

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF BUSINESS REGULATION  
1511 PONTIAC AVENUE  
CRANSTON, RI 02920**

<b>IN THE MATTER OF:</b>	:	
	:	
<b>RUSSELL LEO CHATTELLE, D/B/A RC REPAIR</b>	:	<b>DBR No.: 09-L-0129</b>
	:	
<b>RESPONDENTS</b>	:	

**CONSENT ORDER**


The Department of Business Regulation (“DBR”/”Department”) and Russell Leo Chattelle, d/b/a RC Repair (“Respondent”) hereby agree that:

1. The Respondent is the owner of real estate located at 625 Hammet Road, Coventry, Rhode Island (the “Property”).
2. On July 13, 1995, the Department received a New Application (the “Application”) from the Respondent for Auto Wrecking and Salvage Yard License on the Property. Upon receipt of the Application, the Department contacted the Respondent to inform him that the Application could not be approved until proof of licensure and/or zoning approval was received from the Town of Coventry.
3. The Department issued an Order To Cease And Desist on December 22, 1997 because the Town of Coventry would not issue a local license.
4. The Respondent’s motion for stay pending appeal was granted by the Rhode Island Superior Court on January 23, 1998.

5. The Department issued an Order To Show Cause Why Order to Cease and Desist Should Not Issue, Notice of Hearing And Appointment Of Hearing Officer on June 11, 2009.
6. On May 17, 2006, the Town of Coventry sent the Respondent a letter informing him that his auto salvage yard business would be treated as “Grandfathered” as long as it was taxed accordingly.
7. Respondent acknowledges that he needs a license to operate the Property, may have violated R.I. Gen. Laws Section 42-14.2-1 *et seq.*, and is willing to pay penalties to the Town of Coventry and the Department.
8. Respondent hereby agrees to do the following in order to obtain a license:
  - A. Obtain a Town license from the Town of Coventry (see Stipulation entered between Town of Coventry and Respondent);
  - B. Act in compliance with R.I. Gen Laws Section 42-14.2-1 *et seq.*
  - C. Pay an Administrative Penalty of two hundred and fifty dollars (\$250) to the Department upon signing this Consent Order.
9. If Respondent fails to abide by any of the requirements of this Consent Order, the Department will initiate further administrative proceedings to impose penalties against Respondent. Respondent shall be provided with notice and opportunity for hearing should the Department decide to take such further action.

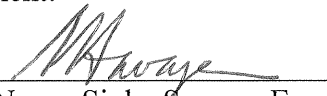
CONSENTED TO AS TO FORM AND SUBSTANCE BY:

Respondent:

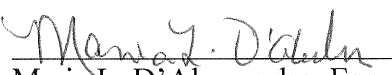
By:   
Timothy Dodd, Esq. #3150  
Counsel for Respondent

Date: 8/31/11

Department:


By:   
Neena Sinha Savage, Esq.  
Chief of Legal Services  
Department of Business Regulation

Date: 9/2/11

By:   
Maria L. D'Alessandro, Esq.  
Deputy Director  
Commercial Licensing Division

Date: 9/2/11

Recommended by:

  
Catherine R. Warren  
Hearing Officer

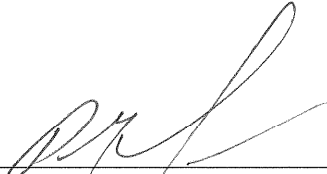
Date: 9/7/11

**ORDER**

I hereby  approve \_\_\_\_\_ reject the Consent Order as agreed to by and between the parties in the above entitled matter.

Order Number: 11-069

Entered: 8 Sept, 2011

  
\_\_\_\_\_  
Paul McGreevy  
Director of Business Regulation

**THIS CONSENT ORDER CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO RHODE ISLAND GENERAL LAWS TITLE 42, CHAPTER 35. AS SUCH, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MAY BE COMPLETED BY FILING A PETITION FOR REVIEW OF SAID COURT. HOWEVER, RESPONDENT UNDERSTANDS THAT BY WAIVING ITS RIGHT TO A COMPLETE HEARING AND AGREEING TO THIS CONSENT ORDER, THE ABOVE RIGHTS ARE WAIVED AND IF ANY TERMS OF THIS CONSENT ORDER ARE VIOLATED, RESPONDENT'S LICENSE SHALL BE SUBJECT TO SUSPENSION OR REVOCATION.**

Frederick G. Tobin, Esquire  
Town Solicitor



**TOWN OF COVENTRY**  
**TOWN SOLICITOR**  
300 Centerville Road, Suite 100E  
Warwick, RI 02886  
(401)739-2020 Fax (401)734-9889  
fgt@fgtesq.com

July 7, 2011

Timothy J. Dodd, Esquire  
215 Broadway  
Providence, Rhode Island 02903

Re: Russell Chatelle

Dear Tim:

Enclosed is the executed Stipulation in the above matter. Please hold the same in escrow until you have forwarded to me one half (1/2) of the settlement amount. This matter will not be considered as settled until such time as that amount is received. Please make the check payable to the Town of Coventry.

Please forward to me with the check a copy of dismissal stipulations for Superior Court and Rhode Island Department of Business Regulation.

Thank you for your cooperation in bringing this matter to a conclusion.

Very truly yours,

Frederick G. Tobin

FGT/dag  
Enclosure(s)  
cc: Neena Savage ✓

**Business Regulation  
Legal Section**

**JUL - 8 2011**

**Received**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF BUSINESS REGULATIONS

IN RE: RUSSELL CHATELLE

DBR 09-L-0129

STIPULATION

The Town of Coventry (hereinafter referred to as "Coventry") and the property owner Russell Chatelle (hereinafter referred to as "Chatelle") hereby agree as follows:

WHEREAS, there has been an ongoing dispute between the Town of Coventry and Russell Chatelle, the owner of property located on Hammet Road in the Town of Coventry; and

WHEREAS, Chatelle has been operating an automobile junk yard at a location on Hammet Road in Coventry, Rhode Island for approximately thirty (30) years; and

WHEREAS, Chatelle has not obtained any license from the State of Rhode Island nor the Town of Coventry for the operation of the business at said site; and

WHEREAS, there has been a dispute over the location of the business at said site and the number of vehicles permitted thereon; and

WHEREAS, the parties desire to settle all of the issues in connection with the operation of the automobile junk yard business;

THEREFORE, be it resolved that the parties agree as follows:

1. That Coventry recognizes the non-conforming use of Chatelle's business located at 625 Hammett Road, Coventry, Rhode Island. Said use is to be contained within staked areas agreed to and established by the parties prior

hereto and more particularly described as follows: (See aerial map attached hereto and made a part hereof)

2. Storage of any vehicles shall not be permitted any closer than one hundred ninety (190) feet from Hammet Road, and further as indicated by stakes agreed to by the parties.
3. Inspections of the business by Coventry and/or the State of Rhode Island shall be permitted with twenty-four (24) hour notice provided prior thereto.
4. Total vehicle numbers permitted within the agreed upon boundaries shall not exceed three hundred (300).
5. Chatelle shall plant tree buffers (minimum planting-four (4) foot arborvitaes) to screen his property from neighboring properties. The location and number to be determined by Coventry. In the alternative, Chatelle can choose to erect a stockade fence in the area designated by Coventry for screening.
6. Chatelle shall obtain from Coventry and the State of Rhode Island licenses to operate an automobile junk yard and shall obtain future licenses for the said operation.
7. Chatelle shall pay to Coventry the sum of ONE THOUSAND AND 00/100 (\$1,000.00) DOLLARS for licenses due through the date of this Stipulation, covering licenses dating back ten (10) years. Any other license fees are hereby waived by Coventry for licenses prior to the last ten (10) years. Payment of the ONE THOUSAND AND 00/100 (\$1,000.00) DOLLARS shall be as follows:

hereto and more particularly described as follows: (See aerial map attached hereto and made a part hereof)

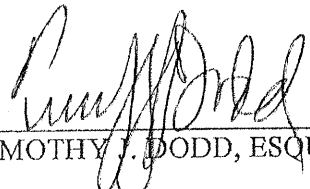
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a) FIVE HUNDRED AND 00/100 (\$500.00) DOLLARS upon execution of this agreement. FIVE HUNDRED AND 0/100 (\$500.00) DOLLARS prior to January 1, 2012. Failure to pay the full ONE THOUSAND AND 00/100 (\$1,000.00) DOLLARS by said date shall result in the revocation of Chatelle's right to operate an automobile junk yard at the Hammet Street address set forth above.

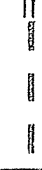
8. Coventry and Chatelle shall dismiss any pending actions before the Superior Court and the Department of Business Regulation.

Town of Coventry  
By:

  
\_\_\_\_\_  
TIMOTHY J. DODD, ESQUIRE

  
\_\_\_\_\_  
TOWN SOLICITOR

 = Area where junk auto's can be stored

 = Line of trees to be planted or fence to be installed.

