

REGULAR MEETING NORTH SMITHFIELD TOWN COUNCIL

AUGUST 20, 2012

KENDALL-DEAN SCHOOL AUDITORIUM

7:00 P.M.

OPEN FORUM

Tax Structure

Mr. George Hemond of 18 Eaton Street suggested that the town's overall tax strategy needs a thorough review. If the objective is to be business friendly, then an exemption would most benefit the small businesses in town and they are the backbone of this community. The town needs to rethink and rebuild tax structures to more closely align with the town's objectives. Mr. Hemond noted that the state reduced aid to cities and towns by the amount of the motor vehicle exemption in order to balance its budget. Senior citizens have an increased tax burden for their motor vehicles because of the reduction in the motor vehicle exemption.

Narragansett Improvement

Mr. Ernest Alter of 600 Victory Highway urged the Council to consider all things, i.e. the 2001 Vision Study, the Planning Board's duties and zoning regulations in regards to the Narragansett Improvement lawsuit.

School Department Contract Negotiations

Mr. Alter encouraged the school department to press for major reforms in health care and pension benefits.

Verizon

Mr. Zwolenski commented that Verizon has been in his neighborhood installing cable systems. A lot of lawns have been ripped up and they have put down some seed. He has been reassured that they will return in the spring to reseed if the grass does not grow but he wants to be sure that does happen.

DISCLAIMER

Mrs. Charest read the following: “It is the board’s understanding that this meeting is being videotaped for future broadcast on cable television. Please be advised that this taping is being done by private citizens. It is not being done on behalf of the Town of North Smithfield, nor is the Town of North Smithfield in any way sponsoring or affiliated with it. It is not a public record. The Town of North Smithfield especially disclaims any liability for the contents or the accuracy thereof. Any video tape of this meeting or any other use of said video tape or other recording and the contents thereof are solely the responsibility of the parties doing this videotaping.

REGULAR MEETING

The meeting began at 7:02 P.M. with the prayer and the pledge to the flag. Council members present were Ms. Alves, Mr. McGee, Mr. Yazbak, Mr. Zwolenski and Mrs. Charest. Town Administrator Hamilton and Town Solicitor Nadeau were also in attendance.

PUBLIC HEARING RE: PROPOSED HIGHWAY BUSINESS ZONE CHANGES

Town Planner Robert Ericson explained that the Comprehensive Plan listed a number of areas recommended for rezoning. The Planning Board is proposing three of the recommended changes, mostly from Neighborhood Business (BN) to Highway Business (BH). They are similar zones in terms of uses, but BN is limited to serving neighborhood needs.

Quaker Highway area: The Planning Board added two lots contiguous to lots proposed in the Comprehensive Plan. One is a strip owned by the Town. The other is a lot that Flagg RV needs rezoned for development when its lease across the street expires in October.

Victory Highway area: The proposed zoning line behind Brigido's Market follows a line of forestation, which is almost never a good practice. The attached map shows a wetland greater than three acres, which means the RI Department of Environmental Management requires an additional 50' buffer. The zoning line can go almost anywhere, including continuation of the lot line to the west. That would provide a perceived buffer to residential zones and still count in calculation of the percentage of impervious lot coverage in the groundwater aquifer district. Plat 1, Lot 46 was removed from development during rezoning in 2000.

Eddie Dowling Highway area: The east side is already BH except for one. On the west side, Plat 21, Lot 33 is part of the Stop & Shop site and their access drive runs through it.

In response to a question from Mr. Zwolenski, Mr. Ericson stated that Lots 16 and 459 on Plat 1 would remain in a manufacturing zone since Flagg RV is planning to move across the street.

Mr. Zwolenski asked about the nearest location for municipally-supplied water and sewer.

Mr. Stephen Wowk of 131 Cider Mill Road was concerned that the new zoning designation would open up the area to restaurants and nightclubs where alcohol would be served. He noted he has been trying for twenty-one years to have Lot 356, abutting his, cleaned up of all the materials stored there. Mr. Wowk also had traffic safety concerns. When he was told no traffic study had been done, Mr. Wowk wondered why the town would be changing the zoning without a plan ahead.

Mr. Ericson stated the Planning Board is working on producing a new use table that will change what is allowed in each of these zones.

Mr. Yazbak said he would like to adopt a new use table and then he can render an opinion on whether the zones should be changed.

Mr. Ericson spoke about the Brigido Plaza lot noting that the Comprehensive Plan suggested using the tree line to delineate a zone. That is almost never a good idea. The eastern part of the lower section of Lot 310 has a lot of wetlands and is basically undevelopable.

Mr. Ericson recommended keeping Lot 146 on Plat 1 as BN (Neighborhood Business) because at a previous zone change hearing several years ago the applicant had asked that it be designated as a treed buffer zone. Changing the zone could mean that buffer zone would be removed.

In the Eddie Dowling Highway area most of the east side has already been changed to Business Highway. The only lot that remains to be converted is Plat 21A, Lot 21 which presently has a liquor store on it. Stop & Shop is currently in a Neighborhood Business zone and the Comprehensive Plan did not recommend that it be changed.

Mr. Ron Blais of 8 Wedgewood Drive felt he would have more protection under a Neighborhood Business zone than a Business Highway zone at this point.

Mr. Ericson reiterated that this is a process that has to be done per the Comprehensive Plan; however, the Council may decide to change some of the zones or keep them the same.

MOTION by Mr. Yazbak, seconded by Mr. Zwolenski, and voted unanimously on an aye vote to continue the public hearing to October 1, 2012.

MOTION by Mr. Yazbak, seconded by Mr. Zwolenski, and voted unanimously on an aye vote to take a five-minute recess at 8:16 P.M.

The meeting resumed at 8:21 P.M.

PUBLIC HEARING RE: WETLAND SETBACKS FOR ONSITE WASTE WATER TREATMENT SYSTEM, OWTS, BUILDINGS AND IMPERVIOUS SURFACES

Dr. Caroly Shumway, a member of the Ordinance Development Committee, and Lorraine Joubert, a water protection expert at URI, are proposing the following changes to this ordinance: 1.) Enable a cesspool phase-out over time; 2.) Enable a speedy resolution for the average homeowner to go through administrative review if certain conditions of approval are met; 3.) Significantly reduce the area in town impacted by the septic setback to the areas most sensitive to septic inputs, specifically the surface water supply basin boundaries for Woonsocket's reservoirs 1 and 2, of which 25 percent of North Smithfield town residents depend upon for clean drinking water, and to areas with a shallow water table