

From: [Tony Soares](#)
To: [Thompson, Alexis](#)
Subject: 3/10 Zoning Board Meeting Comments
Date: Tuesday, March 9, 2021 11:33:19 AM
Attachments: [SKM-C454e21030313090.pdf](#)

Hello Alexis Thompson,

Please submit this email and the attached pdf to the documents concerning Mr. Scott Aceto (Applicant/owner) of 8 Gotham Court and 283 Carpenter St. for review by the Zoning Board meeting on the 10th of March 2021.

I have major concerns about the lack of integrity from this property investor. I've had several problems with this absentee landlord's tenants and construction crews.

Mr. Aceto rented his second floor unit to a drug dealer. The tenant brought unwanted traffic to the dead end street of Gotham court and a slew of violence. The police were called to 283 Carpenter St. several times for Domestic issues and fireworks violations and by the end of the summer the fire department was called for a fire on Gotham Ct.. Me and my neighbors who are mostly owner occupied tried to reach out to Mr. Aceto but he never responded back. It wasn't till after a shooting on Carpenter Street that left a gun man shot in the face and running through my backyard leaving a trail of blood around my house that he contacted a neighbor.

This summer I noticed a strange smell along my fence. After inspecting the fence I realize that oil had been dumped on the other side of the fence and it ran down into my yard. There was so much oil that the fence soaked up oil forming a 4 foot high oil line. I immediately contacted the authorities. Upon their inspection Mr. Aceto- was given a violation.

I feel that Mr. Aceto - does not care about the families or neighbors in this neighborhood. I urge that the zoning board to deny this variance. Mr. Aceto still has an open violation on said 8 Gotham Ct. with RI DEM.

Best Regards,
Antonio Soares Jr.

10 Grant St., and 4 Gotham Ct.
Providence, RI 02909
401-569-6213



STATE OF RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
BUREAU OF ENVIRONMENTAL PROTECTION
OFFICE OF COMPLIANCE AND INSPECTION
235 Promenade Street, Suite 220
Providence, RI 02908-5767

CERTIFIED MAIL

January 20, 2021

Scott H. Aceto
283 Carpenter St.
Providence, RI 02909

RE: *Notice of Intent to Enforce* for Scott H. Aceto
OC&I File No. OCI-HW-20-55

Dear Sir:

Enclosed please find a *Notice of Intent to Enforce* ("NIE") issued to you concerning an alleged failure to comply with the Rhode Island Department of Environmental Management's *Rhode Island Oil Pollution Control Regulations*.

A written response is required within fifteen (15) days, stating your intentions of complying with the required actions in the time frame indicated. If the Respondent promptly and satisfactorily complies with the requirements of this NIE, DEM may decide to not assess an administrative penalty. Failure to comply with the requirements of this NIE will result in the issuance of additional enforcement action by this Office, which would include the assessment of administrative monetary penalties.

If there are any questions or concerns, you may contact Sean Carney via telephone at (401) 222-1360, Ext's 7411 or me at 7407 or via electronic mail at sean.carney@dem.ri.gov or tracey.tyrrell@dem.ri.gov. **PLEASE NOTE:** Communication in any form other than writing shall not be deemed a satisfactory response to this NIE.

Sincerely,

Tracey D'Amadio Tyrrell, Supervising Environmental Scientist
DEM - Office of Compliance and Inspection

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

OFFICE OF COMPLIANCE & INSPECTION

IN RE: Scott Aceto

CASE NO.: OCI-HW-20-55

NOTICE OF INTENT TO ENFORCE

A. Introduction

Pursuant to *Sections 42-17.1-2(21) and 42-17.6-3 of the Rhode Island General Laws ("R.I.G.L.")*, as amended, you are hereby notified that the Director of the Department of Environmental Management (the "Director" of "DEM") has reasonable grounds to believe that the above-named party ("Respondent") has violated certain statutes and/or administrative regulations under DEM's jurisdiction.

B. Facts

- (1) The property is located at 8 Gotham Court, Assessor's Plat 32, Lot 385, in the City of Providence, Rhode Island (the "Property").
- (2) Respondent is the owner of the Property.
- (3) On October 6, 2020 DEM received a complaint from Tony Soares alleging the potential release of fuel oil on the Property from an aboveground storage.
- (4) On October 7, 2020, DEM inspected the Property as part of an investigation of the complaint received by the DEM. The inspection revealed the following:
 - (1) The DEM inspector identified a petroleum fuel odor emitting from the soil surface located behind a shed on the North side of the Property.
 - (2) The DEM inspector observed an area of discolored soil approximately 7 feet by 4 feet located behind a shed on the North side of the Property.
 - (3) The fuel oil release that occurred behind the shed on the North side of the Property had travelled under a fence on the property line and impacted the soil on the adjacent property of 10 Grant Street, Providence, Rhode Island.
 - (4) There was no evidence indicating that the Respondent took action to contain the release and clean up the oil and impacted soils.

- (5) Part 2.12B of Title 250 of the Rhode Island Code of Regulations, Chapter 140, Subchapter 25, Part 2 (the "Oil Pollution Control Regulations"), requires the owner of a property on which a release of oil has occurred to take immediate actions to stop and contain the release and to remove the oil and associated waste material.

C. Potential Violations

Based on the foregoing facts, the Director has reasonable grounds to believe that you have violated the following regulation:

- (1) **DEM's Oil Pollution Control Regulation 2.12(A)(2)** – requiring any person that has caused a release of oil to take immediate steps to stop the discharge of oil, to clean up all spilled oil and oil impacted soil, and to properly manage and dispose of the oil contaminated soil.

D. Required Actions

- (1) **Within thirty (30) days** of receipt of this Letter, clean up all oil that was spilled on the ground and all soil that was impacted by the release including those areas on the abutting property of 10 Grant St., Providence and ship the oil and impacted soils to a properly licensed disposal facility in accordance with the requirements of Section 13 of the DEM's Oil Pollution Control Regulations. **Within 10 days** of the shipment, submit a copy of a bill of lading or receipt to the DEM's Office of Compliance and Inspection ("OC&I") to document the proper disposal of this material.
- (2) **Upon completion of the work in Section D (1) above**, collect a representative soil sample from the excavated area and have the sample analyzed to determine the concentration of total petroleum hydrocarbon ("TPH") which remains in the soil. **Within 10 days of receipt of the analytical test results**, submit a copy to the OC&I.

D. Potential Assessment of Penalty:

This document constitutes a notice of intent to assess an administrative penalty pursuant to *R.I.G.L. Chapter 42-17.6*. If Respondents promptly and satisfactorily comply with the requirements of this NIE, DEM may decide to not assess an administrative penalty. Respondents continued non-compliance will likely result in the filing of a complaint in Superior Court in Providence County seeking enforcement and assessing civil penalties up to \$25,000 per day per violation for each day you fail to comply.

If you have any questions concerning this NIE, please contact Tracey D'Amadio Tyrrell, Supervising Environmental Scientist with the Office of Compliance and Inspection at (401) 222-1360, Ext. 7407.

FOR THE DIRECTOR

Tracey Tyrrell

Digitally signed by Tracey Tyrrell
Date: 2021.01.20 11:34:33 -05'00'

Tracey D'Amadio Tyrrell

DEM - Office of Compliance & Inspection

Date: _____

**RI DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF COMPLIANCE & INSPECTION**

FOCUSED COMPLIANCE INSPECTION REPORT

Enforcement Information

Property Owner/

Responsible Party: Aceto, Scott

Case Number: OCI-HW-20-55

EPA Id Number: n/a

Begin Time: 1040

Inspection Date: 10/7/20

Inspector: Tim O'Keefe

End Time: 1105

Site Detail

Street Address: 8 Gotham Court

City/Town: Providence

Contact Name: Scott Aceto

Phone Number: n/a

EPA ID #: n/a

State/Zip: RI/02909

Job Title: Owner

Cell Phone: n/a

Observations/Findings:

I arrived at 10 Grant Street, Providence at the above referenced date and time to investigate a complaint received by the Department. The owner of the 10 Grant Street property was concerned about the impact of fuel oil which apparently was dumped from a fuel tank on 8 Gotham Ct and travelled under the fence onto his property. The complaint reads as follows "The caller reported that the property at 283 Carpenter is under renovation and that someone removed an AST from the basement and dumped the heating oil on the ground surface adjacent to his fence. The oil has traveled under the fence and impacted the soil surface near his garage at the 10 Grant St property. The caller is concerned about impacts to the soil and reported that he noticed strong odors at first about one week ago. He stated that the tank was removed approximately one month ago."

I exited my vehicle and met with the property owner of 10 Grant Street, Mr. Tony Soares. I was taken behind the garage buildings on the South side of his property to the fence line to observe the impacted area. In this area I observed soil and fence staining in an area of about 4 feet x 2 feet (see attachment). I could smell a mild diesel odor and it appeared that the release had occurred on the other side of the fence based on the slope. I walked around the block to the end of Gotham Court and could view the fence line from the street. I walked onto the property of 8 Gotham Court to the location of the alleged spill, which was behind a shed on the North side of the property. In this area I observed oil staining along the fence and discolored soil. I could smell an obvious odor of fuel oil closer to the soil surface. The area impacted was about 7 feet x 4 feet. According to the tax assessor database, 8 Gotham Ct is vacant land and is owned by Scott H Aceto. I exited the property at the time indicated. Based on my observations, I would assess the complaint as founded. There was soil staining, fence staining and a mild odor of fuel oil on both sides of the fence.

Inspector Signature:



Date:

10/13/20

ATTACHMENT #1: INSPECTION PHOTOGRAPHS

Digital Photographs

File Name: Aceto, Scott
Case Number: OCI-HW-20-55
Facility Address: 8 Gotham Court, Providence, RI 02909

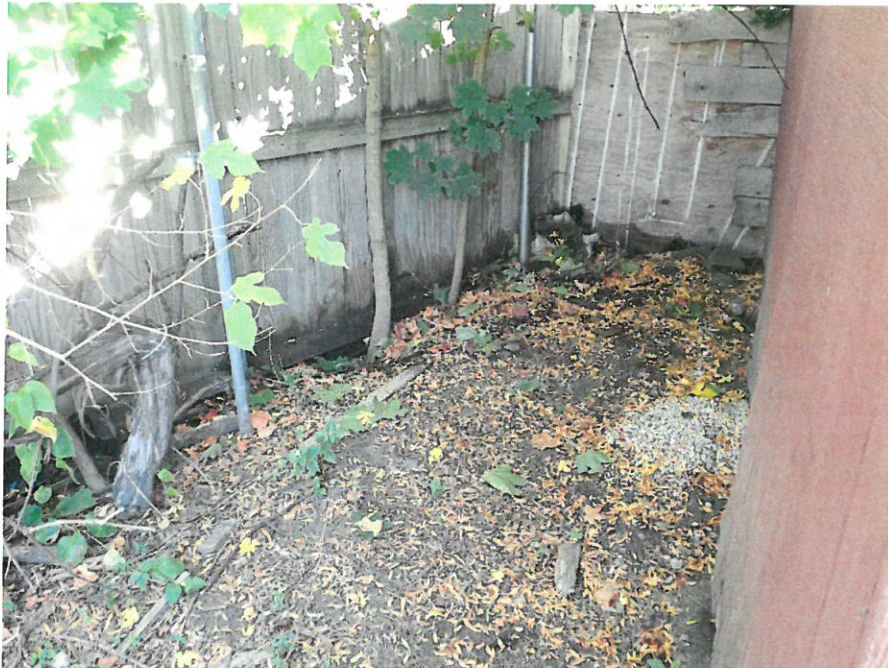
Photo Date: 10/7/2020
Inspector: Tim O'Keefe
EPA ID No. n/a

Photo #1



Description: Photo depicts impacted area along fence line on South side of 10 Grant St., Providence.

Photo #2



Description: Photo depicts impacted area along fence line on North side of 8 Gotham Court, Providence.

Digital Photographs

File Name: Aceto, Scott
Case Number: OCI-HW-20-55
Facility Address: 8 Gotham Court, Providence, RI 02909

Photo Date: 10/7/2020
Inspector: Tim O'Keefe
EPA ID No. n/a

Photo #3



Description: Photo depicts impacted area along fence line on North side of 8 Gotham Court, Providence. Note stained fence line and discolored soil.



RI DEM - Office of Compliance and Inspection
Complaint Form



Complaint ID: 11003

Time Received: 11:15AM

Date Received: 10/06/2020

Program: OCI-HW

Case: OCI-HW-20-55

Received By: SEANCARNEY

Complainant Info:

Name: TONY SOARES
Title/Org:
Address: 10 CARPENTER ST
City/St: PROVIDENCE,
Email:
Phone: 401-569-6213
Notify: N
Repeat: N

Facility Info:

Fac/Site: SCOTT ACETO
Street: 283 CARPENTER ST.
Street2:
City: PROVIDENCE
Plat: Lot:
Pole #:
Contractor:

Alias/Log
Number:

UST
Number:

Foxpro
Permit #:

Nature of Complaint:

The caller reported that the property at 283 Carpenter is under renovation and that someone removed an AST from the basement and dumped the heating oil on the ground surface adjacent to his fence. The oil has traveled under the fence and impacted the soil surface near his garage at the 10 Carpenter St property. The caller is concerned about impacts to the soil and reported that he noticed strong odors at first about one week ago. He stated that the tank was removed approximately one month ago.

Directions:

Please contact the complainant and arrange a site meeting to gain access to the area in question.



PLAT- 32 LOT- 385

Address: 8 Gotham Ct
Owner: Aceto Scott H

[Link to Property Card](#)

[Zoom to](#)

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Permitted Hazardous Waste Transporters in RI

As of: Monday, July 23, 2018

<i>Company</i>	<i>RIDEM Permit #</i>	<i>Phone Numbe</i>	<i>Address</i>
<i>ABINGTON RELDAN METALS</i>	945	267 316-2000	550 OLD BORDENTOWN RD, FAIRLESS HILLS, PA, 19030
<i>ADVANCED CHEMICAL CO</i>	524	(401) 785-3434	105 BELLOWS ST, WARWICK, RI, 02888
<i>ADVANCED POLLUTION CONTROL</i>	755	508-697-4199	120 HIGH STREET, BRIDGEWATER, MA, 02324
<i>ALL & INCLUSIVE. ENV.INC.</i>	914	(617) 828-1407	P.O. BOX 161, KENNEBUNK, ME, 04043
<i>ALLSTATE POWER VAC</i>	689	732 375 9988	1500 RAHWAY AVENUE, AVENEL, NJ, 07001
<i>AMERICAN TRANSPORTATION SOLUTIONS</i>	936	724 933 4100	310 SEVEN FIELDS BOULEVARD SUITE 210, SEVEN FIELDS, PA, 16046
<i>APPROVED STORAGE & HAULING NE, INC</i>	927	914 664-4791	110 EDISON AVE, MT VERNON, NY, 10550
<i>B & D ASSOCIATES INC</i>	855	603-224-1157	12 CHENELL DRIVE, CONCORD, NH, 03301
<i>BIONOMICS, INC.</i>	956	865 220-8501	P.O. BOX 817, KINGSTON, TN, 37763
<i>BOSTON GREEN FUEL CO, INC</i>	921	888 338-2657	102 CHARLES ELDRIDGE DR, LAKEVILLE, MA, 02347
<i>CARBON EXPRESS</i>	944	(973) 328-0050	PO BOX 403, WHARTON, NJ, 07885
<i>CISCO, LLC</i>	962	203 752-2558	525 ELLA GRASSO BLVD, NEW HAVEN, CT, 06519
<i>CLEAN HARBORS</i>	387	(781) 792-5764	PO BOX 9149, NORWELL, MA, 02061
<i>CLEAN VENTURE</i>	740	(732) 375-9988	1500 RAHWAY AVENUE, AVENEL, NJ, 07001
<i>COMPLETE RECYCLING SOLUTION</i>	852	508 402-7700	1075 AIRPORT ROAD, FALL RIVER, MA, 02720
<i>CRI TRANSPORT, LLC</i>	935	603 429-9966	12A STAR DRIVE, MERRIMACK, NH, 03054
<i>CTR INDUSTRIES, INC</i>	880	203 384-6020	118 BURR COURT, BRIDGEPORT, CT, 06605
<i>CYN OIL CORP</i>	315	781 341-1777	PO BOX 119, STOUGHTON, MA, 02072
<i>EARTH TECHNOLOGY II LLC</i>	839	203 467 3360	PO BOX 338, NORTH HAVEN, CT, 06473
<i>EMERALD TRANSFORMER</i>	957	850 892-2711	P.O. BOX 507, DEFUNIAK SPRINGS, FL, 32435
<i>ENV PROD & SVS OF VT</i>	821	315 451 6666	532 STATE FAIR BOULEVARD, SYRACUSE, NY, 13204
<i>ENVIRITE OF PENNSYLVANIA</i>	774	717 849-2114	730 VOGELSONG ROAD, YORK, PA, 17404
<i>ENVIRONMENTAL MAINT. SVCS</i>	785	203 758-5550	10 GRAMAR AVE, PROSPECT, CT, 06712
<i>ENVIRONMENTAL SERVICES, INC</i>	792	1-800-486-77	90 BROOKFIELD ST, SOUTH WINDSOR, CT, 06074
<i>ENVIRONMENTAL TRANSPORT GROUP</i>	424	973 347-8200	PO BOX 296, FLANDERS, NJ, 07836
<i>EQ NORTHEAST, INC</i>	312	508-803-1237	185 INDUSTRIAL RD, WRENTHAM, MA, 02093
<i>FRANK CORP</i>	647	508 995-9997	615 TARKILN HILL ROAD, NEW BEDFORD, MA, 02745

<i>Company</i>	<i>RIDEM Permit #</i>	<i>Phone Numbe</i>	<i>Address</i>
<i>FRANKS VACUUM TRUCK SERV</i>	592	716 284-2132	1717 NEW ROAD, NIAGARA FALLS, NY, 14304
<i>FREEHOLD CARTAGE</i>	535	732 462-1001	PO BOX 5010, FREEHOLD, NJ, 07728
<i>GANNON & SCOTT INC</i>	426	401 463-5550	33 KENNEY DRIVE, CRANSTON, RI, 02920
<i>GEIB REFINING CORP</i>	438	401 738-8560	399 KILVERT ST, WARWICK, RI, 02886
<i>GLINES & RHODES INC</i>	385	508 226-2000	PO BOX 2285, ATTLEBORO, MA, 02703
<i>GLOBAL REMEDIATION SVS</i>	838	508 828-1005	700 RICHMOND ST., TAUNTON, MA, 02718
<i>GOULET TRUCKING INC</i>	874	413-350-5002	20 INDUSTRIAL DRIVE WEST, SOUTH DEERFIELD, MA, 01373
<i>GRAF BROTHERS LEASING, INC</i>	943	978 270-1495	166 LAFAYETTE ROAD, SALISBURY, MA, 01952
<i>HAZMAT ENV GROUP INC</i>	512	716 827-7200	60 COMMERCE DRIVE, BUFFALO, NY, 14218
<i>HERITAGE-CRYSTAL CLEAN LLC</i>	863	847 783-5927	2175 POINT BLVD STE 375, ELGIN, IL, 60123
<i>HORWITH TRUCKS INC</i>	599	610 261-2220	PO BOX 7, NORTHAMPTON, PA, 18067
<i>IWT TRANSPORT</i>	930	201 644-0485	306 RAMAPO VALLEY ROAD SUITE 2, OAKLAND, NJ, 07436
<i>J.R. VINAGRO CORPORATION</i>	947	401-943-7100	2208 PLAINFIELD PIKE, JOHNSTON, RI, 02919
<i>KROPP ENV CONTRACTORS</i>	804	860 642-9952	32 EXETER ROAD, LEBANON, CT, 06249
<i>LACY'S EXPRESS, INC</i>	759	(856) 299-2569	26 EAST MILL ST, PEDRICKTOWN, NJ, 08067
<i>LIGHTHOUSE ENV. SOLU. LLC</i>	868	(781) 245-6079	PO BOX 352, READING, MA, 01867
<i>MAINE LABPACK, INC</i>	918	(207) 767-1933	15 HOLLY STREET, SUITE 201, SCARBOROUGH, ME, 04074
<i>MAUMEE EXPRESS INC</i>	702	267 590-0043	PO BOX 278, SOMERVILLE, NJ, 08876
<i>MCVAC ENVIRONMENTAL</i>	678	203 498-1427	481 GRAND AVENUE, NEW HAVEN, CT, 06513
<i>MILLER ENV GROUP INC</i>	885	631 405 8111	538 EDWARDS AVE, CALVERTON, NY, 11933
<i>MORAN ENV RECOVERY, LLC</i>	619	781 815-1113	75D YORK AVE, RANDOLPH, MA, 02368
<i>N & D TRANSPORTATION</i>	872	(401) 762-3337	100 INDUSTRIAL DRIVE, NORTH SMITHFIELD, RI, 02896
<i>NEW ENGLAND DISPOSAL TECH</i>	781	508 234-4440	83 GILMORE DRIVE, SUTTON, MA, 01590
<i>NEWTON B. WASHBURN, LLC NBW</i>	877	401 647-9606	759 EAST ROAD, NORTH SCITUATE, RI, 02857
<i>NEXEO SOLUTIONS, LLC</i>	631	936-632-1925	415 S FIRST ST SUITE 200, LUFKIN, TX, 75901
<i>NLR, INC</i>	771	877 822 4733	PO BOX 680, EAST WINDSOR, CT, 06088
<i>NRC EAST ENVIRONMENTAL SERVICES, INC</i>	507	(978) 225-1130	114 BRIDGE ROAD, SALISBURY, MA, 01952
<i>OIL ENERGY RECOVERY INC</i>	710	978 897-6040	PO BOX 492, STOW, MA, 01775
<i>OIL RECOVERY CORP</i>	499	(413) 737-2949	PO BOX 1065, W SPRINGFIELD, MA, 01090
<i>P.A.L. ENVIRONMENTAL SERVICES</i>	496	718-349-0900	11-02 QUEENS PLAZA SOUTH, LONG ISLAND CITY, NY, 11101
<i>PAGE ETC INC</i>	688	315 834-6681	PO BOX 1290, WEEDSPORT, NY, 13166

<i>Company</i>	<i>RIDEM Permit #</i>	<i>Phone Numbe</i>	<i>Address</i>
<i>RANGER, INC</i>	889	(508) 826-4413	PO BOX 432, SUTTON, MA, 01590
<i>RED TECHNOLOGIES, LLC</i>	890	860 894-4606	10 NORTHWOOD DRIVE, BLOOMFIELD, CT, 06002
<i>REPUBLIC ENV SYSTEMS</i>	571	800 558-5011	P.O. BOX 368, NEENAH, WI, 54957
<i>ROBBIE D WOOD INC</i>	878	205 744-8440	1051 OLD WARRIOR RIVER ROAD, HUEYTOWN, AL, 35023
<i>ROSS TRANS SERVICES</i>	913	440 748-5900	36790 GILES ROAD, GRAFTON, OH, 44044
<i>SAFETY-KLEEN SYSTEMS, INC</i>	484	781-792-5764	PO BOX 9149, NORWELL, MA, 02061
<i>SAYBROOKE MANAGEMENT, LLC</i>	934	781 341-1998	PO BOX 5, SHARON, MA, 02067
<i>SERVICE STATION ENV, INC</i>	923	860 848-2278	20 MURPHY ROAD, NORTH FRANKLIN, CT, 06254
<i>SJ TRANSPORTATION CO., INC</i>	377	856 769-2741	PO BOX 169, WOODSTOWN, NJ, 08098
<i>STERICYCLE INC</i>	742	401 430-5397	369 PARK EAST DRIVE, WOONSOCKET, RI, 02895
<i>STRATEGIC ENVIRONMENTAL SERVICES, INC</i>	949	508 757-7782	362 PUTNAM HILL ROAD, SUTTON, MA, 01590
<i>SUNPRO LOGISTICS</i>	959	330 361-7738	7640 WHIPPLE AVE NW, NORTH CANTON, OH, 44720
<i>SUTTLES TRUCK LEASING</i>	899	334 289 0670	2460 HIGHWAY 43 SOUTH, DEMOPOLIS, AL, 36732
<i>TCI OF NY, LLC</i>	692	518 756-9997	99 COEYMANS INDUSTRIAL PARK LANE, COEYMANS, NY, 12045
<i>TRADEBE TRANSPORTATION, LLC</i>	590	203 537-2503	234 HOBART STREET, MERIDEN, CT, 06450
<i>TRANSPORT ROLLEX LTEE</i>	766	450-652-4282	910 BOUL LIONEL BOULET, VARENNES, QU, J3X1P7
<i>TRIDENT ENVIRONMENTAL GROUP, LLC</i>	954	508-229-3545	15 SHIRE DRIVE, NORFOLK, MA, 02056
<i>TRIUMVIRATE ENV</i>	652	617 715-8943	200 INNER BELT ROAD, SOMERVILLE, MA, 02143
<i>TRUE BLUE ENV SVS LLC</i>	881	(203) 269-3355	5 NORTHFIELD ROAD, WALLINGFORD, CT, 06492
<i>UNIVAR USA INC</i>	609	336 289 8094	20 COLONIAL ROAD, SALEM, MA, 01970
<i>US BULK TRANSPORT INC</i>	750	(814) 824-9949	205 PENNBRIAR DR, ERIE, PA, 16509
<i>US ENVIRONMENTAL INC</i>	895	(610) 518-58	409 BOOT ROAD, DOWINGTOWN, PA, 19335
<i>VEOLIA ES TECH SOL LLC.</i>	748	973 691-7321	1 EDEN LANE, FLANDERS, NJ, 07836
<i>WEAVERTOWN TRANS LEASING</i>	588	724 746-4850	2 DORRINGTON ROAD, CARNEGIE, PA, 15106
<i>WESTERN OIL INC</i>	326	401 727-8600	PO BOX 518, LINCOLN, RI, 02865