-3	Dibenz(a,h)anthracene		100	U
193-39-5	Indeno(1,2,3-cd)pyrene		100	U
191-24-2	Benzo(g,h,i)perylene		100	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-2



2D

SOIL SEMIVOLATILE SURROGATE RECOVERY

Lab Name: New England Testing Laboratory Case No.: Z1230-23
 Lab Code: RI010 Client Name: Pare Corporation
 Level: (low/med) LOW

	Sample ID	S1 #	S2 #	S3 #	S4 #	S5 #	S6 #	TOT OUT
01	BSS123013-2	66	71	68	72	77	74	0
02	LSS123013-2	120	124	124	116	115	130	0
03	CONF-1	72	77	75	80	68	83	0
04	CONF-3	79	85	82	87	97	88	0
05	CONF-4	91	98	95	100	114	101	0
06	CONF-2	80	86	84	90	97	97	0
07	WASTE	82	86	99	94	117	87	0

QC LIMITS

- S1 = 2-Fluorophenol (27-130)
- S2 = Phenol-d6 (30-130)
- S3 = Nitrobenzene-d5 (35-130)
- S4 = 2-Fluorobiphenyl (36-130)
- S5 = 2,4,6-Tribromophenol (43-130)
- S6 = Terphenyl-d14 (30-130)

Column to be used to flag recovery values
 * Values outside of contract required QC limits
 D Surrogate diluted out

New England Testing Laboratory, Inc.

Semivolatile Soil Laboratory Control Spike

Date Extracted: 12/30/2013

Date Analyzed: 12/31/2013

	Amount Spiked	Result,	Recovery	Lower Recovery	Upper Recovery
	ug/Kg	ug/Kg	%	Limit	Limit
n-Nitrosodimethylamine	2500	1680	67	40	130
Phenol	2500	1845	74	40	130
Aniline	2500	1181	47	40	130
bis(2-Chloroethyl)ether	2500	1834	73	40	130
2-Chlorophenol	2500	1928	77	40	130
1,3-Dichlorobenzene	2500	1733	69	40	130
1,4-Dichlorobenzene	2500	1778	71	40	130
1,2-Dichlorobenzene	2500	1791	72	40	130
2-Methylphenol	2500	1902	76	40	130
3- & 4-Methylphenol	2500	1994	80	40	130
n-Nitroso-di-n-propylamine	2500	1897	76	40	130
Hexachloroethane	2500	1750	70	40	130
Nitrobenzene	2500	1778	71	40	130
Isophorone	2500	2040	82	40	130
2-Nitrophenol	2500	2039	82	40	130
2,4-Dimethylphenol	2500	1951	78	40	130
bis(2-Chloroethoxy)methane	2500	1965	79	40	130
2,4-Dichlorophenol	2500	2083	83	40	130
1,2,4-Trichlorobenzene	2500	1853	74	40	130
Naphthalene	2500	1690	68	40	130
Hexachlorobutadiene	2500	1886	75	40	130
4-Chloro-3-methylphenol	2500	2151	86	40	130
2-Methylnaphthalene	2500	1827	73	40	130
2,4,6-Trichlorophenol	2500	2168	87	40	130
2,4,5-Trichlorophenol	2500	2173	87	40	130
2-Chloronaphthalene	2500	1828	73	40	130
2-Nitroaniline	2500	2165	87	40	130
Dimethyl phthalate	2500	1904	76	40	130
Acenaphthylene	2500	1807	72	40	130
2,6-Dinitrotoluene	2500	2191	88	40	130
Acenaphthene	2500	1684	67	40	130
4-Nitrophenol	2500	2151	86	40	130
Dibenzofuran	2500	1836	73	40	130
2,4-Dinitrotoluene	2500	2099	84	40	130
Diethyl phthalate	2500	1867	75	40	130
Fluorene	2500	1693	68	40	130

Semivolatile Soil Laboratory Control Spike

Date Extracted: 12/30/2013

Date Analyzed: 12/31/2013

	Amount Spiked	Result,	Recovery	Lower Recovery	Upper Recovery
	ug/Kg	ug/Kg	%	Limit	Limit
4-Chlorophenyl phenyl ether	2500	1815	73	40	130
n-Nitrosodiphenylamine	2500	2263	91	40	130
4-Bromophenyl phenyl ether	2500	1924	77	40	130
Hexachlorobenzene	2500	1914	77	40	130
Pentachlorophenol	2500	2914	117	40	130
Phenanthrene	2500	1703	68	40	130
Anthracene	2500	1754	70	40	130
Di-n-butylphthalate	2500	2036	81	40	130
Fluoranthene	2500	1834	73	40	130
Pyrene	2500	1839	74	40	130
Butyl benzyl phthalate	2500	2287	91	40	130
Benzo(a)anthracene	2500	1676	67	40	130
Chrysene	2500	1816	73	40	130
bis(2-Ethylhexyl)phthalate	2500	2260	90	40	130
Di-n-octyl phthalate	2500	2384	95	40	130
Benzo(b)fluoranthene	2500	2208	88	40	130
Benzo(k)fluoranthene	2500	2066	83	40	130
Benzo(a)pyrene	2500	2133	85	40	130
Indeno(1,2,3-cd)pyrene	2500	2237	89	40	130
Dibenz(a,h)anthracene	2500	2345	94	40	130
Benzo(g,h,i)perylene	2500	2078	83	40	130

RESULTS: VOLATILE ORGANIC COMPOUNDS

The presence of the NETLAB LOGO in the top right corner of each page in this section indicates:

The Technical Manager of the Organics Analysis Department certifies that the samples included in this section have been prepared and analyzed using the procedures cited and that the results have been reviewed and approved. Any exceptions or qualifications of substance have been reported in the case narrative.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: PARE
 Method: 8260 Lab Sample ID: CONF-1
 Matrix: (soil/water) SOIL Lab File ID: C123048.D
 Sample wt/vol: 20.4 (g/ml) G Date Sampled: 12/30/2013
 % Moisture 10.65 Date Analyzed: 12/31/2013
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
75-01-4	Vinyl Chloride	28	U
74-83-9	Bromomethane	28	U
75-00-3	Chloroethane	28	U
67-64-1	Acetone	140	U
75-35-4	1,1-Dichloroethene	28	U
75-15-0	Carbon Disulfide	28	U
75-09-2	Methylene Chloride	28	U
1634-04-4	tert-Butyl methyl ether	28	U
156-60-5	trans-1,2 Dichloroethene	28	U
75-34-3	1,1-Dichloroethane	28	U
78-93-3	2-Butanone	140	U
594-20-7	2,2-Dichloropropane	28	U
156-59-2	cis-1,2-Dichloroethene	28	U
67-66-3	Chloroform	28	U
74-97-5	Bromochloromethane	28	U
71-55-6	1,1,1-Trichloroethane	28	U
563-58-6	1,1-Dichloropropene	28	U
56-23-5	Carbon Tetrachloride	28	U
71-43-2	Benzene	28	U
107-06-2	1,2-Dichloroethane	28	U
79-01-6	Trichloroethene	28	U
78-87-5	1,2-Dichloropropane	28	U
75-27-4	Bromodichloromethane	28	U
74-95-3	Dibromomethane	28	U
108-10-1	4-Methyl-2-pentanone	140	U
106-93-4	Ethylene Dibromide	28	U
10061-01-5	cis-1,3-Dichloropropene	28	U
108-88-3	Toluene	28	U
10061-02-6	Trans-1,3-Dichloropropene	28	U
79-00-5	1,1,2-Trichloroethane	28	U
591-78-6	2-Hexanone	140	U
127-18-4	Tetrachloroethene	28	U
124-48-1	Chlorodibromomethane	28	U
108-90-7	Chlorobenzene	28	U
630-20-6	1,1,1,2-Tetrachloroethane	28	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: PARE
 Method: 8260 Lab Sample ID: CONF-1
 Matrix: (soil/water) SOIL Lab File ID: C123048.D
 Sample wt/vol: 20.4 (g/ml) G Date Sampled: 12/30/2013
 % Moisture 10.65 Date Analyzed: 12/31/2013
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
100-41-4	Ethylbenzene	28	U
1330-20-7	m & p-Xylene	55	U
95-47-6	o-Xylene	28	U
100-42-5	Styrene	28	U
75-25-2	Bromoform	28	U
98-82-8	Isopropylbenzene	28	U
79-34-5	1,1,2,2-Tetrachloroethane	28	U
108-86-1	Bromobenzene	28	U
96-18-4	1,2,3-Trichloropropane	28	U
95-49-8	2-Chlorotoluene	28	U
103-65-1	n-Propylbenzene	28	U
108-67-8	1,3,5-Trimethylbenzene	28	U
106-43-4	4-Chlorotoluene	28	U
98-06-6	tert-Butylbenzene	28	U
95-63-6	1,2,4-Trimethylbenzene	28	U
135-98-8	sec-Butylbenzene	28	U
99-87-6	p-Isopropyltoluene	28	U
75-87-3	Chloromethane	28	U
75-65-0	tert butyl alcohol	28	U
541-73-1	1,3-Dichlorobenzene	28	U
109-99-9	Tetrahydrofuran	28	U
106-46-7	1,4-Dichlorobenzene	28	U
60-29-7	Diethyl Ether	28	U
104-51-8	n-Butylbenzene	28	U
95-50-1	1,2-Dichlorobenzene	28	U
96-12-8	1,2-Dibromo-3-chloropropane	28	U
120-82-1	1,2,4-Trichlorobenzene	28	U
87-68-3	Hexachlorobutadiene	28	U
91-20-3	Naphthalene	28	U
87-61-6	1,2,3-Trichlorobenzene	28	U
994-05-8	Tert-amyl Methyl Ether	28	U
75-71-8	Dichlorodifluoromethane	28	U
142-28-9	1,3-Dichloropropane	28	U
75-69-4	Trichlorofluoromethane	28	U
637-92-3	Ethyl Tert-butyl ether	28	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.



VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: PARE
Method: 8260 Lab Sample ID: CONF-1
Matrix: (soil/water) SOIL Lab File ID: C123048.D
Sample wt/vol: 20.4 (g/ml) G Date Sampled: 12/30/2013
% Moisture 10.65 Date Analyzed: 12/31/2013
Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
108-20-3	Diisopropyl Ether	28	U
123-91-1	1,4-Dioxane	14000	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: PARE
 Method: 8260 Lab Sample ID: CONF-2
 Matrix: (soil/water) SOIL Lab File ID: C123049.D
 Sample wt/vol: 18.7 (g/ml) G Date Sampled: 12/30/2013
 % Moisture 8.51 Date Analyzed: 12/31/2013
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
75-01-4	Vinyl Chloride	29	U
74-83-9	Bromomethane	29	U
75-00-3	Chloroethane	29	U
67-64-1	Acetone	150	U
75-35-4	1,1-Dichloroethene	29	U
75-15-0	Carbon Disulfide	29	U
75-09-2	Methylene Chloride	29	U
1634-04-4	tert-Butyl methyl ether	29	U
156-60-5	trans-1,2 Dichloroethene	29	U
75-34-3	1,1-Dichloroethane	29	U
78-93-3	2-Butanone	150	U
594-20-7	2,2-Dichloropropane	29	U
156-59-2	cis-1,2-Dichloroethene	29	U
67-66-3	Chloroform	29	U
74-97-5	Bromochloromethane	29	U
71-55-6	1,1,1-Trichloroethane	29	U
563-58-6	1,1-Dichloropropene	29	U
56-23-5	Carbon Tetrachloride	29	U
71-43-2	Benzene	29	U
107-06-2	1,2-Dichloroethane	29	U
79-01-6	Trichloroethene	29	U
78-87-5	1,2-Dichloropropane	29	U
75-27-4	Bromodichloromethane	29	U
74-95-3	Dibromomethane	29	U
108-10-1	4-Methyl-2-pentanone	150	U
106-93-4	Ethylene Dibromide	29	U
10061-01-5	cis-1,3-Dichloropropene	29	U
108-88-3	Toluene	29	U
10061-02-6	Trans-1,3-Dichloropropene	29	U
79-00-5	1,1,2-Trichloroethane	29	U
591-78-6	2-Hexanone	150	U
127-18-4	Tetrachloroethene	29	U
124-48-1	Chlorodibromomethane	29	U
108-90-7	Chlorobenzene	29	U
630-20-6	1,1,1,2-Tetrachloroethane	29	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: PARE
 Method: 8260 Lab Sample ID: CONF-2
 Matrix: (soil/water) SOIL Lab File ID: C123049.D
 Sample wt/vol: 18.7 (g/ml) G Date Sampled: 12/30/2013
 % Moisture 8.51 Date Analyzed: 12/31/2013
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
100-41-4	Ethylbenzene	29	U
1330-20-7	m & p-Xylene	59	U
95-47-6	o-Xylene	29	U
100-42-5	Styrene	29	U
75-25-2	Bromoform	29	U
98-82-8	Isopropylbenzene	29	U
79-34-5	1,1,2,2-Tetrachloroethane	29	U
108-86-1	Bromobenzene	29	U
96-18-4	1,2,3-Trichloropropane	29	U
95-49-8	2-Chlorotoluene	29	U
103-65-1	n-Propylbenzene	29	U
108-67-8	1,3,5-Trimethylbenzene	29	U
106-43-4	4-Chlorotoluene	29	U
98-06-6	tert-Butylbenzene	29	U
95-63-6	1,2,4-Trimethylbenzene	29	U
135-98-8	sec-Butylbenzene	29	U
99-87-6	p-Isopropyltoluene	29	U
75-87-3	Chloromethane	29	U
75-65-0	tert butyl alcohol	29	U
541-73-1	1,3-Dichlorobenzene	29	U
109-99-9	Tetrahydrofuran	29	U
106-46-7	1,4-Dichlorobenzene	29	U
60-29-7	Diethyl Ether	29	U
104-51-8	n-Butylbenzene	29	U
95-50-1	1,2-Dichlorobenzene	29	U
96-12-8	1,2-Dibromo-3-chloropropane	29	U
120-82-1	1,2,4-Trichlorobenzene	29	U
87-68-3	Hexachlorobutadiene	29	U
91-20-3	Naphthalene	29	U
87-61-6	1,2,3-Trichlorobenzene	29	U
994-05-8	Tert-amyl Methyl Ether	29	U
75-71-8	Dichlorodifluoromethane	29	U
142-28-9	1,3-Dichloropropane	29	U
75-69-4	Trichlorofluoromethane	29	U
637-92-3	Ethyl Tert-butyl ether	29	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.



VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: PARE
 Method: 8260 Lab Sample ID: CONF-2
 Matrix: (soil/water) SOIL Lab File ID: C123049.D
 Sample wt/vol: 18.7 (g/ml) G Date Sampled: 12/30/2013
 % Moisture 8.51 Date Analyzed: 12/31/2013
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
108-20-3	Diisopropyl Ether	29	U
123-91-1	1,4-Dioxane	15000	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: PARE
 Method: 8260 Lab Sample ID: CONF-3
 Matrix: (soil/water) SOIL Lab File ID: C123050.D
 Sample wt/vol: 16.7 (g/ml) G Date Sampled: 12/30/2013
 % Moisture 4.14 Date Analyzed: 12/31/2013
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
75-01-4	Vinyl Chloride	31	U
74-83-9	Bromomethane	31	U
75-00-3	Chloroethane	31	U
67-64-1	Acetone	160	U
75-35-4	1,1-Dichloroethene	31	U
75-15-0	Carbon Disulfide	31	U
75-09-2	Methylene Chloride	31	U
1634-04-4	tert-Butyl methyl ether	31	U
156-60-5	trans-1,2 Dichloroethene	31	U
75-34-3	1,1-Dichloroethane	31	U
78-93-3	2-Butanone	160	U
594-20-7	2,2-Dichloropropane	31	U
156-59-2	cis-1,2-Dichloroethene	31	U
67-66-3	Chloroform	31	U
74-97-5	Bromochloromethane	31	U
71-55-6	1,1,1-Trichloroethane	31	U
563-58-6	1,1-Dichloropropene	31	U
56-23-5	Carbon Tetrachloride	31	U
71-43-2	Benzene	31	U
107-06-2	1,2-Dichloroethane	31	U
79-01-6	Trichloroethene	31	U
78-87-5	1,2-Dichloropropane	31	U
75-27-4	Bromodichloromethane	31	U
74-95-3	Dibromomethane	31	U
108-10-1	4-Methyl-2-pentanone	160	U
106-93-4	Ethylene Dibromide	31	U
10061-01-5	cis-1,3-Dichloropropene	31	U
108-88-3	Toluene	31	U
10061-02-6	Trans-1,3-Dichloropropene	31	U
79-00-5	1,1,2-Trichloroethane	31	U
591-78-6	2-Hexanone	160	U
127-18-4	Tetrachloroethene	31	U
124-48-1	Chlorodibromomethane	31	U
108-90-7	Chlorobenzene	31	U
630-20-6	1,1,1,2-Tetrachloroethane	31	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: PARE
 Method: 8260 Lab Sample ID: CONF-3
 Matrix: (soil/water) SOIL Lab File ID: C123050.D
 Sample wt/vol: 16.7 (g/ml) G Date Sampled: 12/30/2013
 % Moisture 4.14 Date Analyzed: 12/31/2013
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
100-41-4	Ethylbenzene	31	U
1330-20-7	m & p-Xylene	62	U
95-47-6	o-Xylene	31	U
100-42-5	Styrene	31	U
75-25-2	Bromoform	31	U
98-82-8	Isopropylbenzene	31	U
79-34-5	1,1,2,2-Tetrachloroethane	31	U
108-86-1	Bromobenzene	31	U
96-18-4	1,2,3-Trichloropropane	31	U
95-49-8	2-Chlorotoluene	31	U
103-65-1	n-Propylbenzene	31	U
108-67-8	1,3,5-Trimethylbenzene	31	U
106-43-4	4-Chlorotoluene	31	U
98-06-6	tert-Butylbenzene	31	U
95-63-6	1,2,4-Trimethylbenzene	31	U
135-98-8	sec-Butylbenzene	31	U
99-87-6	p-Isopropyltoluene	31	U
75-87-3	Chloromethane	31	U
75-65-0	tert butyl alcohol	31	U
541-73-1	1,3-Dichlorobenzene	31	U
109-99-9	Tetrahydrofuran	31	U
106-46-7	1,4-Dichlorobenzene	31	U
60-29-7	Diethyl Ether	31	U
104-51-8	n-Butylbenzene	31	U
95-50-1	1,2-Dichlorobenzene	31	U
96-12-8	1,2-Dibromo-3-chloropropane	31	U
120-82-1	1,2,4-Trichlorobenzene	31	U
87-68-3	Hexachlorobutadiene	31	U
91-20-3	Naphthalene	31	U
87-61-6	1,2,3-Trichlorobenzene	31	U
994-05-8	Tert-amyl Methyl Ether	31	U
75-71-8	Dichlorodifluoromethane	31	U
142-28-9	1,3-Dichloropropane	31	U
75-69-4	Trichlorofluoromethane	31	U
637-92-3	Ethyl Tert-butyl ether	31	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank



VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: PARE
Method: 8260 Lab Sample ID: CONF-3
Matrix: (soil/water) SOIL Lab File ID: C123050.D
Sample wt/vol: 16.7 (g/ml) G Date Sampled: 12/30/2013
% Moisture 4.14 Date Analyzed: 12/31/2013
Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
108-20-3	Diisopropyl Ether	31	U
123-91-1	1,4-Dioxane	16000	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: PARE
 Method: 8260 Lab Sample ID: CONF-4
 Matrix: (soil/water) SOIL Lab File ID: C123051.D
 Sample wt/vol: 19.2 (g/ml) G Date Sampled: 12/30/2013
 % Moisture 8.22 Date Analyzed: 12/31/2013
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
75-01-4	Vinyl Chloride	28	U
74-83-9	Bromomethane	28	U
75-00-3	Chloroethane	28	U
67-64-1	Acetone	140	U
75-35-4	1,1-Dichloroethene	28	U
75-15-0	Carbon Disulfide	28	U
75-09-2	Methylene Chloride	28	U
1634-04-4	tert-Butyl methyl ether	28	U
156-60-5	trans-1,2 Dichloroethene	28	U
75-34-3	1,1-Dichloroethane	28	U
78-93-3	2-Butanone	140	U
594-20-7	2,2-Dichloropropane	28	U
156-59-2	cis-1,2-Dichloroethene	28	U
67-66-3	Chloroform	28	U
74-97-5	Bromochloromethane	28	U
71-55-6	1,1,1-Trichloroethane	28	U
563-58-6	1,1-Dichloropropene	28	U
56-23-5	Carbon Tetrachloride	28	U
71-43-2	Benzene	28	U
107-06-2	1,2-Dichloroethane	28	U
79-01-6	Trichloroethene	28	U
78-87-5	1,2-Dichloropropane	28	U
75-27-4	Bromodichloromethane	28	U
74-95-3	Dibromomethane	28	U
108-10-1	4-Methyl-2-pentanone	140	U
106-93-4	Ethylene Dibromide	28	U
10061-01-5	cis-1,3-Dichloropropene	28	U
108-88-3	Toluene	28	U
10061-02-6	Trans-1,3-Dichloropropene	28	U
79-00-5	1,1,2-Trichloroethane	28	U
591-78-6	2-Hexanone	140	U
127-18-4	Tetrachloroethene	28	U
124-48-1	Chlorodibromomethane	28	U
108-90-7	Chlorobenzene	28	U
630-20-6	1,1,1,2-Tetrachloroethane	28	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: PARE
 Method: 8260 Lab Sample ID: CONF-4
 Matrix: (soil/water) SOIL Lab File ID: C123051.D
 Sample wt/vol: 19.2 (g/ml) G Date Sampled: 12/30/2013
 % Moisture 8.22 Date Analyzed: 12/31/2013
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
100-41-4	Ethylbenzene	28	U
1330-20-7	m & p-Xylene	57	U
95-47-6	o-Xylene	28	U
100-42-5	Styrene	28	U
75-25-2	Bromoform	28	U
98-82-8	Isopropylbenzene	28	U
79-34-5	1,1,2,2-Tetrachloroethane	28	U
108-86-1	Bromobenzene	28	U
96-18-4	1,2,3-Trichloropropane	28	U
95-49-8	2-Chlorotoluene	28	U
103-65-1	n-Propylbenzene	28	U
108-67-8	1,3,5-Trimethylbenzene	28	U
106-43-4	4-Chlorotoluene	28	U
98-06-6	tert-Butylbenzene	28	U
95-63-6	1,2,4-Trimethylbenzene	28	U
135-98-8	sec-Butylbenzene	28	U
99-87-6	p-Isopropyltoluene	28	U
75-87-3	Chloromethane	28	U
75-65-0	tert butyl alcohol	28	U
541-73-1	1,3-Dichlorobenzene	28	U
109-99-9	Tetrahydrofuran	28	U
106-46-7	1,4-Dichlorobenzene	28	U
60-29-7	Diethyl Ether	28	U
104-51-8	n-Butylbenzene	28	U
95-50-1	1,2-Dichlorobenzene	28	U
96-12-8	1,2-Dibromo-3-chloropropane	28	U
120-82-1	1,2,4-Trichlorobenzene	28	U
87-68-3	Hexachlorobutadiene	28	U
91-20-3	Naphthalene	28	U
87-61-6	1,2,3-Trichlorobenzene	28	U
994-05-8	Tert-amyl Methyl Ether	28	U
75-71-8	Dichlorodifluoromethane	28	U
142-28-9	1,3-Dichloropropane	28	U
75-69-4	Trichlorofluoromethane	28	U
637-92-3	Ethyl Tert-butyl ether	28	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.



VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: PARE
Method: 8260 Lab Sample ID: CONF-4
Matrix: (soil/water) SOIL Lab File ID: C123051.D
Sample wt/vol: 19.2 (g/ml) G Date Sampled: 12/30/2013
% Moisture 8.22 Date Analyzed: 12/31/2013
Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
108-20-3	Diisopropyl Ether	28	U
123-91-1	1,4-Dioxane	14000	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: PARE
 Method: 8260 Lab Sample ID: WASTE
 Matrix: (soil/water) SOIL Lab File ID: C123052.D
 Sample wt/vol: 15.1 (g/ml) G Date Sampled: 12/30/2013
 % Moisture 39.73 Date Analyzed: 12/31/2013
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
75-01-4	Vinyl Chloride	55	U
74-83-9	Bromomethane	55	U
75-00-3	Chloroethane	55	U
67-64-1	Acetone	280	U
75-35-4	1,1-Dichloroethene	55	U
75-15-0	Carbon Disulfide	55	U
75-09-2	Methylene Chloride	55	U
1634-04-4	tert-Butyl methyl ether	55	U
156-60-5	trans-1,2 Dichloroethene	55	U
75-34-3	1,1-Dichloroethane	55	U
78-93-3	2-Butanone	280	U
594-20-7	2,2-Dichloropropane	55	U
156-59-2	cis-1,2-Dichloroethene	55	U
67-66-3	Chloroform	55	U
74-97-5	Bromochloromethane	55	U
71-55-6	1,1,1-Trichloroethane	55	U
563-58-6	1,1-Dichloropropene	55	U
56-23-5	Carbon Tetrachloride	55	U
71-43-2	Benzene	55	U
107-06-2	1,2-Dichloroethane	55	U
79-01-6	Trichloroethene	55	U
78-87-5	1,2-Dichloropropane	55	U
75-27-4	Bromodichloromethane	55	U
74-95-3	Dibromomethane	55	U
108-10-1	4-Methyl-2-pentanone	280	U
106-93-4	Ethylene Dibromide	55	U
10061-01-5	cis-1,3-Dichloropropene	55	U
108-88-3	Toluene	55	U
10061-02-6	Trans-1,3-Dichloropropene	55	U
79-00-5	1,1,2-Trichloroethane	55	U
591-78-6	2-Hexanone	280	U
127-18-4	Tetrachloroethene	55	U
124-48-1	Chlorodibromomethane	55	U
108-90-7	Chlorobenzene	55	U
630-20-6	1,1,1,2-Tetrachloroethane	55	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: PARE
 Method: 8260 Lab Sample ID: WASTE
 Matrix: (soil/water) SOIL Lab File ID: C123052.D
 Sample wt/vol: 15.1 (g/ml) G Date Sampled: 12/30/2013
 % Moisture 39.73 Date Analyzed: 12/31/2013
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
100-41-4	Ethylbenzene	55	U
1330-20-7	m & p-Xylene	110	U
95-47-6	o-Xylene	55	U
100-42-5	Styrene	55	U
75-25-2	Bromoform	55	U
98-82-8	Isopropylbenzene	55	U
79-34-5	1,1,2,2-Tetrachloroethane	55	U
108-86-1	Bromobenzene	55	U
96-18-4	1,2,3-Trichloropropane	55	U
95-49-8	2-Chlorotoluene	55	U
103-65-1	n-Propylbenzene	55	U
108-67-8	1,3,5-Trimethylbenzene	190	
106-43-4	4-Chlorotoluene	55	U
98-06-6	tert-Butylbenzene	55	U
95-63-6	1,2,4-Trimethylbenzene	330	
135-98-8	sec-Butylbenzene	170	
99-87-6	p-Isopropyltoluene	250	
75-87-3	Chloromethane	55	U
75-65-0	tert butyl alcohol	55	U
541-73-1	1,3-Dichlorobenzene	55	U
109-99-9	Tetrahydrofuran	55	U
106-46-7	1,4-Dichlorobenzene	55	U
60-29-7	Diethyl Ether	55	U
104-51-8	n-Butylbenzene	55	U
95-50-1	1,2-Dichlorobenzene	55	U
96-12-8	1,2-Dibromo-3-chloropropane	55	U
120-82-1	1,2,4-Trichlorobenzene	55	U
87-68-3	Hexachlorobutadiene	55	U
91-20-3	Naphthalene	480	
87-61-6	1,2,3-Trichlorobenzene	55	U
994-05-8	Tert-amyl Methyl Ether	55	U
75-71-8	Dichlorodifluoromethane	55	U
142-28-9	1,3-Dichloropropane	55	U
75-69-4	Trichlorofluoromethane	55	U
637-92-3	Ethyl Tert-butyl ether	55	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.



VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: PARE
Method: 8260 Lab Sample ID: WASTE
Matrix: (soil/water) SOIL Lab File ID: C123052.D
Sample wt/vol: 15.1 (g/ml) G Date Sampled: 12/30/2013
% Moisture 39.73 Date Analyzed: 12/31/2013
Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
108-20-3	Diisopropyl Ether	55	U
123-91-1	1,4-Dioxane	28000	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: PARE
 Method: 8260 Lab Sample ID: VBLK123013-2
 Matrix: (soil/water) SOIL Lab File ID: C123039.D
 Sample wt/vol: 10.0 (g/ml) G Date Sampled: 12/30/2013
 % Moisture 0 Date Analyzed: 12/31/2013
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
75-01-4	Vinyl Chloride	50	U
74-83-9	Bromomethane	50	U
75-00-3	Chloroethane	50	U
67-64-1	Acetone	250	U
75-35-4	1,1-Dichloroethene	50	U
75-15-0	Carbon Disulfide	50	U
75-09-2	Methylene Chloride	50	U
1634-04-4	tert-Butyl methyl ether	50	U
156-60-5	trans-1,2 Dichloroethene	50	U
75-34-3	1,1-Dichloroethane	50	U
78-93-3	2-Butanone	250	U
594-20-7	2,2-Dichloropropane	50	U
156-59-2	cis-1,2-Dichloroethene	50	U
67-66-3	Chloroform	50	U
74-97-5	Bromochloromethane	50	U
71-55-6	1,1,1-Trichloroethane	50	U
563-58-6	1,1-Dichloropropene	50	U
56-23-5	Carbon Tetrachloride	50	U
71-43-2	Benzene	50	U
107-06-2	1,2-Dichloroethane	50	U
79-01-6	Trichloroethene	50	U
78-87-5	1,2-Dichloropropane	50	U
75-27-4	Bromodichloromethane	50	U
74-95-3	Dibromomethane	50	U
108-10-1	4-Methyl-2-pentanone	250	U
106-93-4	Ethylene Dibromide	50	U
10061-01-5	cis-1,3-Dichloropropene	50	U
108-88-3	Toluene	50	U
10061-02-6	Trans-1,3-Dichloropropene	50	U
79-00-5	1,1,2-Trichloroethane	50	U
591-78-6	2-Hexanone	250	U
127-18-4	Tetrachloroethene	50	U
124-48-1	Chlorodibromomethane	50	U
108-90-7	Chlorobenzene	50	U
630-20-6	1,1,1,2-Tetrachloroethane	50	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: PARE
 Method: 8260 Lab Sample ID: VBLK123013-2
 Matrix: (soil/water) SOIL Lab File ID: C123039.D
 Sample wt/vol: 10.0 (g/ml) G Date Sampled: 12/30/2013
 % Moisture 0 Date Analyzed: 12/31/2013
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
100-41-4	Ethylbenzene	50	U
1330-20-7	m & p-Xylene	100	U
95-47-6	o-Xylene	50	U
100-42-5	Styrene	50	U
75-25-2	Bromoform	50	U
98-82-8	Isopropylbenzene	50	U
79-34-5	1,1,2,2-Tetrachloroethane	50	U
108-86-1	Bromobenzene	50	U
96-18-4	1,2,3-Trichloropropane	50	U
95-49-8	2-Chlorotoluene	50	U
103-65-1	n-Propylbenzene	50	U
108-67-8	1,3,5-Trimethylbenzene	50	U
106-43-4	4-Chlorotoluene	50	U
98-06-6	tert-Butylbenzene	50	U
95-63-6	1,2,4-Trimethylbenzene	50	U
135-98-8	sec-Butylbenzene	50	U
99-87-6	p-Isopropyltoluene	50	U
75-87-3	Chloromethane	50	U
75-65-0	tert butyl alcohol	50	U
541-73-1	1,3-Dichlorobenzene	50	U
109-99-9	Tetrahydrofuran	50	U
106-46-7	1,4-Dichlorobenzene	50	U
60-29-7	Diethyl Ether	50	U
104-51-8	n-Butylbenzene	50	U
95-50-1	1,2-Dichlorobenzene	50	U
96-12-8	1,2-Dibromo-3-chloropropane	50	U
120-82-1	1,2,4-Trichlorobenzene	50	U
87-68-3	Hexachlorobutadiene	50	U
91-20-3	Naphthalene	50	U
87-61-6	1,2,3-Trichlorobenzene	50	U
994-05-8	Tert-amyl Methyl Ether	50	U
75-71-8	Dichlorodifluoromethane	50	U
142-28-9	1,3-Dichloropropane	50	U
75-69-4	Trichlorofluoromethane	50	U
637-92-3	Ethyl Tert-butyl ether	50	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.



VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z1230-23 Client Name: PARE
Method: 8260 Lab Sample ID: VBLK123013-2
Matrix: (soil/water) SOIL Lab File ID: C123039.D
Sample wt/vol: 10.0 (g/ml) G Date Sampled: 12/30/2013
% Moisture 0 Date Analyzed: 12/31/2013
Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
108-20-3	Diisopropyl Ether	50	U
123-91-1	1,4-Dioxane	25000	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.



2B

SOIL VOLATILE SYSTEM MONITORING COMPOUND RECOVERY

Lab Name: NEW ENGLAND TESTING LAB Contract: 13062.09

Lab Code: RI010 Case No.: Z1230-23 SAS No.: SDG No.: PARE

Level: (low/med) MED

	EPA SAMPLE NO.	SMC1 #	SMC2 #	SMC3 #	TOT OUT
01	VLCS123013-2	105	101	96	0
02	VBLK123013-2	96	96	92	0
03	CONF-1	98	96	92	0
04	CONF-2	91	96	92	0
05	CONF-3	93	94	93	0
06	CONF-4	90	96	90	0
07	WASTE	89	102	94	0

QC LIMITS

SMC1 = 4-Bromofluorobenzene (70-130)
SMC2 = Toluene-D8 (70-130)
SMC3 = 1,2-Dichloroethane-D4 (70-130)

Column to be used to flag recovery values
* Values outside of contract required QC limits
D System Monitoring Compound diluted out

New England Testing Laboratory, Inc.

Volatile Organics Laboratory Control Spike

Date Analyzed: 12/30/2013

Sample ID: VLCS123013

Compound	Spike Added	Spike Result	Recovery, %	Lower Control Limit, %	Upper Control Limit, %
1,1-Dichloroethene	50.0	50.3	101	70	129
Benzene	50.0	52.9	106	73	129
Trichloroethene	50.0	57.8	116	77	122
Toluene	50.0	52.3	105	75	123
Chlorobenzene	50.0	52.0	104	73	125

21230-23

NEW ENGLAND TESTING LABORATORY, INC.
 1254 Douglas Avenue
 North Providence, RI 02904
 1-888-863-8522

CHAIN OF CUSTODY RECORD

PROJ. NO. 13062.09 CB - BVP - CONTAMINATED SOIL		PROJECT NAME/LOCATION PARE CORPORATION		PRESERVATIVE None, Moist	NO. OF CONTAINERS 2	OTHER SOIL X	ADDRESS MDD.WDELL@PARECORP.COM	SAMPLE I.D. CONF-1	DATE 12/30	TIME 11:00	G R A B X	TESTS**	TPH X	VOCs X	SVOCs X	PCBs X	PESTICIDES X	TOT. PEA & METALS X	TCLP PEA & METALS X	FREE LIQUIDS X	PERCENT ORGANICS X	CYANIDE X	Special Instructions: List Specific Detection Limit Requirements: PLEASE EXPEDITE TURNAROUND TIME TO 48 hrs
REPORT TO: MDD.WDELL@PARECORP.COM	INVOICE TO: ACCOUNTING																						
RECEIVED BY: (Signature) <i>[Signature]</i>	DATE/TIME 12/30 12:00	RECEIVED BY: (Signature) PARE (Refrigerator)	DATE/TIME 12/30 1:20	COOLED <input type="checkbox"/>	LABORATORY REMARKS: Temp. received: <u>4C</u>	SPECIAL INSTRUCTIONS: List Specific Detection Limit Requirements: PLEASE EXPEDITE TURNAROUND TIME TO 48 hrs	SPECIAL INSTRUCTIONS: List Specific Detection Limit Requirements: PLEASE EXPEDITE TURNAROUND TIME TO 48 hrs																
RECEIVED BY: (Signature) <i>[Signature]</i>	DATE/TIME 12/30 1:55	RECEIVED FOR LABORATORY BY: (Signature) <i>[Signature]</i>	DATE/TIME 12-30-13 1355	TURNTIME (Business Days) 2 (48 hrs)																			

**Netlab Subcontracts the following tests: Radiologicals, Radon, Asbestos, UCMRs, Perchlorate, Bromate, Bromide, Sieve, Salmonella, Carbamates

Del Bil (2:20-13) 1605
Paul Allen 12-30-13 16:05



REPORT OF ANALYTICAL RESULTS

NETLAB Case Number Z1230-23A

Prepared for:

Attn: M. Dowdell
Pare Corporation
8 Blackstone Valley Place
Lincoln, RI 02865

Report Date: January 6, 2014

Reviewed By:

Richard Warila
Laboratory Director

Lab # RI010

NEW ENGLAND TESTING LABORATORY, INC.

1254 Douglas Avenue, North Providence, RI 02904

(401) 353-3420

SAMPLES SUBMITTED and REQUEST FOR ANALYSIS:

The samples listed in Table I were submitted to New England Testing Laboratory on December 30, 2013. Additional analyses were added per client request on January 3, 2014. The group of samples appearing in this report was assigned an internal identification number (case number) for laboratory information management purposes. The client's designations for the individual samples, along with our case numbers, are used to identify the samples in this report. This report of analytical results pertains only to the sample(s) provide to us by the client which are indicated on the custody record. The case number for this sample submission is Z1230-23A.

Custody records are included in this report.

Site: CB-BVP-Contaminated Soil

TABLE I, Samples Submitted

Sample ID	Date Sampled	Matrix	Analysis Requested
Conf-1	12/30/13	Soil	Table II
Conf-2	12/30/13	Soil	Table II
Conf-3	12/30/13	Soil	Table II
Conf-4	12/30/13	Soil	Table II

TABLE II, Analysis and Methods

ANALYSIS	PREPARATION METHOD	DETERMINATIVE METHOD
Total Metals		
Lead	3050B	6010C

These methods are documented in:

Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, SW-846, USEPA/OSW.

CASE NARRATIVE:

Sample Receipt

The samples were all appropriately cooled and preserved upon receipt. The samples were received in the appropriate containers. The chain of custody was adequately completed and corresponded to the samples submitted.

Metals

All analyses were performed according to NETLAB's documented Standard Operating Procedures, within all required holding times, and with appropriate quality control measures. All QC was within laboratory established acceptance criteria. The samples were received, processed, and reported with no anomalies.

METALS RESULTS

The presence of the NETLAB LOGO in the top right corner of each page in this section indicates:

The Technical Manager of the Metals Analysis Department certifies that the results included in this section have been reviewed and approved. Any exceptions or qualifications of substance have been reported in the case narrative.

New England Testing Laboratory, Inc.

METALS RESULTS



Case Number: Z1230-23
 Sample ID: Conf-1
 Date collected: 12/27/13
 Matrix: SOIL
 Solids, %: 89.35
 Sample Type: Total

Analyst MM/JC/JM

		Preparative	Analytical		Reporting		Date of	Date
Parameter	CAS Number	Method	Method	Result	Limit	Units	Preparation	Analyzed
Lead	7439-92-1	3050B	6010C	57.0	0.37	mg/kg	1/6/14	1/6/14

ND indicates Not Detected.

All results are reported on a dry weight basis.

METALS RESULTS



Case Number: Z1230-23
 Sample ID: Conf-2
 Date collected: 12/27/13
 Matrix: SOIL
 Solids, %: 91.49
 Sample Type: Total

Analyst MM/JC/JM

		Preparative	Analytical		Reporting		Date of	Date
Parameter	CAS Number	Method	Method	Result	Limit	Units	Preparation	Analyzed
Lead	7439-92-1	3050B	6010C	287	0.35	mg/kg	1/6/14	1/6/14

ND indicates Not Detected.

All results are reported on a dry weight basis.

METALS RESULTS



Case Number: Z1230-23
 Sample ID: Conf-3
 Date collected: 12/27/13
 Matrix: SOIL
 Solids, %: 95.86
 Sample Type: Total

Analyst MM/JC/JM

		Preparative	Analytical		Reporting		Date of	Date
Parameter	CAS Number	Method	Method	Result	Limit	Units	Preparation	Analyzed
Lead	7439-92-1	3050B	6010C	7.47	0.34	mg/kg	1/6/14	1/6/14

ND indicates Not Detected.

All results are reported on a dry weight basis.

METALS RESULTS



Case Number: Z1230-23
 Sample ID: Conf-4
 Date collected: 12/27/13
 Matrix: SOIL
 Solids, %: 91.78
 Sample Type: Total

Analyst MM/JC/JM

		Preparative	Analytical		Reporting		Date of	Date
Parameter	CAS Number	Method	Method	Result	Limit	Units	Preparation	Analyzed
Lead	7439-92-1	3050B	6010C	111	0.36	mg/kg	1/6/14	1/6/14

ND indicates Not Detected.

All results are reported on a dry weight basis.

METALS RESULTS



Sample ID: Preparation Blank
 Matrix SOIL
 Solids, % 100
 Sample Type: Total

Analyst MM/JC/JM

		Preparative	Analytical		Reporting		Date of	Date
Parameter	CAS Number	Method	Method	Result	Limit	Units	Preparation	Analyzed
Lead	7439-92-1	3050B	6010C	ND	0.33	mg/kg	1/6/14	1/6/14

ND indicates Not Detected.

All results are reported on a dry weight basis.

LABORATORY CONTROL SAMPLE RECOVERY

Internal

Parameter	True Value	Result	Units	Recovery, %	LCL, %	UCL, %	Date Analyzed
Lead	66.7	65.3	mg/kg	98	80	114	1/6/14

New England Testing Laboratory, Inc.

21230-23A

NEW ENGLAND TESTING LABORATORY, INC.
 1254 Douglas Avenue
 North Providence, RI 02904
 1-888-863-8522

CHAIN OF CUSTODY RECORD

PROJ. NO.		PROJECT NAME/LOCATION												
13062.09		CB-BVP - CONTAMINATED SOIL												
CLIENT		PRESERVATIVE		NO. OF CONTAINERS		SCOPED				OTHER				
PARE CORPORATION		None		2		X								
REPORT TO: MDOWDELL@PARECORP.COM														
INVOICE TO: ACCOUNTING														
DATE	TIME	C	O	M	P	G	R	A	B	SAMPLE I.D.	DATE/TIME	RECEIVED BY: (SIGNATURE)	DATE/TIME	RECEIVED BY: (SIGNATURE)
12/30	11:00	X				X				CONF-1	12/30 12:00	[Signature]	12/30 12:00	PARE (Refrigerator)
		X				X				CONF-2				
		X				X				CONF-3				
		X				X				CONF-4				
		X				X				WASTE				

TESTS	TPH	VOCs	SVOCs	PCBs	PESTICIDES	TCPP PCPA & METALS	PERC PCPA & METALS	CHLORIDE	CYANIDE	PERCENT ORGANICS	Special Instructions: List Specific Detection Limit Requirements:
	X	X	X	X	X	X	X	X	X	X	
	X	X	X	X	X	X	X	X	X	X	PLEASE EXPEDITE TURNAROUND TIME TO 48 hrs
	X	X	X	X	X	X	X	X	X	X	
	X	X	X	X	X	X	X	X	X	X	
	X	X	X	X	X	X	X	X	X	X	
	X	X	X	X	X	X	X	X	X	X	
	X	X	X	X	X	X	X	X	X	X	* Lead
	X	X	X	X	X	X	X	X	X	X	analysis
	X	X	X	X	X	X	X	X	X	X	added per
	X	X	X	X	X	X	X	X	X	X	client request
	X	X	X	X	X	X	X	X	X	X	on 1/3
	X	X	X	X	X	X	X	X	X	X	

TEMP. RECEIVED: °C	COOLED
40	<input checked="" type="checkbox"/>

SAMPLED BY: (SIGNATURE)	DATE/TIME	RECEIVED BY: (SIGNATURE)	DATE/TIME
[Signature]	12/30 12:00	PARE (Refrigerator)	12/30 1:20
[Signature]		[Signature]	
[Signature]	12/30 1:55 PM	[Signature]	12/30/13 1355

*Netlab Subcontracts the following tests: Radiologicals, Radon, Asbestos, UCMRs, Perchlorate, Bromate, Bromide, Sieve, Salmonella, Carbamates

TULLY 12-30-13 16:05

**REPORT OF ANALYTICAL RESULTS****NETLAB Case Number A0106-23**

Prepared for:

Attn: M. Dowdell
Pare Corporation
8 Blackstone Valley Place
Lincoln, RI 02865

Report Date: January 8, 2014

Reviewed By:

Richard Warila
Laboratory Director

Lab # RI010

NEW ENGLAND TESTING LABORATORY, INC.

1254 Douglas Avenue, North Providence, RI 02904

(401) 353-3420

SAMPLES SUBMITTED and REQUEST FOR ANALYSIS:

The samples listed in Table I were submitted to New England Testing Laboratory on January 6, 2013. The group of samples appearing in this report was assigned an internal identification number (case number) for laboratory information management purposes. The client's designations for the individual samples, along with our case numbers, are used to identify the samples in this report. This report of analytical results pertains only to the sample(s) provide to us by the client which are indicated on the custody record. The case number for this sample submission is Z1230-23

Custody records are included in this report.

Site: CB-BVP-Contaminated Soil

TABLE I, Samples Submitted

Sample ID	Date Sampled	Matrix	Analysis Requested
CONF-5	1/6/14	Soil	Table II
CONF-6	1/6/14	Soil	Table II
CONF-7	1/6/14	Soil	Table II
CONF-8	1/6/14	Soil	Table II

TABLE II, Analysis and Methods

ANALYSIS	PREPARATION METHOD	DETERMINATIVE METHOD
Total Petroleum Hydrocarbons	3550C	8100M
Semi-volatile Organic Compounds	3550C	8270D
Volatile Organic Compounds	5035	8260B
Total Lead	3050B	6010C

These methods are documented in:

Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, SW-846, USEPA/OSW.

CASE NARRATIVE:

Sample Receipt

The samples were all appropriately cooled and preserved upon receipt. The samples were received in the appropriate containers. The chain of custody was adequately completed and corresponded to the samples submitted.

Metals

All analyses were performed according to NETLAB's documented Standard Operating Procedures, within all required holding times, and with appropriate quality control measures. All QC was within laboratory established acceptance criteria. The samples were received, processed, and reported with no anomalies.

Semi-volatile Compounds

All samples were extracted and analyzed within method specified holding times and according to NETLAB's documented standard operating procedures. The results for the associated calibration, method blank and laboratory control sample (LCS) were within method specified quality control criteria.

Total Petroleum Hydrocarbons

All samples were extracted and analyzed within method specified holding times and according to NETLAB's documented standard operating procedures. The results for the associated calibration, method blank and laboratory control sample (LCS) were within method specified quality control criteria.

Volatile Organic Compounds

All samples were analyzed within method specified holding times and according to NETLAB's documented standard operating procedures. The results for the associated calibration, method blank and laboratory control sample (LCS) were within method specified quality control criteria.

Sample: CONF-5		Analyst's Initials: BJ
Case No. A0106-23		
Date Collected: 1/6/14		
Sample Matrix: Soil		
Subject: TPH		
Prep Method: EPA 3550C	Date Extracted	Date Analyzed
Analytical Method: EPA 8100 M	1/7/14	1/7/14
Compound	Concentration, mg/kg* (ppm)	Reporting Limit mg/kg* (ppm)
Total Petroleum Hydrocarbons	ND	23
Surrogates:		
Compound	% Recovery	Limits
Chlorooctadecane	88	62-151

Sample: CONF-6		Analyst's Initials: BJ
Case No. A0106-23		
Date Collected: 1/6/14		
Sample Matrix: Soil		
Subject: TPH		
Prep Method: EPA 3550C	Date Extracted	Date Analyzed
Analytical Method: EPA 8100 M	1/7/14	1/7/14
Compound	Concentration, mg/kg* (ppm)	Reporting Limit mg/kg* (ppm)
Total Petroleum Hydrocarbons	ND	22
Surrogates:		
Compound	% Recovery	Limits
Chlorooctadecane	70	62-151

ND = Not Detected

*Dry Weight Basis

Sample: CONF-7		Analyst's Initials: BJ
Case No. A0106-23		
Date Collected: 1/6/14		
Sample Matrix: Soil		
Subject: TPH		
Prep Method: EPA 3550C	Date Extracted	Date Analyzed
Analytical Method: EPA 8100 M	1/7/14	1/7/14
Compound	Concentration, mg/kg* (ppm)	Reporting Limit mg/kg* (ppm)
Total Petroleum Hydrocarbons	52	22
Surrogates:		
Compound	% Recovery	Limits
Chlorooctadecane	90	62-151

Sample: CONF-8		Analyst's Initials: BJ
Case No. A0106-23		
Date Collected: 1/6/14		
Sample Matrix: Soil		
Subject: TPH		
Prep Method: EPA 3550C	Date Extracted	Date Analyzed
Analytical Method: EPA 8100 M	1/7/14	1/7/14
Compound	Concentration, mg/kg* (ppm)	Reporting Limit mg/kg* (ppm)
Total Petroleum Hydrocarbons	ND	22
Surrogates:		
Compound	% Recovery	Limits
Chlorooctadecane	85	62-151

ND = Not Detected

*Dry Weight Basis

METALS RESULTS

The presence of the NETLAB LOGO in the top right corner of each page in this section indicates:

The Technical Manager of the Metals Analysis Department certifies that the results included in this section have been reviewed and approved. Any exceptions or qualifications of substance have been reported in the case narrative.

New England Testing Laboratory, Inc.

METALS RESULTS



Case Number: A0106-23
 Sample ID: CONF-5
 Date collected: 1/6/14
 Matrix: SOIL
 Solids, %: 87.46
 Sample Type: Total

Analyst MM/JC/JM

		Preparative	Analytical		Reporting		Date of	Date
Parameter	CAS Number	Method	Method	Result	Limit	Units	Preparation	Analyzed
Lead	7439-92-1	3050B	6010C	43.5	0.38	mg/kg	1/7/14	1/8/14

ND indicates Not Detected.

All results are reported on a dry weight basis.

METALS RESULTS



Case Number: A0106-23
 Sample ID: CONF-6
 Date collected: 1/6/14
 Matrix: SOIL
 Solids, %: 92.07
 Sample Type: Total

Analyst MM/JC/JM

		Preparative	Analytical		Reporting		Date of	Date
Parameter	CAS Number	Method	Method	Result	Limit	Units	Preparation	Analyzed
Lead	7439-92-1	3050B	6010C	1.92	0.32	mg/kg	1/7/14	1/8/14

ND indicates Not Detected.

All results are reported on a dry weight basis.

METALS RESULTS



Case Number: A0106-23
 Sample ID: CONF-7
 Date collected: 1/6/14
 Matrix: SOIL
 Solids, %: 90.08
 Sample Type: Total

Analyst MM/JC/JM

		Preparative	Analytical		Reporting		Date of	Date
Parameter	CAS Number	Method	Method	Result	Limit	Units	Preparation	Analyzed
Lead	7439-92-1	3050B	6010C	175	0.35	mg/kg	1/7/14	1/8/14

ND indicates Not Detected.

All results are reported on a dry weight basis.

METALS RESULTS



Case Number: A0106-23
 Sample ID: CONF-8
 Date collected: 1/6/14
 Matrix: SOIL
 Solids, %: 90.36
 Sample Type: Total

Analyst MM/JC/JM

		Preparative	Analytical		Reporting		Date of	Date
Parameter	CAS Number	Method	Method	Result	Limit	Units	Preparation	Analyzed
Lead	7439-92-1	3050B	6010C	5.81	0.36	mg/kg	1/7/14	1/8/14

ND indicates Not Detected.

All results are reported on a dry weight basis.

METALS RESULTS



Sample ID: Preparation Blank
 Matrix SOIL
 Solids, % 100
 Sample Type: Total

Analyst MM/JC/JM

		Preparative	Analytical		Reporting		Date of	Date
Parameter	CAS Number	Method	Method	Result	Limit	Units	Preparation	Analyzed
Lead	7439-92-1	3050B	6010C	ND	0.33	mg/kg	1/7/14	1/7/14

ND indicates Not Detected.

All results are reported on a dry weight basis.

LABORATORY CONTROL SAMPLE RECOVERY

Internal

Parameter	True Value	Result	Units	Recovery, %	LCL, %	UCL, %	Date Analyzed
Lead	66.7	63.7	mg/kg	95	80	114	1/7/14

New England Testing Laboratory, Inc.

RESULTS: SEMIVOLATILE ORGANIC COMPOUNDS

The presence of the NETLAB LOGO in the top right corner of each page in this section indicates:

The Technical Manager of the Organics Analysis Department certifies that the samples included in this section have been prepared and analyzed using the procedures cited and that the results have been reviewed and approved. Any exceptions or qualifications of substance have been reported in the case narrative.

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z0106-23 Client Name: Pare Corpoation
 Method: 8270 Lab Sample ID: CONF-5
 Matrix: (soil/water/air) SOIL Lab File ID: B010706.D
 Sample wt/vol: 20.62 (g/ml) G Date Sampled: 1/6/2014
 Level: (low/med) LOW Date Extracted: 1/7/2014
 % Moisture: 12.54 Date Analyzed: 1/7/2014
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
62-75-9	n-Nitrosodimethylamine		170	U
110-86-1	Pyridine		110	U
108-95-2	Phenol		110	U
62-53-3	Aniline		110	U
111-44-4	bis(2-Chloroethyl)ether		110	U
95-57-8	2-Chlorophenol		110	U
541-73-1	1,3-Dichlorobenzene		110	U
106-46-7	1,4-Dichlorobenzene		110	U
95-50-1	1,2-Dichlorobenzene		110	U
95-48-7	2-Methylphenol		110	U
108-60-1	bis(2-chloroisopropyl)ether		110	U
106-44-5	3- & 4-Methylphenol		220	U
621-64-7	n-Nitroso-di-n-propylamine		110	U
67-72-1	Hexachloroethane		110	U
98-95-3	Nitrobenzene		110	U
78-59-1	Isophorone		110	U
88-75-5	2-Nitrophenol		280	U
105-67-9	2,4-Dimethylphenol		560	U
65-85-0	Benzoic acid		840	U
111-91-1	bis(2-Chloroethoxy)methane		110	U
120-83-2	2,4-Dichlorophenol		280	U
120-82-1	1,2,4-Trichlorobenzene		110	U
91-20-3	Naphthalene		110	U
106-47-8	4-Chloroaniline		110	U
87-68-3	Hexachlorobutadiene		110	U
59-50-7	4-Chloro-3-methylphenol		280	U
91-57-6	2-Methylnaphthalene		110	U
77-47-4	Hexachlorocyclopentadiene		110	U
88-06-2	2,4,6-Trichlorophenol		110	U
95-95-4	2,4,5-Trichlorophenol		110	U
91-58-7	2-Chloronaphthalene		110	U
88-74-4	2-Nitroaniline		110	U
131-11-3	Dimethyl phthalate		110	U
208-96-8	Acenaphthylene		110	U
606-20-2	2,6-Dinitrotoluene		110	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-1

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z0106-23 Client Name: Pare Corpoation
 Method: 8270 Lab Sample ID: CONF-5
 Matrix: (soil/water/air) SOIL Lab File ID: B010706.D
 Sample wt/vol: 20.62 (g/ml) G Date Sampled: 1/6/2014
 Level: (low/med) LOW Date Extracted: 1/7/2014
 % Moisture: 12.54 Date Analyzed: 1/7/2014
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
99-09-2	3-Nitroaniline		110	U
83-32-9	Acenaphthene		110	U
51-28-5	2,4-Dinitrophenol		280	U
100-02-7	4-Nitrophenol		280	U
132-64-9	Dibenzofuran		110	U
121-14-2	2,4-Dinitrotoluene		110	U
84-66-2	Diethyl phthalate		110	U
86-73-7	Fluorene		110	U
7005-72-3	4-Chlorophenyl phenyl ether		110	U
100-01-6	4-Nitroaniline		110	U
534-52-1	4,6-Dinitro-2-methylphenol		280	U
86-30-6	n-Nitrosodiphenylamine		110	U
101-55-3	4-Bromophenyl phenyl ether		110	U
118-74-1	Hexachlorobenzene		110	U
87-86-5	Pentachlorophenol		280	U
85-01-8	Phenanthrene		110	U
120-12-7	Anthracene		110	U
84-74-2	Di-n-butylphthalate		170	U
206-44-0	Fluoranthene		110	U
92-87-5	Benzidine		3300	U
129-00-0	Pyrene		110	U
85-68-7	Butyl benzyl phthalate		110	U
91-94-1	3,3'-Dichlorobenzidine		280	U
56-55-3	Benzo(a)anthracene		110	U
218-01-9	Chrysene		110	U
117-81-7	bis(2-Ethylhexyl)phthalate		170	U
117-84-0	Di-n-octyl phthalate		170	U
205-99-2	Benzo(b)fluoranthene		110	U
207-08-9	Benzo(k)fluoranthene		110	U
50-32-8	Benzo(a)pyrene		110	U
53-70-3	Dibenz(a,h)anthracene		110	U
193-39-5	Indeno(1,2,3-cd)pyrene		110	U
191-24-2	Benzo(g,h,i)perylene		110	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-2

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z0106-23 Client Name: Pare Corpoation
 Method: 8270 Lab Sample ID: CONF-6
 Matrix: (soil/water/air) SOIL Lab File ID: B010707.D
 Sample wt/vol: 20.142 (g/ml) G Date Sampled: 1/6/2014
 Level: (low/med) LOW Date Extracted: 1/7/2014
 % Moisture: 7.93 Date Analyzed: 1/7/2014
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
62-75-9	n-Nitrosodimethylamine		160	U
110-86-1	Pyridine		110	U
108-95-2	Phenol		110	U
62-53-3	Aniline		110	U
111-44-4	bis(2-Chloroethyl)ether		110	U
95-57-8	2-Chlorophenol		110	U
541-73-1	1,3-Dichlorobenzene		110	U
106-46-7	1,4-Dichlorobenzene		110	U
95-50-1	1,2-Dichlorobenzene		110	U
95-48-7	2-Methylphenol		110	U
108-60-1	bis(2-chloroisopropyl)ether		110	U
106-44-5	3- & 4-Methylphenol		220	U
621-64-7	n-Nitroso-di-n-propylamine		110	U
67-72-1	Hexachloroethane		110	U
98-95-3	Nitrobenzene		110	U
78-59-1	Isophorone		110	U
88-75-5	2-Nitrophenol		270	U
105-67-9	2,4-Dimethylphenol		540	U
65-85-0	Benzoic acid		810	U
111-91-1	bis(2-Chloroethoxy)methane		110	U
120-83-2	2,4-Dichlorophenol		270	U
120-82-1	1,2,4-Trichlorobenzene		110	U
91-20-3	Naphthalene		110	U
106-47-8	4-Chloroaniline		110	U
87-68-3	Hexachlorobutadiene		110	U
59-50-7	4-Chloro-3-methylphenol		270	U
91-57-6	2-Methylnaphthalene		110	U
77-47-4	Hexachlorocyclopentadiene		110	U
88-06-2	2,4,6-Trichlorophenol		110	U
95-95-4	2,4,5-Trichlorophenol		110	U
91-58-7	2-Chloronaphthalene		110	U
88-74-4	2-Nitroaniline		110	U
131-11-3	Dimethyl phthalate		110	U
208-96-8	Acenaphthylene		110	U
606-20-2	2,6-Dinitrotoluene		110	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-1

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z0106-23 Client Name: Pare Corpoation
 Method: 8270 Lab Sample ID: CONF-6
 Matrix: (soil/water/air) SOIL Lab File ID: B010707.D
 Sample wt/vol: 20.142 (g/ml) G Date Sampled: 1/6/2014
 Level: (low/med) LOW Date Extracted: 1/7/2014
 % Moisture: 7.93 Date Analyzed: 1/7/2014
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
99-09-2	3-Nitroaniline		110	U
83-32-9	Acenaphthene		110	U
51-28-5	2,4-Dinitrophenol		270	U
100-02-7	4-Nitrophenol		270	U
132-64-9	Dibenzofuran		110	U
121-14-2	2,4-Dinitrotoluene		110	U
84-66-2	Diethyl phthalate		110	U
86-73-7	Fluorene		110	U
7005-72-3	4-Chlorophenyl phenyl ether		110	U
100-01-6	4-Nitroaniline		110	U
534-52-1	4,6-Dinitro-2-methylphenol		270	U
86-30-6	n-Nitrosodiphenylamine		110	U
101-55-3	4-Bromophenyl phenyl ether		110	U
118-74-1	Hexachlorobenzene		110	U
87-86-5	Pentachlorophenol		270	U
85-01-8	Phenanthrene		110	U
120-12-7	Anthracene		110	U
84-74-2	Di-n-butylphthalate		160	U
206-44-0	Fluoranthene		110	U
92-87-5	Benzidine		3200	U
129-00-0	Pyrene		110	U
85-68-7	Butyl benzyl phthalate		110	U
91-94-1	3,3'-Dichlorobenzidine		270	U
56-55-3	Benzo(a)anthracene		110	U
218-01-9	Chrysene		110	U
117-81-7	bis(2-Ethylhexyl)phthalate		160	U
117-84-0	Di-n-octyl phthalate		160	U
205-99-2	Benzo(b)fluoranthene		110	U
207-08-9	Benzo(k)fluoranthene		110	U
50-32-8	Benzo(a)pyrene		110	U
53-70-3	Dibenz(a,h)anthracene		110	U
193-39-5	Indeno(1,2,3-cd)pyrene		110	U
191-24-2	Benzo(g,h,i)perylene		110	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-2

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z0106-23 Client Name: Pare Corpoation
 Method: 8270 Lab Sample ID: CONF-7
 Matrix: (soil/water/air) SOIL Lab File ID: B010708.D
 Sample wt/vol: 20.244 (g/ml) G Date Sampled: 1/6/2014
 Level: (low/med) LOW Date Extracted: 1/7/2014
 % Moisture: 9.92 Date Analyzed: 1/7/2014
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
62-75-9	n-Nitrosodimethylamine		160	U
110-86-1	Pyridine		110	U
108-95-2	Phenol		110	U
62-53-3	Aniline		110	U
111-44-4	bis(2-Chloroethyl)ether		110	U
95-57-8	2-Chlorophenol		110	U
541-73-1	1,3-Dichlorobenzene		110	U
106-46-7	1,4-Dichlorobenzene		110	U
95-50-1	1,2-Dichlorobenzene		110	U
95-48-7	2-Methylphenol		110	U
108-60-1	bis(2-chloroisopropyl)ether		110	U
106-44-5	3- & 4-Methylphenol		220	U
621-64-7	n-Nitroso-di-n-propylamine		110	U
67-72-1	Hexachloroethane		110	U
98-95-3	Nitrobenzene		110	U
78-59-1	Isophorone		110	U
88-75-5	2-Nitrophenol		270	U
105-67-9	2,4-Dimethylphenol		550	U
65-85-0	Benzoic acid		820	U
111-91-1	bis(2-Chloroethoxy)methane		110	U
120-83-2	2,4-Dichlorophenol		270	U
120-82-1	1,2,4-Trichlorobenzene		110	U
91-20-3	Naphthalene		110	U
106-47-8	4-Chloroaniline		110	U
87-68-3	Hexachlorobutadiene		110	U
59-50-7	4-Chloro-3-methylphenol		270	U
91-57-6	2-Methylnaphthalene		110	U
77-47-4	Hexachlorocyclopentadiene		110	U
88-06-2	2,4,6-Trichlorophenol		110	U
95-95-4	2,4,5-Trichlorophenol		110	U
91-58-7	2-Chloronaphthalene		110	U
88-74-4	2-Nitroaniline		110	U
131-11-3	Dimethyl phthalate		110	U
208-96-8	Acenaphthylene		110	U
606-20-2	2,6-Dinitrotoluene		110	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-1

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z0106-23 Client Name: Pare Corpoation
 Method: 8270 Lab Sample ID: CONF-7
 Matrix: (soil/water/air) SOIL Lab File ID: B010708.D
 Sample wt/vol: 20.244 (g/ml) G Date Sampled: 1/6/2014
 Level: (low/med) LOW Date Extracted: 1/7/2014
 % Moisture: 9.92 Date Analyzed: 1/7/2014
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
99-09-2	3-Nitroaniline		110	U
83-32-9	Acenaphthene		110	U
51-28-5	2,4-Dinitrophenol		270	U
100-02-7	4-Nitrophenol		270	U
132-64-9	Dibenzofuran		110	U
121-14-2	2,4-Dinitrotoluene		110	U
84-66-2	Diethyl phthalate		110	U
86-73-7	Fluorene		110	U
7005-72-3	4-Chlorophenyl phenyl ether		110	U
100-01-6	4-Nitroaniline		110	U
534-52-1	4,6-Dinitro-2-methylphenol		270	U
86-30-6	n-Nitrosodiphenylamine		110	U
101-55-3	4-Bromophenyl phenyl ether		110	U
118-74-1	Hexachlorobenzene		110	U
87-86-5	Pentachlorophenol		270	U
85-01-8	Phenanthrene		170	
120-12-7	Anthracene		110	U
84-74-2	Di-n-butylphthalate		160	U
206-44-0	Fluoranthene		890	
92-87-5	Benzidine		3300	U
129-00-0	Pyrene		790	
85-68-7	Butyl benzyl phthalate		110	U
91-94-1	3,3'-Dichlorobenzidine		270	U
56-55-3	Benzo(a)anthracene		440	
218-01-9	Chrysene		470	
117-81-7	bis(2-Ethylhexyl)phthalate		160	U
117-84-0	Di-n-octyl phthalate		160	U
205-99-2	Benzo(b)fluoranthene		710	
207-08-9	Benzo(k)fluoranthene		250	
50-32-8	Benzo(a)pyrene		500	
53-70-3	Dibenz(a,h)anthracene		110	U
193-39-5	Indeno(1,2,3-cd)pyrene		360	
191-24-2	Benzo(g,h,i)perylene		280	

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-2

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z0106-23 Client Name: Pare Corpoation
 Method: 8270 Lab Sample ID: CONF-8
 Matrix: (soil/water/air) SOIL Lab File ID: B010709.D
 Sample wt/vol: 20.144 (g/ml) G Date Sampled: 1/6/2014
 Level: (low/med) LOW Date Extracted: 1/7/2014
 % Moisture: 9.64 Date Analyzed: 1/7/2014
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
62-75-9	n-Nitrosodimethylamine		170	U
110-86-1	Pyridine		110	U
108-95-2	Phenol		110	U
62-53-3	Aniline		110	U
111-44-4	bis(2-Chloroethyl)ether		110	U
95-57-8	2-Chlorophenol		110	U
541-73-1	1,3-Dichlorobenzene		110	U
106-46-7	1,4-Dichlorobenzene		110	U
95-50-1	1,2-Dichlorobenzene		110	U
95-48-7	2-Methylphenol		110	U
108-60-1	bis(2-chloroisopropyl)ether		110	U
106-44-5	3- & 4-Methylphenol		220	U
621-64-7	n-Nitroso-di-n-propylamine		110	U
67-72-1	Hexachloroethane		110	U
98-95-3	Nitrobenzene		110	U
78-59-1	Isophorone		110	U
88-75-5	2-Nitrophenol		280	U
105-67-9	2,4-Dimethylphenol		550	U
65-85-0	Benzoic acid		830	U
111-91-1	bis(2-Chloroethoxy)methane		110	U
120-83-2	2,4-Dichlorophenol		280	U
120-82-1	1,2,4-Trichlorobenzene		110	U
91-20-3	Naphthalene		110	U
106-47-8	4-Chloroaniline		110	U
87-68-3	Hexachlorobutadiene		110	U
59-50-7	4-Chloro-3-methylphenol		280	U
91-57-6	2-Methylnaphthalene		110	U
77-47-4	Hexachlorocyclopentadiene		110	U
88-06-2	2,4,6-Trichlorophenol		110	U
95-95-4	2,4,5-Trichlorophenol		110	U
91-58-7	2-Chloronaphthalene		110	U
88-74-4	2-Nitroaniline		110	U
131-11-3	Dimethyl phthalate		110	U
208-96-8	Acenaphthylene		110	U
606-20-2	2,6-Dinitrotoluene		110	U

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New England Testing Laboratory, Inc.

FORM I SV-1

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z0106-23 Client Name: Pare Corpoation
 Method: 8270 Lab Sample ID: CONF-8
 Matrix: (soil/water/air) SOIL Lab File ID: B010709.D
 Sample wt/vol: 20.144 (g/ml) G Date Sampled: 1/6/2014
 Level: (low/med) LOW Date Extracted: 1/7/2014
 % Moisture: 9.64 Date Analyzed: 1/7/2014
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
99-09-2	3-Nitroaniline		110	U
83-32-9	Acenaphthene		110	U
51-28-5	2,4-Dinitrophenol		280	U
100-02-7	4-Nitrophenol		280	U
132-64-9	Dibenzofuran		110	U
121-14-2	2,4-Dinitrotoluene		110	U
84-66-2	Diethyl phthalate		110	U
86-73-7	Fluorene		110	U
7005-72-3	4-Chlorophenyl phenyl ether		110	U
100-01-6	4-Nitroaniline		110	U
534-52-1	4,6-Dinitro-2-methylphenol		280	U
86-30-6	n-Nitrosodiphenylamine		110	U
101-55-3	4-Bromophenyl phenyl ether		110	U
118-74-1	Hexachlorobenzene		110	U
87-86-5	Pentachlorophenol		280	U
85-01-8	Phenanthrene		110	U
120-12-7	Anthracene		110	U
84-74-2	Di-n-butylphthalate		170	U
206-44-0	Fluoranthene		110	U
92-87-5	Benzidine		3300	U
129-00-0	Pyrene		110	U
85-68-7	Butyl benzyl phthalate		110	U
91-94-1	3,3'-Dichlorobenzidine		280	U
56-55-3	Benzo(a)anthracene		110	U
218-01-9	Chrysene		110	U
117-81-7	bis(2-Ethylhexyl)phthalate		170	U
117-84-0	Di-n-octyl phthalate		170	U
205-99-2	Benzo(b)fluoranthene		110	U
207-08-9	Benzo(k)fluoranthene		110	U
50-32-8	Benzo(a)pyrene		110	U
53-70-3	Dibenz(a,h)anthracene		110	U
193-39-5	Indeno(1,2,3-cd)pyrene		110	U
191-24-2	Benzo(g,h,i)perylene		110	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-2

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z0106-23 Client Name: Pare Corpoation
 Method: 8270 Lab Sample ID: BSS010714
 Matrix: (soil/water/air) SOIL Lab File ID: B010703.D
 Sample wt/vol: 20 (g/ml) G Date Sampled: 1/6/2014
 Level: (low/med) LOW Date Extracted: 1/7/2014
 % Moisture: 0 Date Analyzed: 1/7/2014
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
62-75-9	n-Nitrosodimethylamine		150	U
110-86-1	Pyridine		100	U
108-95-2	Phenol		100	U
62-53-3	Aniline		100	U
111-44-4	bis(2-Chloroethyl)ether		100	U
95-57-8	2-Chlorophenol		100	U
541-73-1	1,3-Dichlorobenzene		100	U
106-46-7	1,4-Dichlorobenzene		100	U
95-50-1	1,2-Dichlorobenzene		100	U
95-48-7	2-Methylphenol		100	U
108-60-1	bis(2-chloroisopropyl)ether		100	U
106-44-5	3- & 4-Methylphenol		200	U
621-64-7	n-Nitroso-di-n-propylamine		100	U
67-72-1	Hexachloroethane		100	U
98-95-3	Nitrobenzene		100	U
78-59-1	Isophorone		100	U
88-75-5	2-Nitrophenol		250	U
105-67-9	2,4-Dimethylphenol		500	U
65-85-0	Benzoic acid		750	U
111-91-1	bis(2-Chloroethoxy)methane		100	U
120-83-2	2,4-Dichlorophenol		250	U
120-82-1	1,2,4-Trichlorobenzene		100	U
91-20-3	Naphthalene		100	U
106-47-8	4-Chloroaniline		100	U
87-68-3	Hexachlorobutadiene		100	U
59-50-7	4-Chloro-3-methylphenol		250	U
91-57-6	2-Methylnaphthalene		100	U
77-47-4	Hexachlorocyclopentadiene		100	U
88-06-2	2,4,6-Trichlorophenol		100	U
95-95-4	2,4,5-Trichlorophenol		100	U
91-58-7	2-Chloronaphthalene		100	U
88-74-4	2-Nitroaniline		100	U
131-11-3	Dimethyl phthalate		100	U
208-96-8	Acenaphthylene		100	U
606-20-2	2,6-Dinitrotoluene		100	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

FORM I SV-1

SEMIVOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: Z0106-23 Client Name: Pare Corpoation
 Method: 8270 Lab Sample ID: BSS010714
 Matrix: (soil/water/air) SOIL Lab File ID: B010703.D
 Sample wt/vol: 20 (g/ml) G Date Sampled: 1/6/2014
 Level: (low/med) LOW Date Extracted: 1/7/2014
 % Moisture: 0 Date Analyzed: 1/7/2014
 Concentrated Extract Volume: 1000 (uL) Dilution Factor: 1.0
 Injection Volume: 1.0 (uL)
 Analyst's Initials: JD

CAS NO.	COMPOUND	UNITS:	UG/KG	Q
99-09-2	3-Nitroaniline		100	U
83-32-9	Acenaphthene		100	U
51-28-5	2,4-Dinitrophenol		250	U
100-02-7	4-Nitrophenol		250	U
132-64-9	Dibenzofuran		100	U
121-14-2	2,4-Dinitrotoluene		100	U
84-66-2	Diethyl phthalate		100	U
86-73-7	Fluorene		100	U
7005-72-3	4-Chlorophenyl phenyl ether		100	U
100-01-6	4-Nitroaniline		100	U
534-52-1	4,6-Dinitro-2-methylphenol		250	U
86-30-6	n-Nitrosodiphenylamine		100	U
101-55-3	4-Bromophenyl phenyl ether		100	U
118-74-1	Hexachlorobenzene		100	U
87-86-5	Pentachlorophenol		250	U
85-01-8	Phenanthrene		100	U
120-12-7	Anthracene		100	U
84-74-2	Di-n-butylphthalate		150	U
206-44-0	Fluoranthene		100	U
92-87-5	Benzidine		3000	U
129-00-0	Pyrene		100	U
85-68-7	Butyl benzyl phthalate		100	U
91-94-1	3,3'-Dichlorobenzidine		250	U
56-55-3	Benzo(a)anthracene		100	U
218-01-9	Chrysene		100	U
117-81-7	bis(2-Ethylhexyl)phthalate		150	U
117-84-0	Di-n-octyl phthalate		150	U
205-99-2	Benzo(b)fluoranthene		100	U
207-08-9	Benzo(k)fluoranthene		100	U
50-32-8	Benzo(a)pyrene		100	U
53-70-3	Dibenz(a,h)anthracene		100	U
193-39-5	Indeno(1,2,3-cd)pyrene		100	U
191-24-2	Benzo(g,h,i)perylene		100	U

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New England Testing Laboratory, Inc.

FORM I SV-2



2D

SOIL SEMIVOLATILE SURROGATE RECOVERY

Lab Name: New England Testing Laboratory Case No.: Z0106-23
 Lab Code: RI010 Client Name: Pare Corporation
 Level: (low/med) LOW

	Sample ID	S1 #	S2 #	S3 #	S4 #	S5 #	S6 #	TOT OUT
01	BSS010714	90	97	91	93	106	107	0
02	LSS010714	90	96	90	90	119	114	0
03	CONF-5	101	108	100	101	127	120	0
04	CONF-6	85	91	85	85	98	108	0
05	CONF-7	77	83	78	82	94	97	0
06	CONF-8	87	94	88	87	111	130	0

QC LIMITS

- S1 = 2-Fluorophenol (27-130)
- S2 = Phenol-d6 (30-130)
- S3 = Nitrobenzene-d5 (35-130)
- S4 = 2-Fluorobiphenyl (36-130)
- S5 = 2,4,6-Tribromophenol (43-130)
- S6 = Terphenyl-d14 (30-130)

Column to be used to flag recovery values
 * Values outside of contract required QC limits
 D Surrogate diluted out

New England Testing Laboratory, Inc.

Semivolatile Soil Laboratory Control Spike

Date Extracted: 1/7/2014

Date Analyzed: 1/7/2014

	Amount Spiked	Result,	Recovery	Lower Recovery	Upper Recovery
	ug/Kg	ug/Kg	%	Limit	Limit
n-Nitrosodimethylamine	2500	1500	60	40	130
Phenol	2500	1793	72	40	130
Aniline	2500	1938	78	40	130
bis(2-Chloroethyl)ether	2500	1671	67	40	130
2-Chlorophenol	2500	1801	72	40	130
1,3-Dichlorobenzene	2500	1557	62	40	130
1,4-Dichlorobenzene	2500	1583	63	40	130
1,2-Dichlorobenzene	2500	1626	65	40	130
2-Methylphenol	2500	1882	75	40	130
3- & 4-Methylphenol	2500	1935	77	40	130
n-Nitroso-di-n-propylamine	2500	1879	75	40	130
Hexachloroethane	2500	1550	62	40	130
Nitrobenzene	2500	1616	65	40	130
Isophorone	2500	1917	77	40	130
2-Nitrophenol	2500	1801	72	40	130
2,4-Dimethylphenol	2500	1843	74	40	130
bis(2-Chloroethoxy)methane	2500	1861	74	40	130
2,4-Dichlorophenol	2500	1925	77	40	130
1,2,4-Trichlorobenzene	2500	1673	67	40	130
Naphthalene	2500	1552	62	40	130
Hexachlorobutadiene	2500	1682	67	40	130
4-Chloro-3-methylphenol	2500	2039	82	40	130
2-Methylnaphthalene	2500	1724	69	40	130
2,4,6-Trichlorophenol	2500	2008	80	40	130
2,4,5-Trichlorophenol	2500	1933	77	40	130
2-Chloronaphthalene	2500	1677	67	40	130
2-Nitroaniline	2500	1954	78	40	130
Dimethyl phthalate	2500	1859	74	40	130
Acenaphthylene	2500	2077	83	40	130
2,6-Dinitrotoluene	2500	2114	85	40	130
Acenaphthene	2500	2051	82	40	130
4-Nitrophenol	2500	2177	87	40	130
Dibenzofuran	2500	1725	69	40	130
2,4-Dinitrotoluene	2500	2058	82	40	130
Diethyl phthalate	2500	1907	76	40	130
Fluorene	2500	2221	89	40	130

Semivolatile Soil Laboratory Control Spike

Date Extracted: 1/7/2014

Date Analyzed: 1/7/2014

	Amount Spiked	Result,	Recovery	Lower Recovery	Upper Recovery
	ug/Kg	ug/Kg	%	Limit	Limit
4-Chlorophenyl phenyl ether	2500	1739	70	40	130
n-Nitrosodiphenylamine	2500	2154	86	40	130
4-Bromophenyl phenyl ether	2500	1853	74	40	130
Hexachlorobenzene	2500	1886	75	40	130
Pentachlorophenol	2500	2474	99	40	130
Phenanthrene	2500	2225	89	40	130
Anthracene	2500	2210	88	40	130
Di-n-butylphthalate	2500	2157	86	40	130
Fluoranthene	2500	2384	95	40	130
Pyrene	2500	2303	92	40	130
Butyl benzyl phthalate	2500	2514	101	40	130
Benzo(a)anthracene	2500	2199	88	40	130
Chrysene	2500	2213	89	40	130
bis(2-Ethylhexyl)phthalate	2500	2561	102	40	130
Di-n-octyl phthalate	2500	3146	126	40	130
Benzo(b)fluoranthene	2500	2353	94	40	130
Benzo(k)fluoranthene	2500	2202	88	40	130
Benzo(a)pyrene	2500	2196	88	40	130
Indeno(1,2,3-cd)pyrene	2500	2229	89	40	130
Dibenz(a,h)anthracene	2500	2307	92	40	130
Benzo(g,h,i)perylene	2500	2080	83	40	130

RESULTS: VOLATILE ORGANIC COMPOUNDS

The presence of the NETLAB LOGO in the top right corner of each page in this section indicates:

The Technical Manager of the Organics Analysis Department certifies that the samples included in this section have been prepared and analyzed using the procedures cited and that the results have been reviewed and approved. Any exceptions or qualifications of substance have been reported in the case narrative.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: A0106-23 Client Name: PARE
 Method: 8260 Lab Sample ID: CONF-5
 Matrix: (soil/water) SOIL Lab File ID: C010618.D
 Sample wt/vol: 17.5 (g/ml) G Date Sampled: 1/6/2014
 % Moisture 12.54 Date Analyzed: 1/6/2014
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
75-01-4	Vinyl Chloride	33	U
74-83-9	Bromomethane	33	U
75-00-3	Chloroethane	33	U
67-64-1	Acetone	160	U
75-35-4	1,1-Dichloroethene	33	U
75-15-0	Carbon Disulfide	33	U
75-09-2	Methylene Chloride	33	U
1634-04-4	tert-Butyl methyl ether	33	U
156-60-5	trans-1,2 Dichloroethene	33	U
75-34-3	1,1-Dichloroethane	33	U
78-93-3	2-Butanone	160	U
594-20-7	2,2-Dichloropropane	33	U
156-59-2	cis-1,2-Dichloroethene	33	U
67-66-3	Chloroform	33	U
74-97-5	Bromochloromethane	33	U
71-55-6	1,1,1-Trichloroethane	33	U
563-58-6	1,1-Dichloropropene	33	U
56-23-5	Carbon Tetrachloride	33	U
71-43-2	Benzene	33	U
107-06-2	1,2-Dichloroethane	33	U
79-01-6	Trichloroethene	33	U
78-87-5	1,2-Dichloropropane	33	U
75-27-4	Bromodichloromethane	33	U
74-95-3	Dibromomethane	33	U
108-10-1	4-Methyl-2-pentanone	160	U
106-93-4	Ethylene Dibromide	33	U
10061-01-5	cis-1,3-Dichloropropene	33	U
108-88-3	Toluene	33	U
10061-02-6	Trans-1,3-Dichloropropene	33	U
79-00-5	1,1,2-Trichloroethane	33	U
591-78-6	2-Hexanone	160	U
127-18-4	Tetrachloroethene	33	U
124-48-1	Chlorodibromomethane	33	U
108-90-7	Chlorobenzene	33	U
630-20-6	1,1,1,2-Tetrachloroethane	33	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: A0106-23 Client Name: PARE
 Method: 8260 Lab Sample ID: CONF-5
 Matrix: (soil/water) SOIL Lab File ID: C010618.D
 Sample wt/vol: 17.5 (g/ml) G Date Sampled: 1/6/2014
 % Moisture 12.54 Date Analyzed: 1/6/2014
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
100-41-4	Ethylbenzene	33	U
1330-20-7	m & p-Xylene	66	U
95-47-6	o-Xylene	33	U
100-42-5	Styrene	33	U
75-25-2	Bromoform	33	U
98-82-8	Isopropylbenzene	33	U
79-34-5	1,1,2,2-Tetrachloroethane	33	U
108-86-1	Bromobenzene	33	U
96-18-4	1,2,3-Trichloropropane	33	U
95-49-8	2-Chlorotoluene	33	U
103-65-1	n-Propylbenzene	33	U
108-67-8	1,3,5-Trimethylbenzene	33	U
106-43-4	4-Chlorotoluene	33	U
98-06-6	tert-Butylbenzene	33	U
95-63-6	1,2,4-Trimethylbenzene	33	U
135-98-8	sec-Butylbenzene	33	U
99-87-6	p-Isopropyltoluene	33	U
74-87-3	Chloromethane	33	U
75-65-0	tert butyl alcohol	33	U
541-73-1	1,3-Dichlorobenzene	33	U
109-99-9	Tetrahydrofuran	33	U
106-46-7	1,4-Dichlorobenzene	33	U
60-29-7	Diethyl Ether	33	U
104-51-8	n-Butylbenzene	33	U
95-50-1	1,2-Dichlorobenzene	33	U
96-12-8	1,2-Dibromo-3-chloropropane	33	U
120-82-1	1,2,4-Trichlorobenzene	33	U
87-68-3	Hexachlorobutadiene	33	U
91-20-3	Naphthalene	33	U
87-61-6	1,2,3-Trichlorobenzene	33	U
994-05-8	Tert-amyl Methyl Ether	33	U
75-71-8	Dichlorodifluoromethane	33	U
142-28-9	1,3-Dichloropropane	33	U
75-69-4	Trichlorofluoromethane	33	U
637-92-3	Ethyl Tert-butyl ether	33	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.



VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: A0106-23 Client Name: PARE
Method: 8260 Lab Sample ID: CONF-5
Matrix: (soil/water) SOIL Lab File ID: C010618.D
Sample wt/vol: 17.5 (g/ml) G Date Sampled: 1/6/2014
% Moisture 12.54 Date Analyzed: 1/6/2014
Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
108-20-3	Diisopropyl Ether	33	U
123-91-1	1,4-Dioxane	16000	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: A0106-23 Client Name: PARE
 Method: 8260 Lab Sample ID: CONF-6
 Matrix: (soil/water) SOIL Lab File ID: C010619.D
 Sample wt/vol: 25.3 (g/ml) G Date Sampled: 1/6/2014
 % Moisture 7.93 Date Analyzed: 1/6/2014
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
75-01-4	Vinyl Chloride	21	U
74-83-9	Bromomethane	21	U
75-00-3	Chloroethane	21	U
67-64-1	Acetone	110	U
75-35-4	1,1-Dichloroethene	21	U
75-15-0	Carbon Disulfide	21	U
75-09-2	Methylene Chloride	21	U
1634-04-4	tert-Butyl methyl ether	21	U
156-60-5	trans-1,2 Dichloroethene	21	U
75-34-3	1,1-Dichloroethane	21	U
78-93-3	2-Butanone	110	U
594-20-7	2,2-Dichloropropane	21	U
156-59-2	cis-1,2-Dichloroethene	21	U
67-66-3	Chloroform	21	U
74-97-5	Bromochloromethane	21	U
71-55-6	1,1,1-Trichloroethane	21	U
563-58-6	1,1-Dichloropropene	21	U
56-23-5	Carbon Tetrachloride	21	U
71-43-2	Benzene	21	U
107-06-2	1,2-Dichloroethane	21	U
79-01-6	Trichloroethene	21	U
78-87-5	1,2-Dichloropropane	21	U
75-27-4	Bromodichloromethane	21	U
74-95-3	Dibromomethane	21	U
108-10-1	4-Methyl-2-pentanone	110	U
106-93-4	Ethylene Dibromide	21	U
10061-01-5	cis-1,3-Dichloropropene	21	U
108-88-3	Toluene	21	U
10061-02-6	Trans-1,3-Dichloropropene	21	U
79-00-5	1,1,2-Trichloroethane	21	U
591-78-6	2-Hexanone	110	U
127-18-4	Tetrachloroethene	21	U
124-48-1	Chlorodibromomethane	21	U
108-90-7	Chlorobenzene	21	U
630-20-6	1,1,1,2-Tetrachloroethane	21	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: A0106-23 Client Name: PARE
 Method: 8260 Lab Sample ID: CONF-6
 Matrix: (soil/water) SOIL Lab File ID: C010619.D
 Sample wt/vol: 25.3 (g/ml) G Date Sampled: 1/6/2014
 % Moisture 7.93 Date Analyzed: 1/6/2014
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
100-41-4	Ethylbenzene	21	U
1330-20-7	m & p-Xylene	43	U
95-47-6	o-Xylene	21	U
100-42-5	Styrene	21	U
75-25-2	Bromoform	21	U
98-82-8	Isopropylbenzene	21	U
79-34-5	1,1,2,2-Tetrachloroethane	21	U
108-86-1	Bromobenzene	21	U
96-18-4	1,2,3-Trichloropropane	21	U
95-49-8	2-Chlorotoluene	21	U
103-65-1	n-Propylbenzene	21	U
108-67-8	1,3,5-Trimethylbenzene	21	U
106-43-4	4-Chlorotoluene	21	U
98-06-6	tert-Butylbenzene	21	U
95-63-6	1,2,4-Trimethylbenzene	21	U
135-98-8	sec-Butylbenzene	21	U
99-87-6	p-Isopropyltoluene	21	U
74-87-3	Chloromethane	21	U
75-65-0	tert butyl alcohol	21	U
541-73-1	1,3-Dichlorobenzene	21	U
109-99-9	Tetrahydrofuran	21	U
106-46-7	1,4-Dichlorobenzene	21	U
60-29-7	Diethyl Ether	21	U
104-51-8	n-Butylbenzene	21	U
95-50-1	1,2-Dichlorobenzene	21	U
96-12-8	1,2-Dibromo-3-chloropropane	21	U
120-82-1	1,2,4-Trichlorobenzene	21	U
87-68-3	Hexachlorobutadiene	21	U
91-20-3	Naphthalene	21	U
87-61-6	1,2,3-Trichlorobenzene	21	U
994-05-8	Tert-amyl Methyl Ether	21	U
75-71-8	Dichlorodifluoromethane	21	U
142-28-9	1,3-Dichloropropane	21	U
75-69-4	Trichlorofluoromethane	21	U
637-92-3	Ethyl Tert-butyl ether	21	U

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New England Testing Laboratory, Inc.



VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: A0106-23 Client Name: PARE
Method: 8260 Lab Sample ID: CONF-6
Matrix: (soil/water) SOIL Lab File ID: C010619.D
Sample wt/vol: 25.3 (g/ml) G Date Sampled: 1/6/2014
% Moisture 7.93 Date Analyzed: 1/6/2014
Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
108-20-3	Diisopropyl Ether	21	U
123-91-1	1,4-Dioxane	11000	U

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New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: A0106-23 Client Name: PARE
 Method: 8260 Lab Sample ID: CONF-7
 Matrix: (soil/water) SOIL Lab File ID: C010620.D
 Sample wt/vol: 24.9 (g/ml) G Date Sampled: 1/6/2014
 % Moisture 9.92 Date Analyzed: 1/6/2014
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
75-01-4	Vinyl Chloride	22	U
74-83-9	Bromomethane	22	U
75-00-3	Chloroethane	22	U
67-64-1	Acetone	110	U
75-35-4	1,1-Dichloroethene	22	U
75-15-0	Carbon Disulfide	22	U
75-09-2	Methylene Chloride	22	U
1634-04-4	tert-Butyl methyl ether	22	U
156-60-5	trans-1,2 Dichloroethene	22	U
75-34-3	1,1-Dichloroethane	22	U
78-93-3	2-Butanone	110	U
594-20-7	2,2-Dichloropropane	22	U
156-59-2	cis-1,2-Dichloroethene	22	U
67-66-3	Chloroform	22	U
74-97-5	Bromochloromethane	22	U
71-55-6	1,1,1-Trichloroethane	22	U
563-58-6	1,1-Dichloropropene	22	U
56-23-5	Carbon Tetrachloride	22	U
71-43-2	Benzene	22	U
107-06-2	1,2-Dichloroethane	22	U
79-01-6	Trichloroethene	22	U
78-87-5	1,2-Dichloropropane	22	U
75-27-4	Bromodichloromethane	22	U
74-95-3	Dibromomethane	22	U
108-10-1	4-Methyl-2-pentanone	110	U
106-93-4	Ethylene Dibromide	22	U
10061-01-5	cis-1,3-Dichloropropene	22	U
108-88-3	Toluene	22	U
10061-02-6	Trans-1,3-Dichloropropene	22	U
79-00-5	1,1,2-Trichloroethane	22	U
591-78-6	2-Hexanone	110	U
127-18-4	Tetrachloroethene	22	U
124-48-1	Chlorodibromomethane	22	U
108-90-7	Chlorobenzene	22	U
630-20-6	1,1,1,2-Tetrachloroethane	22	U

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New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: A0106-23 Client Name: PARE
 Method: 8260 Lab Sample ID: CONF-7
 Matrix: (soil/water) SOIL Lab File ID: C010620.D
 Sample wt/vol: 24.9 (g/ml) G Date Sampled: 1/6/2014
 % Moisture 9.92 Date Analyzed: 1/6/2014
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
100-41-4	Ethylbenzene	22	U
1330-20-7	m & p-Xylene	45	U
95-47-6	o-Xylene	22	U
100-42-5	Styrene	22	U
75-25-2	Bromoform	22	U
98-82-8	Isopropylbenzene	22	U
79-34-5	1,1,2,2-Tetrachloroethane	22	U
108-86-1	Bromobenzene	22	U
96-18-4	1,2,3-Trichloropropane	22	U
95-49-8	2-Chlorotoluene	22	U
103-65-1	n-Propylbenzene	22	U
108-67-8	1,3,5-Trimethylbenzene	22	U
106-43-4	4-Chlorotoluene	22	U
98-06-6	tert-Butylbenzene	22	U
95-63-6	1,2,4-Trimethylbenzene	22	U
135-98-8	sec-Butylbenzene	22	U
99-87-6	p-Isopropyltoluene	22	U
74-87-3	Chloromethane	22	U
75-65-0	tert butyl alcohol	22	U
541-73-1	1,3-Dichlorobenzene	22	U
109-99-9	Tetrahydrofuran	22	U
106-46-7	1,4-Dichlorobenzene	22	U
60-29-7	Diethyl Ether	22	U
104-51-8	n-Butylbenzene	22	U
95-50-1	1,2-Dichlorobenzene	22	U
96-12-8	1,2-Dibromo-3-chloropropane	22	U
120-82-1	1,2,4-Trichlorobenzene	22	U
87-68-3	Hexachlorobutadiene	22	U
91-20-3	Naphthalene	22	U
87-61-6	1,2,3-Trichlorobenzene	22	U
994-05-8	Tert-amyl Methyl Ether	22	U
75-71-8	Dichlorodifluoromethane	22	U
142-28-9	1,3-Dichloropropane	22	U
75-69-4	Trichlorofluoromethane	22	U
637-92-3	Ethyl Tert-butyl ether	22	U

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New England Testing Laboratory, Inc.



VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: A0106-23 Client Name: PARE
Method: 8260 Lab Sample ID: CONF-7
Matrix: (soil/water) SOIL Lab File ID: C010620.D
Sample wt/vol: 24.9 (g/ml) G Date Sampled: 1/6/2014
% Moisture 9.92 Date Analyzed: 1/6/2014
Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
108-20-3	Diisopropyl Ether	22	U
123-91-1	1,4-Dioxane	11000	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: A0106-23 Client Name: PARE
 Method: 8260 Lab Sample ID: CONF-8
 Matrix: (soil/water) SOIL Lab File ID: C010621.D
 Sample wt/vol: 20.5 (g/ml) G Date Sampled: 1/6/2014
 % Moisture 9.64 Date Analyzed: 1/6/2014
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
75-01-4	Vinyl Chloride	27	U
74-83-9	Bromomethane	27	U
75-00-3	Chloroethane	27	U
67-64-1	Acetone	140	U
75-35-4	1,1-Dichloroethene	27	U
75-15-0	Carbon Disulfide	27	U
75-09-2	Methylene Chloride	27	U
1634-04-4	tert-Butyl methyl ether	27	U
156-60-5	trans-1,2 Dichloroethene	27	U
75-34-3	1,1-Dichloroethane	27	U
78-93-3	2-Butanone	140	U
594-20-7	2,2-Dichloropropane	27	U
156-59-2	cis-1,2-Dichloroethene	27	U
67-66-3	Chloroform	27	U
74-97-5	Bromochloromethane	27	U
71-55-6	1,1,1-Trichloroethane	27	U
563-58-6	1,1-Dichloropropene	27	U
56-23-5	Carbon Tetrachloride	27	U
71-43-2	Benzene	27	U
107-06-2	1,2-Dichloroethane	27	U
79-01-6	Trichloroethene	27	U
78-87-5	1,2-Dichloropropane	27	U
75-27-4	Bromodichloromethane	27	U
74-95-3	Dibromomethane	27	U
108-10-1	4-Methyl-2-pentanone	140	U
106-93-4	Ethylene Dibromide	27	U
10061-01-5	cis-1,3-Dichloropropene	27	U
108-88-3	Toluene	27	U
10061-02-6	Trans-1,3-Dichloropropene	27	U
79-00-5	1,1,2-Trichloroethane	27	U
591-78-6	2-Hexanone	140	U
127-18-4	Tetrachloroethene	27	U
124-48-1	Chlorodibromomethane	27	U
108-90-7	Chlorobenzene	27	U
630-20-6	1,1,1,2-Tetrachloroethane	27	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: A0106-23 Client Name: PARE
 Method: 8260 Lab Sample ID: CONF-8
 Matrix: (soil/water) SOIL Lab File ID: C010621.D
 Sample wt/vol: 20.5 (g/ml) G Date Sampled: 1/6/2014
 % Moisture 9.64 Date Analyzed: 1/6/2014
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
100-41-4	Ethylbenzene	27	U
1330-20-7	m & p-Xylene	54	U
95-47-6	o-Xylene	27	U
100-42-5	Styrene	27	U
75-25-2	Bromoform	27	U
98-82-8	Isopropylbenzene	27	U
79-34-5	1,1,2,2-Tetrachloroethane	27	U
108-86-1	Bromobenzene	27	U
96-18-4	1,2,3-Trichloropropane	27	U
95-49-8	2-Chlorotoluene	27	U
103-65-1	n-Propylbenzene	27	U
108-67-8	1,3,5-Trimethylbenzene	27	U
106-43-4	4-Chlorotoluene	27	U
98-06-6	tert-Butylbenzene	27	U
95-63-6	1,2,4-Trimethylbenzene	27	U
135-98-8	sec-Butylbenzene	27	U
99-87-6	p-Isopropyltoluene	27	U
74-87-3	Chloromethane	27	U
75-65-0	tert butyl alcohol	27	U
541-73-1	1,3-Dichlorobenzene	27	U
109-99-9	Tetrahydrofuran	27	U
106-46-7	1,4-Dichlorobenzene	27	U
60-29-7	Diethyl Ether	27	U
104-51-8	n-Butylbenzene	27	U
95-50-1	1,2-Dichlorobenzene	27	U
96-12-8	1,2-Dibromo-3-chloropropane	27	U
120-82-1	1,2,4-Trichlorobenzene	27	U
87-68-3	Hexachlorobutadiene	27	U
91-20-3	Naphthalene	27	U
87-61-6	1,2,3-Trichlorobenzene	27	U
994-05-8	Tert-amyl Methyl Ether	27	U
75-71-8	Dichlorodifluoromethane	27	U
142-28-9	1,3-Dichloropropane	27	U
75-69-4	Trichlorofluoromethane	27	U
637-92-3	Ethyl Tert-butyl ether	27	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.



VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: A0106-23 Client Name: PARE
Method: 8260 Lab Sample ID: CONF-8
Matrix: (soil/water) SOIL Lab File ID: C010621.D
Sample wt/vol: 20.5 (g/ml) G Date Sampled: 1/6/2014
% Moisture 9.64 Date Analyzed: 1/6/2014
Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
108-20-3	Diisopropyl Ether	27	U
123-91-1	1,4-Dioxane	14000	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: A0106-23 Client Name: PARE
 Method: 8260 Lab Sample ID: VBLK010614
 Matrix: (soil/water) SOIL Lab File ID: C010607.D
 Sample wt/vol: 10.0 (g/ml) G Date Sampled: 1/6/2014
 % Moisture 0 Date Analyzed: 1/6/2014
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
75-01-4	Vinyl Chloride	50	U
74-83-9	Bromomethane	50	U
75-00-3	Chloroethane	50	U
67-64-1	Acetone	250	U
75-35-4	1,1-Dichloroethene	50	U
75-15-0	Carbon Disulfide	50	U
75-09-2	Methylene Chloride	50	U
1634-04-4	tert-Butyl methyl ether	50	U
156-60-5	trans-1,2 Dichloroethene	50	U
75-34-3	1,1-Dichloroethane	50	U
78-93-3	2-Butanone	250	U
594-20-7	2,2-Dichloropropane	50	U
156-59-2	cis-1,2-Dichloroethene	50	U
67-66-3	Chloroform	50	U
74-97-5	Bromochloromethane	50	U
71-55-6	1,1,1-Trichloroethane	50	U
563-58-6	1,1-Dichloropropene	50	U
56-23-5	Carbon Tetrachloride	50	U
71-43-2	Benzene	50	U
107-06-2	1,2-Dichloroethane	50	U
79-01-6	Trichloroethene	50	U
78-87-5	1,2-Dichloropropane	50	U
75-27-4	Bromodichloromethane	50	U
74-95-3	Dibromomethane	50	U
108-10-1	4-Methyl-2-pentanone	250	U
106-93-4	Ethylene Dibromide	50	U
10061-01-5	cis-1,3-Dichloropropene	50	U
108-88-3	Toluene	50	U
10061-02-6	Trans-1,3-Dichloropropene	50	U
79-00-5	1,1,2-Trichloroethane	50	U
591-78-6	2-Hexanone	250	U
127-18-4	Tetrachloroethene	50	U
124-48-1	Chlorodibromomethane	50	U
108-90-7	Chlorobenzene	50	U
630-20-6	1,1,1,2-Tetrachloroethane	50	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.

VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: A0106-23 Client Name: PARE
 Method: 8260 Lab Sample ID: VBLK010614
 Matrix: (soil/water) SOIL Lab File ID: C010607.D
 Sample wt/vol: 10.0 (g/ml) G Date Sampled: 1/6/2014
 % Moisture 0 Date Analyzed: 1/6/2014
 Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
 Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
100-41-4	Ethylbenzene	50	U
1330-20-7	m & p-Xylene	100	U
95-47-6	o-Xylene	50	U
100-42-5	Styrene	50	U
75-25-2	Bromoform	50	U
98-82-8	Isopropylbenzene	50	U
79-34-5	1,1,2,2-Tetrachloroethane	50	U
108-86-1	Bromobenzene	50	U
96-18-4	1,2,3-Trichloropropane	50	U
95-49-8	2-Chlorotoluene	50	U
103-65-1	n-Propylbenzene	50	U
108-67-8	1,3,5-Trimethylbenzene	50	U
106-43-4	4-Chlorotoluene	50	U
98-06-6	tert-Butylbenzene	50	U
95-63-6	1,2,4-Trimethylbenzene	50	U
135-98-8	sec-Butylbenzene	50	U
99-87-6	p-Isopropyltoluene	50	U
74-87-3	Chloromethane	50	U
75-65-0	tert butyl alcohol	50	U
541-73-1	1,3-Dichlorobenzene	50	U
109-99-9	Tetrahydrofuran	50	U
106-46-7	1,4-Dichlorobenzene	50	U
60-29-7	Diethyl Ether	50	U
104-51-8	n-Butylbenzene	50	U
95-50-1	1,2-Dichlorobenzene	50	U
96-12-8	1,2-Dibromo-3-chloropropane	50	U
120-82-1	1,2,4-Trichlorobenzene	50	U
87-68-3	Hexachlorobutadiene	50	U
91-20-3	Naphthalene	50	U
87-61-6	1,2,3-Trichlorobenzene	50	U
994-05-8	Tert-amyl Methyl Ether	50	U
75-71-8	Dichlorodifluoromethane	50	U
142-28-9	1,3-Dichloropropane	50	U
75-69-4	Trichlorofluoromethane	50	U
637-92-3	Ethyl Tert-butyl ether	50	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.



VOLATILE ORGANICS ANALYSIS DATA SHEET

Case No.: A0106-23 Client Name: PARE
Method: 8260 Lab Sample ID: VBLK010614
Matrix: (soil/water) SOIL Lab File ID: C010607.D
Sample wt/vol: 10.0 (g/ml) G Date Sampled: 1/6/2014
% Moisture 0 Date Analyzed: 1/6/2014
Soil Extract Volume: _____ (uL) Dilution Factor: 1.0
Analyst's Initials: NS Soil Aliquot Volume: _____ (uL)

CAS NO.	COMPOUND	UNITS: <u>UG/KG</u>	Q
108-20-3	Diisopropyl Ether	50	U
123-91-1	1,4-Dioxane	25000	U

U=not detected, D=diluted, E=over range (another data sheet is included), J=below limit, B=found in blank

New England Testing Laboratory, Inc.



2B

SOIL VOLATILE SYSTEM MONITORING COMPOUND RECOVERY

Lab Name: NEW ENGLAND TESTING LAB Contract: CB-BUP-CONTA

Lab Code: RI010 Case No.: A0106-23 SAS No.: SDG No.: PARE

Level: (low/med) MED

	EPA SAMPLE NO.	SMC1 #	SMC2 #	SMC3 #	TOT OUT
01	VLCS010614	106	99	96	0
02	VBLK010614	96	91	90	0
03	CONF-5	90	95	91	0
04	CONF-6	93	95	95	0
05	CONF-7	94	95	93	0
06	CONF-8	86	93	91	0

QC LIMITS

SMC1 = 4-Bromofluorobenzene (70-130)
 SMC2 = Toluene-D8 (70-130)
 SMC3 = 1,2-Dichloroethane-D4 (70-130)

Column to be used to flag recovery values
 * Values outside of contract required QC limits
 D System Monitoring Compound diluted out

New England Testing Laboratory, Inc.

Volatile Organics Laboratory Control Spike

Date Analyzed: 01/06/2014

Sample ID: VLCS010614

Compound	Spike Added	Spike Result	Recovery, %	Lower Control Limit, %	Upper Control Limit, %
1,1-Dichloroethene	50.0	46.6	93	70	129
Benzene	50.0	48.3	97	73	129
Trichloroethene	50.0	48.0	96	77	122
Toluene	50.0	46.9	94	75	123
Chlorobenzene	50.0	48.2	96	73	125

A0106-23

NEW ENGLAND TESTING LABORATORY, INC.

1254 Douglas Avenue

North Providence, RI 02904

1-888-863-8522

CHAIN OF CUSTODY RECORD

PROJ. NO. 13062.09	PROJECT NAME/LOCATION CB-BVP-CONTAMINATED SOIL											
CLIENT PARE CORPORATION REPORT TO: MDOZWDELL@PARECORP.COM INVOICE TO: ACCOUNTING		NO. OF CONTAINERS 2	OTHER	SOIL	ACCESSES	PRESERVATIVE						
DATE 1/6/14	TIME 3:15 PM	GRAB				NO. 4624	X	X	X			
↓	3:20	X		X	..	↓	X	X	X			
↓	3:25	X		X	..	↓	X	X	X			
↓	3:30	X		X	..	↓	X	X	X			
							TESTS..	TPH	VOCs	SVOCs	TOTAL LEAD	
								X	X	X		REMARKS
												PLEASE EXPEDITE TURNAROUND TIME TO 48 hrs (or faster)
												Special Instructions: List Specific Detection Limit Requirements: Turnaround (Business Days)
Sampled by: (Signature)	Date/Time	Received by: (Signature)	Date/Time	Received by: (Signature)	Date/Time	Laboratory Remarks: Temp. received: 6°C Cooled <input type="checkbox"/>						
	1/6/14 3:45 PM	M.P. PARE REFRIGERATOR	1/6/14 4:00 PM									
Relinquished by: (Signature)	Date/Time	Received by: (Signature)	Date/Time	Received for Laboratory by: (Signature)	Date/Time							
	1/6/14 4:16 PM	Hudi Mubon	1/6/14 4:10 PM									
Relinquished by: (Signature)	Date/Time	Received for Laboratory by: (Signature)	Date/Time		Date/Time							
Hudi Mubon	1/6/14 4:42 PM	Julie [illegible]	1/6/14 4:42 PM									

**Netlab subcontracts the following tests: Radiologicals, Radon/Asbestos, UCMFs, Perchlorate, Bromate, Bromide, Sieve, Salmonella, Carbamates



REPORT OF ANALYTICAL RESULTS

NETLAB Case Number Z1230-23B

Prepared for:

Attn: M. Dowdell
Pare Corporation
8 Blackstone Valley Place
Lincoln, RI 02865

Report Date: January 10, 2014

Reviewed By:

Richard Warila
Laboratory Director

Lab # RI010

NEW ENGLAND TESTING LABORATORY, INC.

1254 Douglas Avenue, North Providence, RI 02904

(401) 353-3420

SAMPLES SUBMITTED and REQUEST FOR ANALYSIS:

The samples listed in Table I were submitted to New England Testing Laboratory on December 30, 2013 and additional analysis was requested on January 9, 2014. The group of samples appearing in this report was assigned an internal identification number (case number) for laboratory information management purposes. The client's designations for the individual samples, along with our case numbers, are used to identify the samples in this report. This report of analytical results pertains only to the sample(s) provide to us by the client which are indicated on the custody record. The case number for this sample submission is Z1230-23B.

Custody records are included in this report.

Site: CB-BVP-Contaminated Soil

TABLE I, Samples Submitted

Sample ID	Date Sampled	Matrix	Analysis Requested
Waste	12/30/13	Soil	Table II

TABLE II, Analysis and Methods

ANALYSIS	PREPARATION METHOD	DETERMINATIVE METHOD
Total Petroleum Hydrocarbons Fingerprint	3550C	8100M

CASE NARRATIVE:

Sample Receipt

The samples were all appropriately cooled and preserved upon receipt. The samples were received in the appropriate containers. The chain of custody was adequately completed and corresponded to the samples submitted.

Total Petroleum Hydrocarbons

All samples were extracted and analyzed within method specified holding times and according to NETLAB's documented standard operating procedures. The results for the associated calibration, method blank and laboratory control sample (LCS) were within method specified quality control criteria.

Waste

Parameter	Result
Hydrocarbon Fingerprint	The sample was analyzed by Method 8100M, and was compared to various petroleum hydrocarbon patterns. #2 Diesel Fuel/ Home Heating Oil was identified in the sample at a concentration of 1,033 mg/kg (ppm). The sample also had an additional hydrocarbon pattern resembling a heavy fuel such as #6 Fuel or Motor/Lubricating Oil at a concentration of 1,287 mg/kg (ppm).

21230-23B

NEW ENGLAND TESTING LABORATORY, INC.
 1254 Douglas Avenue
 North Providence, RI 02904
 1-888-863-8522

CHAIN OF CUSTODY RECORD

PROJECT NAME/LOCATION		TESTS				NO. OF CONTAINERS	OTHER	SOL	SCORCA	REMARKS	TPH	VOCs	SVOCs	PCBs	PESTICIDES	TOT. PRA & METALS	TCLP PRA & METALS	FREE LIQUIDS	PERCENT ORGANICS	TPH Excerpt
PROJ. NO.	REPORT TO:	DATE	TIME	COMP	GRAB															
13062.09	CB - BVP - CONTAMINATED SOIL	12/30	11:00	X		CONF-1	..	X			X	X	X	X	X	X	X	X	X	
	PARE CORPORATION			X		CONF-2	..	X			X	X	X	X	X	X	X	X	X	
	REPORT TO: MDOWDELL@PARECORP.COM			X		CONF-3	..	X			X	X	X	X	X	X	X	X	X	
	INVOICE TO: ACCOUNTING			X		CONF-4	..	X			X	X	X	X	X	X	X	X	X	
				X		WASTE	..	X			X	X	X	X	X	X	X	X	X	

Sampled by: (Signature) 	Date/Time 12/30 12:00	Received by: (Signature) PARE (Refrigerator)	Date/Time 12/30 1:20	Laboratory Remarks: Temp. received: 4C Cooled <input type="checkbox"/>	Special Instructions: List Specific Detection Limit Requirements: PLEASE EXPEDITE TURNAROUND TIME TO 48 HRS
Relinquished by: (Signature) 	Date/Time 12/30 1:55	Received by: (Signature) 	Date/Time 12-30-13 1355	Additional analysis was requested by the client @ 1-9-14	Turnaround (Business Days) 2 (48 hrs)

**Netlab Subcontracts the following tests: Radiologicals, Radon, Asbestos, UCMRs, Perchlorate, Bromate, Bromide, Sieve, Salmonella, Carbamates

12/30/13
 MDW
 12-30-13 16:05

ATTACHMENT NO. 4
PUBLIC MEETING MINUTES



PLANNING BOARD MEETING MINUTES



**CUMBERLAND PLANNING BOARD MEETING
HELD AT THE CUMBERLAND TOWN HALL
45 BROAD STREET, CUMBERLAND, RHODE ISLAND
ON WEDNESDAY, MAY 30, 2013 AT 7:00 P.M.**

PLANNING BOARD MEMBERS PRESENT WERE THE FOLLOWING:

David Coutu, Chairman
Roy A. Costa, Jr., Vice President
Maria Vracic
Harry MacDonald
Isabel Reis
Christopher Butler
Richard A. Aubin
Kenneth Bush

ALSO PRESENT

Kelley Nickson Morris, Planning Director
Heather Borges, Planning Clerk

1. ROLL & CALL TO ORDER.

Mr. Coutu called the meeting to order at 7:03 p.m. All Planning Board members listed above were present.

New Business.

5.(e) Master Plan submitted by Highland Hills, LLC for property located at Highland Corporate Drive, being also described as AP 51, Lot 11.

Mr. Coutu stated that before the Board continued, he wanted to make note that Item 5(e) under New Business, Master Plan submitted by Highland Hills, LLC for property located at Highland Corporate Drive, will be continued to next month's meeting.

He stated that if there was anybody here, he wanted to let them know that this matter will be heard next month.

2. APPROVAL OF THE APRIL 24, 2013 MEETING MINUTES OF THE CUMBERLAND PLANNING BOARD.

Mr. Coutu asked if there were any additions, corrections or deletions to the minutes of April 24, and no one responded. Mr. MacDonald then made a motion to accept the minutes of April 24 as presented. Mr. Aubin seconded the motion.

THE MOTION WAS APPROVED 8TH

3. Communications.

a. Director to update the Planning Board on status of Clover Court.

Ms. Morris stated that the Board had asked her to check with the developer on Clover Court. She stated that she did, and there is a pipe that has to be drained over into the wetlands still, so it would kind of be counterproductive to put the last paving or the final coat on until after that is done. She stated that the developer told her that, definitely by next winter, the plowing season, that will be done. Ms. Morris stated that she would take the position the neighbors are happy. She stated they were plowed this winter, and she thought the Public Works Director would rather have all the improvements done before the final coat is put on. Mr. Coutu asked, as far as the DEM approvals, where they were with that. Ms. Morris answered that did not really involve the Board, the issue of the catch basin, and she had not heard from any of the neighbors about that. She stated she did explain to them that that is really a civil matter between them, and now they are focusing on the drainage from the property. She stated it is like in the middle of the development, and it is going to go across the road and into the lot that Mr. McKee will continue to own. Mr. Costa asked if the properties were being flooded out any more; and Ms. Morris stated, other than that property, they are not being flooded.

Further discussion ensued on this matter, and Mr. Coutu asked one of the neighbors, Mr. Mathew Pappas, if he wished to speak. Mr. Pappas came forward and stated, from their standpoint, they are not happy that the road is still not paved. He stated it has been four years this July, and it still has not been paved. He stated that he could say that most of the neighbors are unhappy that it has not been paved. He also stated there are a number of potholes on the street that are just continuing to grow which is just making it more of a danger for the kids when they are running around, so that is still concern of theirs also. Mr. Pappas went on to state further concerns about this development.

During discussion, Mr. Coutu asked if there was a timetable as to when that pipeline is going to be put in so they can pave the road. Ms. Morris stated that the developer told her soon, definitely before next winter. She stated she is happy to talk to him. Mr. Coutu asked if Ms. Morris could get back to the Board next month and ask Mr. McKee for a timeline, and Ms. Morris said absolutely, she would. She stated it was clear it was before the snow season starts, but she would be happy to come back with a timeline.

After further discussion in this matter, the Board went on to the next agenda item.

4. Old Business.

There was no old business taken up.

5. New Business.

a. Request for recommendation to the Zoning Board of Review for property owned by Colbea Enterprises, LLC, located at 2095 Diamond Hill Road, being also described as AP 21, Lot 490, located in a C2 zoning district.

Ms. Morris stated she thought three of the members were not present when the original Master Plan was approved back in December; and, since then, the developer believes that they need one additional special use permit because Article 16 developer believes that they need one additional special use permit because Article be moved, in whole or in part, either on or off the lot on which it is located unless the use contained within such building or structure is made to conform to the use and regulations of the zone in which it is relocated." She stated that, because of that section, they need a special use permit. Ms. Morris stated, from her perspective, the Board has already approved Master Plan which included what they want to do; and one of the dimensional variances that was previously sought which pertained to maximum lot coverage has been withdrawn because they are going to be adding more pervious which Mr. Partington could describe to the Board. She further stated that, based on the fact that the Board has already approved this Master Plan and this is really a technicality that they need this one other special use permit to legally go forward, they are here tonight to request a recommendation for that relief.

Mr. Coutu stated the only question he had in the application is on the fourth page it says minimum frontage, and it says 10 feet. Mr. Coutu asked if it should be 20 feet. Ms. Morris answered that that was a typo.

Attorney Scott Partington then came forward and stated he was present representing Colbea Enterprises. Mr. Partington stated that, as Ms. Morris has related, this is basically the same project that they brought to the Planning Board's attention back in December of last year which resulted in a Master Plan approval, as well as the positive recommendation for three zoning special use permits, which were to operate the driveway the positive recommendation for three zoning special use permits, which He stated the intent here was to relocate and push everything basically back, the existing structure as well as the pumps, and to also align them differently, vertically to the road would be the best way to describe it.

Mr. Partington stated that when he reviewed the application again, it came to his attention that there was a provision of the ordinance that directed that any structure or building that contains a nonconforming use that is moved to somewhere else on the lot had to conform to the zoning requirements of that particular lot. He stated with that in mind and due to the fact that the gasoline dispensing part would be allowed in a C stated with that in mind and due to the fact that the gasoline dispe special use permit just to cover that aspect of what this project was which was already described.

No one else came forward to speak either in favor or against this request for recommendation to the Zoning Board.

After hearing, Mr. Bush made a motion that, regarding the request for recommendation to the Zoning Board of Review for property owned by Colbea Enterprises, LLC, located at 2095 Diamond Hill Road, being also described as Assessor's Plat 21, Lot 490, that the granting of the proposed special use permit is consistent with the Comprehensive Plan.

Ms. Morris asked it to be added that it would be as identified in her memo to the Board, so she could include that in the Zoning Board memo. Mr. Bush agreed to include the description in the memo from the Planning Board Director in the motion.

Mr. Butler then seconded the motion. THE MOTION WAS APPROVED 8M

b. Preliminary Minor Subdivision Plan submitted by Stephen A. & Deanna Vadenais for property located at Pine Swamp Road, being also described as AP 50, Lot 13, located in an A described as AP 50

Ms. Morris stated that this is a request for a minor subdivision of a lot that is about 400,000 square feet in an A Ms. Morris stated that this is a r She stated the resulting lots will be just a little over 200,000 square feet, so they meet all lot area requirements; and there is no development being proposed. Ms. Morris stated this is not administrative, that it is minor, but it is pretty formal in terms of the Board's discretion.

Attorney Robert Pellegrini then came forward representing the applicant in this matter. He stated there is really not much to discuss this evening. He stated they were before the Board a while back, and tonight's portion of that is very simple. He stated they are just splitting a lot, and both the resulting lots are conforming; and that is really what I think the Board should be looking at this evening. He stated that they did submit 14, 11 X 17 copies and one large 24 X 36 meters and bounds description for both of the resulting lots. He stated he would then just open it up to questions, if the Board has any.

Brief discussion ensued between Mr. Pellegrini and the Board. When Mr. Pellegrini concluded his presentation, he stated there was a couple present that wished to speak. Mr. Coutu then asked for them to come forward. Mr. Robert Mignault, of 62 Pine Swamp Road, came forward and stated he lives across the street from what used to be Habershaw's Farm and is now Vadenais Farm. He stated that, when it originally became Vadenais Farm there were hearings and stuff, and the

Town was going to purchase that property as open space. He stated they were promised the land would stay the way it was and nothing would change, that all they wanted to do was stay there and raise their kids and run it the same way.

Mr. Mignault stated that none of that has happened. He stated that, shortly after they got hold of the property, things changed. He stated that he lives across the street from there right now, and he has huge piles of mulch and loam. He stated they have a setup where they screen the loam, and they cannot leave their windows open in the house because they get a cloud of dust coming down the driveway because the prevailing winds are usually in the direction of his house, to the point where they have a small dog, and the bowl for the dog gets muddy in the bottom of it because of what they are doing there. Mr. Mignault stated that what is happening across the street has destroyed their quality of life in the last few years. Mr. Mignault went on in greater detail as to his objection to this application.

Mrs. Debra Mignault, also of 62 Pine Swamp Road, also came forward and also spoke about the dirt and dust that comes from across the street at the Vadenais Farm.

No one else came forward to speak either in favor or against this request.

After hearing, Mr. Costa made a motion that, regarding the preliminary minor subdivision plan submitted by Stephen A. & Deanna Vadenais, for property located at Pine Swamp Road, being also described as Assessor's Plat 50, Lot 13, located in an A located at Pine Swamp Road, being also described as Assessor's Plat 50, Comprehensive Plan. Mr. Costa stated he would also put in the motion that the memo from the Planning Director dated May 30th, 2013 regarding this subdivision also be placed into the motion. Mr. Butler then seconded the motion.

THE MOTION WAS APPROVED 8 III

c. Administrative Officer's request for recommendation from Planning Board regarding a minor change (sec. 3L) to the recorded plan for Vadenais Estates located at AP 60, Lots 11 and 63Wald

Ms. Morris stated that this is a little unusual because the way the regulations read is that, when someone is looking for a minor change to a final plan, she can either make the decision herself or ask the Board for a recommendation. She stated she is not one to not bring it to the Board, especially on something that the Board already decided as a Board. Ms. Morris stated that, obviously, concrete curbing is required under the regulations, and that was not waived. She stated her understanding is that it was not asked to be waived or maybe that the waiver was withdrawn, but there was no decision made on it. She stated it has been some time, and she was asked to go out. She stated there are pictures that are attached that she took of the property. Ms. Morris further stated that when she went there, Mr. Vadenais is actually in one of the pictures. She stated that he is very involved with maintaining this development. She stated that, from her perspective, this is a very rural area, even though it is a small development. Ms. Morris stated she lives on a road similar to this, and she could not imagine having concrete curbs. Mr. Coutu stated that the Board was also talking about concrete sidewalks. Ms. Morris stated that is what she meant, concrete sidewalks. Ms. Morris stated that she had talked with the Director of Public Works, Mr. Brodd, and they debated this issue because he likes to have some curbing for the plows to kind of go along; but she and Mr. Brodd agreed that even a Cape Cod berm would suffice for this. Ms. Morris stated that Mr. Vadenais is going to speak, if Mr. Partington chooses to have him speak; but Mr. Vadenais told her that all of the neighbors like it the way it is, that they have landscaped up to the road. Ms. Morris stated that this is a safe road, and you might even have kids playing in the street on this type of road.

Ms. Morris stated she had no problem with this request for a waiver, but she did want to bring it to the Board's attention because she knew that the Board has been involved in this in the past and wanted to have the Board's input.

Attorney Scott Partington and Mr. Vadenais both came forward to present this matter. Lengthy discussion ensued on this request.

After discussion, Mr. Costa made a motion to recommend the Director of Planning grant a minor modification regarding the minor change to Section 3L to the recorded plan for Vadenais Estates located at Assessor's Plat 60, Lots 11 and 63reco

Ms. Morris asked Mr. Costa to also include the Cape Cod berm. Mr. Vadenais stated the Cape Cod berm is already there. Mr. Costa stated he was going to leave that up to the Director of Planning, as the Board has discussed that and several of the Members were in favor of that. After further brief discussion, Mr. Coutu took a vote on the motion.

Ms. Vracic, Mr. Butler, Mr. Bush, Ms. Reis, and Mr. Costa voted in favor of the motion.

Mr. MacDonald and Mr. Aubin voted against the motion. Mr. Coutu abstained from voting on the motion. THE MOTION WAS APPROVED 5 IVMM

d. Predd. Pre□Application meeting for the development of a school building and associated improvements on property owned by the Cumberland and located at 52 Broad Street, being also described as AP 2, Lot 26.

Ms. Morris stated this property is what probably everyone knows as the skateboard park across the street. She stated the Town had listed this property for sale, and the Town is in negotiations, but they want to move this forward because the school would like to open within a certain time frame.

She further stated this is just a pre□ap, and she does not make a recom give them comments. She stated if they move forward with a Master Plan application, she would have a TRC meeting before that.

Attorney Scott Partington came forward on behalf of Pacific Builders, the proposed developers of this parcel. Mr. Partington stated that the property is Town□owned, and it is currently zoned open space. He stated it houses the tennis courts and the basketball court at this time. He stated it is approximately 5 square feet, with sewer and water, and the intent is to construct a 15□square feet, with sewer and water, and the intent is t

Mr. Partington stated that, in order to effectuate this, there will be a request to seek a change in the zone from open space to Commercial□Mr. Partington s

certainly consistent with this area of the valley; and this would be allowed just as a matter of right pursuant to the Zoning Ordinance.

Mr. Partington stated present with him is Mr. Andrew Chagnon from Pare Engineering, and he asked him to come forward to describe briefly the proposed construction for the site. Mr. Chagnon stated that the building would be a 40,000 square foot building with three stories. Mr. Chagnon went on to describe in general terms the proposal for this school building and the property. Mr. Costa asked if this would be a Charter School, and Mr. Chagnon answered yes. Mr. Partington stated it would be grades K through 4.

Ms. Colleen Colarusso also came forward to speak. She stated she is the the principal of Blackstone Valley Prep. Elementary School 2, the school proposed for the site. Mr. Bush asked if this Blackstone Valley Prep. was part of the Mayoral Academy. Ms. Colarusso answered that was correct, that they are currently located at 7 Fatima Drive behind the Fatima Church.

Mr. Partington and his witnesses went into further presentation on this preMr. Partington and his witnesses went into further presentation on this pre□applic Partington thanked the Board for its input, and the discussion in this matter concluded.

* * * * *

Ms. Reis then made a motion to adjourn. The motion was seconded by Mr. Butler. THE MOTION PASSED UNANIMOUSLY 8M

(THE MEETING ADJOURNED AT 9:43 P.M.)

* * * * *

Respectfully submitted,

ANDREW J. D'ANGELO,
Court Reporter

I hereby certify the foregoing minutes to be a true and accurate interpretation, to the best of my ability, of my stenographic notes taken at the Cumberland Planning Board Meeting of May 30, 2013.

ANDREW J. D'ANGELO,
Court Reporter

**CUMBERLAND PLANNING BOARD MEETING
HELD AT THE CUMBERLAND TOWN HALL
45 BROAD STREET, CUMBERLAND, RHODE ISLAND
ON WEDNESDAY, JULY 31, 2013 AT 7:00 P.M.**

PLANNING BOARD MEMBERS PRESENT WERE THE FOLLOWING:

David Coutu, Chairman
Roy A. Costa, Jr., Vice-Roy A. C
Maria Vracic
Harry MacDonald
Greg Scown
Christopher Butler
Richard A. Aubin

ALSO PRESENT

Kelley Nickson Morris, Planning Director
Heather Borges, Planning Clerk

1. ROLL & CALL TO ORDER.

Mr. Coutu called the meeting to order at 7:03 p.m. All Planning Board members listed above were present.

2. APPROVAL OF THE JUNE 26, 2013 MEETING MINUTES OF THE CUMBERLAND PLANNING BOARD.

Mr. Costa asked if there were any additions, corrections or deletions to the minutes of June 26, and no one responded. Mr. Butler then made a motion to approve the minutes of June 26 as prepared. Mr. Aubin seconded the motion. THE MOTION WAS APPROVED 7ap

3. Communications.

- a. Sign Ordinance**
- b. Project submission instruction review.**

Ms. Morris stated that she understood the Board members did not receive anything in their packets on these two items. She further stated that she did develop a whole package of instructions for people that she wanted the Board to take a look at, and she was going to send them off to the Board tomorrow; and they could talk about it next time. Ms. Morris stated she did not think it is something that the Board would have to approve, but she would love the Board's input on it. She stated she was trying to make it very detailed so people would know for any process what they have to submit, including even a zone change.

Ms. Morris stated that, on the Sign Ordinance, if the Board has any comments, she would love to take them and maybe incorporate them; but at this point she was probably going to send it to the Town Council, and then this Board is going to have the ability to make a recommendation anyway. She stated that she just really wanted to get the process going.

After brief discussion, Ms. Morris stated she was just asking the Board to pass this agenda item, since the Board had not received anything prior to the meeting. She stated that, in terms of the instructions, she did not think that was something the Board has to approve, so she was going to just send it to the Board by email. Ms. Morris stated that if the Board members had any comments, they could just send them to her. She stated that on the signs, she was going to ask the Town Clerk to put it on the Council's agenda; and this Board would see this probably at the next meeting in August and, if not, the one in September. Mr. Coutu stated that sounded good, and without motion this matter was passed by the Board.

4. Old Business.

Mr. Coutu stated there was no old business this evening.

5. New Business.

a. Request for recommendation to the Zoning Board of Review for property owned by Manuel and Alzira Moitoso, located at 395 Broad Street, being also described as AP 4, Lot 242, located in a C.,, being also descr

Ms. Morris stated this is a request for a recommendation to the Zoning Board of Review. She stated she did look at the Future Land Use Plan, and it shows a lot of that area as high density residential, spotted with commercial. She stated the plan is not the greatest plan, but they are going to be working on that as well. Ms. Morris stated she would consider this area kind of mixed use as an area. She stated that when she was on the Zoning Board they had a lot of people coming in asking for use variances because they could not rent out those spaces. Ms. Morris stated that, as the Board looks at the Comprehensive Plan over the next several months, they will have to pay close attention to this area of Broad Street. She stated that the land use expert did a study on the area and found that only nine properties in the C-C-1 zoning district in this area are developed as mixed use, and that is only 21 percent. Ms. Morris stated she did not think this use variance is inconsistent with the Comprehensive Plan, and the Zoning Board will have to determine whether they have lost all beneficial use of the property if this is not granted. Ms. Morris stated this Board's task is to make a finding on consistency. Mr. Coutu asked if anyone was present on behalf of the applicant. Ms. Morris stated she did not see anyone.

Mr. Costa then made a motion to recommend to the Zoning Board of Review, for property owned by Manuel and Alzira Moitoso, located at 395 Broad Street, being described as Assessor's Plat 4, Lot 242, located in a C-C-1 zoning district, that this proposal be consistent with the neighborhood. Ms. Vracic seconded the motion.

THE MOTION WAS APPROVED 7-11

**b. Preliminary Plan submission for property owned by Foreclosure Solutions, LLC, located at 9 Camp Street, being also described as AP 53, Lot 526.
(Being continued to August 27, 2013 meeting due to insufficient abutter notification.)**

Ms. Morris stated she was asking that the Board continue this matter to August 27th. She stated the applicant did not provide the appropriate materials to do the notification. Mr. Costa so moved the motion to continue this matter to the August 27 meeting. Mr. Aubin seconded the motion. THE MOTION WAS APPROVED 7-11

c. Master Plan application for Major Land Development Project submitted by Civic Builders for property located at 52 Broad Street, being also described as AP 2, Lot 26, located in a C-C-1 being also describ

Ms. Morris stated that this property is before the Board on Master Plan review. She stated this Board had previously met with their development team for a pre-meeting and gave them some comments; and, since then, they have met with the Technical Review Committee as a whole; but then they also met separately with the Building Official, the Public Works Building Official, the Public Works code directors, the fire chief and deputy; and they were given input that she assumed is in discussion with the Board. Ms. Morris stated it was noted that sewer service is available, and water is available. She further stated that one thing that the Public Works Department has concerns of is drainage on Broad Street. Ms. Morris stated, although it is not required at this stage, a traffic report has been given, which is important to this Board and really important to the Council when they make their determination. Ms. Morris stated that, with regard to traffic, the applicant has suggested a one-way circulation even maybe just at high travel times that they would like the Board's input on, whether the Board thinks that would be appropriate; but those things can be determined more at the preliminary plan, and that would also be a Council decision; but this Board's input is valuable.

Ms. Morris stated the only other thing she wanted to go over with the Board is the proposed ordinance, in Section 2, where it states it is supposed to be a condition that the Petitioner shall be declared exempt from the requirement that it seek dimensional relief from the Cumberland Zoning Board of Review for rear yard setback requirements and required buffers between abutting residential properties and the proposed commercial educational use. Ms. Morris stated that, instead of it reading that way, it should read, "a minimum rear yard setback, if needed," because she did not see that they need rear yard setback because they have two sides and two fronts; but they could talk about that as well. Ms. Morris also stated that the buffer area should be a set number, not just be exempt from, so the Board could talk about that as well.

Ms. Morris stated that Mr. Partington is the attorney for this proposal, but he had a death in his family; so, his partner, Mr. Bigos, will be presenting tonight.

Attorney James Bigos then came forward from the law office of Bigos & Partington, 2176 Mendon Road in Cumberland, Rhode Island. He stated this matter is before the Board this evening on Master Plan approval, conceptual approval of this project; and, as the Board knows, it is pursuant to a petition for a zone change that was filed and is pending before the Town Council. Mr. Bigos stated that they are seeking Master Plan approval, as well as a positive recommendation or advisory opinion from the Planning Board to the Council in conjunction with that zone change request.

Mr. Bigos stated that this evening he has Mr. Jeremy Chiapetta present, and he is from the Blackstone Valley Prep. Elementary; and he'll be testifying concerning the school and the need for the project. He stated he also has Ms. Carey Orsi, from Pare Engineering, and she would be testifying relative to plans and engineering. Mr. Bigos stated he also has Mr. John Shevlin, who is a traffic expert, and he would be testifying with regard to the traffic impact analysis. Mr. Bigos stated that, lastly, he has Mr. Joe Lombardo, who is a planning expert, and he will be testifying regarding the economic impact of the project. Mr. Bigos then called each one of his development team, as he stated, to come forward and speak in their field of expertise about this project. No one else came forward to speak in this matter.

After further discussion, Mr. MacDonald made a motion that the Planning Board approve the Master Plan application for major land development project submitted by Civic Builders for property located at 52 Broad Street, and also described as Assessor's Plat 2, Lot 26, located in a C submitted by Civic Builders for Plan is consistent with the Town's Comprehensive Plan. Mr. Butler seconded the motion. During discussion, Mr. Coutu asked, as to the findings of fact and the stipulations for the approval, if Mr. MacDonald wanted to include in the motion Pages 2, 3 and 4 of Ms. Morris's memorandum. Mr. MacDonald answered yes, and he so moved that also as part of the motion. Mr. Coutu stated the motion was seconded by Mr. Butler. Mr. Coutu then took a vote on the motion. THE MOTION WAS APPROVED 7W

Mr. Coutu then stated that on the agenda tonight it says, "located in a C Mr. Coutu then state

Ms. Morris stated she has that it is located in an open space zoning district. She asked Mr. Coutu what he was looking at, and he stated he was looking at the agenda. Mr. Butler stated that Mr. MacDonald's motion stated in a C agenda. Mr. Butler stated that Mr. MacDonald's motion stated in a C 1 zoning district. Ms. located in an open space zoning district. Mr. Bigos added that the request for the zoning change is to the C located in an open space

Mr. Coutu then stated that the agenda also does not say, "Request for a zone change," and he asked if the Board could do it. Ms. Morris stated that it was referred to the Board from the Council for the zone change. She stated the Board could make its recommendation, and she would look into it; but she thought it would be fine. Mr. Coutu stated he thought it would be okay because in Ms. Morris's memorandum it talks about the zone change.

Mr. MacDonald then made a motion recommending the zone change to the Town Council from open space to C Mr. MacDonald then made a motion recomm suggested that the motion read where it is adjacent to residential zones. Mr. MacDonald added that it would be in the two areas that were pointed out that are adjacent to residential zones. Mr. Costa then seconded the motion. Mr. Coutu then took a vote on the motion, and THE MOTION WAS APPROVED 7to

* * * * *

d. Preliminary Plan submission for property owned by Chuck Lombardi, Jr./420 Mendon Road, LLC, and located at 420 Mendon Road, being AP 13, Lots 110, 111.

At the outset, Mr. Scown stated that he was an abutter to this property, and he would be recusing himself. He then removed himself from the Board.

Ms. Morris stated the property is actually owned by 420 Mendon Road, LLC, and Mr. Lombardi is the representative of that company. She stated the Board has already seen this property at least once, and they have received conditional Master Plan approval; and they have received their conditional zone change from the Council. She stated the application is before the Board tonight on preliminary plan review. Ms. Morris stated the applicant met separately with the Department of Public Works and the Fire Department Chief. She further stated she was concerned specifically about drainage and traffic, on Public Works and the Fire Department Chief fire trucks; and Chief Jackvony told her he had no problem with the access or the turning movements. Ms. Morris stated the only thing she had a question about after she looked at the plans was that she did not see any signage on the plan; but Mr. Lombardi told her he is not going to have any piles she looked at the plans was that talk about that. Ms. Morris stated that this is a pretty simple project, so she included basically the same findings as at Master Plan, if the Board wanted to accept those. She stated she was sure the applicant wanted to give the Board a presentation.

Attorney James Bigos came forward representing the owner/applicant, 420 Mendon Road, LLC, and its principal, Mr. Chuck Lombardi. He stated he also had with him Mr. David D'Amico of D'Amico Engineering Technology, who did the plan and who will present the plan to the Board and answer any questions.

Mr. Bigos stated that Master Plan conceptual approval was granted by this Honorable Board on February 27, 2013, along with an advisory opinion to the Town Council recommending a zone change from C1 to C2. He also stated that, on March 6, 2013, there were some minor revisions to the proposed ordinance that had been submitted, and they are here this evening seeking preliminary plan approval from this Board. Mr. Bigos then brought Mr. David D'Amico forward.

Mr. D'Amico came forward and stated his firm is the engineer of record for the project, and he then went through the plan, as he stated that they had advanced the design from the last time they were before the Board. Mr. D'Amico then went through the plans for the project in detail.

Mr. Chuck Lombardi also came forward and spoke briefly about the project. No one else came forward to speak on this project.

After hearing, Mr. Costa made a motion to approve the preliminary plan submission for property owned by Chuck Lombardi Jr., 420 Mendon Road, LLC, located at 420 Mendon Road, being Assessor's Plat 13, Lots 110 and 111, with the following conditions:

The State approvals and that the two lots would be merged with administrative approval. Mr. Costa stated he would also include the findings of fact on the July 31st memorandum to the Planning Board from Ms. Morris, Pages 1 through 4. Mr. MacDonald then seconded the motion. THE MOTION WAS APPROVED 6-3 as Mr. Scown had recused himself.

Mr. Butler then made a motion to adjourn. The motion was seconded by Mr. MacDonald. THE MOTION PASSED UNANIMOUSLY 6-1

(THE MEETING ADJOURNED AT 9:54 P.M.)

Respectfully submitted,

ANDREW J. D'ANGELO,
Court Reporter

I hereby certify the foregoing minutes to be a true and accurate interpretation, to the best of my ability, of my stenographic notes taken at the Cumberland Planning Board Meeting of July 31, 2013.

ANDREW J. D'ANGELO,
Court Reporter

**CUMBERLAND PLANNING BOARD MEETING
HELD AT THE CUMBERLAND TOWN HALL
45 BROAD STREET, CUMBERLAND, RHODE ISLAND
ON THURSDAY, SEPTEMBER 5, 2013 AT 7:00 P.M.**

PLANNING BOARD MEMBERS PRESENT WERE THE FOLLOWING:

David Coutu, Chairman
Roy A. Costa, Jr., Vice Roy A. C
Maria Vracic
Greg Scown
Christopher Butler
Richard A. Aubin
Kenneth Bush
Isabel Reis

ALSO PRESENT

Kelley Nickson Morris, Planning Director

1. ROLL & CALL TO ORDER.

Mr. Coutu called the meeting to order at 7:05 p.m. All Planning Board members listed above were present.

2. APPROVAL OF THE JULY 31, 2013 MEETING MINUTES OF THE CUMBERLAND PLANNING BOARD.

Mr. Costa asked if there were any additions, corrections or deletions to the minutes of July 31, and no one responded. Mr. Costa then made a motion to approve the minutes as presented. Mr. Scown seconded the motion. THE MOTION WAS APPROVED 7ap

3. Communications.

a. Discussion regarding Comprehensive Plan revision process.

Ms. Morris stated that there is an amended agenda which included a discussion relating to the Comprehensive Plan revision process. She stated she thought it would be appropriate to hold that until the end because she did not believe there was anyone present for the public hearing and it was going to be a quick conversation. Mr. Coutu then continued on with the next item on the agenda.

4. Old Business.

Mr. Coutu stated there was no old business this evening.

5. New Business.

a. Preliminary Plan application for Major Land Development Project Submitted by Civic Builders for property located at 52 Broad Street, being also described as AP 2, Lot 526.

Ms. Morris stated that, as the Board knows, there was a request for a continuance, and Mr. Partington would like to address the Board.

Attorney Scott Partington came forward and stated that the continuance is really necessary because this Board can only act after the Town Council, if they would have approved the zone change. He further stated that, for a number of reasons, the Town Council granted him a continuance to September 18th, and they are having an informational meeting at the Club Lusitana on Monday. Mr. Partington stated there are a lot of things that his client is trying to do right now to address a lot of the concerns which sort of snuck up on them, and they are coming from a lot of directions. He stated that they are trying to address all those things as best they can. Mr. Partington stated that they are looking for reassignment to the September meeting, unless they are not successful before the Council, which at that point it will be academic.

After further discussion, Mr. Coutu asked for a motion to continue this matter to the September 25 meeting. Mr. Butler so moved the motion to continue to September 25. Mr. Aubin seconded the motion.

THE MOTION WAS APPROVED 8TH

b. Preliminary Plan application for Major Development Project for property owned by Foreclosure Solutions, LLC/Paul Larcher and located at 9 Camp Street, being AP 53, Lots 526.

Ms. Morris stated that she and Mr. Shekarchi have been talking about this for a long time. She stated it was not quite clear whether this was a minor subdivision or a major subdivision, so they erred in favor of doing more. Ms. Morris stated that the last time this Board reviewed this it was for Master Plan, and the neighbor actually got extra notice because it was probably done for a preliminary plan with certified mail. She further stated that in the minutes it says that this Board referred final plan to her; however, both she and Mr. Shekarchi felt it was important, as a belts and suspenders, for the Board to review this one as preliminary plan. She stated the only new update is that they got their requested variance.

Attorney John Shekarchi then came forward representing the applicant. He stated that he concurred with Ms. Morris. He stated that in the minutes the Board probably gave them the power and the authority to do it administratively; but, as an abundance of caution, for the record they are here asking for the preliminary approval and that the Board allow the final to be done administratively. Mr. Shekarchi stated, just to refresh everyone's memory, they did go to the Zoning Board and received all the dimensional relief needed to create this conservation subdivision; and one of this Board's conditions and part of the discussion which was adopted by the Zoning Board was that they agreed to conservation easements on the property as noted on the plan. He stated they would be more than happy to do that in conjunction with Mr. Hefner and with Ms. Morris.

After further brief discussion, Mr. Costa made a motion to approve the preliminary plan application for a major development project for property owned by Foreclosure Solutions, LLC, Paul Larcher, located at 9 Camp Street, being Assessor's Plat 53, Lots 526, and also to incorporate the findings of the Planning Board's last meeting regarding this application.

Ms. Morris asked if Mr. Costa added the zoning relief. Mr. Costa stated also adding the zoning relief and to show the setbacks on the map.

Mr. Costa asked if there was one other addition. Mr. Morris stated it would be just subject to what Mr. Costa just stated, which is adding the zoning relief with the date and the recording information. Ms. Morris stated she would make sure that was on the plan, so that if anybody is ever looking at the map, they know exactly where to go to see the decision. Mr. Costa added that it would be showing setbacks, and anything else administratively. Ms. Morris stated that the final would be done administratively, if the Board moves that. Mr. Costa stated that was the end of his motion. Ms. Vracic then seconded the motion. THE MOTION WAS APPROVED 888 □

c. Preliminary Plan application for Minor Land Development Project for property owned by Summit Builders, LLC and located on Farm Drive, being AP 55, Lot 102.

Ms. Morris stated that she left information on Mr. Coutu's desk, including her memorandum and kind of a picture depicting the subject lot and the area lots on the Town's map geosystem. Ms. Morris stated she also gave the Board the two earlier decisions from the last owner, High Tech. She stated that the first decision basically denied it but apparently without enough information for the zoning board. She stated that the second decision includes more substantive comments about the reasons for the denial, and then there is a new plan that Attorney Goodier is going to explain to the Board. She stated there are some minor changes. Ms. Morris stated that this is in a residential area; and, if you look at the surrounding area, the lots are all much less in size than this one. She stated the only concern that she had, and it was really from reading the minutes when she was reviewing this, is that two and a half and it was really from reading the minutes when she was reviewing this, is with the Board about what that actually should be geared towards because she did not know what else you would do with these two lots. She stated it has plenty of land; and, if you look at the other surrounding lots, they are in excess of two and a half and a half and a half; and, if you look at the other surrounding lots, they are in excess of t

help her in the future as well.

Mr. Coutu stated, ordinarily, the way this Board has approached the lot width ~~MM~~ Mr. Coutu stated, ordinarily, the way this Board has approached the lot width Board in the past was never concerned about the length and the width ratio as much as we as it wanted to be assured that whatever is being proposed will fit within the building envelope. Mr. Coutu stated he did not think they ever denied it; but they have looked at it from that point of view, that there is substantial building area, regardless of what the depth to width is. Mr. Coutu also stated that what should be included with that is: Are they creating their own hardship, or is it due to the unique characteristics of the property?

Ms. Morris stated she did think they needed a waiver; but, based on what Mr. Coutu said, the Board would have to make the finding, but they probably meet it because of the unique character of the property; but Ms. Morris stated she would advise the Board to make that finding, if the Board is amenable to approving this. Mr. Coutu stated it is usually the applicant who requests that, that the waiver be granted; and that is how the Board approaches it, and the Board would make that as a separate motion.

After further discussion, Attorney Nicholas Goodier came forward from Michael Kelly's office on behalf of the applicant, Summit Builders. He stated before the Board is a request for preliminary plan approval for the subdivision of Assessor's Plat 55, Lot 102, which is located on Farm Drive. He stated that the parcel as it sits now is approximately three ~~s~~ sits now is approximately three ~~s~~ sits now is approximately three ~~s~~ and ~~s~~ a ~~s~~ quarter acres located in an R ~~s~~ 1 zone; and it is serviced by 25,000 square feet, or just over a half of an acre. He stated that dividing this parcel that is over three acres into two lots provides for each lot meeting or surpassing what is required for the dimensional requirements in the R ~~s~~ what is

Mr. Goodier stated that, as the Chairman indicated, this is somewhat of a uniquely ~~MM~~ Mr. Goodier stated that, as the Chairman indicated, this is somewhat of a u adequate frontage for two lots on Farm Drive. He stated it is a rather elongated rectangle, and he asked for the record to reflect that they are requesting a waiver from the provision in the regulations which states that the average lot depth to average lot width shall not exceed two ~~s~~ t ~~s~~ t ~~s~~ t the provision in the regulations which state this plan called for access to what is depicted as Parcel 2 being provided through an easement or right ~~s~~ t ~~s~~ t this plan called for access to what is depicted as Parcel frontage given to

Parcel 2. Mr. Goodier stated what the applicant is seeking is preliminary plan approval, subject to attaining a DEM approval for a DEM insignificant alteration permit. He stated the area where the driveway will access the proposed dwelling on

Parcel 2 will disrupt jurisdictional wetland, which is the buffer zone, not actual wetland; and it is just about approximately 2000 square feet.

Mr. Goodier stated that, in addition to raising questions relating to the access to Parcel 2 on the prior version of the plan submitted, there were questions related to the area suitable for development. He stated on the plan that has been submitted with this application there is a table which clearly delineates that both lots provide for far in excess of what is required in the R ~~s~~ for far in excess of what is required in the R ~~s~~ 1 zone for suitable building area; and, in fact, Parcel 1 provides for over three approximately five times what is required for the building area. He stated, in addition, this has been reviewed by the TRC, and he did not believe there are any comments there.

Along with Mr. Goodier was Mr. Michael Darveau, the engineer for this plan. Mr. Darveau came forward further explaining the layout of the two lots.

Mr. James McKee was also present to answer several questions from the Board about the project.

After Mr. Goodier concluded his presentation, Mr. Coutu asked if there was anyone else who had any questions or comments on this application. Mr. Jim O'Brien, of 8 Secluded Court, came forward and stated the prior applicant had come forward with many different iterations of trying to put two homes on the property which were all denied by the Board.

He stated he was struggling with how the Board would even be considering this, given that so much time was given to the prior applicant over a number of different iterations that he brought forth.

Mr. O'Brien also stated he had concerns about the home being so close to the buffer zone of the wetlands.

Then Mr. Mark Rundlett came forward and asked about the DEM postings for the wetlands, and he wanted to know if DEM would be relied on to go back and actually look at the postings. Ms. Morris answered that, if they required her, she would be happy to do it, but she was sure they have an inspector. Mr. McKee stated that it is part of their conditions of approval to have DEM come and out and do a final inspection of any improvements that were required of them to do to close out the permit.

No one else came forward to speak on this project.

After hearing, Mr. Costa made a motion that, regarding the preliminary plan application for

Minor Land Development Project for property owned by Summit Builders, LLC, and located on Farm Drive, being Assessor's Plat 55, Lot 102, that the Board approves this application contingent on written DEM approval for the land survey map revised on August 30 of 2013 by Michael Darveau; and that this approval be submitted to the Town Planner; that the Board would also require posting of the wetlands with permanent markers that can be seen at a distance; and that the Board would also incorporate the finding of facts in the memo from Ms. Morris dated September 5th, 2013, Pages 2 and 3. Mr. Aubin then seconded the motion. **THE MOTION WAS APPROVED 8 ~~MM~~**

After further brief discussion, Mr. Coutu asked for a motion on the lot width ~~MM~~ After further brief discussion, Mr. Coutu asked for a motion on the lot width ~~MM~~ width ~~MM~~ to ~~MM~~ depth ratio. Mr. Scown seconded the motion. **THE MOTION WAS ~~MM~~**

3. Communications

a. Discussion regarding Comprehensive Plan Revision process.

Ms. Morris stated there is a new requirement that the Town has to update its Comprehensive Plan. She stated there are some new specific requirements, so they were going to be doing that over the next, hopefully, nine months. She stated that she asked in her budget for more than what she received, but she received \$15,000.00 for any consultants that they would need on the Comprehensive Plan. Ms. Morris then went through her plans to have the Comprehensive Plan reviewed and asked for the Planning Board Members input into the process. After discussion, the Board went on to the next item on the agenda.

* * * * *

5. New Business

d. Referral from the Town Council for recommendations regarding #13dl. dl. Referral from the Town Council for recommendations regarding Ordinance entitled "Signs".

Ms. Morris went over with the Board Members several of the proposed changes to the Sign Ordinance.

After lengthy discussion, Mr. Bush made a motion to recommend to the Town Council that they accept the Sign Ordinance as proposed with the changes that were discussed this evening and amending article 13 of the Cumberland Zoning Ordinance entitled, "Signs".

Ms. Morris stated what she would do is revise the proposed Ordinance as was talked about this evening with a memo describing what was talked about, so the Council would understand why the Board came to these conclusions.

Mr. Coutu then asked for a second to the motion. The motion was seconded by Mr. Scown, and THE MOTION WAS APPROVED 8MM

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Mr. Bush then made a motion to adjourn. The motion was seconded by the entire Planning Board. THE MOTION PASSED UNANIMOUSLY 8MM

(THE MEETING ADJOURNED AT 9:40 P.M.)

* * * * *

Respectfully submitted,

ANDREW J. D'ANGELO,
Court Reporter

I hereby certify the foregoing minutes to be a true and accurate interpretation, to the best of my ability, of my stenographic notes taken at the Cumberland Planning Board Meeting of September 5, 2013.

ANDREW J. D'ANGELO,
Court Reporter

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**CUMBERLAND PLANNING BOARD MEETING
HELD AT THE CUMBERLAND TOWN HALL
45 BROAD STREET, CUMBERLAND, RHODE ISLAND
ON THURSDAY, SEPTEMBER 25, 2013 AT 7:00 P.M.**

PLANNING BOARD MEMBERS PRESENT WERE THE FOLLOWING:

David Coutu, Chairman
Roy A. Costa, Jr., Vice President
Harry MacDonald
Maria Vracic
Christopher Butler
Richard A. Aubin
Kenneth Bush
Isabel Reis

PLANNING BOARD MEMBERS ABSENT:

Greg Scown

ALSO PRESENT

Kelley Nickson Morris, Planning Director
Celeste Beuparlant, Planning Board Clerk

1. ROLL & CALL TO ORDER.

Mr. Coutu called the meeting to order at 7:06 p.m. All Planning Board members listed above were present.

2. APPROVAL OF THE SEPTEMBER 5, 2013 MEETING MINUTES OF THE CUMBERLAND PLANNING BOARD.

Mr. Coutu asked if there were any corrections, additions or deletions to the minutes of September 5. Ms. Reis stated that where it says that Mr. Costa asked if there were any additions, corrections or deletions to the minutes, it should be Mr. Coutu, not Mr. Costa. Mr. Butler then made a motion to approve the minutes of the September 5th meeting as prepared, with Ms. Reis's correction. Ms. Reis then seconded the motion. **THE MOTION WAS APPROVED 8-0.**

3. Communications.

Ms. Morris stated she would like to introduce the Board to Celeste Beuparlant, the new Planning Clerk. She stated that Heather has moved to the Tax Assessor's office. Ms. Morris stated that Ms. Beuparlant came on board about two weeks ago and has five Assessor's office. Ms. Morris stated that Ms. already jumped right in, and things are moving efficiently.

Ms. Morris stated that the other thing she wanted to let the Board know is that Chris Carcifero is no longer with the Town, and she is looking for another Town Planner. Ms. Morris stated she has advertised it with the Rhode Island American Planning Association and "The Valley Breeze", and she also sent it off to some planning colleagues, and she received two pretty good resumes that she would be interviewing next week. Ms. Morris stated she wanted the Board to welcome Celeste; and, if the Board had any questions, she would also be available to them.

4. Old Business

Continuance of discussions related to the Comprehensive Plan.

Ms. Morris stated that she was not going to get up to speak to this because she has had a very busy and difficult month with the loss of Mr. Carcifero, and she is sure the Board has been reading in the papers that they have had a couple of very controversial matters that she has been working on. She stated that Gary Leib, who works with the Department about 10 hours a week, is now going to work more on a project basis, so he might actually work more often. She stated that right now he is working on grant things because that is what Mr. Carcifero was doing, but they have been meeting with a lot of different people just to get ideas on how to strategize on how to develop this new Comprehensive Plan. Ms. Morris stated her initial impression was that it would take about nine months, but some of these comprehensive plans literally cost like a hundred thousand dollars, and right now they have a fifteen thousand dollar budget. She stated that they are going to have to step it up and, as discussed before, maybe have a couple of meetings a month once they really get into it; but Ms. Morris stated she really had not spent any time on it this month. After further brief discussion, the Board continued on with the next matter on the agenda.

5. New Business.

a. Request for release of guarantee in the amount of \$21,600.00 for Vadenais Lane, Vadenais Estates, being also described as AP 60, Lot 11, 63 and 67.

Ms. Morris stated that Mr. Vadenais has completed his project after the Board granted the waiver to not have to include those concrete sidewalks. She stated he has put on the second coat of asphalt, and it has been inspected by Public Works. Ms. Morris stated the regulations require holding a 20 percent maintenance bond for a year, so the Engineering Department has recommended holding \$5400 from today's date, and that he should be issued a check for \$21,600.

After brief discussion, Mr. Butler made a motion, in the matter of the request for release of guarantee in the amount of \$21,600 for Vadenais Lane, Vadenais Estates, being also described as Assessor's Plat 60, Lot 11, 63 and 67, that it be approved. Ms. Vracic seconded the motion.

Mr. Costa stated he thought there should be something regarding the holding of the 20 percent maintenance bond for a one Mr. Costa stated he be receiving the \$5400 for a year from the date of our approval. Mr. Coutu thanked Mr. Costa and stated he was going to add that to the request himself, so that would be included as part of the motion. Mr. Coutu then took a vote on the motion, and the motion was approved 8W0

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b. Preliminary Plan application for Minor Subdivision submitted by Terrapin Development, LLC for property located at Tower Flagg Road, being also described as AP 24, Lot 421.

Ms. Morris stated she had initially sent out a memo discussing slopes; but, after further review and discussions with the applicant's attorney, she is now of the opinion that, because this is served by sewer and water, and there are a lot of references to the slopes issue, but it is clearly only within the limits of disturbance of the development that the Board has to consider; and Terrapin has submitted a new plan that the Board should have tonight that shows where the limits of disturbance is, and you can see that it does not affect the building envelope at all. Ms. Morris stated that in her mind this is a pretty simple subdivision that does meet all of the requirements under the subdivision regulations. She stated Mr. Goodier is here to present, if the Board has any questions.

Attorney Nicholas Goodier came forward on behalf of Terrapin Development, LLC, along with James McKee, the owner of the property. Mr. Goodier stated, as the Director of Planning alluded to, they are here with respect to a minor subdivision application at the preliminary plan stage with regard to Assessor's Plat 24, Lot 421. He stated, as the plan that has been submitted with the application reflects, this is a subdivision of one, 50,000 square foot lot that is existing, and it will be subdivided into two lots. He stated both of those lots meet all the dimensional requirements set forth by the applicable regulations for the R₁ subdivided into two lots. He set setbacks, frontage, lot area, particularly the buildable lot area, keeping in mind that this lot is serviced by water and sewer. He stated it is important to note that this submission is not requesting any waivers and, in fact, fully comports with the regulations, as the Director of Planning noted.

After hearing, Mr. Bush made a motion to approve the preliminary plan application for a minor subdivision submitted by Terrapin Development, LLC, for property located at Tower Flagg Road, being also described as Assessor's Plat 24, Lot 421. Mr. Butler seconded the motion. Ms. Morris stated under discussion that there were no findings of fact included in the motion; and, as always, the Board could include by reference the findings that were made in her memorandum to the Board, if the Board wanted. Mr. Bush so moved to include the findings in Ms. Morris's memorandum. Mr. Butler again seconded. Mr. Coutu then polled the Board members. Ms. Vracic, Mr. Butler, Ms. Reis, Mr. Bush and Mr. Aubin voted in favor of the motion. Mr. MacDonald and Mr. Costa voted against the motion. Mr. Coutu stated there were five in favor and two against. THE MOTION WAS APPROVED 5Coutu stated there were five

Ms. Morris then stated that, because there was an issue about referring final plan to the administrative officer, she suggested that a vote be taken because she did not know what the Board wanted her to do at this point. Mr. Bush then made a motion to have the final done administratively. Mr. Butler seconded the motion. Mr. Coutu then polled the Board Members. Ms. Vracic, Mr. Butler, Ms. Reis, Mr. Bush and Mr. Aubin voted in favor of the motion.

Mr. MacDonald and Mr. Costa voted against the motion. Mr. Coutu stated there were five in favor and two against. THE MOTION WAS APPROVED 5S□2, and Mr. Coutu again did not vot

c. Development Plan Review application for property owned by Adelino and Helena Cardoso located at 118 Broad Street, being AP 02, Lots 79.

Ms. Morris stated that there has not been any decision taken on this or any formal action. She stated she thought that all but maybe one of the Board members has been involved in this application in the past, where it was almost like a preap. over and over and over. Ms. Morris stated that it was not clear to her what it was even on the docket for, in terms of development plan review, minor development. She stated that she looked at the regulations, and it is clear that it should be reviewed under Development Plan Review, which is a little different than what has been done in the past. She further stated that Mr. Cardoso had hired a surveyor way back, Mr. Mancini, who is no longer involved in the project. She stated that, in an effort to move this forward, it has come back to the Board.

Mr. Steven Ricci, of Avant Garde Design Group, of 50 Durnell Lane, Pawtucket, Rhode Island, came forward, along with Norbert Therien, a professional land surveyor employed by National Land Surveyors/Developers, Inc., at 42 Hamlet Avenue in Woonsocket. Mr. Therien stated that they have the full size plans that were the same plans that were utilized for the submission and the receipt of the zoning variances, as well as the same plans that were submitted to both state agencies, UIC for the drainage review and obtaining that UIC permit, as well as the plan that was utilized and submitted to the Department of Transportation, and they did receive that permit also. He stated he could present those to the Board, and they are the ones that have been tweaked to obtain that variance, as well as the two outstanding permits. Discussion ensued as to the drainage system on the property. Mr. Coutu also asked if anything had changed about the building since last being before the Board, and Mr. Ricci answered that nothing had changed.

No one else came forward to speak either in favor or against this application.

After hearing, Mr. MacDonald made a motion that the Board approve the final plan application for property owned by Adelino and Helena Cardoso, located at 118 Broad Street, being Assessor's Plat 2, Lot 79, to include appropriate landscaping and that the approval include the four bulleted findings at the bottom of Page 1 and top of Page 2 as contained in the memorandum from Ms. Morris, the Director of Planning, to the Planning Board regarding this project, dated September 25th, 2013, as this project is consistent with the Town's Comprehensive Plan. Ms. Reis seconded the motion. THE MOTION WAS APPROVED 82D

d. Request for recommendation to the Town Council for a Petition for a Zone Change for property owned by Almeida Investments, located at 426 Mendon Road, being also described as AP 13, Lots 105 and 112, located in a C426MendonRoad, bei426Mendon

Ms. Morris came forward and stated that she told one of the representatives of the applicant at the outset that she did think the concept of a multi structure or structures is a decent transitional use. She stated that you would have the auto body shop and then Berkeley Commons on the other side, so the use of multi multi□ family could be appropriate; but she does have a lot of issues with this application. Ms. Morris stated that the first one is that, generally, when you are d zone change and you have a plan, you are supposed to get your Master Plan approval first, then go for any other approvals, including State approvals, zone changes, zoning variances, anything like that. She stated she advised the applicant that they should go through the Master Plan process first, especially because they have a plan and, obviously, the Town Council wants to see what they are going to do in order to make the zone change; but they chose not to. Ms. Morris stated she takes issue with that. She stated that, if the Board were looking at Master Plan, you would be looking at on and off site circulation, which now you would have a new autobody shop, and they are proposing 13 units. She stated she could see that not being a problem, but something that needs attention and consideration.

Ms. Morris stated this is consistent with the Comprehensive Plan. She stated the area of Mendon Road is commercial and dotted with residential, so the entire

area is somewhat mixed use, so it is not inconsistent with the Comprehensive Plan from that perspective.

Ms. Morris stated that the other thing is she did not see why they need to have additional density at all. She stated there is a single family home on the property and they are asking for an additional three units over what is allowed. She further stated that the Board could hear from the applicant, but the Board is being asked to make a recommendation to the Town Council without really seeing any guts of this application.

Ms. Morris stated that usually when you are introducing a multi-family residential project, the Town Council, because, although these are efficiency units and they probably would generate a net revenue to the Town because there would be probably little to no students going to the schools, the Town Council should probably want to see that.

Ms. Morris stated, lastly, that the applicant wants to include the single family home in the back yard and then you are going to drive around that into the back yard and have a single family home, and then you are going to drive around the practice.

Attorney John Shekarchi came forward to make his presentation, along with Edward Pimentel, his land use expert for this project. No one else came forward to speak in this matter.

After Mr. Shekarchi and Mr. Pimentel concluded their presentation, Mr. Costa made a motion that, regarding a request to the Town Council for a petition for a zone change for property owned by Almeida Investments, located at 426 Mendon Road, being also described as Assessor's Plat 13, Lots 105 and 112, located in a CC-1 zoning district, R-3 proposed, that the Planning Board recommends that the Council table this matter until the applicant goes through the required by Rhode Island General Laws 45-23-61, Regulations, at Section 3(g). In the event the Town Council goes for the Planning Board recommends the following:

The proposal is generally consistent with the Town's Comprehensive Plan but, at this time, and without additional information, notes the following:

The applicant should prepare a fiscal analysis for the project supporting a net revenue to the Town. The applicant should prepare a fiscal analysis for the project, and the project should be limited to the density permitted by zoning; and this project should have Master Plan approval. Mr. Butler seconded the motion.

Ms. Morris stated there was one thing that she neglected to bring to the Board's attention, and it could just be added to the memo, just so the Town Council is aware of this. She stated she asked Chris Champi, who is the Town's Water Superintendent, if there would be enough water for this site; and he said there is currently a one inch service line which goes to the property which would be inadequate to support a one inch service line which goes to the property which would be inadequate to the main to the property, and the current line would need to be disconnected at the main. Ms. Morris stated she would just like to add that to the materials that that are given to the Council. Mr. Costa so moved that that be added to the motion. Mr. Bush stated he would second that, and it is important for the applicant to know that he would not go along with a waiver for additional units above what is allowed in that zone. Mr. Coutu then took a vote on the motion, and THE MOTION WAS APPROVED 8-0.

e. Preliminary Plan application for Major Land Development Project Submitted by Civic Builders for property located at 52 Broad Street, being also described as AP 2, Lot 526. (Continued from September 25, 2013.)

Ms. Morris stated that last week the Town Council approved the zone change for this property from open space to Commercial. Ms. Morris stated that her memorandum. She stated the applicant also met with the TRC last week, and she included their written comments to the TRC, the concerns from the previous Technical Review Committee meeting.

Ms. Morris stated that tonight she thought the applicant is going to focus on traffic, parking, and bus circulation. Ms. Morris stated that the comments from the Board previously were that they were very concerned about traffic and making sure that there was enough parking, so that is what their presentation is going to focus on tonight.

Ms. Morris stated there is a Purchase and Sale Agreement signed at this time. She stated they are getting very positive feedback from the DEM on converting the property. She further stated that the Town would need to convert that recreational space to another area; and she talked to the Mayor today, and he has amazing plans over and above what they initially were going to do. Ms. Morris stated she could not go into detail, but it is very positive for this part of the Town.

Attorney John Shekarchi then came forward to represent Civic Builders on this request for a Major Land Development Project. In support of this project, Mr. Shekarchi presented several experts. Among them were Mike DeMatteo, the Director of Operations of Blackstone Valley Preparatory Mayoral Academy, who narrated a slide presentation and illustration for the Board to show the proposed traffic and bus circulation for the school. Also present were several engineers from the Pare Corporation to speak about the traffic and traffic circulation in and around the site. Among them were Carrie Orsi, a registered professional engineer in the State of Rhode Island; Jen DiStefano, a registered P.E. from the State of Rhode Island, and also John Shevlin, also a P.E. from the Pare Corporation and the head traffic engineer for the project.

When Mr. Shekarchi and his experts had concluded their presentation, Mr. Coutu asked if there was anyone else from the public who wished to speak on this application. Mr. Nuno Figueiredo came forward to speak in favor of this project. Also, Jessica Bliss, of Woodside Avenue in Cumberland, came forward to also speak in favor. No one else came forward to speak either in favor or against in this matter.

After very lengthy hearing, Mr. Costa made a motion to approve preliminary plan application for Major Land Development Project submitted by Civic Builders, for property located at 52 Broad Street, being also described as Assessor's Plat 2, Lot 26, continued from our September 5th, 2013 Planning Board meeting; also, to include the findings on Page 3 in the memo from Ms. Morris dated September 23rd, 2013. Mr. Butler then seconded the motion. Mr. Coutu then polled the Board members. Mr. MacDonald, Mr. Butler, Ms. Reis, Mr. Aubin and Mr. Costa all voted in favor of the motion. Ms. Vracic and Mr. Bush voted against the motion. THE MOTION WAS APPROVED 5-2, as Mr. Coutu did.

After brief discussion, Mr. Coutu asked if there was a motion to have the final approved administratively. Mr. Butler so moved to have the final plan in this matter approved administratively. The motion was seconded by Mr. Aubin. THE MOTION WAS APPROVED 8-0.

Mr. Butler then made a motion to adjourn. The motion was seconded by Ms. Reis. THE MOTION PASSED UNANIMOUSLY 8-0.

(THE MEETING ADJOURNED AT 10:35 P.M.)

Respectfully submitted,

ANDREW J. D'ANGELO,
Court Reporter

I hereby certify the foregoing minutes to be a true and accurate interpretation, to the best of my ability, of my stenographic notes taken at the Cumberland Planning Board Meeting of September 25, 2013.

ANDREW J. D'ANGELO,
Court Reporter

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TOWN COUNCIL MEETING MINUTES





James T. Higgins, At Large
Council President

Manuel N. DaCosta, District 1
Council Member

E Craig Dwyer, District 2
Council President, Pro-Tem

Jeffrey T. Kearns, District 3
Council Member

Scott R. Schmitt, District 4
Council Member

William S. Murray, District 5
Council Member

Arthur Lambi, Jr., At-Large
Council Member

**MINUTES OF THE REGULAR MEETING OF THE CUMBERLAND TOWN COUNCIL
WEDNESDAY, AUGUST 21, 2013 AT 7:30 P.M.
CUMBERLAND TOWN HALL EVERETT "MOE" BONNER, JR. COUNCIL CHAMBERS
45 BROAD STREET, CUMBERLAND
OPEN SESSION**

The regular meeting was called to order at 7:40 p.m. by President Higgins.

MEMBERS PRESENT:

President Higgins, Councilors DaCosta, Dwyer, Murray, Lambi, Kearns, and Schmitt

Also present—Mayor Daniel J. McKee, Acting Town Solicitor Thomas E. Hefner and Town Clerk Sandra Giovanelli

GENERAL ANNOUNCEMENTS

Presentation of citations to Kaitlyn Erin Conery and Shelby Markey for achieving the Girl Scout Gold Award

Mayor McKee presented the citations. Ms. Markey explained that she planted a garden, and the 160 pounds of produce will be used by local food banks. Ms. Conery informed that her project dealt with raising awareness for the hard of hearing; she taught sign language to other students at her school.

Additionally, Mayor McKee informed that it has been a really good summer for the Town—the fire merger was approved, and the town received a two point upgrade on its bond rating and is now at its highest level ever. He also mentioned the beaver issue at Diamond Hill Park.

President Higgins noted that there is no effort being made to eradicate the beavers; some citizens are looking into possibly creating a highlight using the beavers to show the wildlife within the park.

President Higgins also informed that the matter regarding the Master Plan for Diamond Hill Park will be tabled and heard at another date, as well as the presentation regarding the resurfacing of Diamond Hill Road. He informed that this resurfacing project will not be taking place until the Spring.

UNANIMOUS CONSENT ITEMS

CONSENT AGENDA

A. Acceptance of Minutes of the Regular Town Council Meeting of June 19, 2013 and Special Town Council Meeting of July 10, 2013

MOTION BY COUNCILOR DACOSTA, SECONDED BY COUNCILOR DWYER AND COUNCILOR KEARNS AND IT IS UNANIMOUSLY VOTED TO APPROVE AS AMENDED. VOTE 7/0.

B. DEPARTMENT REPORTS

Animal Control

Building Official (June, July)

Parks & Recreation (June, July)

Police Department (June, July)

Rescue Department (June, July)

Councilor Lambi asked that the Animal Control report be pulled due to clerical errors in adding.

There was a discussion as to whether it was necessary for the Council to receive any of these reports other than the Police Department report. It was determined to be helpful to receive them.

MOTION BY COUNCILOR DWYER, SECONDED BY COUNCILOR MURRAY AND IT IS UNANIMOUSLY VOTED TO APPROVE EXCEPT FOR THE ANIMAL CONTROL REPORT. VOTE 7/0.

C. COMMUNICATIONS

1. C-13-30 – A DEM Notice regarding a Freshwater Wetlands Program application for Bruce R. Campbell – Assessor's Plat 21, Lot 60

2. C-13-31 – A Notice of Intent to construct a loop line of less than 1,000 feet for the Highland Drive Substation

MOTION BY COUNCILOR DACOSTA, SECONDED BY COUNCILOR DWYER AND COUNCILOR KEARNS AND IT IS UNANIMOUSLY VOTED TO APPROVE. VOTE 7/0.

FINANCE REPORTS

1. A request from the Tax Assessor to approve June, 2013 and July, 2013 abatements and supplemental bills

MOTION BY COUNCILOR DWYER, SECONDED BY COUNCILOR KEARNS AND IT IS UNANIMOUSLY VOTED TO APPROVE THE MOTOR VEHICLE ABATEMENTS OF \$1,289.93. VOTE7/0.

MOTION BY COUNCILOR DWYER, SECONDED BY COUNCILOR DACOSTA AND IT IS UNANIMOUSLY VOTED TO APPROVE THE TANGIBLE ABATEMENTS OF \$1,619.22. VOTE7/0.

MOTION BY COUNCILOR DWYER, SECONDED BY COUNCILOR KEARNS AND IT IS UNANIMOUSLY VOTED TO APPROVE THE SUPPLEMENTAL MOTOR VEHICLES TAXES OF \$108.49. VOTE7/0.

MOTION BY COUNCILOR DWYER, SECONDED BY COUNCILOR KEARNS AND IT IS UNANIMOUSLY VOTED TO APPROVE THE SUPPLEMENTAL REAL ESTATE TAXES OF \$26,449.51. VOTE7/0.

Councilor Schmitt asked for an explanation of the exemption credit listed.

President Higgins noted that the Tax Assessor was not present and asked if Councilor Schmitt would like her present at the next meeting.

Councilor Schmitt responded that it would not be necessary and that it looked like they were correcting some previous errors.

Councilor Lambi stated that he would like further explanation on this issue, so he requested that the Tax Assessor be present at the next meeting.

MOTION BY COUNCILOR DACOSTA, SECONDED BY COUNCILOR DWYER AND COUNCILOR KEARNS AND IT IS UNANIMOUSLY VOTED TO APPROVE. VOTE 7/0.

LICENSES

A. VICTUALLING HOUSE LICENSE:

1. An application for a transfer of a Fifth Class Victualling House License from SJC Stores LLC d/b/a Phantom Farms located 2920 Diamond Hill Road to Kerri Stenovitch of Phantom Properties LLC d/b/a Phantom Farms

Public hearing was opened at 7:59 p.m.

There was no one wishing to speak in favor of or against this license transfer.

Public hearing was closed at 8:00 p.m.

President Higgins noted that this license has been transferred several times. He asked if the Town Clerk was aware of any reason for that.

The Town Clerk responded it was a transfer of the corporation name.

MOTION BY COUNCILOR MURRAY, SECONDED BY COUNCILOR KEARNS AND IT IS UNANIMOUSLY VOTED TO APPROVE. VOTE 7/0.

2. An application for a Fourth Class Victualling House License from Iqbal & Son's Inc. d/b/a Cumberland Sunoco located at 2093 Diamond Hill Road

Public hearing was opened at 8:01 p.m.

There was no one wishing to speak in favor of or against this license.

Public hearing was closed at 8:02 p.m.

MOTION BY COUNCILOR DWYER, SECONDED BY COUNCILOR DACOSTA AND IT IS UNANIMOUSLY VOTED TO APPROVE SUBJECT TO RECEIPT OF THE PERMIT TO MAKE SALES AT RETAIL. VOTE 7/0.

B. HOLIDAY LICENSE:

1. An application for a Holiday License from Kerri Stenovitch of Phantom Properties LLC d/b/a Phantom Farms located at 2920 Diamond Hill Road

MOTION BY COUNCILOR LAMBI, SECONDED BY COUNCILOR KEARNS AND COUNCILOR MURRAY AND IT IS UNANIMOUSLY VOTED TO APPROVE. VOTE 7/0.

2. An application for a Holiday License from Iqbal & Son's Inc. d/b/a Cumberland Sunoco located at 2093 Diamond Hill Road

MOTION BY COUNCILOR DWYER, SECONDED BY COUNCILOR MURRAY AND IT IS UNANIMOUSLY VOTED TO APPROVE SUBJECT TO RECEIPT OF THE PERMIT TO MAKE SALES AT RETAIL. VOTE 7/0.

3. An application for a Holiday License from Michael and Linda Houle of Coffee Breaks located at 2275 Diamond Hill Road

Councilor Dwyer recused himself due to a connection with the landowner.

MOTION BY COUNCILOR KEARNS, SECONDED BY COUNCILOR MURRAY AND IT IS UNANIMOUSLY VOTED TO APPROVE. VOTE 6/0.

C. ENTERTAINMENT LICENSE:

1. An application for a transfer of an Entertainment License from SJC Stores LLC d/b/a Phantom Farms located 2920 Diamond Hill Road to Kerri Stenovitch of Phantom Properties LLC d/b/a Phantom Farms

Councilor Schmitt asked what type of entertainment there would be.

The Town Clerk responded that they sometimes have a banjo player or harp, and guitarists who perform on the deck occasionally.

Councilor Murray noted that they also have playtime for the children, and they bring someone in to entertain them with story telling or music.

MOTION BY COUNCILOR MURRAY, SECONDED BY COUNCILOR KEARNS AND IT IS UNANIMOUSLY VOTED TO APPROVE. VOTE 7/0.

2. An application for a One-Day Special Event Entertainment Licenses from Reverend Fernando Cabral of Our Lady of Fatima for their annual festival to be held on August 30, 2013, August 31, 2013, and September 1, 2013

MOTION BY COUNCILOR DACOSTA, SECONDED BY COUNCILOR KEARNS AND IT IS UNANIMOUSLY VOTED TO APPROVE SUBJECT TO RECEIPT OF APPROVAL FROM THE DEPARTMENT OF HEALTH, PERMIT TO MAKE SALES, AND TAX INFORMATION FROM THE VENDORS. VOTE 7/0.

OLD BUSINESS

A. ORDINANCES FOR PUBLIC HEARING:

1. #13-14 – An ordinance in amendment of the Code of Ordinances of the Town of Cumberland, Rhode Island, as amended, amending the Ordinances and map thereof with reference to Cumberland Assessor's Plat 51, Lot 11 in the Town of Cumberland

Public hearing was opened at 8:06 p.m.

Colin Kane spoke on behalf of the applicant. He informed that what is being considered tonight is a modification of what was a fully approved land-sue submittal with 100 residential condominiums located on approximately 32 acres adjacent to Highland Park. He explained what is now proposed is a modification of that plan to consolidate those units into a much smaller footprint in order to free up 10 acres of open space, and have approval of 200 residential rental apartments. This would result in a win/win/win situation. There is a very active market for rental apartments in this area to serve the corporate headquarters of CVS. They have met with the neighbors to share their goals, who would gain an additional 10 acres of the open space. The Town would also win in that it would create a project that is a positive with regard to tax revenue with a modest impact on Town services.

President Higgins asked the status with the water issue.

Mr. Kane responded that they have been aware of that issue for a long time and have submitted their engineering to the Water Department. They are proposing fewer bedrooms than originally approved; they will have a full engineering plan as they go through the preliminary and master site plan approval process before the planning Board.

President Higgins noted that the Planning Director has recommended approval subject to available water supply for 330 bedrooms and landscape irrigation as confirmed by the Water Superintendent, as well as the continuity of domestic and fire protection services and the installation of a hot box and separate fire protection for the development. He asked if the applicant had any objections to those requirements, which they did not.

President Higgins noted that there were no abutters present opposing this project and asked whether they wished to present any other evidence at this time.

Attorney Goodier noted that the Planning Board reviewed a fiscal impact study, which noted that additional revenues would be available to the Town. The impact on the Town was estimated to be 10 schoolchildren, which is less than the amount in the approved development of town houses. Additionally, there will be revenues from water and sewer.

Planning Director Kelly Morris noted that her department is very supportive of this application conditioned on water and the 10 acres to be given to the Land Trust. This development will provide revenue to the Town of about \$173,000 annually of net tax revenue gain. Additionally, there would be water revenues of \$55,000+ annually, as well as sewer connection fees of \$72,000 one time, and sewer assessments fees of approximately \$195,000 paid evenly over 10 years. Impact fees are collection upon issuance of a certificate of occupancy and are assessed at \$1,825 per apartment unit, resulting in a one-time revenue of \$365,144. There will also be building permit fees based upon the cost of construction.

Mr. Joseph Pailthorpe, of 56 Old West Wrentham Road, Cumberland, a member of the Cumberland Land Trust, stated that the 10 acres to be donated is a wedge between the 120 acres already owned by the Town and another 70 acres of conservation land in the corporate park. These 10 acres would actually connect these parcels. By switching to apartments, they have lessened the footprint of the project considerably.

Mr. Kane informed that the applicant hoped that some of the renters would be working at the corporate park, which would thereby reduce traffic in the area.

Councilor Murray asked when the project would be completed.

Mr. Kane explained that approval of the plans by the Town would take approximately 2-3 months; the project is fully permitted by DEM in its previous form, so they will need to amend that plan and again request approval, which they believe will take another 3-4 months, so he expects it will take 4-6 months.

Councilor Schmitt asked what the tax revenue would have been from 100 town houses, which was the original plan.

Mr. Kane responded that he estimated it to be \$600,000, though it would take 10-15 years for relative absorption. He expects to charge rent of about \$1.50/square foot, without utilities.

Regarding the water supply, Ms. Morris noted that there is a condition in the approval that there must be adequate water supply; whatever they expect to use in water, the Town must make sure there is an adequate supply.

Mr. Kane noted that their goal is to conserve water whenever possible, including the use of well water if available. The applicant owns two buildings in the park, so they are very aware of the water issue.

Councilor Kearns asked if the project would be considered "green" in any way.

Mr. Kane responded that today's energy code in Rhode Island gets you very close to "green"; he did not know if they would pursue this type of certification, though they typically do not in their projects.

President Higgins asked what a "hot box and separate fire protection" meant.

Steven Cabral, with Crossman Engineering at 151 Centerville Road, Warwick, informed that a hot box is a term used for a water meter pit that is above ground which must be heated during the winter; it shelters the water meter.

Representative McLaughlin asked about the placement of transformers for the project.

Mr. Cabral responded that at this stage of the project, they do not have the electrical design; typically, the transformer locations are dictated by National Grid, though they will work with the Planning Department to ensure that everyone agrees on the location.

Deborah Migneault, of 62 Pine Swamp Road, Cumberland, asked where the water and sewage supplies would come from. She wondered whether pipes would need to be run down West Wrentham Road.

Mr. Kane responded that all utility infrastructures located in the corporate park would be used to service this project; there will be nothing off West Wrentham Road.

Public hearing was closed at 8:35 p.m.

In response to a question from Councilor Schmitt, Mr. Kane noted that the apartments would all be built at the same time; he expected construction to take about one year.

MOTION BY COUNCILOR MURRAY, SECONDED BY COUNCILOR KEARNS AND IT IS UNANIMOUSLY VOTED TO APPROVE BY A ROLL CALL VOTE SUBJECT TO AVAILABLE WATER SUPPLY, INSTALLATION OF A HOT BOX AND SEPARATE FIRE PROTECTION LINE, AND THE DONATION OF 10 ACRES TO THE CUMBERLAND LAND TRUST. VOTE 7/0.

2. #13-16 – An ordinance relating to the Town of Cumberland Pension Fund a/k/a the Police Pension Plan

Councilor Dwyer informed that the Finance Sub-committee met this evening and voted to recommend approval to the full Council with one minor change, the effective date located at Page 2, Line 21, should be changed to January 1, 2014.

MOTION BY COUNCILOR DWYER, SECONDED BY COUNCILOR KEARNS AND IT IS UNANIMOUSLY VOTED TO AMEND PAGE 2, LINE 21 BY CHANGING THE EFFECTIVE DATE TO JANUARY 1, 2014. VOTE 7/0.

Public hearing was opened at 8:37 p.m.

Attorney Joseph Rodio, Jr, together with Attorney William Conley, representing the Town of Cumberland, as well as Dillon Conley, an associate from his office spoke with regard to this Ordinance.

Attorney Rodio, Jr informed that this Ordinance is the result of the Town's Funding Improvement Plan. The Town has significant new obligations resulting from the Rhode Island Retirement Security Act. The Town's plan has been evaluated per that Act, and according to State law has been declared in critical status. As a result, the Council and Pension Board approved the Funding Improvement Plan, and it was presented to the Pension Study Commission on April 15th. This Ordinance codifies the details of that approval. The Commission has contacted the Town to determine progress in implementing the changes, and passing this Ordinance and making these adjustments to the pension benefits would be consistent with that requirement of the Rhode Island Retirement Security Act. These numbers are based on actuarial studies which were approved by both the Council and the pension Study Commission. Without changes, the plan is currently about 31.8% funded per the July 1, 2012, valuation report; this represents a roughly \$20 million unfunded liability. These proposed changes would reduce that immediately to around 40%, and would allow the Town to emerge from critical status; it would allow the Town to reach the target required of 60% funded in about 10 years.

Attorney Conley informed that a lawsuit was brought against the Town by FOP Lodge 14 essentially seeking to prevent the Council from enacting the Ordinance and attacking the legality of the Ordinance on several grounds. There was a hearing scheduled before the Court earlier this week at which the FOP was seeking to have the Court issue a Temporary Restraining Order and preliminary injunction to enjoin the Council from enacting the Ordinance. The Court did not grant the TRO or the Preliminary Injunction, which has allowed the Council to go forward with this public hearing and to take whatever action it deems appropriate. The next hearing is scheduled for 2:00 p.m. tomorrow at the union's request. The initial effective date of the Ordinance was that it would take effect immediately upon passage; the Town has agreed after discussions to change the effective date to January 1, 2014. One of the major goals of the Ordinance is to protect the pension assets and serve the members of the pension plan. This time period, after enactment, would allow the Town to determine procedural matters regarding implementation—how the calculations would be made, the impact of those calculations upon the various members of the pension plan, and to assist the members of the plan to understand the changes that may impact them and how they will be implemented.

There was no one else wishing to speak in favor of this Ordinance.

Joshua Vaughn, 200 Heroux Boulevard, Cumberland, a member of the police union for two years. He asked that the Council and the Mayor allow the union to negotiate for their future.

Jolene Aves, of 144 Hines Road, Cumberland, a police officer for over 9 years, spoke regarding the clause in the Ordinance requiring the collection of pension benefits at the later of 20 years or age 55. She will be required to work an additional 13 years, or almost 75% more, before she can collect her pension because she became an officer at age 22. If she decides to retire after 20 years, she will again have to wait 13 years before she can collect her pension. The job is a drain on the officer physically and emotionally, and the Town is now changing the rules about pensions. She urged the Council to work with union and resume good-faith negotiations.

Jason Stacki, of 1 Nottingham Drive, Lincoln, a police officer for 16 years, has been a member of the negotiating committee. He informed that months have gone by between meetings. The union requested information regarding the change in health plans; they did not receive anything definitive. The Town has refused to give complete information regarding its contributions to the pension fund over the past years. He stated that he was angered by the Town's handling of this matter.

Alan Crowe, of 1 Westgate Road, Cumberland, an officer for 19 years and 8 months, spoke as both a police officer and taxpayer of the Town. He has made his contributions to the pension and has upheld his side of the bargain. He expects the Town to do the same. Circumventing negotiations is unfair to everyone. He asked the Council how they could legally approve an Ordinance that violates State law and the US Constitution. Additionally, he asked how they could pass a line item of \$260,000 intended to fight the officers in the court system, and asked why the Solicitor would not be used. He understood that the Town has already spent \$60,000—he asked if the Council knew why the Administration did not choose to negotiate instead of spending money on attorneys. He also asked them to ask the Administration why the Police Department has been without a contract for two years. He also asked about the \$2.4 million that was taken out of the pension fund over 15 years ago and still has not been completely replaced—only \$1.2 million has been replaced 10 years later; why has the balance never been replaced? He also asked the Council to ask why the pension fund has not been fully funded some years. He also noted that one recruit was told the day before his graduation from the police academy that he would not have a job with the Town, but the Town then put three more recruits into the academy after spending thousands of tax dollars on a recruit they did not hire. He noted that overtime is the lowest in the State for departments its size, and also that most of this size have more officers; the Town is currently down 5 officers from a full complement. He also asked why this Ordinance was not brought before the Ordinance Sub-committee, as all other Ordinances are.

Michael Ride, of 49 Follett Street, Cumberland, has been an officer since March, 2001.

He has been a member of the past 3-4 negotiating committees; he stated that the union has never had a public battle with any Mayor since he has been a member, nor have they ever voiced their concerns with the media or picketed any fundraisers. Both sides have always negotiated in good faith. The police union is fair and reasonable, and it expects the same thing in return. He reviewed some of the issues negotiated during the past 8-9 years—one year the Town suggested increasing the amount of officers by three, and then the next contract those three were given back, and also new hires were required to pay more towards health care. The union has compromised with the Town and bargained in good faith. In 2009-10, the Town's various unions were asked to reopen their contracts and forgo raises during the last 10 months of the contract. All agreed to do this, and it helped the Town financially. Now the Administration has altered its course—the Town was stonewalling the union waiting for the State to act on the pension issue, which never happened. The initial proposal by the union was straight forward and hit on the major issues; the Town's proposal was 7 pages long and drastically affected the officers' benefits, and no hard facts were proposed to back up their offer. Six months later, another proposal was put out by the Town; it was cut up into three sections, and only one issue was to be discussed at a meeting, and again did not provide any hard facts. In late January the union representatives met with the Mayor and the Town Solicitor for a conference call with the union's attorney and the Town's attorney. During this call both sides agreed the Town would come to the table with a complete proposal; two months later both sides met for negotiations, and at that time the Town submitted an incomplete proposal covering only wages and health care. In the past, the contract has always been negotiated with just the Mayor and the Town Solicitor, with the Finance Director stepping in at the end of it. Now there is another private attorney hired by the Town to argue this Ordinance tonight. This is the first time that the Town would not agree to any ground rules, one of which was usually a gag order. This time they are usually informed of the status through articles in the *Valley Breeze*. The Town is negotiating the contract publicly and has portrayed the police officers as being greedy and uncooperative and getting more than they deserve. By contract, they are required to have 48 sworn officers, and because of retirements they are down to 43; but they did not hire the recruit as he completed the police academy. The police officers have taken less pay to get the benefits, and now the Town is trying to take those benefits away. He kept his promise to protect the Town to the best of ability; he hoped that the Town would keep their promise.

Jackie Hooper, of 15 Buena Vista Drive, Cumberland, has been a police officer since 1995. She was disappointed how the officers are being treated; this Ordinance will change the lives of all of them. She has been putting her money into the pension for the past 18 years, but it looks like the Town has not. After requesting her retirement figures from the Town Finance Department, she was told that they were told not to give them to her even though they had them; she is still unable to get them from the Town.

Douglas Ciullo, of 59 High Ridge Drive, Cumberland, the senior captain on the Police Department, spoke about the toll being a police officer takes on them. He quoted an article written by a Providence firefighter that appeared in the *Providence Journal*, and also referred to various matters he has handled in the Town. He informed that though the Town has said it never promised the officers a pension after 20 years, he has two forms from the Finance Director, one in 2007 and 2008, both of which state his anticipated retirement date as being 20 years from when he began; he will be using these as the basis for his lawsuit. He also noted that two other communities that adopted Ordinances changing officers' conditions of employment, and both were found to violate State law. He hoped that the Town abandoned this course of action and returns to the table to negotiate this issue.

Robert Fay, 27 Hillside Road, Cumberland, the current president of the FOP, has been an officer for 14 years, and a member of every negotiation committee since he began working as an officer. The Town and the union have always negotiated in good faith, and have always agreed to what both sides felt was a fair contract. He has never experienced what has occurred over the past two years; his and the union's position has always been to sit down and negotiate in good faith; he cannot understand why the Town has spent over \$60,000 and budgeted another \$260,000 for legal fees. The Council is now being asked to make an informed decision on this Ordinance, even though they have not been updated on the status of negotiations. It is time for the Council to start asking question and to demand that both sides sit down and resume true negotiations.

Fred Lerner, 2970 Mendon Road, Unit 122, the current president of the Cumberland Beagle Club, took part in the Civilian Police Academy sponsored by the Police Department. He noted that right now the Town has something that is currently working very well; he was worried that passage of this Ordinance would change the way new officers are attracted, and that other officers would be forced out of their positions, and this will totally alter the Cumberland Police Department.

Elizabeth Weens, an attorney at Gursky Law Office, which represents the union, informed the Council that if this Ordinance is passed tonight, the Town will be in Court tomorrow and for several months, spending thousands of dollars on legal fees for nothing, because the Town will lose. This Ordinance is clearly illegal. Under the Municipal Police Arbitration Act, you must engage in good faith bargaining with the union, and if an impasse is reached, you must go to statutory binding interest arbitration; there is no room for a Town Council to pass an Ordinance changing pension benefits and not negotiating and going to binding arbitration. She urged the Council to read the court documents filed by the union as they will find that not only does this Ordinance violate State law, it also violates the Rhode Island Constitution due process clause. Case law is crystal clear that this Ordinance is illegal. She urged the Council to take the money that would be spent on legal fees and put it into public safety.

Representative James McLaughlin asked the Council to not support this Ordinance and to bargain in good faith with the police officers. He believed the matter could be settled through fair collective bargaining.

Craig Duffy, of 70 Wayne Drive, Cumberland, spoke as an advocate of the collective bargaining process; it is the proper process to use. He asked the Council to let the collective bargaining process resolve this issue. A Town Ordinance cannot supersede State law; he feared that valuable taxpayer money would be spent on a losing case.

A five-minute recess was taken at this time.

Mayor McKee stated that this is a serious issue; he will call the attorneys tomorrow morning and set up a time for the union and them to negotiate—there is plenty of time between now and January to do that. He urged the Council to pass this Ordinance, and he noted that there is a serious imbalance on the retirement cost and health care cost issues. He has every faith that this is going to work out in the end, and that the officers who have served for 18 or 19 years will not be negatively impacted—that has been his position all along.

Thomas Mefford, a retired Cumberland police officer, stated that he was disgusted by the attitude of some of the Council members; as a retiree he is sorry for the current officers. The Town did make promises, but it is not following through. It is not their fault that the Town did not fund the pension; the officers did their job, it is time the council did their job. He would be highly disappointed if this was passed.

Public hearing was closed at 9:49 p.m.

President Higgins stated that this is all about the unfunded pension liability and the OPEB. He stressed that there isn't one person on this Council that doesn't respect the work that this Police Department; it is the best in the State. He addressed the statements that the Town has not funded its share, to his knowledge the required annual contribution has been funded except for one year. During Mayor McKee's administration, every required annual contribution has been made. The system is broke, that is the problem; the current benefit is unsustainable under the current fashion. So while the Council hopes it gets resolved in negotiations, it has a choice—do they make the changes necessary to keep this pension in place for the future, or should they end up like Central Falls where they got 30 to 50% of their pensions cut. There are departments all over the State that have made concessions on this issue. He again stated that this isn't about whether they respect their work and he is personally insulted that they would think that. He also stated as far as comments that the Council not being kept up to date, that is not correct. He claimed that it is unfortunate that it has come to this but both sides need to move because it isn't going to work under the current system.

Councilor Schmitt asked if it would be appropriate given the severe amount of emotion and anger would it make sense to postpone the voting on this matter for two weeks to allow for a cooling off period. He claims that would allow certain members of the Council who are interested and some union members to get together for some informal talks. There is no one in this room that doesn't agree that we are headed for a financial cliff. He acknowledged that prior Councils made promises, however, given the economic times the Town can't afford those promises without affecting the balance of the taxpayers in the Town. He claims he doesn't know what the solution is but thinks sitting down to talk before they head to court and spend obscene amounts of money would be beneficial.

President Higgins responded that an open discussion of the status of a collective bargaining process is not something that is normally done. The other unions in the Town have agreed to the change they have proposed to Police Department. It specifically comes down to the pension and is it sustainable and can the Town afford the ARC. He mentioned that the ARC will be up to \$5 million a year in three years if it isn't reformed. These are benefits that are negotiated over time no where does it ever say that these are lifetime benefits. He acknowledges that there is a process which he does respect. He doesn't personally mind tabling it but that isn't up to him that is up to the attorney's hired to advise them on this matter in terms of the timetable. It is his opinion that the Council shouldn't get involved in the negotiations because the Charter reads that it is up to the Mayor to negotiate. He suggests that Councilor Schmitt could make a motion to table it and see if he gets a second.

Councilor Schmitt replies that he would like to hear what the other Councilors say.

President Higgins asks if there has been a demand of mediation.

Attorney Rodio, Jr explains that a demand of mediation would come through a court proceeding and there hasn't been one.

President Higgins clarifies that mediation comes through the court process much like the state pension reform system. He stresses that is what this is about, moving the issue because we are not getting anywhere.

Councilor Schmitt claims it is troubling to hear conflicting statements that we have been negotiating with them all along and then that we have not been when he sure that it lies somewhere in the middle; but he isn't sure where it is.

President Higgins intervenes to say that they have been getting updates in executive session. He knows this is not a simple thing for them to accept. They need to be convinced with hard facts and they are still not convinced. He mentioned that they did a significant actuarial study that needed to be completed; the State is telling us we need to take action and we are getting blamed because we are in this situation.

Councilor Schmitt asks if tabling this matter for two weeks will irreparably harm any party.

President Higgins asks Mr. Fay if there is any chance this could be resolved in two weeks.

Mr. Fay replies that he has already stated that all he has wanted is to sit down and negotiation. He doesn't want to pay any more high powered attorneys when they haven't truly negotiated. They know there is a problem and they know it is nothing personal but they want to stop with the attorneys and figure this out.

Councilor Murray and his family are friends with many of these officers; there is absolutely no question that we have the finest police force but that is not the issue. They have a huge problem facing the taxpayers. There are a lot of people across the State having issues with their pensions. He asks the Mayor and the Solicitor, how they can move towards having this rectified without having the ordinance.

The Mayor replies that tabling the matter two weeks is not an issue for him because it is a serious matter. He would be hopeful that this hearing was worth its time and that it would really differentiate what needs to be differentiated relative to people who have been on the job 2 years versus people who have been on the job 18 years. The Mayor states that they have had executive sessions to discuss this ordinance and the plan accepted by the State. He mentions that there is an after retirement health

plan that they are planning to follow up with an ordinance with the Council in the next few weeks. Tabling of this matter for two weeks is not a problem; the problem lies in differentiating where we are right now and where we need to go. He also states that we need to understand that not only is it a potential \$4 million dollar issue on an annual basis which exceeds the police department budget it is also a 4.5 million dollar issue on annual basis if nothing is done on the OPEB. He stresses this is so serious because not only does it exceed the budget collectively but it represents almost 35 percent of the municipal side of the budget. He announced that he will make the call in the morning that a negotiation process will begin and they will make every effort during that two week time frame to arrive at an agreement as they have in the past and with the other unions in Town. He concluded by stating that if that doesn't happen he will be back before the Council to ask that they take action because there is really no other option.

Councilor Murray asks Attorney William Conley what affect tabling this matter will have on tomorrow's proceedings.

Mr. Conley replies that it largely depends on how union Council decides to react to that deferral. He states that he disagrees with Union Counsel's representations on the law on this matter, the characterization of discussions that took place in chambers, and the characterization of what happened to the case in Johnston which was his case. He reminds the Council that it was the Union and its counsel that filed the lawsuit not the Town. They were also the ones that went to court even before the Town had the opportunity to have this hearing so they are the party who has pressed these matters legally, so in all candor, they need to address that question to them and ask them what they will do if the Council chooses to defer on this ordinance this evening.

Elizabeth Weens, an attorney at Gursky Law Office explains the reason the union had to go forward with the injunction was because initially in the ordinance it became in effect upon passage which if they waited for it to pass it would have been too late. She believes that nothing will happen tomorrow if the ordinance does not pass.

Council President explains that a TRO is for an emergency situation because they need immediate relief. In this case they are not going to be granted a TRO because they don't need immediate relief due to the fact that the ordinance doesn't take effect until January 1, 2014. He agrees with tabling the matter for two weeks if they can get together and cooler heads can prevail, but this issue has to be addressed because they won't have a pension; there is just not enough money to put in it.

MOTION BY COUNCILOR SCHMITT, SECONDED BY COUNCILORS KEARNS AND MURRAY TO TABLE TO SEPTEMBER 4, 2013. VOTE 7/0.

3. #13-17 – An ordinance in amendment to the Town of Cumberland Zoning Map on Assessor's Plat 52, Lots 210 and 207

Public hearing opened at 10:10p.m.

Attorney Michelle Baker is present to represent Fred and Enaida Vann in connection with a petition that has been submitted for a request for a zone change for property that they currently own at 3595 Mendon Road. They may know this property, it is the Enaida Vann Salon otherwise known as Assessor's Plat 52, Lot 210 and 207. She explains the property is currently zoned R-1, it is operating as a legal non-conforming use in that zone and the request for a zone change to a limited commercial district C-1 is being made to accommodate for a small build out to the rear of the building adding approximately 400 feet. She added that the purpose of the build out is to provide some additional space within the salon to create more of an ease of movement for clients. There will be no additional services provided, no additional employees will be hired and no additional adverse traffic patterns are expected. Mrs. Baker explains the lots meet all dimensional and parking requirements in connection with the code. They currently utilize over 16 parking spaces while the code requires only 8 parking spaces. They feel that this change is in conformity with the Comprehensive Plan for several reasons which are all set forth in the petition submitted ordinance. She highlighted a few such as it is in conformity with the purpose of a C-1 limited commercial district to provide neighborhood commercial areas that serve the local needs of the neighborhood as services provided by this salon. She also mentioned in regard to land use patterns they feel that it is conformity with these use goals for more nodal type planning of the nature where you have mixed use commercial and residential entities as opposed to a strip mall or shopping development. She addressed the final example of the consistency of the conformity to the economic development element of the comprehensive plan is to encourage small businesses in Town to grow, to keep our small businesses within the Town and to considering rezoning non-conforming current commercial uses to reflect those additional and existing conditions. She noted that the comprehensive town map does identify this area of Mendon Road as commercial. Mrs. Baker states that to the right of the salon is what use to be a working gas station; they are no longer pumping fuel but they run a small repair shop there. There is mixed use like that all over this area and it should really be identified as the proper zone being C-1. She adds that it is not a residential property even though it is abutted to the left and the rear by residential properties. She also states their request for zone change includes a request for a variance to allow for a minimum set back of 20 feet instead of the 40 foot requirement just for the lot set in the rear of this property. She explains there is a nice blockade fence separating the properties and once on the residential property there is almost 200 feet of greenery and trees. The house that sits on the lot to the rear sits back way back on the south side of the lot far away from where that set back line would be.

Public hearing closed at 10:16p.m.

Councilor Murray states this is in his district and they are very pleased to have a business that has been operating more than 10 years in Cumberland growing their business in our Town. He agrees there is a lot of mixed use in that area, and this is a great plan to help this business continuing to grow.

Councilor Kearns asks if this will add more jobs.

Mrs. Baker replies no, there are no plans to add any additional jobs or services.

Councilor Kearns asks if the change will do anything to lot 7 behind it or impede its use in any way.

Mrs. Baker explains that lot 7 is actually utilized right now just for a parking lot. She adds that it is a long rectangular lot and the fencing that abuts the set back for lot 210 cuts through the middle of lot 207.

Council President asks if this is a prior non conforming use.

Mrs. Baker replies yes.

Council President clarified that the only condition is a minimum of a 20 feet rear yard set back.

Mrs. Baker responded yes.

Councilor Schmitt states that the only possible abutter who would have an issue with the abutter to the rear of this property. He questions if they have had any contact with them.

Mrs. Baker replies they have not but they have noticed and have received no objections.

MOTION BY COUNCILOR MURRAY, SECONDED BY COUNCILORS KEARNS AND LAMBI AND IT IS UNANIMOUSLY VOTED TO APPROVE SUBJECT TO THE CONDITIONS SET FORTH IN THE ORDINANCE. VOTE 7/0.

Councilor Dwyer asks if it is their intentions to continue to operate in that building for the next 5 years.

Mrs. Vann replied that is their intentions.

Council President asks the Planning Director, Kelley Morris, if it is appropriate to limit the use to this particular use.

Mrs. Morris replies that yes they can limit the use but in this case she won't limit it to this particular use. She points out that this is limited commercial so there is not a lot that could go there so in this particular case she doesn't see a need to limit the use.

Councilor Kearns asks if they have a small business plan that identifies growth. He states that they claim they aren't going to be adding additional jobs but they need more space so he is trying to understand what their plan is for the future.

Mrs. Vann responds that her main purpose is to change the zoning in the building. She states that whether they go forward to add to that they are not certain of today.

Mrs. Baker explains the interior of the building is becoming congested which is the reason for the expansion and some privacy for the services.

4. #13-18 – An ordinance in amendment of the code of ordinances of the Town of Cumberland, Rhode Island, as amended, amending the ordinance and map thereof with reference to Cumberland Assessor's Plat 50, Lot 13

Attorney Brandon Bell is present to represent Ruben and Linda Hancock who are proposing the Northland Farm and Garden Center at 65 Pine Swamp Road. The applicants reside in Cumberland and previously passionately for many years owned and operated Northland Farms in Wrentham, Massachusetts before the Commonwealth had a taking of that property. Mr. Bell states that at this point they would like to take that passion and have an agricultural unique farming and gardening center at Pine Swamp Road that requires a zone change from A-2 to C-1. He adds that along with the zone change they are requesting the following; the outdoor display requirement be amended from 10 percent gross foot area to 7,000 square feet, the parking requirement of 1 space per 300 square feet be amended to 1 space per 300 square feet of gross floor area open to the public, and that the buffer feet be reduced from 40 feet to 20 feet. The applicants have appeared before the Planning Board for pre-application approval, administrative subdivision, and master plan which have all been approved and supported by the administrative officer, Kelley Morris.

Council President asks how can this lot be zoned A-2 and that designation not allow agricultural operations.

Mr. Bell explains it does but only farm stand operations.

Council President states that the Planning Board recommends that you be limited to Article 7 uses but they are not allowed in A-2.

Mr. Bell replies it is not allowed the way the project is proposed.

Council President refers to the Planning Board recommendation that according to Article 7-6 allows farm retail sales.

Mr. Bells clarifies that it allows farm retail sales basically free standing cart or trailer without electricity.

Council President asks if this property is located at the corner of West Wrentham Road and Pine Swamp Road.

Mr. Bell confirms that is where the property is located.

Council President asks how close this to the Foundry.

Dave Potter from Pare Engineering replies that it is right around the corner approximately 1100 feet from the entrance to the intersection of West Wrentham Road and Pine Swamp Road.

Council President explains that his reason for the question is to determine the proximity of this location to a retail area.

Mr. Potter gives a brief description of the existing condition of the property. He describes Mr. Hancock proposal as a newly constructed retail building where the existing wood structure is now with a greenhouse attached to it. The structure will be 5500 square feet of internal area for retail sales with a 2700 square foot greenhouse where they will grow the products they will be selling. In addition there will be two parking areas adjacent to the west and to the north that will allow visitors access to the building. There will also be landscaping screen in the road in accordance with the Planning Board and subdivision regulations. He points out that in the back of the structure there will be an outdoor display area in which they will have various seasonal types of vegetation that is prominent at that time.

Councilor Kearns asks if the model is going to be similar to the farm in Attleboro.

Mr. Potter responds that yes it will be similar. He continues his presentation by stating that the public's access will be limited; further south there will be two more proposed greenhouse structures providing another 9800 square feet where Ruby will do his work. The north side where the public will be in and out will be paved for dust control and a gravel parking area in the back for the employees. He points out there will be a storm water management system in accordance to DEM standards, private well serving water the property as well as an onsite waste water treatment system designed according to DEM standards.

Council President asks if they use pesticides.

Mr. Hancock replies that they don't use pesticides but do use fertilized.

Mr. Bell mentions that they have completed a traffic study and the engineer who conducted the study is present to answer any questions the Council may have. Hearing no questions in regards to traffic Mr. Bell introduced Joseph Lombardo, a planner from JDL, to discuss how this is consistent with the comprehensive plan.

Joseph Lombardo, Land Use Planning Consultant, from Hope Valley. He states that at the request of Mr. Hancock he reviewed the town's comprehensive plan, conferred with the town's director of planning and he prepared a report that they presented to the Planning Board. He believes that in the Planning Director, Ms. Morris's memorandum to the Council it summarizes the conclusions that they both came to. He states the definition of farming in our code is commercial activity in this instance and they do permit the farm retail building it is just a very small building. He acknowledges it is fitting with the C-1 district which is defined as a limited commercial district which would permit this building that needs to be constructed. In his opinion, the designation for C-1 is in keeping with this because when he looks at the future land use map and the area there are variety of uses that are evident such as the Foundry, a gift shop, a gas station, animal clinic, and HVAC business. There is retail and business in that area even though the zoning districts show it as agricultural. He believes this is a very suitable use for the area and it is in keeping with all the purposes of your zoning ordinance. He reiterates what he previously mentioned to the Planning Board, this is a very appropriate with the goals and the policies of your economic development element of the comprehensive plan. When they look at the economic development element there is quite a bit of support for this rezone application. Some of that support includes pursuing economic development that diversities and strengthens your tax base, provides opportunity for employment and it is a very good home based business relying on soil and sun to produce a product annual. He found this in complete compliance with your comprehensive plan and your purposes for your zoning ordinance.

Ruben Hancock of 266 Tower Hill Road states that he is the owner of Northland Farm. He explains that he started the business in the early 1970's in Plainville, Massachusetts moving to a larger location in Wrentham, Massachusetts sometime in the 1980's. They operated in Wrentham for about 25 years until 2006 when Mass Highway had proceed with eminent domain and taken their property. They remained there for a couple of years and then they politely forced them off the property so he has been out of business for three years. He states they are anxious to get his business up and running again. He has been in the agricultural business for over 35 years and his business had a good reputation. They were a full service garden center and they were considered a grower retailer; they did buy some product but for the most part they grow most of the product on site.

Council President asks if they will be selling manure.

Mr. Hancock replies yes they sell it in sealed bags not bulk manure.

Robert Migneault of 62 Pine Swamp Road states that there were other abutters present earlier but they had to leave due to the lateness of the meeting. He explains that he has lived in that area for over 26 years and has been concerned with the state of the property since it was purchased by Mr. Vadenais. He mentioned that at that time several hearing before the Council took place in reference to the Town using the property for open space. He claims what happened instead is that the Town took the word of the people who ended up owning the property that they would keep the property the way it was, which didn't happen. He states that for the last few years it has been run as a mulch business. He believes due to the loom process and other stuff he is doing on the property his house if consistently and constantly dusty and dirty.

Council President intervenes to point out that Mr. Hancock mentioned that he has a plan to control dust.

Mr. Migneault understands but they are discussing changing the zone from A-2 and putting in what looks to him to be a very busy business that doesn't fit.

Council President explains what they try to accomplish with this process is if it is not a pleasant use currently, they try to make it a better use.

Councilor Murray adds that they are trying to fix what he is complaining about by considering Mr. Hancock's proposal which sounds like a huge upgrade from the mess that he has described to them.

Mr. Migneault asks how it can be better to have a business in the area that opens seven days a week at 7am.

Council President asks Mr. Hancock what his hours of operation will be and is it a seasonal business.

Mr. Hancock replies they will be a seasonal business open seven days a week from 7am to 6pm.

Mr. Migneault asks how that fits in a residential area.

Council President clarifies that it is an agricultural not residential. He doesn't see how this isn't allowed in an agricultural zone as a matter of right because it fits perfectly.

Mr. Migneault states that he is sure this proposal is better than what he has now but it is still non conforming and who knows what can happen in five years. They still use fertilizer and he has a well which is approximately 30 feet from where his septic system is going to be.

Council President asks if Mr. Migneault has had the opportunity to speak to Mr. Hancock.

Debra Migneault of 62 Pine Swamp Road replies that they haven't been offered that opportunity or that courtesy. She recalls when the Foundry was proposing to expand their attorney contacted the abutters to meet and explain their plan and hear their concerns. She feels this is being jammed down their throats. She states that they would have you believe the road isn't that busy which is not accurate. She is concerned with the quality of their life. She is also worried about the quality of their water, the dust coming into her house, and the traffic on the road. She states that what they will do there and the hours they are going to keep will affect their quality of life. She asks that the applicants have some consideration for us.

Deborah Vine Smith points out there is a document done by University of Rhode Island stating that Abbott Run Valley Road Watershed is significantly compromised by nitrogen which is caused by septic discharge and fertilizer that can cause several health issues.

Council President asks Mr. Hancock if he intends are planting anything outside of the green house.

Mr. Hancock responds he will but only in containers.

Public hearing closed at 11:05p.m.

Councilor Kearns asks if they plan to put blocks under the ground for seepage.

Mr. Hancock replies that he is not planning on doing that.

Council President asks the applicants if they want the opportunity to meet with the abutters or would they like the Council to move forward with a vote.

Mr. Bell states they would like them to move forward with a vote. He submits to the Council that 99 percent of what both Mr. and Mrs. Migneault have said supports the application. They are angry with the former land owner.

Mr. Hancock adds that at their other location they had probably 7 or 8 neighbors which they had no issues with any of them. He claims that if they had a problem they would come to them and they would try to help them out.

MOTION BY COUNCILOR MURRAY, SECONDED BY COUNCILOR LAMBI AND IT IS UNANIMOUSLY VOTED BY A ROLL CALL VOTE TO APPROVE SUBJECT TO THE CONDITIONS SET FORTH BY THE PLANNING BOARD TO THE RESTRICTED USE PERMITTED TO THOSE LISTED IN ARTICLE 7 OF THE ZONING ORDINANCE AND SUBJECT TO THE RECORDING OF THE FINAL ADMINISTRATIVE PLAN. VOTE 7/0.

5. #13-19 – An ordinance in amendment of the Code of Ordinances of the Town of Cumberland, Rhode Island, as amended, amending the ordinances and map thereof with reference to Cumberland Assessor's Plat 2, Lot 26

This matter was taken out of order.

Attorney Scott Partington informed that he represented the company requesting a zone change for the property on Broad Street for a new school. He noted that there are some serious concerns by the neighbors, and that his client would like time to deal with those issues. He asked that the matter be tabled now to the September 4th meeting rather than waiting until the matter was reached on the agenda. He will be re-noticing the abutters. He asked that only the Resolution regarding the sale of the property be considered tonight.

President Higgins agreed that there are some serious concerns, mostly regarding traffic, and he felt it was reasonable to grant some time for them to deal with this.

Mr. Partington noted that there have been some updates, and he would make arrangements to get them to the neighbors and the Councilors.

MOTION BY COUNCILOR MURRAY, SECONDED BY COUNCILOR KEARNS AND IT IS UNANIMOUSLY VOTED TO TABLE THE MATTER TO THE SEPTEMBER 4, 2013. VOTE 6/0.

NEW BUSINESS

- A. **APPOINTMENT:**
ACTING TOWN SOLICITOR
1. Thomas E. Hefner

Council President states that Mr. Hefner has advised him that an acting appointment does not require Council approval unless he wants to extend beyond the time limit of the Charter. Therefore, this is a notification to the Council that he has retired and he has come back as the acting solicitor. Mayor McKee confirms that is correct.

- B. **COMMUNICATIONS:**

1. Presentation of the proposed resurfacing plan for Diamond Hill Road by the Department of Transportation

Council President explains they had a representative from Department of Transportation here prior to the meeting but he advised them to come back at a later date because the project won't take place until the spring. He states the matter will be tabled indefinitely.

- C. **RESOLUTIONS:**

1. R-13-34(2) – A resolution authorizing Mayor Daniel J. McKee to proceed to sell Town of Cumberland Assessor's Plat 2, Lot 26

Council President explains that the ordinance reads that it is subject to Council approval by ordinance which is scheduled for a vote in two weeks. He states in light of the fact that the Mayor has indicated he doesn't want to be part of this process because of a potential conflict so it would be counterproductive for him to be signing a purchase and sales agreement. Attorney Partington has suggested tabling the matter for two weeks when they will hear the zone change.

MOTION BY COUNCILOR KEARNS, SECONDED BY COUNCILORS DACOSTA AND MURRAY TO TABLE TO SEPTEMBER 4, 2013. VOTE 7/0.

2. R-13-35 – A resolution authorizing Mayor Daniel J. McKee and the President of the Town Council to execute collective bargaining agreements with Cumberland Town Employees' Union (CTEU)

MOTION BY COUNCILOR MURRAY, SECONDED BY COUNCILORS DACOSTA AND LAMBI TO TABLE TO SEPTEMBER 4, 2013. VOTE 7/0.

3. R-13-36 – A resolution related to Building Regulations

Attorney George Watson from Robertson and Cole is present to represent National Grid - Narragansett Electric Company. He states the petition before them is to approve the use of barbed wire fence for a substation in the Highland Park area. He explains that the use of barbed wire is not allowed with the exception of industrial and agricultural areas with Council approve.

Council President asks how high are the fences.

Emin, an Engineer from National Grid replies the fence high is 7 feet chain link fence with one foot of barbed wire.

Council President asks what will be inside the fence.

Emin explains it is going to be a proposed electric sub-station with large power transformers.

Councilor Murray asks if this will be similar to the sub-station on Staples Road.

Emin replies yes it is very similar.

MOTION BY COUNCILOR MURRAY, SECONDED BY COUNCILOR KEARNS AND IT IS UNANIMOUSLY VOTED TO APPROVE. VOTE 7/0.

4. R-13-37 – A resolution adopting updated Master Plan for Diamond Hill Park

MOTION BY COUNCILOR KEARNS, SECONDED BY COUNCILORS LAMBI AND DACOSTA TO TABLE TO SEPTEMBER 4, 2013. VOTE 7/0.

E. ORDINANCES FOR PRESENTATION AND PERMISSION TO ADVERTISE:

1. #13-20 – An ordinance authorizing the placements of Stop Signs on Edgewood Avenue at the Intersection of Camp Street (Presented by Councilor Murray)
2. #13-21 – An ordinance authorizing the sale of Cumberland Tax Assessor's Plat 2, Lot 26 (Presented by Council President Higgins on behalf of the Administration)
3. #13-22 – An ordinance authorizing the purchase of Cumberland Tax Assessor's Plat 13, Lots 98, 99 and 100 (Presented by Council President Higgins on behalf of the Administration)

Referred to the Finance Sub-Committee

4. #13-23 – An ordinance amending Article 13 of the Cumberland Zoning Ordinance entitled "Signs" (Presented by Council President Higgins on behalf of the Administration)

Referred to the Ordinance Sub-Committee

PUBLIC COMMENTS

Deborah Vine Smith states she has a resolution she drafted which she would like the Council to adopt. She reads the resolution into the record.

Council President intervenes to announce that they are past the 11:30p.m. meeting curfew and are required to take a motion to continue or adjourn the meeting.

Councilor Lambi asks if Ms. Smith be given the opportunity to make her point.

Council President states there has to be an unanimous vote to continue. He asked for all in favor to say aye which everyone did.

Council President states that she can't draft resolutions for them and while he appreciates the effort she put into the resolution and the fact that she stayed this late they will give the courtesy to finishing what she has to present.

Ms. Smith states that she has calculated that there is 16,000 gallons of water in the Pollywog Pond that would be displaced into the wetlands and the beaver habitat.

Councilor Kearns asks Ms. Smith if she is a certified engineer, botanist or biologist.

Ms. Smith replies she is not but she does have a science background.

Council President states they will take into consideration in terms to what they will do there. She has had some meetings with some of the Council and Administration regarding this matter and the beavers are safe.

Ms. Smith stresses that isn't the total issue. She will have to continue the matter to the next time.

ADJOURNMENT

MOTION BY COUNCILOR KEARNS, SECONDED BY COUNCILOR MURRAY AND IT IS UNANIMOUSLY VOTED TO ADJOURN AT 11:33P.M. VOTE 7/0.

Sandra M. Giovanelli, Town Clerk

THE DVD AND MINUTES OF THE ENTIRE MEETING IS AVAILABLE AT THE EDWARD J. HAYDEN LIBRARY AND ON THE TOWN'S WEBSITE
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James T. Higgins, At Large
Council President

Manuel N. DaCosta, District 1
Council Member

E Craig Dwyer, District 2
Council President, Pro-Tem

Jeffrey T. Kearns, District 3
Council Member

Scott R. Schmitt, District 4
Council Member

William S. Murray, District 5
Council Member

Arthur Lambi, Jr., At-Large
Council Member

**MINUTES OF THE REGULAR MEETING OF THE CUMBERLAND TOWN COUNCIL
WEDNESDAY, SEPTEMBER 4, 2013 AT 7:30 P.M.
CUMBERLAND TOWN HALL EVERETT "MOE" BONNER, JR. COUNCIL CHAMBERS
45 BROAD STREET, CUMBERLAND
OPEN SESSION**

The regular meeting was called to order at 7:55p.m. by President Higgins.

MEMBERS PRESENT:

President Higgins, Councilors DaCosta, Dwyer, Murray, Lambi, Kearns, and Schmitt

Also present, Mayor Daniel J. McKee, Acting Town Solicitor Thomas E. Hefner and Town Clerk Sandra Giovanelli

GENERAL ANNOUNCEMENTS

President Higgins asked if there was any objection to moving New Business – Communication to the top of the agenda. Hearing no objection it was so ordered.

CONSENT AGENDA

A. Acceptance of Minutes of the Regular Town Council Meeting of August 21, 2013

President Higgins stated there was some indication from Councilor Lambi he would like to table the minutes to the next meeting to allow for time to review them.

Councilor Lambi explained they only received the minutes this afternoon. They are 19 pages long and he thinks they should all take the time needed to adequately address and confirm the facts are accurate.

President Higgins stated that this is not meant as a criticism of the Town Clerk's Office; obviously it was a long meeting and required a lot of time to complete them.

MOTION BY COUNCILOR LAMBI, SECONDED BY COUNCILOR KEARNS AND IT IS UNANIMOUSLY VOTED TO TABLE TO SEPTEMBER 18, 2013. VOTE 7/0.

OLD BUSINESS

A. ORDINANCES FOR PUBLIC HEARING:

1. **#13-16** – An ordinance relating to the Town of Cumberland Pension Fund a/k/a the Police Pension Plan (tabled from August 21, 2013)

The Mayor indicated they have had several meetings with the union and requested an additional two weeks to continue the discussion on the contract.

MOTION BY COUNCILOR DWYER, SECONDED BY COUNCILOR MURRAY AND IT IS UNANIMOUSLY VOTED TO TABLE TO SEPTEMBER 18, 2013. VOTE 7/0.

2. **#13-19** – An ordinance in amendment of the Code of Ordinances of the Town of Cumberland, Rhode Island, as amended, amending the ordinances and map thereof with reference to Cumberland Assessor's Plat 2, Lot 26 (tabled from August 21, 2013)

Attorney Scott Partington who represents the applicants was present. He stated that the last meeting the Council graciously allowed him additional time to explore some of the objections they heard for which they appreciated. He explained they weren't able to set up a community meeting until next Monday, September 9th at 7pm at the Lusitana Club. He mentioned that since their last meeting they haven't wasted any time; there have been other issues they became aware of which they have been looking into. He indicated he sent out letters to the abutters last Thursday informing he was submitting the request and formally inviting them to the community meeting on Monday.

Councilor DaCosta stated he would like to see this put to rest and get a final vote to save the park. He preferred they not delaying this any further and suggests moving forward.

Attorney Partington stated he appreciates Councilor DaCosta's position, and it is not something he did lightly. He stressed they also want to see this come to an end because there are substantial tax subsidiary issues that are in play that will not be in play much longer.

MOTION BY COUNCILOR MURRAY, SECONDED BY COUNCILOR DWYER AND IT IS UNANIMOUSLY VOTED TO TABLE TO

SEPTEMBER 18, 2013. VOTE 6/0.

Councilor Schmitt recused himself.

3. #13-20 – An ordinance authorizing the placements of Stop Signs on Edgewood Avenue at the Intersection of Camp Street (Presented by Councilor Murray)

Public hearing was opened at 8:10p.m.

Councilor Murray explained he received a request to have a stop sign because a number of problems in that area. The Traffic Officer who investigated the matter has come to the conclusion a stop sign would help the situation occurring in the area of Edgewood Avenue with the intersection of Camp Street.

Public hearing was closed at 8:11p.m.

MOTION BY COUNCILOR MURRAY, SECONDED BY COUNCILOR DACOSTA AND IT IS UNANIMOUSLY VOTED TO APPROVE. VOTE 7/0.

4. #13-21 – An ordinance authorizing the sale of Cumberland Tax Assessor's Plat 2, Lot 26 (Presented by Council President Higgins on behalf of the Administration)

Councilor Schmitt recused himself.

Council President explained this ordinance is for the purchase and sale of Currier Park. He stated the Administration has requested to table the matter for two weeks.

MOTION BY COUNCILOR DACOSTA, SECONDED BY COUNCILOR KEARNS AND IT IS UNANIMOUSLY VOTED TO TABLE TO SEPTEMBER 18, 2013. VOTE 6/0.

5. #13-22 – An ordinance authorizing the purchase of Cumberland Tax Assessor's Plat 13, Lots 98, 99 and 100 (Presented by Council President Higgins on behalf of the Administration)

Public hearing was opened at 8:12p.m.

Kelley Morris, the town's Planning Director, stated that in 2010 the Federal Government put out millions of dollars for disaster recovery. One of our properties owners here in Cumberland has had major flooding over a 25 year period such that the house is condemned and they can't live there anymore. She informed that between the Federal Government and State Government we were awarded \$301,000. They are going to purchase the home for \$231,700 and the remaining \$69,000 is available for demolition, regrading and returning it to the flood plain.

Council President asked if this money is only for this purpose.

Ms. Morris responded it is a Community Development Block Grant specifically for disaster relief.

Council President stated if they get this money they use it to purchase a new home.

Ms. Morris responded no, the Town is getting the money to buy it from them and they walk away. This has been a long process for the property owners.

Mark Russo of 55 Pine Street in Providence was present to represent the property owners. He informed the Council they should be proud of the Town staff because without their assistance they would never gotten through this program. He addressed Council President's question about where the money goes. He explained they had to convince the bank who has the mortgage to hold still and not completely destroy the Sousa's credit while they spent three years working through this program. He concluded they very much appreciate the assistance of the Town.

Council President inquired if there was any flood insurance.

Mr. Russo replied there was some insurance recovery which will be used to cover the balance of what is due and owed to the bank. They have been holding it in escrow under a court order while they worked with the Town to get the purchase complete.

Sergio Sousa stated that back in 2005 the house flooded for the first time at which time they didn't have flood insurance. When it occurred again in 2010 they had the flood insurance and with the assistance of the Town they were able to get the FEMA money in order to move on with their lives. He expressed his appreciation for the administrations help.

Representative James McLaughlin indicated these individuals have been through a lot and would ask the Council to approve this matter.

Public hearing closed at 8:19p.m.

MOTION BY COUNCILOR DACOSTA, SECONDED BY COUNCILOR MURRAY AND DWYER AND IT IS UNANIMOUSLY VOTED TO APPROVE BY A ROLL CALL VOTE. VOTE 7/0.

Thomas Hefner, the Town Solicitor, claimed this was the only property in which all agencies determined qualified for the relief funds. He also mentioned the two Sousa brothers could have very easily walked away from this two or three years ago while not living there but instead continued to pay all their bills and taxes. He commends them for that.

Councilor Lambi asked Ms. Morris is she knows whether there are any funds available for remediation for the homes on Old Reservoir Road.

Mr. Hefner stated that they had done a lot of work out there but he can't tell him the status of that particular project at this moment. He recalled there was supposed to be \$300,000 to \$400,000 that was going to take care of those homes and the run off on Jason's Grant.

Ms. Morris replied she isn't aware of any but if there are funds available she would be glad to help out with that.

6. #13-23 – An ordinance amending Article 13 of the Cumberland Zoning Ordinance entitled “Signs” (Presented by Council President Higgins on behalf of the Administration)

Councilor DaCosta indicated this matter needs to be tabled to allow the Planning Board time to meet and submit a recommendation to the Council.

Ms. Morris added that due to a glitch in the Planning Board's schedule, they would have normally met on August 28th but they had to change it to the 5th of September.

Referred to the Planning Board and Ordinance Sub-Committee

MOTION BY COUNCILOR DACOSTA, SECONDED BY COUNCILOR KEARNS AND IT IS UNANIMOUSLY VOTED TO TABLE TO SEPTEMBER 18, 2013. VOTE 7/0.

B. RESOLUTIONS:

1. R-13-34(2) – A resolution authorizing Mayor Daniel J. McKee to proceed to sell Town of Cumberland Assessor's Plat 2, Lot 26 (tabled from August 21, 2013)

Mr. Hefner requested the resolution be withdrawn.

2. R-13-35 – A resolution authorizing Mayor Daniel J. McKee and the President of the Town Council to execute collective bargaining agreements with Cumberland Town Employees' Union (CTEU) (tabled from August 21, 2013)

Mr. Hefner stated the town employees have not had a contract in 2 years. This resolution refers to two separate agreements one is for the period that ended June 30, 2013 in that agreement the employees were given a 4 percent raise. He added it goes along with the transfer of all the town employees into a health savings account plan rather than their current plan the Finance Director, Mr. Silvia, will shortly discuss the cost saving numbers in more detail. In his opinion, the 4 percent wage increase gives the employees the amount of money it is going to cost them to cover the cost of their co-pay now to what they are going to be paying into the health savings account. The second agreement, and the most important, is a 3 year contract beginning July 1st of this year. He elaborates that the agreement gives them a 2 percent wage increase per year and restructures the present longevity from a cash value to a percentage value consistent to the other unions. The real key within the contract is that all employees will go to a health saving account that results in a significant savings in the first two years with the raises and more than covers the raises that have been given.

Brian Silvia, Finance Director, mentioned that another change in the contract relating to the health coverage is that an employee hired after July 1, 2013 will be paying the full \$4000 for family plan and \$2000 for an individual plan where as existing employees will be paying half of that. He indicated that within the first year that ended June 30, 2013 the total cost of the contract to the Town will be \$42,668 which includes wages of \$35,610, additional pension contributions of \$4600 and additional FICA of \$2400. He pointed out that in the first year of the contract beginning on July 1, 2013, the Town will not realize the full savings potential for health care because it will be starting on January 1st instead of July 1st therefore, the saving potential is not as great as the later years. In that same year, the wage increase represents \$55,551, longevity increase of \$27,936, and estimated holiday and overtime of \$4,363 resulting in additional pension contributions of \$11,482 and additional FICA of \$5,929 totaling \$105,263 in additional cost to the town. He added that the town will realize a \$26,196 savings in health care cost related to the increase in employee contributions as well as \$131,767 related to the move to the HSA so the overall savings for the first year is \$52,701. In the second year, the totals are as follows; \$56,662 in wage increase, \$20,445 in longevity increase, \$4,450 estimated holiday and overtime, \$10,659 additional pension contributions and \$5,505 additional FICA totaling \$97,723 in additional cost to the town. He stated that in this year there would be additional employee contributions for health care of \$52,393 and the saving associated with the move to the HSA is \$274,680 with a net savings of \$229,350,000. He concluded that in the final year of the contract, the wage increase represents a cost of \$57,796, longevity increase of \$18,365, estimated holiday and overtime of \$4,539, additional pension contributions of \$10,547 and additional FICA of \$5,447 totaling \$96,695 in additional cost to the town. He stated that in this year there would be additional employee contributions for health care of \$52,393, health care saving associated with the move to the HSA is \$286,161 with a net savings of \$241,859 for the year and net savings for the life of the contract of \$481,243.54.

Councilor Murray recognized that this contract mirrored the Rescue contract. He asked Mr. Hefner if he recalled the approximate savings of the Rescue contract.

Mr. Hefner response was the savings of this contract is much greater than the Rescue contract partly due to the fact that Rescue has approximately 17 employees. He stated he can't be certain but he believes the total savings was approximately a \$100,000 to \$200,000.

Councilor Murray compliments both the Solicitor and Mr. Silvia for the great job they did negotiating both contracts resulting in approximately \$600,000 savings to the town.

Councilor Lambi also commended the Solicitor and the Finance Director as well as the Mayor for getting two out of the three contracts completed with fantastic results.

MOTION BY COUNCILOR LAMBI, SECONDED BY COUNCILORS KEARNS AND MURRAY AND IT IS UNANIMOUSLY VOTED TO APPROVE. VOTE 7/0.

3. R-13-37 – A resolution adopting updated Master Plan for Diamond Hill Park (tabled from August 21, 2013)

Kelley Morris, the town's Director of Planning, explained this resolution is to update a 1998 Master Plan to include a couple of components which George Gifford of Gifford Design Group is present to speak about.

Mr. Gifford stated for the record that he has a business in Town, the Gifford Design Group, located at 4096 Mendon Road. He explained he was hired by the Town a little over a year ago to look at the existing music venue in Diamond Hill Park as well as address concerns expressed towards improving that music venue so it could be used for what it was intended to be used for. He further explained that the first step in looking at that sort of analysis is to get public comments which they did. The first

hearing introduced the whole idea specific to the music venue but quickly realized they had to take a step back to look at the park's master plan to reevaluate how the park was being used. Mr. Gifford mentioned that the master plan was originally drafted in 1995 and contained the meat of the plan with an update to the plan in 1998. The update only addressed some of the architect estimates and construction cost estimates for implementation. After reviewing the master plan, a second hearing was held to discuss the plan and the use areas within the plan which of course brought discussion again about the music venue. He pointed out this topic tonight is specific to the master plan update which they will refer to the 2013 Diamond Hill Park Master Plan. He referred to a diagram that is included in the master plan. For the second hearing they looked at how the areas have been programmed and identified for use. Diamond Hill Park is a multi-use facility containing areas for passive recreation and active recreation.

Council President Higgins asked Mr. Gifford to describe the difference between the two.

Mr. Gifford explained that passive recreation includes such activities as hiking, bird watching and scenic vista viewing. He referred to a diagram within the plan that depicts large vast areas in Diamond Hill Park that are passive recreation; easily 80 percent of the park. The 1995 master plan also identified an area specific for active recreation which is very intensively used for programmed recreation fields. He pointed out that area is situated in the southwest corner of the park. He added that in 1995 the facilities they use now were not constructed. He stressed that of all the recommendations in the 1995-1998 master plan, that active recreation is the only recommendation that has been implemented since 1998.

Council President questioned if that was due to lack of money.

Mr. Gifford couldn't be sure but usually money is the reason. Getting back to his presentation, he explained that the second hearing they determined no one desired any reprogramming and essentially these areas that have been identified for these certain uses should remain programmed in this way. He recognized it is a big topic and wants to address any questions the Council may have specific to that. He stated that everyone knows they have a wetland submission under review at the Department of Environment Management regarding that music venue.

Council President asked Mr. Gifford what the difference is between the proposed master plan and the 1998 master plan.

Mr. Gifford replied the revised date is one difference. He claimed it doesn't make sense to apply for grants with a lasted updated dating back to 1998, with a 1998 plan. He explained the purpose of a master plan is to record input and records the fact that the Town has thought about these public facilities and where they are going with these public facilities. He added that there were two very important initiatives that came out of the hearings recorded in the updated master plan; a clear determination that the park needs specific improvements to the music venue and the parking lot.

Council President clarified they are not voting this evening to determine what to do with the pond but instead voting in the general sense to look at the music venue and the parking as a priority and reaffirming the previous master plan of which 80 percent is passive recreation.

Councilor Murray stated that the master plan is a road map to get where we think is the best way to go. He added it is a document which helps them if they want to apply for any grant money for development but it could also be things they may not do for years to come if at all. He mentioned the music venue can be tailored any way the Council wants making that venue viable to produce revenue for the park.

Council President asked Mr. Gifford if the permit relating to the pond, which was submitted to DEM, was determined by the administration.

Mr. Gifford responded that the Council authorized his firm be hired to specifically look at the music venue.

Council President specifically asked if the Council authorized them to apply for a permit to DEM to significantly alter wetlands.

Mr. Gifford replied that he believes they did.

Council President asked the Mayor if the Council authorized it in general or specifically.

The Mayor explained that they went out for RFP and then brought that forward to the Council which inside that RFP was a scope of work that included that permit.

Mr. Gifford explained that coming into this project his firm understood that the removal of that wetland in front of the stage was something of discussion. He recalled it was the reason why they planned the first hearing to discuss what the problems were with the existing music venue. They had heard outside of the public setting that the problem was specific to the existence of that pond.

Council President asked if the permit is granted by DEM would they be authorized to fill it or remove it without Council approval.

Mr. Gifford replied absolutely not. He explained that after the DEM's review process, if it is determined it is an approved application; they have to come before the Council for final approval to act on the plan.

Council President reiterated they are only voting on a master plan. They are not voting to remove the pond, raise a building, install asphalt or engage people in more music than what comes before them now.

Councilor Kearns asked if the priorities identified are the priorities that were identified at the public meeting.

Mr. Gifford stated that was correct.

The Mayor added for the record there was a recreation bond a few years back and the Council authorized them to borrow those funds which started to stimulate the interest in both Tucker Field and Diamond Hill because there are funds they can afford to invest. He mentioned it makes them eligible for matching grants which they have been very successful in getting. When they hired Mr. Gifford, the discussion was to move forward on a plan to address both the pond in front of the stage as well as the parking area. He stressed it has been a very frustrating process with DEM becoming an even longer process and somewhat problematic on several levels including trying to improve a parking lot and being told you can't do it for a number of restrictive reasons. He emphasized that everything they are hearing tonight has been aired in front of this Council and the media in terms of the intent and the timing of it to make an appropriate investment in Diamond Hill for improvements.

Ronald Gauvin of Mendon Road was present to speak against the passage of the resolution. He stated the problem with Diamond Hill Park is that it hasn't been maintained properly. He added that the problem with the park isn't the pond needs to be filled but that the parking lot was never maintained. He proceeds to list several areas of the park that require improvements mainly the pond in question. He also stated that the claim that musicians don't want to play at the venue because of the pond is a crock. Musicians today have amplifiers capable of carrying their sound across that pond.

Council President intervenes to remind Mr. Gauvin that they are not talking about filling in the pond; they are talking about the master plan.

Mr. Gauvin stated the master plan includes a plan to fill in that pond.

Mr. Gifford explained that there is a diagram they used in the hearings included in the master plan.

Mr. Gauvin spoke to the Parks and Recreation Director, Michael Crawley, who confirmed the pond will be filled.

Council President acknowledged they can't do it without DEM approval so they are voting on it tonight.

Mr. Gauvin concluded by stating that if they are going to have concerts at that park, no one should be making a profit off of it. The park should be for sports programs, music education, and art education for the children in this community.

Councilor Lambi stated the proposed master plan does include a suggestion to improve the effectiveness of the music pavilion by filling in the pond.

Mr. Gifford stated that his comment is correct and elaborated the blame for its ineffectiveness was placed on the existing pond which is situated in front of the stage. Both concert goers and performers find this water feature creates a frustrating separation between the performer and the audience.

Council President stated he won't vote on this resolution if doing so included filling the pond.

Mr. Gifford replied approving this resolution to adopt the proposed master plan wouldn't do that. The decision to fill in the pond first requires approval from DEM and then the Council.

Chris Ratcliffe acknowledged part of the issue is there are many pieces of maintenance that would cost next to nothing that just haven't been done. It is his opinion that these hearings mentioned were not hearings but tellings where they came in with these plans and no matter what they said, they kept telling them they were going to fill in the pond and create a concert venue. He doesn't believe this plan is on the up and up because it does include a plan to fill in the pond and the creation of a larger concert venue. It is also his opinion the frustration is not the separation the pond creates but in fact they have to play in front of a mud pit because the pond isn't maintained. He mentioned there is a group of 160 people in the neighborhood who signed a petition stating they don't want a new and improved concert venue. It is their belief the administration does not want to do a one for one swap; they want to create a very large concert venue that is going to bring people from surrounding states. He referred to the diagram where it denotes over two acres for overflow parking to accommodate the larger concert venue. It is his opinion that ratifying this change in the master plan will send a message to DEM that the people of Cumberland want this, and they don't want it. He read the petition into the record entitled "Conservation not Concerts".

Council President stated there is no question there has been a lack of maintenance but this is an effort on the part of the administration to revitalize that and try to address those concerns. A lot of the lack of maintenance has been because there have been no funds. He also emphasizes the current plan allows the use of a music venue.

Councilor Lambi stated that the plan they are voting on tonight on page 3 includes a diagram with the pond filled and over flow parking.

Councilor Murray believes there is a problem in understanding the purpose of a master plan; whether the diagram is included or not in order to get it done it has to be voted on by the Council. The master plan is only a road map, and as he has explained several times, this is not intended to be a big concert venue and would require Council approval for it to be allowed. He stressed whatever they try to do is to improve the park but the Council has to authorize any and all improvements which the master plan has no bearing on whether or not the pond gets filled in and the use of the music venue.

Councilor Schmitt stated in this case perception might be reality and there is a perception there is going to be large scale concerts here regardless of what is written in the plan. He believes these people are right because he has heard talk the Town wants to get into the concert business which he thinks is a business they don't want to be in. He suggested as a compromise to include language in the plan in effect concerts that won't exceed a specified number of people.

Council President emphasized the plan doesn't talk about the use. The plan defines it in general terms as passive recreation, active recreation, and a music venue.

Mr. Ratcliff reiterated the neighbors don't want the pond filled in, instead they want it fixed, and therefore they don't want that plan included in the master plan. Also, their concern is if DEM approves the permit they are going to be doing hearings on it and it will be a done deal. He hopes the Council rejects this resolution.

Council President believes it is silly to reject a master plan update if it is for the purpose of applying for grant money. Updating the plan indicates the Town has reviewed it and it can be done by just changing a period. He explained that the language in the master plan itself should be kept generic in terms of the enhancement of the music area which is what the original plan called for. He stated if including this diagram included in the plan is raising concern because it shows the filling in of the pond, they can take it out of the plan. He clarified if DEM does grant the application; it is the Council that has to act on it.

Mayor McKee addressed Mr. Ratcliff's reference to a meeting in 2008 where there was discussion of creating a large scale music venue. He clarified that there was a resident present expressing opinions of what he thought could be done there. He stressed it was not an opinion he or his administration expressed; they were there to listen to individuals who had opinions on that venue. He explained the purpose is to enhance the current uses that are there. They are not talking about numbers of people that are not already absorbed in that park whether it be through Cumberlandfest or the ball fields on the weekends. As far as Mr. Ratcliffe saying that this is being done in the dark of the night, is a stretch because it is why we have hearings in order to have your opinions impact the outcome. He believes those remarks are unfounded and frustrating. The Mayor claimed they are not looking to increase the numbers at any given event; they are looking to find a way to use that park in way that enhances the experience when you are there for the people in the Town. He stressed that the only intent is to invest in that park and come to terms of what that investment would pay for is certainly up for discussion. He acknowledged that it has been his opinion publicly that displacing the pond and having a better music venue is an improvement.

Frank Geary of 87 Orchard Drive was present to speak against the passage of the resolution. He recalled as Chairman of the Conservation Commission he introduced the open space fund for parks & recreation to put on the ballot which was overwhelmingly passed. They wanted funds to do work on the park as well as save money to buy open space and as a result Diamond Hill Park ended up with \$450,000 to rehabilitate the park. He pointed out the only thing that got rehabilitated was the ball fields not the park and unfortunately nothing much has gone into the park for many years except the work done by volunteers of the Cumberlandfest. He claimed the pond is a beautiful reflecting pond and indeed it is filthy but it does have a filtration system that has never been taken care of. He stated that no matter what has been said, the filling of the pond is behind of all this. He added the filling of the pond is a scheme that came up ten years ago where a small group of musicians didn't like playing in the park because the people couldn't get close to the performances.

Council President stated that he believes there is a lot of misinformation going around.

Councilor Kearns stated that he spent a good amount of time with Mr. Ratcliffe this weekend looking at this scenario. He added that he took pictures of all the concerns, and studied them very accurately. For the record, he is a past pipe fitter hydraulic nomadic technician and he can say with reasonable certainty the pond is a man made pond. The pond's level is only dependent on nature or human dams not beavers so there is no natural wetland that is going to keep this pond populated with water. He would like to see what the options are for all the citizens not leaving it the way it is and just making ADA accessible. It is also his opinion that it is impossible to make it ADA accessible with all that water in front of it.

Councilor Lambi stated that he thinks they can all agree to the revised master plan and the improvements it suggests relative to playgrounds, entranceways, and particular the parking. The roadblock seems to be relative to the music pavilion and whether there should remove the pond or not. He claimed with 160 of their residents taking the time to hear the case and signing a petition as a councilor he has to listen to their concerns. He doesn't believe the master plan in its entirety needs to be tossed out because there are obviously some strong points included but the issue of filling the pond is a challenge for them. He stated that it is very clear that this report states that there is a suggestion to include the removal of the pond, and he has an issue with that.

Council President pointed out that it would be helpful to revise this master plan similar to how they amend ordinances; using the 1998 master plan, revise the plan by striking out old language, and underlining the new language.

Ms. Morris believes they can go back and review both plans and come back with something that is clearer.

Council President asked how much time they need to revise the proposed plan.

Ms. Morris asked the Council to allow a month to work on it.

Russell Gusetti of Blackstone River Theater was present to speak in favor of the passage of the resolution. He first addressed the comment made that the intent of the plan is to allow for huge concert venue with big name artists. He doesn't believe that is what any here is proposing so that argument goes away. The purpose is to find ways to use the park for the enjoyment of all of the town's residents. He referred to Mr. Ratcliffe's petition title, "Conservation not Concerts" and asks why does it have to be an either or. He stressed the point is to make this work on several levels. He mentioned if the pond is removed it would be replaced by grass adding to the passive recreation space for the other 365 days a year for everyone to enjoy. He agreed with adding language limiting the number of participants so they can control the traffic and other elements.

Greg Noury, Co-Chairman of the Cumberlandfest, also present to speak in favor of the passage of the resolution. He stated the pond has created several difficulties for the performers at the Cumberlandfest. He doesn't know what the solution is but it does need to be discussed.

Councilor Murray stated that if this is not passed and it stays the way it is, he would like to see the cost of making the park ADA compliant. He witnessed at the Cumberlandfest an individual in a wheel chair that almost went down the hill. The element of the concerts generates revenue to maintain and improve the park with the Council regulating what will happen there.

Mayor McKee claimed they are happy to revise the plan because he certainly doesn't want the Council making a decision on some sort of manipulation on the administration's part. He believes bring to conclusion whether the pond is going to stay or whether it is going to be removed would be a positive step to determine how they are going to invest money into that space. Additionally, he thinks it is very clear from the very beginning music is an important part of that park so if it can't be done off that stage then it is time to start planning where else it can be done in the park.

MOTION BY COUNCILOR MURRAY, SECONDED BY COUNCILOR DWYER AND IT IS UNANIMOUSLY VOTED TO TABLE TO OCTOBER 16, 2013. VOTE 7/0.

NEW BUSINESS

A. COMMUNICATION:

I. Presentation of the Police Department's Annual Report

Chief Desmarais stated that it is a privilege to present to the Council the Police Department's annual report for the year 2012. He hopes the Council has had the opportunity to review their report because it is very transparent. The report covers everything from use of force to grievances to vehicle pursuits. He points out that the report also includes citizen complains either logged by citizen to the Police Department and some that were initiated in the Police Department. He explained he almost had a heart attack when he was preparing this report because he noticed that their calls for service rose over 5200 calls from the year 2011 to 2012. He found there are two reasons for the spike; the men and women of our department are out there each and every day and they are documenting what they do better. For example, their property checks have risen which range from residence for people on vacation to public buildings that they check throughout the evening. He concluded by stating that they have a young department made up of 44 officers of which 21 have 7 years of less on the job and that in of its self shows the department is young and out there protecting the citizens of this Town.

Councilor Lambi thanked the Chief and men and women of the force. He stated that particularly during the blizzard last winter when he got to see firsthand how hard you folks work for those types of situations. For that he thanked the Chief and the people in his department as well as the Rescue and Fire Fighters.

B. CLAIMS:

I. Scott C. Partridge

Referred to the Finance Sub-Committee

C. ORDINANCES FOR PRESENTATION AND PERMISSION TO ADVERTISE:

1. #13-24 – An ordinance relating to the Town of Cumberland Pension Fund a/k/a the Police Pension Fund (Presented by the Council President of behalf of the Administration)

Administration requests the ordinance be withdrawn and resubmitted to the Town Clerk.

2. #13-25 – An ordinance related to the Special Flood Hazard Areas and Flood Fringe Lands (Presented by the Council President of behalf of the Administration)

PUBLIC COMMENTS

Representative James McLaughlin introduced a few kids who came forward to express their desire to save Currier Park. He has informed them there will be a community meeting on the matter Monday and encouraged them to attend to express their concerns. He acknowledged and thanked them all for taking the time to support something that is important to them.

ADJOURNMENT

MOTION BY COUNCILOR KEARNS, SECONDED BY COUNCILOR MURRAY AND IT IS UNANIMOUSLY VOTED TO ADJOURN AT 10:36P.M. VOTE 7/0.

Sandra M. Giovanelli, Town Clerk

THE DVD AND MINUTES OF THE ENTIRE MEETING IS AVAILABLE AT THE EDWARD J. HAYDEN LIBRARY AND ON THE TOWN'S WEBSITE www.cumberlandri.org.

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James T. Higgins, At Large
Council President

Manuel N. DaCosta, District 1
Council Member

E. Craig Dwyer, District 2
Council President, Pro-Tem

Jeffrey T. Kearns, District 3
Council Member

Scott R. Schmitt, District 4
Council Member

William S. Murray, District 5
Council Member

Arthur Lambi, Jr., At-Large
Council Member

**MINUTES OF THE REGULAR MEETING OF THE CUMBERLAND TOWN COUNCIL
WEDNESDAY, SEPTEMBER 18, 2013 AT 7:30 P.M.
CUMBERLAND TOWN HALL - EVERETT "MOE" BONNER, JR. COUNCIL CHAMBERS
45 BROAD STREET, CUMBERLAND
OPEN SESSION**

The regular meeting was called to order at 7:42 p.m. by President Higgins.

MEMBERS PRESENT:

President Higgins, Councilors DaCosta, Dwyer, Murray, Lambi, Kearns, and Schmitt

Also present—Mayor Daniel J. McKee, Town Solicitor Thomas E. Hefner and Town Clerk Sandra Giovanelli

GENERAL ANNOUNCEMENTS

UNANIMOUS CONSENT ITEMS

CONSENT AGENDA

A. Acceptance of Minutes of the Regular Town Council Meeting of August 21, 2013 and September 4, 2013

B. DEPARTMENT REPORTS

- Animal Control
- Building Official
- Police Department
- Rescue Department

MOTION BY COUNCILOR LAMBI, SECONDED BY COUNCILOR DACOSTA AND IT IS UNANIMOUSLY VOTED TO APPROVE. VOTE 7/0.

FINANCE REPORTS

1. General Fund Report as of August, 2013

Finance Director Brian Silvia noted that typically the reports include a month to date revenue and expense column; however, this report reflects July and August because of the new fiscal year. They will provide monthly figures from now on. Total Revenue to date is \$10,309,000, which represents 12 percent of the budget, compared to last year's rate of 12 percent at this time. Property Tax Revenue collected to date is \$8,081,000, or 25 percent, compared to last year's rate of 24 percent. Expenses to date through August 31st have been \$8,400,000, or just under 10 percent of the budget, as compared to 12.4 percent last year. Of those expenses, \$3.7 million was related to the School Department; other large expenditures were related to wages and fringe benefits, street lighting expenses, rubbish collection/disposal and recycling fees, and several debt service payments.

2. A request from the Tax Assessor to approve August, 2013 abatements and supplemental bills

MOTION BY COUNCILOR DWYER, SECONDED BY COUNCILOR KEARNS AND IT IS UNANIMOUSLY VOTED TO APPROVE THE AUGUST, 2013, MOTOR VEHICLE ABATEMENTS TOTALLING \$730.36, REAL ESTATE ABATEMENTS TOTALLING \$1,591.51, REAL ESTATE SUPPLEMENTAL BILLS TOTALLING \$3,860.73, AND TANGIBLE SUPPLEMENTAL BILLS TOTALLING \$291.49. VOTE 7/0.

LICENSES:

1. An application for a transfer of a Second Class Victualling House License from Emanuel Stravroulakis to Tigran Hakobyan of Hakobyan, Inc. d/b/a Ani's Pizza & Pizza located 1182 High Street

Public hearing was opened at 7:44 p.m.

There was no one wishing to speak in favor of or against this license.

Public hearing was closed at 7:45 p.m.

MOTION BY COUNCILOR MURRAY, SECONDED BY COUNCILOR DWYER AND IT IS UNANIMOUSLY VOTED TO APPROVE SUBJECT TO RECEIPT OF POLICE DEPARTMENT AND HEALTH DEPARTMENT APPROVALS, PAYMENT OF LOCAL TAXES, AND RECEIPT OF PERMIT TO MAKE SALES AT RETAIL. VOTE 7/0.

OLD BUSINESS

A. ORDINANCES FOR PUBLIC HEARING:

1. #13-16 – An ordinance relating to the Town of Cumberland Pension Fund a/k/a the Police Pension Plan
(tabled from September 4, 2013)

MOTION BY COUNCILOR DWYER, SECONDED BY COUNCILOR MURRAY AND IT IS VOTED TO TABLE TO OCTOBER 2, 2013. VOTE 5/2.
Nay: Councilor Lambi and Councilor Schmitt

2. #13-19 – An ordinance in amendment of the Code of Ordinances of the Town of Cumberland, Rhode Island, as amended, amending the ordinances and map thereof with reference to Cumberland Assessor's Plat 2, Lot 26 (tabled from September 4, 2013)

Public hearing was opened at 7:46 p.m.

Councilor DaCosta asked for a continuance as there have been developments and questions raised by Representative McLaughlin in the last few days with regard to the safety of old mine shafts and sink holes in the area, and he is trying to gather more information.

MOTION BY COUNCILOR DACOSTA, SECONDED BY COUNCILOR LAMBI AND IT IS VOTED BY A ROLL CALL VOTE TO TABLE. VOTE 2/4.
VOTE FAILS.

Nay: Councilors Dwyer, Murray, Kearns, and Higgins
Councilor Schmitt recused himself.

Councilor DaCosta noted that a similar request with regard to this matter has been granted twice before, and now that the Councilor for the district has requested that it be tabled, it is denied. He asked for an explanation from the Councilors who voted against tabling the matter.

President Higgins informed that there is no discussion on a motion to table. He noted that the public hearing was now open.

Attorney John Sherkarchi, of 132 Old River Road, Lincoln, representing the applicant, informed that Attorney Partington is also representing the applicant in a co-counsel capacity in the future, though he was not involved in tonight's hearing.

As a result, Councilor Schmitt recused himself.

Attorney Sherkarchi noted that his client is asking for both a zone change and approval for the purchase of the property from the Town.

Jeremy Chiappetta, Executive Director of the Blackstone Valley Preparatory Academy, informed that this public charter school operates in Cumberland and Lincoln; they also serve Central Falls, serving about 1,000 scholars; 300 are Cumberland residents. They have been in existence for five years, and their academic results are unrivaled. They selected Civic Builders to work with them to build a \$15 million building that they believe will be part of the economic development of the area. They are experts at this type of building, having done 17 projects in New York alone. He showed a rendering of the project as it would appear from the steps of Town Hall. They are constantly vetting locations in all four areas they service, as their approved growth is 2,400 scholars; therefore, their need for multiple new campuses is real. This site stands out because of its proximity to other schools and all four communities. Civic Builders is a non-profit partner in this project. There will be approximately 35 permanent jobs at this site. A 40,000 square foot elementary school, serving about 400 scholars, would be built; there will be music and art space; the current location does not have these spaces. They do not intend to continue operating the Our Lady of Fatima site if this plan is approved; those students would be moved to this new location.

Councilor Lambi asked if the 35 jobs include transfers from the current location.

Mr. Chiappetta responded that some are transfers, and many are new jobs. The current location is for Grades 1 and 2; the new site would be for Kindergarten and Grades 1, 2, 3, and 4. The current site is temporary space—there are two years remaining on that lease; this project would be a 30-year project.

Councilor DaCosta noted that the business boost to the area is an unknown at this point. He asked if Mr. Chiappetta had any feedback from the local businesses with regard to the operation of their St. Patrick's location.

Mr. Chiappetta responded that the economic expert that will be speaking in a few minutes would be the best person to address that question. He noted that the school wants to be a community partner, with space that can be used by the community. He wants the local businesses to use their parking spaces when school is not in session. He noted that they have built two playgrounds in Town that are used by residents when school is not in session; there are basketball courts residents can use.

Councilor Higgins asked if there would be signage on the property that the parking is only for the school.

Mr. Chiappetta explained that their intention, whether through signage or other communication, is that during school hours, the parking lot is for the school; after hours, they would work with the neighbors to make it available. There is no reason for it to limit access; they want to be partners in the community. There will be large common area (cafeteria/gymnasium) in the building that could be used by the community. He stated that the benefits are clear; they believe that by being a good neighbor, they can help revitalize the community and be part of something great in the Valley. There clearly are educational benefits, and there are also economic, environmental, and recreational benefits. They want to be partners and help make the Valley better. With regard to the site plan, they believe their plan will utilize the space to the best advantage. They have secured a lease to address the parking issue. The proposed plan includes 42 spaces, and they have secured satellite parking of another 60 spaces for the staff at the intersection of Titus Street and Macondray Street.

Councilor Lambi asked the length of this lease.

David Umansky, CEO of Civic Builders, responded that the lease is for 5 years, with an additional 5-year option.

Mr. Chiappetta informed that the staff would be using the satellite spot, allowing 42 spaces to be used for visitors, etc., far in excess of the daily needs of the school. Buses will be picking up and dropping off at the school. When they are being loaded, they plan to use three spaces that will keep the buses off Broad Street; the buses will queue up in the various lots until time to load. He also informed that, if necessary, they would clear the snow from the sidewalks that the staff will need to walk on to get to the school from the satellite parking. Regarding traffic flow, they have started to implement a plan that will be in full force next year to get cars off the road. They plan to encourage carpooling, stagger drop-off and dismissal times, and improve signage to make the plan work. Currently about 55% of families use the bus, but they hope to increase that percentage closer to 75%. He explained the staggered arrival and dismissal times, which will help decrease the cars on Broad Street. He explained the direction they plan for traffic to flow. Traffic coming from the north would enter the property, and then would exit on Chase Street using the wider streets in the back streets that were built for truck traffic, such as

Elm and Maple Streets. They will do whatever necessary to make it work, including mandating the exit route. For traffic from the south, they will follow a similar route. Traffic comes in the site one way, and exits the other. He explained that their buses do a depot stop approach, so 10 or more students will get off. They are open to the suggestions of the Council and the Police Department. They feel that their policies will solve the traffic issues. He also discussed the impact of this school on the local schools; he reiterated that this project has no bearing on that. They are approved for 2,400 seats; they currently have 1,000, and the plan is to grow. They had 300 applicants from Cumberland applying for 60 seats; there were 90 applicants for the middle school in Lincoln.

President Higgins noted that the money follows the student, so whether this school is in Lincoln or Cumberland, it will have the same effect financially that it would if it was in Cumberland.

Mr. Chiappetta restated their commitment to be partners with the Cumberland schools and all district schools. In response to another question, he noted that there are 10 Cumberland bus stops, two of which are in the Valley area. He stated that they are committed with working with the Town to relocating the playground. The equipment they put on their site will be well-maintained. He also noted that currently, the neighbors have been using the lots at 291 Broad Street during snow emergencies; and they plan to continue with that.

Councilor DaCosta asked about the 200 feet buffer required between schools and businesses serving liquor.

President Higgins explained that only works going forward—if an existing license is there, it is not affected by the building of a school in either its renewal or its transfer. If it were to be affected, that could be easily resolved by submitting legislation to exempt that business from the 200 feet buffer rule. If someone new wanted to get a liquor license, they would need to apply for an exemption.

Solicitor Hefner responded that it would only be an issue if someone wanted a new license and the location was within 200 feet of a school; it does not affect a business already existing that is within 200 feet of a site that a school is to be built on.

Councilor Lambi noted matter with the law is, they will still be putting a school near establishments that sell or serve liquor.

Solicitor Hefner noted for the record that the lot that St. Patrick's school is on has a separate parking lot between the school and the liquor establishment next door, so that was never an issue because it is 200 feet from the building.

Mr. Chiappetta stated that they do not foresee problems, or have they had problems, with the liquor establishments, which are family friendly places. This school will be for elementary students, who will not be likely to try to frequent the establishments. He mentioned the zoning issues, and stated that a zoning change will allow them to convert the site from what it is to a commercial zone in keeping with a school use.

President Higgins noted that it would be allowed by a special exception in an open space zone if it is used for institutional purposes.

Solicitor Hefner noted that the preferable way would be to do it by a zone change, however, as the zoning could affect financing, etc.

President Higgins asked if the Mayoral Academy will ever take possession of the property from Civic Builders.

Mr. Chiappetta responded that they have an option built into the draft lease, but because of the way the financing is set up, the property cannot be transferred for 7 years; if they choose not to exercise that option, they have a 30 year lease. A portion of the funds that follow the student is used to pay this lease. He ending by stating that he hoped his presentation answered the concerns people have about the project.

President Higgins noted that this is a legislative decision and is not appealable by either the applicant or an abutter; a Zoning Board would have been.

Councilor Lambi asked what other sites they had looked at to locate this school.

Mr. Chiappetta responded that one he could publicly talk about was 1135 Roosevelt Avenue, Pawtucket. It is a four-acre parcel with a mill building and a field. It is a former industrial site, which means that it will require a lot of testing, requirements, and potential clean-up that could be very expensive. They are looking at other sites that have the potential for 40,000 square feet, but he did not want to put any negotiations in jeopardy by stating where they are located.

President Higgins noted that an issue had been raised that there may be underground coal mines in the area.

Mr. Umansky responded that he had just recently been made aware of that; he stated that they have used geotechnical probes, and they are very confident that this is a good site to build on.

Councilor DaCosta stated that it is public knowledge that sink holes have happened across the street, and that there are mine shafts there. It is a serious concern that needs to be made public and on the record so everyone is aware of it.

John Shevlin, of Pare Corporation, the site and traffic expert, informed that borings and probes were done on the site about a month ago, and nothing out of the ordinary came back.

Councilor DaCosta asked if it was normal to have shaking going on when the probes.

Mr. Shevlin responded that it was normal to feel some vibration when rock was hit.

Councilor DaCosta informed that it was a fact that during these drillings, the ground shook a great deal.

Mr. Shevlin informed that they did hit rock with some of the probes, so that would have caused the vibrations; it is a good thing that that they hit rock as it shows stable ground.

President Higgins stated that that may show the effect construction may have on the area.

Dorothea Soares, of 53 Titus Street, stated that two shelves in her home fell off the wall while the company was doing their testing due to the vibrations.

Mr. Shevlin admitted that they did hit ledge in one or two holes and that would have shaken the ground a little.

Councilor DaCosta asked if there would be any blasting or heavy equipment that might disturb the neighbors.

Patrick Collins, the Construction Manager, responded that it was his understanding that they encountered ledge below the bottom of the building, so during construction that will not be disturbed. They needed to know the ledge was there in order to properly design the footings to support the building.

In response to President Higgin's question, Mr. Shevlin responded that the borings went down 40-50 feet.

Mr. Collins informed that the foundation would be 4 ½-5 feet from grade to the bottom of the footing. There will be no blasting.

Mr. Shevlin spoke regarding the traffic study. He explained the process that was used, and that they studied both the safety and capacity of the area. Teachers will park off-site, so the entire site will be used for drop-off and pick-up of students. They came up with a plan that they felt was suitable for bus traffic and car traffic. He noted that the site is centrally located between Pawtucket, Central Falls, and Lincoln. The conclusion of the study was that the site would be able to be developed without having any significant impact on the roadways in the area.

Councilor DaCosta asked a similar traffic study was done at the St. Patrick's location; he also asked if they had spoken with the neighbors around St. Patrick's while preparing the current study, and if so, what kinds of concerns had they mentioned.

Mr. Shevlin responded that the biggest concern was regarding buses queuing on Broad Street. With this site, in conjunction with the satellite parking lot and 291 Broad Street, and by staggering the schedules and using both sites, this will be eliminated. There are a lot of obtains to ensure that the school does not impact the traffic flow on Broad Street; in his opinion, the traffic flow will be better handled at this new site.

Councilor Murray asked if the new schedule currently being implemented was a result of the problems at the St. Patrick's location.

Mr. Shevlin responded that their study had recommendations regarding satellite parking to help alleviate congestion, and they did pursue that, so it will help with regard to the existing conditions. He also noted that he is a Cumberland resident, and was familiar with the area.

Councilor Murray noted that these traffic issues occurred around other schools as well.

Mr. Shevlin stated that he thought this traffic plan would be much better than those currently used by other Cumberland schools.

President Higgins asked if Mr. Shevlin was testifying that the traffic will be reduced from what the current situation is; he responded that he felt it would due to the carpooling, busing, etc.

President Higgins asked about the width of the side streets in the area; he noted that many of the streets are quite wide and would not impede the buses.

President Higgins asked the impact on Chase Street and Titus Street.

Mr. Shevlin explained that cars heading to Cumberland and Lincoln will be taking a right onto Chase Street. The school will send out policies to the parents regarding routes to take when heading in certain directions.

Mr. Chiappetta explained that they will work with the Council and the Police Department to communicate whatever is necessary to direct the parents to the best routes.

Councilor DaCosta noted that Chase Street is a continuation of the bike path; he asked if any consideration had been given to that and its impact on those that use it.

Mr. Chiappetta noted that the Department of Education gives bonus points for being on a bike path as it helps to promote multi modes of transportation.

President Higgins asked if any study had been done regarding how the school will impact the bike path.

Mr. Shevlin responded that this matter did come up within their application with the Department of Transportation, though they did not think it would be much of a problem as the path is not used that much during the day and the school is closed on weekends when the bike path is more frequently used.

President Higgins asked how many existing parking spots on Broad Street will be eliminated.

Mr. Shevlin responded that there will be one 30 foot curb cut for the entrance, and they also plan to eliminate some spots in front of the school, for a total of five spots.

President Higgins believed that would impact the local businesses and Town Hall when school is in session.

Mr. Chiappetta stated that they had not thought that particular question through; he suggested a possible solution would be to mark five spots on the site as "public" for those using the local businesses.

Councilor Murray asked Mr. Umansky to compare this site to some of those he has used in New York.

Mr. Umansky responded that it would be unusual to have a site this large in New York. He explained that Civic Builders would build a playground at the site that will be available to both the students and the community, and they also want to participate in the cost to relocate the present playground. He added that this is their first project with investment from the Gates Foundation, which has been interested in addressing problems with school facilities for some time. This will be the first project of its type that the Gates Foundation will be investing in anywhere in the country. He asked if there were more details that the Council would like with regard to the playground relocation.

Councilor DaCosta asked if the Gates Foundation would be providing any computer equipment to the school; Mr. Umansky responded that it would not.

Councilor DaCosta asked if there would be swings or slides for the children at the school.

Mr. Chiappetta responded that in the past they have engaged with the families and have had them involved in picking what is in the playground within a specific budget. He also noted that Civic Builders is interested in helping with the relocation of the park financially.

Representative James McLaughlin, of 15 Gardner Avenue, asked for clarification as he was told by DEM that there have been some communications stating that the playground at B.F. Norton School would be extended. He had been told that the relocation site must be the same size as the current site.

President Higgins disagreed with that, and said that was a matter the Town Planner would need to resolve.

Councilor DaCosta noted that Senator Pearson's communication indicates that if the park is to be relocated, a similar sized lot must be purchased from a private seller.

President Higgins stated that land that was recently acquired could also be used.

Joseph Lombardo, a land use planning consultant, informed that he reviewed this zone change application for compliance with the Town Comprehensive Plan.

President Higgins stated the Zoning Board has already approved the change, so Mr. Lombardo's testimony is not necessary.

Mr. Lombardo stated that in his opinion, this change would be on compliance with the Town's Comprehensive Plan.

Kelley Morris, Town Planner, confirmed that the Planning Board found the change to be consistent with the Town's Comprehensive Plan; most relevant is that that lot is designated for institutional use, so there is no need to change the Comprehensive Plan. She explained that the zone would be changed to an institutional use that is allowed in a commercial zone. She explained further that under the Comprehensive Plan, this lot is designated for an institutional use, not a commercial use. Currently there is a park at the location, and it is zoned open space. Zoning is different from a land-use designation. She further explained that a school use is an institutional use. The applicant could have gone to the Zoning Board for a special use permit, which would be granted as they meet the standard. It is basically a use that is permitted in conformity with the existing neighborhood. The applicant went this route because if there was any indication of expansion or intensity, they would have to come before the Zoning Board again. She explained that it is much easier to get financing for something that is permitted by right rather than by special use permit. Being consistent with the Comprehensive Plan is the only standard that a zone change must meet.

Councilor Lambi referred to Ordinance 13-19, which states that the Council is considering amending the property from open space; he asked for confirmation of that fact, which Ms. Morris confirmed.

Ms. Morris explained that the Comprehensive Plan is a different document than the zoning ordinance. The Comprehensive Plan controls the future use of land in Cumberland; that particular property is designated as institutional use, which fits into both an open space use and a school use. If an office building wanted to locate here, the applicant would have had to request a Comprehensive Plan change to make that part of the land use map commercial.

President Higgins asked about the procedure that would be followed if they wanted to change the actual use of the property.

Ms. Morris responded that they would have had to submit a second Ordinance to change the future land use map to commercial. This is not required in this case because the land use designation under the Comprehensive plan is institutional.

Mr. Sherkarchi explained that because the intended use is in compliance with the Comprehensive Plan, there is no need to amend the Comprehensive Plan.

President Higgins asked what would happen if the applicant wanted to sell the property to someone who wanted to utilize it for a use allowed in a C-1 zone—would they need to file a petition to amend the Comprehensive Plan.

Ms. Morris responded that once the property is zoned for a commercial use, any allowed use could go into that property. She further explained that the Comprehensive Plan is the master plan of the Town; the zoning Ordinance implements that. This project is consistent with the comprehensive plan, which is the only standard that must be met.

Mr. Sherkarchi added that in the future, if the property was sold and the new use was not in conformity with the Comprehensive Plan, the new owner would need to seek relief.

President Higgins asked if there were any recommendations for any conditional language from the Zoning Board that should be included in the event this is passed.

Ms. Morris responded that at the request of the applicant, the Planning Board recommended that it be conditioned that approval be subject to a minimum of 10 foot buffer area between the subject property and Plat 2, Lots 224 and 225, as well as between the subject property and Lot 27; there were no additional conditions that the Planning Board took up on their own. If this is approved by the Town Council, the project will go back to planning, the applicant would need to get all the state approvals, and once received, it would go back to the Planning Board for preliminary review, which is a more intensive review on engineering, etc.

President Higgins asked if there was anything about a buffer between Lots 28, 29 and 30, which are the parcels of the left.

Ms. Morris responded any residential lot would include a buffer; she was unclear regarding the reference to Lot 27 by the Planning Board. She noted that Lot 20 is zoned C-1, even though there is a house located there; she noted that Council could require a buffer there also.

Mr. Sherkarchi informed that they have already proposed a 10 foot buffer to all the adjacent properties. He confirmed with the engineer that the project could easily allow for a 10 foot buffer to any of the abutting residential properties.

Councilor Lambi asked whether Civic Builders would be using local contractors for this project; he had reviewed Civic Builder's tax returns and noted that in past years, they had used related companies, so that money went into their company and then back out to related companies. He asked how much of the \$15 million would stay in Rhode Island and be used for local contractors.

Mr. Umansky responded that they develop real estate the same way as other developers—they do not do any of the building themselves. For this project, they are working with H.V. Collins, of Providence, which is a local contractor. They are also using a local civil engineer and local attorneys.

A five-minute recess was taken at this time; President Higgins noted that this discussion has now lasted more than two hours.

President Higgins informed that this section would deal with comments from abutters.

Norman Desautel, Jr., stated that his concern is that with the parking once the school is built. He asked what traffic this would bring to his street, nothing that he lives at the corner of Meeting and Chase Streets.

President Higgins noted that the testimony stated that all teachers would be parking in the lot; there will not be any parking on the street.

Mr. Desautel responded that there were already traffic issues with the workers from Cadillac Mills, etc., and this would just add to the problem.

President Higgins asked about how the bus route and parents' traffic would affect Meeting Street.

Mr. Chiappetti responded that based upon their plan the question is whether it makes sense to exit down Meeting Street and out from there, or to go down Lusitana and exit that way.

President Higgins responded that he thought Lusitana would be a better exist, or backwards the other way towards Macondray because of the proximity to Mill Street.

Mr. Chiappetti also noted that they are willing to work with the neighbors to determine the best route.

Mr. Desautel was concerned that the teachers would not want to park in the satellite lot.

Mr. Chiappetti responded that he would work with the neighbors, the Council, and the Police Department to build a plan that would work, that does not affect the neighbors' standard of living in a negative way, that they will enforce their policies, and that they will work to represent the neighbors' interests to its community. They are committed to being a good neighbor, and when they hear about issues, they work to resolve them.

Mr. Desautel asked how moving the park would better the neighborhood for the children.

President Higgins noted that the park the school will be putting in will be much more suitable for small children; in his opinion, the current park is not suitable for children under the age of 12.

Mr. Desautel disagreed as he has seen younger children with their parents skateboarding, rollerblading, etc.

President Higgins responded that those parents would probably be willing to transport their children to another park that would be within walking distance.

Donald Soares, of 53 Titus Street (Plat 2, Lot 30), stated that he does not want the school in the neighborhood because it will change the neighborhood. The neighbors near the satellite parking lot do not want it there. He does not feel that the teachers will park at the satellite lot, but will rather park on the adjacent streets. He asked what would happen if the business in the mill grew—where would the teachers park then.

Mr. Chiappetta responded that they have an exclusive lease. Cadillac uses that lot, but only 4-6 spaces, though the lot can hold up to 110 spaces. Their agreement is for 60 spaces, which would give ample spaces for teachers and the buses to queue. It still allows Cadillac to expand.

Mr. Umansky added that there will be a fence dividing the area for the school workers from the mill workers.

Mr. Soares also noted that there are only two wide streets in the area, so he felt there would be congestion in the area because people park on both sides.

President Higgins asked if Mr. Soares would agree if the Council required that these items be part of the decision.

Mr. Soares was concerned about where other schools might be located in the area if the Academy continues to expand. He also stated that he felt the purchase price was much too low.

Members of the public were invited to speak at this point.

Frank Geary, of 87 Orchard Drive, Cumberland, stated that the issue is not with the building, but rather the loss of a great opportunity for the revival of Valley Falls, especially with the positive changes going on right now with the Blackstone River. He asked Civic Builders why Central Falls is looked at with disdain when talking about building a prep school; it is a regional school that would include students from that area. He had understood that Civic Builders felt that if they built it there, no one would come. He has volunteered many hours to the Town and its preservation. He also believes in the quality of education in the Town, and he considered it unfair to suggest that the Town's schools are lacking. He further stated that he is not against any school, private or public. He asked the Council to protect the Town and Currier Park not only for its recreational use but also for the Town Hall setting that will be lost. He felt this project would be a direct attack on the Town's Comprehensive Plan, which directs the Town to project and manage this 1.29 acres, which is open space and recreation on the Comprehensive Plan. He felt this plan would result in the loss of a positive impact a Blackstone Valley National Park would have on Valley Falls and the Town. The park is part of the Town Hall setting. He urged the Council to reject this project.

Representative McLaughlin stated that the information he received is that in May, 2005, there was a 25 foot cave-in in the parking lot adjacent to Currier Park. He spoke the former engineer for the Town, who informed him that there are records in Town Hall that the Department of Interior surveyed the area and determined that there is a mine shaft running 350 feet running up to the Lusitania Club. In 1834 Dexter Mining owned the shafts, and there were 3 people killed. He asked for some time before a decision was made as the Department of the Interior will be sending him detailed information on every mine shaft in the area. It will give a better picture of what is entailed here. He wanted to share this information with the Council on a safety aspect. He asked the Council to take these facts into consideration.

Christopher Horvath, whose son attends St. Patrick's, stated that he and his wife strongly supported a school being located at this location. Since he started to attend that school, his family comes to this part of Town much more to frequent the local businesses. He felt that the school would bring in families to frequent the local businesses.

Nuno Figueiredo spoke as a parent of student at BVP. He asked why there were so many objections to the safety of the location for a school, but it is fine for use as a park for children. He thought it was great that a company was willing to come in and make the land safe and put up a \$15 million building. He read a brief statement in support of this project. He noted that the property has been approved for market. This project will benefit the Town; he asked the residents to not let the potential of sitting in traffic for two or three minutes prevent the children from getting the education they need to get through life at full speed. He does want this school in his neighborhood.

Hector Perez, of 10 Abbott Street, stated that there are three buses that pick up students in front of his home; he is the parent of a BE student also. He moved to this Town because of the caliber of education his child would receive. He was very proud of the education his child is receiving. He urged the politicians to think of the Town and the children, not of their own political aspirations. He also urged the Councilors to go to the school and spend an hour there to truly understand what the school is achieving.

Mr. Chiappetta noted that there were a number of Cumberland parents ready to testify in favor of the school.

President Higgins asked them to raise their hands to show their support as the Council had other matters on the agenda also, and must end the meeting by law by 11:30 p.m.

Mayor McKee stated that there has been much inaccurate information being used. He noted that the purpose of the Mayoral Academy is to educate children and to also transform the public schools, which he felt is happening. The public schools, post-Mayoral Academy, are significantly stronger than they were previously. The parents are being

engaged more than ever before. The Industrial Revolution is a part of history that everyone should be proud of, but an Education Revolution that brings in great education into the Town will transform this community; and it is happening right now. He asked the Council to think about these issues, not politicize this, and consider the value that the schools have for the community. Cumberland has become the third fastest improving school district in Rhode Island. Seven years after people complained about forming the OCYL and providing after school programs, there is still the same rhetoric. He mentioned the upcoming editorial in the *Valley Breeze*, which states that the parents of Cumberland are not engaged; he felt that was incorrect. He would propose something in this Town that he did not firmly believe was in the best interest of the community. Building this school will support the changes going on at the Blackstone River. This matter comes down to a zoning issue. He found the discussions in past weeks to be looking for a reason to not do something to improve the Town, rather than looking for a reason to actually improve the Town. With regard to the park, he felt that exchange program will work and not cost the Town any money. The recreational facilities will be relocated, and right now they are discussing expanding the footprint behind B.F. Norton on Town-owned land. He ended by stating that the Town's public schools are significantly better by having the competition that the Mayoral Academy brought to this Town, and also by the work of the people who work at the Academy. The upsides of adding another Academy to the Town far outweigh the downsides; he asked the Council to approve this project.

James Scullin, of 85 Carlson Drive, stated that he had several issues with the project. He wondered why the Ordinance stated that the applicant would be exempt from seeking dimensional relief from the Zoning Board of Review for rear setback requirements and buffer zones. He felt this set a bad precedent. He also could not understand the liquor license issue. He did not understand how you could put a school near an establishment with a liquor license, but not the other way around. He suggested the Council get clarification on that from the state Liquor License Administrator; he reviewed the law and only establishments before 1978 were grandfathered in. It could disadvantage business owners in the area if they wanted to apply for a liquor license. He also noted that the Town pays 80 percent of the busing for that school, so it should not require any more buses.

President Higgins responded that with regard to the liquor license, he read from the law which stated that it dealt with businesses established prior to 1978, or to the transfer of a license where the location pre-dates the location of the public, private or parochial school or place of worship.

Ms. Morris responded with regard to the conditions regarding the small buffer area, the normal buffer area is 20 feet; it is a buffer area, not a setback, and it is meant to protect abutting neighbors. The applicant is proposing fencing and landscaping that will just as appropriately screen the neighboring properties. If the Council did not grant those conditions, then the applicant would go before the Zoning Board. This building clearly meets the setback requirement. This gives special consideration to a use in a commercial zone when it is located adjacent to a residential zone. The current condition is that there be 20 feet of buffering between the lot line and the end of the buffering; this project is asking for 10 feet.

Public hearing was closed at 11:05 p.m.

Councilor DaCosta stated that no one on the Council is against the school being built, or against the great education the children are receiving. He has received a number of calls on this issue, and some are pro-school and others do not agree with it. The issue here is not the school, but its location. His constituents do not like the idea of the school here; there is a petition with over 335 signatures against the project. The issue is the preservation of the Blackstone Valley area, and the plans to beautify this area. As long as his constituents are telling him they do not like the project, he will not support it.

Councilor Murray stated that he wanted it on the record that the Council agreed to market this property, it was discussed at great lengths, and there was an article in the *Valley Breeze* regarding the listing of Currier Park for \$249,000. This was placed in the budget and voted 7/0 to accept this line item.

Councilor DaCosta responded that Councilor Murray was correct that the vote was 7/0 to balance a vote to balance the budget, which was in need. He apologized to the residents of District 1 for that vote; he wished he had vote against it.

President Higgins noted that a few weeks ago he had the same concerns as some of the residents; the area is very tight when there is parking on either sides of the street, or when the club has an event. No one is objecting to those situations. It is a tough call when the Councilor in the district states that he is against the project. It comes down to a choice of what is there now, and the current traffic and parking situation, and what could be there, which he sees as additional parking in the area for the businesses on the weekends and evening. He sees the park, especially the back part on Chase Street, as a somewhat dangerous place; it is not very well lit. It is not an appropriate park for young children in its current state. The Mayor is committed to giving those facilities, including a soccer field and basketball courts, a new location within walking distance.

Councilor Lambi stated it is not about the public schools or the charter schools; it is about whether a school belongs on a park that has been there for decades. Is there a better place in Cumberland or one of the other three locations for this school? He felt it disrespectful to the residents of the area to ignore their wishes that they would prefer not to have this facility where the current park is. He is also against the project in that location.

MOTION BY COUNCILOR DWYER, SECONDED BY COUNCILOR MURRAY AND IT IS VOTED BY A ROLL CALL VOTE TO APPROVE SUBJECT TO THE ESTABLISHMENT OF ENHANCED TRAFFIC PLANS THAT MITIGATE TRAFFIC AND SAFETY CONCERNS FROM THE PROPOSED PROJECT AND THE TWO EXISTING BLACKSTONE VALLEY PREP SCHOOLS IN CUMBERLAND, WHICH INCLUDES INCREASED USE OF STUDENT BUSING, AND FORCING CARPOOLING POLICIES, STAGGERING THE ARRIVALS AND DISMISSAL POLICIES, OFF-BROAD STREET BUS QUEUING, REDUCED ON-SITE PARENT DROP-OFF AND PICK-UP BY UTILIZING BUS RIDERSHIP AND CARPOOLING, IMPROVED SIGNAGE TO CONTROL SPEEDS, PEDESTRIAN AND STREETScape IMPROVEMENTS, TRAFFIC MANAGEABLE WITHIN SET TIMEFRAMES, WITH THE UNDERSTANDING THAT SOME OF THESE ARE POLICY DECISIONS, TOGETHER WITH THE CONDITION THAT FIVE PARKING SPACES WITHIN THE SCHOOL LOT BE DESIGNATED AND CLEARLY MARKED FOR PUBLIC USAGE, AND ALSO THAT THERE BE A 10 FOOT BUFFER BETWEEN ANY OF THE ADJOINING RESIDENTIAL PROPERTIES AND THE PROJECT. VOTE 4/2.

Nay: Councilor DaCosta and Councilor Lambi.

3. #13-21 – An ordinance authorizing the sale of Cumberland Tax Assessor's Plat 2, Lot 26 (Presented by Council President Higgins on behalf of the Administration)

Public hearing was opened at 11:21 p.m. and all testimony from the previous hearing was incorporated.

There was no one wishing to speak in favor of or against this Ordinance.

Public hearing was closed at 11:22 p.m.

Solicitor Hefner proposed that certain amendments be made.

Councilor Lambi noted that a Resolution dealing with this issue was withdrawn on September 4th.

Solicitor Hefner was unsure why it was withdrawn.

President Higgins informed that it was withdrawn because the Code of Ordinance requires an Ordinance to sell property; it was a Resolution that was put before the Council.

MOTION BY COUNCILOR DWYER, SECONDED BY COUNCILOR MURRAY AND IT IS VOTED TO AMEND BY DELETING SECTION 1. VOTE 4/2.

Nay: Councilor DaCosta and Councilor Lambi

MOTION BY COUNCILOR DWYER, SECONDED BY COUNCILOR MURRAY AND IT IS VOTED TO AMEND BY RENUMBERING ALL REMAINING SECTION NUMBERS.

MOTION BY COUNCILOR DWYER, SECONDED BY COUNCILOR MURRAY AND IT IS VOTED TO AMEND SECTION 2 BY AMENDING IT TO READ "THE MAYOR OF THE TOWN OF CUMBERLAND IS AUTHORIZED TO EXECUTE A PURCHASE AND SALE AGREEMENT FOR THE SUM OF \$249,000 SUBJECT TO CERTAIN CONDITIONS; A COPY OF SAID AGREEMENT IS ATTACHED HERETO AND INCORPORATED BY REFERENCE."

Nay: Councilor DaCosta and Councilor Lambi

MOTION BY COUNCILOR DWYER, SECONDED BY COUNCILOR MURRAY AND IT IS VOTED TO APPROVE BY A ROLL CALL VOTE. VOTE 4/2. Nay Councilor DaCosta and Councilor Lambi

4. #13-23 – An ordinance amending Article 13 of the Cumberland Zoning Ordinance entitled "Signs" (Presented by Council President Higgins on behalf of the Administration)

Councilor DaCosta stated that Planning Director Morris informed that more time was needed to prepare for this Resolution, so he asked that it be tabled for two weeks.

MOTION BY COUNCILOR DACOSTA, SECONDED BY COUNCILOR KEARNS AND IT IS UNANIMOUSLY VOTED TO TABLE TO OCTOBER 2, 2013. VOTE 7/0.

5. #13-25 – An ordinance related to the Special Flood Hazard Areas and Flood Fringe Lands (Presented by the Council President of behalf of the Administration)

Public hearing was opened at 11:28 p.m.

There was no one wishing to speak in favor of or against this Ordinance.

Public hearing was closed at 11:29 p.m.

Solicitor Hefner explained that this was required to be passed by tomorrow. It takes the Ordinances that the Town has now regarding special flood hazard areas, and revises it from the March 2, 2009 data to the September 18, 2013, data. This is updated maps and data that have been prepared since 2009. Everything else stays the same.

MOTION BY COUNCILOR MURRAY, SECONDED BY COUNCILOR DWYER AND IT IS UNANIMOUSLY VOTED TO APPROVE BY A ROLL CALL VOTE. VOTE 7/0.

NEW BUSINESS

A. ORDINANCES FOR PRESENTATION AND PERMISSION TO ADVERTISE:

1. #13-26 – An ordinance in amendment of the Code of Ordinances of the Town of Cumberland, Rhode Island, as amended, amending the ordinances and map thereof with reference to Cumberland Assessor's Plat 53, Lot 334 from Residential-1 (R-1) to Commercial-1 (C-1)
2. #13-27 – An ordinance in amendment of the Code of Ordinance of the Town of Cumberland, Rhode Island, as amended, amending Appendix B entitled "Zoning" and the map thereof with reference to Cumberland Assessor's Plat 13, Lots 105 and 112 from Commercial-1 (C-1) Residential-3 (R-3)

PUBLIC COMMENTS

Representative McLaughlin stated that he would have the report from the Department of the Interior within the next week. Tonight's vote paid no attention to the safety issue, or the location of the mines. Accordingly to the survey, there are various mines located in the area.

ADJOURNMENT

MOTION BY COUNCILOR KEARNS, SECONDED BY COUNCILOR DACOSTA AND IT IS UNANIMOUSLY VOTED TO ADJOURN AT 11:30 P.M. VOTE 7/0.

Sandra M. Giovannelli, Town Clerk

THE DVD AND MINUTES OF THE ENTIRE MEETING IS AVAILABLE AT THE EDWARD J. HAYDEN LIBRARY AND ON THE TOWN'S WEBSITE www.cumberlandri.org.

ATTACHMENT NO. 5
NOTIFICATION OF RELEASE FORM



**DIVISION OF SITE REMEDIATION
HAZARDOUS MATERIAL RELEASE NOTIFICATION FORM**

THIS FORM IS NOT TO BE USED TO REPORT AN IMMINENT HAZARD

1. Notifier Information

Name: Ms. Janelle Bosek
Civic Builders
Address: 304 Hudson Street, New York, NY, 10013
Phone: 212-571-7260
Status: Owner/Operator authorized representative

2. Property Information

Name of Site: Blackstone Valley Preparatory School
Site Address: 52 Broad Street, Cumberland RI
Plat/Lot Numbers: Plat 2, Lot 26
Site Contact Person: Ms. Janelle Bosek
Site Contact Phone: 212-571-7260
Site Land Usage Type: Former open space/ recreational area. Future school site.
Location of Release: Soil in vicinity of former building foundation. A Sample Location Plan is included with the Notification of Release documents.

3. Release Information

Date of Discovery: December 28, 2013
Source: Presumed to be from the dumping of No. 2 heating oil/diesel and No. 6 fuel oil or motor oil/lubricant while residence was in use.
Release Media: Soil
Hazardous Materials and Concentrations: SVOCs (PAHs), TPH, and lead. Soil sampling results and laboratory analytical reports are included with the Notification of Release documents.

Extent of Contamination: Eight confirmatory samples identified on the Sample Location Plan

4. **Resource Information**

Site Land Usage:	<u>Commercial</u>
Adjacent Land Usage:	<u>Residential and Commercial</u>
Site Groundwater Class:	<u>GB Groundwater Classification ⁽¹⁾</u>
Adjacent Groundwater Class:	<u>GB</u>
Nearest Surface Water or Wetland:	<u>Blackstone River, 600 feet +/- to the south of the site.</u>
Potential for Adverse Impact:	<u>Not anticipated at this time.</u>

(1): Based on available RIGIS data

5. **Potentially Responsible Parties**


Name:	<u>Civic Builders</u>
Address:	<u>304 Hudson Street, New York, NY, 10013</u>
Status:	<u>Owner/Operator authorized representative</u>

6. **Measures Taken or Proposed to be Taken in Response to Release**

Contaminated soil has been excavated from the area and stockpiled on a layer of polyethylene sheeting. The soil has also been covered by a layer of polyethylene sheeting. It is proposed that the contaminated soil shall be disposed of at a disposal facility such as the Rhode Island Resource Recovery Corporation. Details are provided in the Notification of Release documents.

7. **Other Significant Remarks About Release**

1. It is not anticipated that a Background Determination will be conducted for the site.
2. The likely source of the Release was from a spill of No. 2 heating oil/diesel and No. 6 fuel oil or motor oil/lubricant while residence was in use.

Signature:  Date: 1/16/14

Title: MANAGING ENGINEER
PARE CORPORATION