

North Smithfield Zoning Board of Review  
January 26, 2016, 7:00 pm  
Kendall Dean School  
83 Green Street, Slatersville, RI

The Chair called the meeting to order at 7:05 pm.

1. Roll Call

Present: Chair William Juhr, Steven Scarpelli, Scott Martin, Mario DiNunzio, Vincent Marcantonio and Robert Najarian. Also present was Asst. Town Solicitor Stephen Archambault, Building Official, Chris Chianese, and Zoning Inspector, Carl Johnson. Absent: Paul Pasquariello.

2. Mr. Juhr made disclosure of no compensation or pension credits are received by the board members.

3. Approval of minutes, November 24, 2015

Mr. Marcantonio made a motion to approve the November 24, 2015 minutes, seconded by Mr. Martin, with all in favor.

4. Election of Officers: Each year the board elects its officers the first meeting of the year. Mr. Najarian has graduated to a five-year term and Mr. Pasquariello has taken over as 2<sup>nd</sup> Alternate. Nominations for 2016 Chairman: Mr. Scarpelli nominated Mr. Juhr, seconded by Mr. Marcantonio. Nominations were closed. Roll call vote was as follows: YES: Mr. Scarpelli, Mr. Martin, Mr. Marcantonio, Mr. DiNunzio, Mr. Najarian, and Mr. Juhr; Motion passed unanimously, with a vote of 5-0.

Nominations for the Vice Chairmanship for the 2016 zoning board: Mr. Martin nominated Mr. Scarpelli, seconded by Mr. Marcantonio. Nominations were closed. Roll call vote was as follows: YES: Mr. Scarpelli, Mr. Martin, Mr. Marcantonio, Mr. DiNunzio, Mr. Najarian, and Mr. Juhr. Motion passed unanimously, with a vote of 5-0.

Nominations for the Secretary: According to the Zoning Board Regulations, in the event the zoning board secretary is not present the secretary of the board is responsible for taking the minutes. Mr. DiNunzio nominated Mr. Martin, seconded by Mr. Najarian. Nominations were closed. Roll call vote was as follows: YES: Mr. Scarpelli, Mr. Martin, Mr. Marcantonio, Mr. DiNunzio, Mr. Najarian, and Mr. Juhr. Motion passed unanimously, with a vote of 5-0.

5. 2016 Zoning Board of Review Regular Meeting Schedule

The 2016 ZBR Regular Meeting Schedule has been sent out to all members including April 26, September 13 and November 8 at Kendall Dean if they need to hold any meetings. A vote to accept the schedule as presented, all in favor. AYES

6. Vote to approve the written decision for the application for North Smithfield Solar 1, LLC, requesting a Special Use permit to construct a 2.5 Mega-Watt, ground mounted, solar photovoltaic array from Section 5.7, (c), (2), located at Pound Hill & Old Oxford Roads, AP 07, Lot 009. Zoning District: Rural Residential Conservation (RRC).

A motion was made by Mr. Martin to approve the written decision, seconded by Mr. DiNunzio, with all in favor. Roll call vote was as follows: YES: Mr. Martin, Mr. DiNunzio, Mr. Najarian, Mr. Marcantonio, and Mr. Jühr. Motion passed unanimously, with a vote of 5-0.

7. Vote to approve the written decision for the application for Said Maroun, requesting a Dimensional Variance to construct a 7' - 6" x 10' wide front entry to the existing dwelling from Section 5.5.1 located at 4 Deborah Avenue, AP 06, Lot 272, Zoning District: RA.

A motion was made by Mr. Marcantonio to approve the written decision, seconded by Mr. Martin, with all in favor. Roll call vote was as follows: YES: Mr. Martin, Mr. DiNunzio, Mr. Najarian, Mr. Marcantonio, and Mr. Jühr. Motion passed unanimously, with a vote of 5-0.

8. Vote to approve the written decision for the application for John J. Russo, requesting a Special Use Permit to open an under 50 seating capacity restaurant from Section 5.4.6.1(a), located at 781 Victory Highway, AP 01, Lot 113, Zoning District: BN.

A motion was made by Mr. Scarpelli to approve the written decision, seconded by Mr. Marcantonio, with all in favor. Roll call vote was as follows: YES: Mr. Scarpelli, Mr. Martin, Mr. DiNunzio, and Mr. Jühr. Mr. Pasquarello was absent. Motion passed unanimously, with a vote of 4-0.

9. Zoning Board Workshop – General discussion of the process and responsibilities of the Building Official's office, Assistant Solicitor, ZB Board members and ZB Secretary.

Mr. Jühr read the administrative part of the Ordinance and there is the ability for people to appeal a decision within the first 20 days to the Town Council. The written decisions need to be written more quickly in a timely manner within 30 days from when they are written, reviewed, voted and recorded.

Mr. Chianese will be preparing Frequently Asked Questions for prospective applicants. Applicants are encouraged to provide detailed documents. Applicants are signing the application and know what they need to provide. Some applicants are demanding to be heard. Mr. Chianese said the checklist is on the website regarding the documentation that is needed. Mr. Archambault stated if the applicant does not follow the checklist the board can table it and continue to another date. Mr. DiNunzio asked who sets the fees for the application. Mr. Marcantonio said the board sets the fees and the Council approves them. Mr. DiNunzio said the residential fees are set high. Mr. Jühr suggested that all paperwork be consistent from the applicant to the board.

Mr. Chianese said he has been working with Mr. Johnson and thought it would be helpful to have a deadline three weeks prior to the meeting for all paperwork to be assembled, numbered and mailed to the board.

Mr. Najarian said Section 8.4 applies to an agreed party that has a decision by the inspector that they object and has 20 days to appeal the decision. Section 10.1 applies to a party that has an issue with the Zoning Board and has 20 days to appeal the decision. The board makes a motion and they vote on a decision. Mr. Archambault said the appeal is 20 days from the date of the decision on the record. Mr. Chianese said a building permit is issued 20 days after the decision is made. Mr. Archambault stated a decision is made when the board rules on the motion. Mr. Archambault said they need to have a standing to appeal.

Mr. Jühr asked to only schedule two applications per meeting and we will coordinate how many on the Agenda. Mr. Jühr said the Building Official or Zoning Inspector is responsible for opening the meeting room and to be at every meeting.

Mr. Najarian asked about the interaction with the Planning Board. Mr. Jühr would like to have the document ahead of time if there is Planning Board approval.

Mr. DiNunzio said the ZBR has an interest in the protection of the Town.

Rolls of Chris and Diane – we have been able to communicate well and very thorough.

## 6. Adjourn

Mr. Martin made a motion to adjourn the meeting at 8:15 p.m. Mr. Scarpelli seconded the motion, with all in favor.