

# **North Smithfield Zoning Board of Review**

**June 28, 2011, 7:00 pm**

**Kendall Dean School**

**83 Green St., Slatersville, RI**

**The Chair called the meeting to order at 7:00 pm.**

## **1. Roll Call**

**Present: Chair Steve Kearns, Steve Scarpelli, Guy Denizard, Bill Juhr, Mario DiNunzio, Scott Martin. Absent: Paul Pasquariello. Also present were Building Official Bob Benoit and Town Solicitor Rick Nadeau.**

**2. Disclosure of no compensation or pension credits received by the board members.**

**3. Approval of minutes of the Zoning Board Meeting of April 26, 2011.**

**Mr. Scarpelli made a motion to approve the minutes of April 26, 2011. Mr. Denizard seconded the motion, with all in favor.**

**4. Application of DV II, LLC, requesting a dimensional variance from Section 6.17 "Sign Regulations," subsection 6.17.6 of the current Zoning Ordinance. Locus is 7 Dowling Village Blvd., Plat 13, Lot 21. Zoning: RA, PS, BH.**

**The following exhibits were entered into the record for consideration on the application:**

**P1) Application for Certificate of Zoning Compliance May 11, 2011**

**P2) Application for Hearing before Zoning Board of Review, April 28, 2011**

**P3) Sign Variance Package, Perkowitz + Ruth Architects, March 2, 2011**

**P4) List of 200' Radius Abutters, March 28, 2011**

**P5) Radius Map, DiPrete Engineering, March 30, 2011**

**B1) Planning Memo re: Wal-Mart Sign Variance Application, Robert Ericson, AICP, Town Planner, June 24, 2011**

**Attorney K. Joseph Shekarchi was present for the applicant. He asked the Board to accept a revised sign package. The package contained minor differences from P3 on pages 4 & 5, which were the inclusion of the depiction of the building from the main road to show the relationship of the sign to the road and the addition of a dashed rectangle around the signage model to show scale. The revision was not entered into the record, but Joseph Serruya was sworn in by the court stenographer and explained the extra detail to the Board.**

**Mr. Shekarchi stated that the applicant had been before the Planning Board on June 23, 2011, and had a received a unanimous recommendation for the approval of the variance. The Planning**

**Board's recommendation and points of discussion are detailed in B1. Mr. Shekarchi explained that all signs are not visible from the main road (146A) and are all identification for parts of the store. The signs serve to promote way finding within the site and do not serve as advertising (no "Always Low Prices" type signs as were present in the past at other Wal-Mart stores). The signage proposed at this site is scaled down from the usual corporate package. The proposal for this site is for less signage than at a typical Wal-Mart store. Mr. Shekarchi stated that Board approval of the variance will send a message to potential tenants that the town is willing to work with businesses.**

**Ronald Moore from Perkowitz + Ruth Architects was sworn in by the court stenographer. He reviewed P3 (Sign Variance Package) in detail, explaining each proposed sign, the site layout, including entrances, roads and the size and distance of the signs from the roads. He also reviewed the floor plan of the building and how the exterior signage directs the customer to the proper section of the store.**

**The Zoning Ordinance, Section 6.17.6 (f) allows for 450 sq. ft. of signage, not to exceed 5% of the total storefront wall area. The proposed signage is 546.48 sq. ft. of signage, which is only 3.8% of the storefront wall area, but exceeds the 450 sq. ft. by 96.48 sq. ft. Mr. Moore explained the reasons for seeking the additional sign area, which included safety for customers so that they can park appropriately and not have to walk across the parking lot. The layout**

of the site leaves .25 miles from the main road to the building. The customer will not see the signs until entering the parking lot, so the signs help give direction about which section of the lot to park in. The signage is not overly large in comparison to the size of the building and so does not negatively affect the surrounding area. The signs serve to direct traffic. The requested signage is the least necessary in order to be legible from the parking lot.

Mr. Denizard stated that he had visited the site and agreed that there is a tremendous distance across the parking lot to the building. He asked if there will be any additional parking lot signage to help direct traffic. Mr. Moore stated there will be additional smaller directional signage. Mr. Shekarchi stated that the parking lot signage is designed by the civil engineer in collaboration with RIDOT and the police department.

Mr. Denizard also wanted to clarify for the record that though it says in B1 that the Planning Board did not know why the 450 sq. ft. cap on signage was chosen, it was developed with a town consultant and developed within the Planning Department. Mr. Jühr added that he had worked on developing the ordinance and that the cap was chosen so that the Town would be able to individually review large projects such as this one.

Mr. Kearns thanked the applicant for its thorough and self-explanatory exhibits and added that he agrees that it is good for

**the town to look at larger projects on an individual basis.**

**Mr. Pasquariello made a motion to approve the application of DV II, LLC, granting a dimensional variance from Section 6.17 “Sign Regulations,” subsection 6.17.6 of the current Zoning Ordinance for the property located at 7 Dowling Village Blvd., Plat 13, Lot 21. Zoning: RA, PS, BH. Mr. Scarpelli seconded the motion. Roll call vote was as follows: YES: Mr. Kearns, Mr. Scarpelli, Mr. Juhr, Mr. Denizard, Mr. Pasquariello. Motion passed with a vote of 5-0.**

**Mr. Scarpelli made a motion to adjourn at 7:30 pm. Mr. Pasquariello seconded the motion, with all in favor.**