

1 THE TOWN OF COVENTRY  
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4 **ORDINANCE OF THE TOWN COUNCIL**

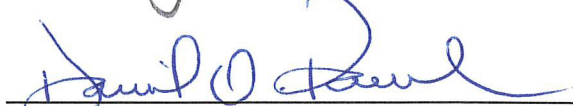
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6 IN AMENDMENT OF THE TOWN OF COVENTRY CODE OF ORNDIANCES,  
7 2008 PART II – GENERAL LEGISLATION,  
8 CHAPTER 255, ARTICLE X – Earth Removal/Sand and Gravel Extraction  
9

10 **Ordinance No. 2025-15**

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12 *Passed:* 7-0

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14   
Hillary V. Lima, *Council President*

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16 *Approved:* ✓

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18   
Daniel O. Parrillo, *Town Manager*

19  
20 *The Town Council of the Town of Coventry hereby ordains as follows:*

21  
22 **Section 1.** The Town of Coventry Code of Ordinance, Part II General Legislation is hereby  
23 amended by amending the following Chapter and Sections of Article X:

24  
25 **Article X, Chapter 255 – Zoning**

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27 **§ 255-1010. Applicability.**

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29 A. A ~~special-use permit~~ use variance is required from the Zoning Board of Review (or, in the  
30 case of Unified Development Review, the Planning Commission) for the following uses and  
31 activities (in addition to those defined in Article II of this chapter as "earth removal"),  
32 including both new and existing facilities:

- 33 (1) Mining, quarrying, and the commercial extraction of rock, sand, gravel, earth, clay, and  
34 similar materials;  
35 (2) Storage, stockpiling, distribution, and sale of rock, sand, gravel, earth, clay and other  
36 similar materials;  
37 (3) The installation and operation of plants or apparatus for rock crushing and appurtenant  
38 screening, blending, washing, loading, and conveyor facilities; and  
39 (4) Offices and any other uses necessary or incidental to mining operations on the site.

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41 B. The following uses and activities are exempt from this ~~special-use permit~~ use variance  
42 requirement:

- 43 (1) Excavation in conjunction with utility installation, which is to be backfilled;  
44

- 45 (2) Excavation in conjunction with road construction within approved residential,  
46 commercial, or industrial subdivisions;
- 47 (3) Excavation which by nature is of limited duration and area, such as for the installation of  
48 septic tanks, swimming pools, the construction of a house, etc.; and
- 49 (4) Excavation that is part of an existing and established agricultural operation or otherwise  
50 protected under the ~~R.I.G.L.~~ R.I. Gen. Laws §2-23-1 et seq., also known as the "Right to  
51 Farm" Act.

52 ~~C. A special use permit issued by the Zoning Board of Review pursuant to this article shall~~  
53 ~~remain in effect for up to two years. Said special use permit may be renewed in one year~~  
54 ~~increments for up to an additional two-year period after review of the application and the~~  
55 ~~compliance history of the applicant. The Zoning Board of Review may ask the applicant for~~  
56 ~~additional information as needed. Any application for renewal shall include site plans~~  
57 ~~showing excavation and extraction activities to date and new areas where such activities are~~  
58 ~~proposed to take place, and site restoration plans.~~

59

60 ~~(1) If an applicant wishes to renew a special use permit after the initial period of time~~  
61 ~~approved by the Zoning Board of Review has expired, then all Town ordinances in effect at~~  
62 ~~the time of the application for renewal shall be applicable.~~

63

64 ~~§ 255-1070. Duration of permits.~~

65 ~~A. All permits for new and existing earth removal operations may be effective for a~~  
66 ~~maximum of two years. Permits shall be renewed in accordance with this article.~~

67 ~~B. All permits for new and existing earth removal operations shall be subject to a review by~~  
68 ~~the Zoning Board of Review within six months from the start of activity under this~~  
69 ~~article. The purpose of this review is to ensure compliance with any terms and~~  
70 ~~conditions of the special use permit granted for approved operations and to allow for~~  
71 ~~adjustment of said conditions, based on experience with active operations.~~

72

73 § 255-1070. Earth Removal Operations

74 Authorized Under Previously Granted Special Use Permits

75 A. Effective January 1, 2024, Code § 255-600, Table 6-1 was amended to make earth  
76 removal operations a prohibited use in all zoning districts. New earth removal operations  
77 are authorized through use variances. Earth removal operations permitted prior to January  
78 1, 2024 shall be subject to applicable zoning regulations.

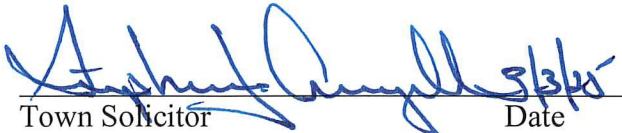
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80 B. Permits for existing earth removal operations may be effective for a maximum of two (2)  
81 years after issuance. Permits may be renewed in one (1) year increments for up to an  
82 additional two (2) year period after review of the application and the compliance history  
83 of the applicant. If an applicant seeks renewal of a special use permit after the initial  
84 period of time approved by the Zoning Board of Review has expired, then all Town  
85 ordinances in effect at the time of the application for renewal shall be applicable.  
86

88 C. Any application for renewal shall include site plans showing excavation and extraction  
89 activities to date and new areas where such activities are proposed to take place, and site  
90 restoration plans. The Zoning Board of Review may ask the applicant for additional  
91 information as needed.

92  
93 D. All permits for new and existing earth removal operations shall be subject to a review by  
94 the Zoning Board of Review (or, in the case of Unified Development Review, the  
95 Planning Commission) within six (6) months from the start of activity under this article.  
96 The purpose of this review is to ensure compliance with any terms and conditions of the  
97 special use permit or use variance granted for approved operations and to allow for  
98 adjustment of said conditions, based on experience with active operations.  
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101 **Section 2.** This ordinance shall take effect upon its passage and final adoption.  
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104 Positive Endorsement: Negative Endorsement: (Attach reasons)  
105  
106  5/3/25  
107 \_\_\_\_\_  
108 Town Solicitor Date Town Solicitor Date  
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111 Introduced by/Pursuant to: Council President Hillary V. Lima at the request of the Executive  
112

113 Referred to/for: Planning Commission on February 21, 2025  
114  
115 First Reading on MARCH 11, 2025  
116  
117 Public Hearing on MARCH 25, 2025