

## **North Smithfield Zoning Board**

### **Meeting Minutes of January 17, 2006**

**Present: Emilie Joyal, Linda Vario, Connie Laprade, William Halliwell, William Juhr, Stephen Kearns, Vincent Marcantonio. Also present, Robert Benoit, Building and Zoning Official.**

**The Clerk called the meeting to order at 7:00 PM in the Primrose Fire Station. First order of business was reorganization.**

**Mr. Halliwell motioned to nominate Ms. Emilie Joyal as Chair; seconded by Ms. Laprade.**

**Ms. Joyal stated it would be a privilege to serve as Chair, again. Roll call vote was as follows: Aye: Mr. Halliwell, Ms. Laprade, Mr. Kearns, Mr. Marcantonio, Ms. Joyal, Ms. Vario, Mr. Juhr. Motion passed unanimously.**

**Ms. Joyal nominated Ms. Vario as Vice Chair, seconded by Mr. Halliwell. Roll call vote was as follows: Aye: Mr. Halliwell, Ms. Laprade, Mr. Kearns, Mr. Marcantonio, Ms. Joyal, Ms. Vario, Mr. Juhr. Motion passed unanimously.**

**Ms. Joyal nominated Mr. Kearns as secretary, seconded by Mr. Halliwell. Roll call vote was as follows: Aye: Mr. Halliwell, Ms. Laprade, Mr. Kearns, Mr. Marcantonio, Ms. Joyal, Ms. Vario, Mr. Juhr. Motion passed unanimously.**

**Under review of the current Rules and Regulations of the Board, Mr. Halliwell made a motion to amend the Rules to add, “Upon receipt of an application to the Building Inspector for a special use permit, the Building Inspector, without action from the Zoning Board, shall forward said application to the Planning Board for review.” Mr. Kearns seconded the motion with discussion. Mr. Halliwell explained that this addition would be in alignment with Section 9.2 of the current Zoning Ordinance and would allow consistency in the special use permit process. Roll call vote was as follows: Aye: Mr. Marcantonio, Mr. Kearns, Mr. Halliwell, Ms. Joyal, Mr. Jühr, Ms. Vario, Ms. Laprade. Motioned passed unanimously.**

**Mr. Halliwell made a motion to adopt the existing Rules and Regulations of the Zoning Board, as amended; seconded by Mr. Kearns. Roll call vote was as follows: Aye: Mr. Marcantonio, Mr. Kearns, Mr. Halliwell, Ms. Joyal, Mr. Jühr, Ms. Vario, Ms. Laprade. Unanimous passage.**

**The Chair read the hearing notice for the continued application of Donald and Maureen Andreozzi requesting a dimensional variance from section 6.2 “street access to buildings,” lots 48 and 50 Plat 19. No one was present to represent the Andreozzi’s. Attorney Kevin Hackman was, however, present on behalf of the Whipple’s who are involved in a land dispute with the Andreozzi’s. Attorney Hackman explained that the land dispute issue is still in Superior Court and**

**expressed his client's desire to continue said application. Mr. Halliwell motioned to continue this application to Tuesday, June 6, 2006; seconded by Ms. Laprade. Under discussion, Attorney Hackman agreed with a June continuation and the clerk was assigned to notify the Andreozzi's of said continuance. Roll call vote was as follows: Aye: Mr. Halliwell, Ms. Joyal, Ms. Laprade, Mr. Marcantonio, Mr. Jühr, Ms. Vario. Motion passed unanimously.**

**At that point, the Chair suggested a ten-minute recess as the time was 7:20 PM and the next, and last, agenda item was scheduled to be heard at 7:30 PM. Mr. Hallwell motioned for a 10-minute recess, seconded by Ms. Laprade. Under discussion, Mr. Marcantonio asked if Dowling Village was being put off again. The Chair explained that the December 6, 2005 Minutes of the Board reflect the continuation of the Dowling Village appeal to January 17, 2006 at 7:30 PM with the first 30 minutes, from 7-7:30 PM, scheduled for reorganization. Motion passed unanimously.**

**Chair called meeting back to order at 7:30 pm and read the hearing notice for the continuation of Dowling Village, Plat 21 & 23, lots 25, 26, 29, 30, 31, 32, 50, 61, 17, 18, 20, 21, 44, 76, 111, 112, 123 and 143. Said application was for an appeal from the decision of the Planning Board dated October 21, 2005. The applicant is appealing the decision denying the Amended Master Plan submission by the Applicant for the Land Development Project known as Dowling Village.**

**Attorney Matthew Shaw came forward and stated he was representing Attorney Michael Kelly's office. He further stated he had faxed a letter to the Board on January 16, 2006 requesting a two-week continuance. Said letter was read into the record by the Chair.**

**Mr. Halliwell made a motion to continue this application to Tuesday, January 31, 2006 at 7:00 pm at the Kendall Dean School; seconded by Mr. Marcantonio. Roll call vote was as follows: Aye: Mr. Halliwell, Ms. Joyal, Ms. Laprade, Mr. Marcantonio, Mr. Jühr, Ms. Vario. Motion passed unanimously.**

**Mr. Halliwell made a motion to approve the Minutes of November 8, November 22 and December 6, 2005; seconded by Mr. Jühr with an amendment to the December 6 Minutes. Motion passed unanimously.**

**Mr. Halliwell made a motion to approve the Decisions of Ernest Ricci and Slatersville River Properties, Inc., seconded by Mr. Kearns. Roll call vote was as follows: Aye: Mr. Halliwell, Mr. Kearns, Ms. Joyal, Ms. Laprade, Ms. Vario. Motion passed unanimously.**

**Mr. Halliwell made a motion to adjourn at 7:45, seconded by Ms. Laprade. Motion passed unanimously.**

**Respectfully submitted,**

**Kris Fanning**

**Clerk**