

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

I. Roll Call

Present: Ed Magill, John O'Donnell, Joe Cardello, Bruce Santa Anna, Dr. Lucien Benoit, Eugene Simone (arrived at 7:05 pm), Steve Parent (arrived at 7:10 pm)

Also present: Town Planner Michael Phillips. Absent: Assistant Town Solicitor Bob Rossi.

II. Request for Extension – Master Plan Approval

POUND HILL ESTATES - Major Land Development and Major Subdivision

Location: 1910 Pound Hill Road

Assessor's Plat 10, Lot 59

Zoning: Rural Agricultural (RA-65)

The Planner stated that he had received a letter from the applicant, stating that they are in the process of obtaining DEM permits. They have already applied for certification of preliminary plan so there is probably no need for an extension, but they are making the request in case the application cannot be certified complete in time.

Dr. Benoit made a motion to grant the applicant a 6-month extension. Mr. O'Donnell seconded the motion. The Chair said there is evidence of the application moving forward. Planning Board vote was as follows: AYE: Mr. Magill, Mr. Cardello, Mr. O'Donnell, Mr. Santa

Anna, Dr. Benoit.

III. Request for Referral to Zoning Board – DPR Section 17.3.2

Applicant: SMITHFIELD COMMONS / 146 INVESTMENT PARTNERS, LLC

Location: 408 Eddie Dowling Highway

Assessor's Plat 13, Lot 150

Zoning: Professional Services (PS) and Business Highway (BH)

Tom Marsella, senior partner for 146 Investment Partners, LLC, addressed the Board to present his request. Mr. Marsella stated that he has been approached by a number of potential tenants regarding outdoor activity at his property. He has submitted a list of all the potential uses of the property. He is trying to find out what uses would be allowed, so he can respond to potential tenants. He would like to seek approval from the Zoning Board on the uses, under 17.3.2, before spending the money on engineered plans for each item on the list. The list includes such uses as paintball, miniature golf, BMX bike track, driving range, batting cages, along with many others.

Mr. Phillips stated that the Board should consider whether the requested uses are consistent with the town's Comprehensive Plan. He agreed that it is problematic to consider the request without plans, but added that if any of the uses are approved by the Zoning Board, the applicant would need to reappear before the Planning Board for

site plan review. He also stated that he has spoken with the applicant concerning a soil erosion plan at the property. Mr. Marsella stated that he is aware of the issue and an engineer has been retained to work on the soil erosion plan.

Dr. Benoit stated that he has a problem with any motorized vehicle uses, including motocross and ATVs. Mr. Marsella stated that he has people illegally using these vehicles on the property on a daily basis, so he feels offering a monitored track is better than the riders illegally riding through the woods on the property. Mr. Marsella stated that he is seeking an outdoor recreation permit with limitations on what activities would be permitted. He stated that all uses would be children and family oriented. He stated that the activities would be seasonal and the traffic would be offset by the lessening of the indoor activities during the months the outdoor activities would be running. For example, laser tag use declines in the summer months, so the traffic for paintball activities would be in place of, not in addition to, current traffic.

Dr. Benoit made a motion to allow the applicant to go before the Zoning Board under section 17.3.2, but without a recommendation on the proposed uses, because there was not enough material provided to truly review the request, and with the following stipulations: 1) that the Planning Board has concerns with activities involving the use of

motocross, motorized dirt bikes, and ATVs, and 2) that the applicant returns before the Planning Board for site plan review. Mr. O'Donnell seconded the motion. Planning Board vote was as follows: AYE: Mr. Magill, Mr. Cardello, Mr. O'Donnell, Mr. Santa Anna, Dr. Benoit.

IV. MELISSA RAYMOND – Special Use Permit

Applicant: Melissa Raymond

Location: 24 Summit Avenue

Assessor's Plat 9, Lot 534

Zoning: Urban Residential (RU-20)

Joe Raymond addressed the Board for the applicant to present the request. The applicant is seeking to put an addition on her home. The property is a small lot, with approximately 5000 square feet. The lot is a legal nonconforming lot of record, and therefore requires a special use permit in order to construct the addition.

Mr. Phillips stated that the request is fairly straightforward. The addition is consistent with the comprehensive plan (building in an established village area). It is an extension of an existing single-family home, not an in-law apartment or a duplex. Public sewer and water are available to the property. Mr. Magill stated that he had taken a ride by the property and does not feel that the addition would adversely affect the neighborhood.

Dr. Benoit made a motion to send a favorable recommendation to the

Zoning Board, based on the evidence that the request complies with the town's comprehensive plan, municipal sewer and water are present at the site, and there will remain a 40-ft. rear setback on the property. Planning Board vote was as follows: AYE: Mr. Magill, Mr. Cardello, Mr. O'Donnell, Mr. Santa Anna, Dr. Benoit.

V. CORNFORTH INDUSTRIAL PARK – Pre-Application; Major Subdivision & Land Development

Applicant: Donald LaChapelle/Donada Inc.

Location: Off of Quaker Highway

Assessor's Plat 4, Lot 459

Zoning: Manufacturing (M)

Anthony Winiarski addressed the Board for the applicant. He gave an overview of the proposed project, which is located on 19 acres near the North Smithfield/Millville town line. The applicant is proposing subdividing the land into 4 parcels. Mr. Winiarski reviewed wetlands on the sites, as well as the proposed road and cul-de-sac, which will be constructed according to subdivision regulations. He stated that the town of North Smithfield is interested in renting, leasing, or acquiring parcel A, which is located behind the DPW garage. The

owner is working with the town on this matter. There is another very small lot which may be used for a sign. The Chair asked if they were creating a nonconforming lot. Mr. Phillips stated that there are no dimensional requirements in a manufacturing zone. He did suggest that the applicant could donate the land as open space or make it part of the right of way. Dr. Benoit asked if the adjacent property owner might be interested in that land. Mr. Winiarski stated that they had already asked the adjacent property owner, but they are not interested.

Mr. Winiarski stated that the current plan is conceptual and the applicant is asking for flexibility in the configuration of the lots. The Chair stated that since this is pre-application stage, it is fine to show the maximum number of lots, then reconfigure them in future planning stages.

The property is serviced by wells but no public water is available to the site. There is access to public sewers. Lot 1 will most likely be leased to a business relocating from Woonsocket that is a sub-distributor of motorcycles and snowmobiles. The business will require a great deal of pavement, as it uses 14 box trailers, 3 trucks, and 3 tractor trailers. Drainage issues will be addressed, as well as lighting, landscaping, and sediment control. They are aware of what is present on the lot and will probably have to reconfigure some of the storm water system.

Mr. Winiarski discussed whether the land development project and subdivision processes can be handled concurrently by the Board in order for the construction to start in a timely manner. Mr. Phillips stated that he will figure it out and advise the applicant and the Board how to proceed.

VI. ADDITIONAL AGENDA ITEMS

The Chair made a motion to add an item to the agenda. He stated that the preliminary plan for the property located at 300 Buxton Street, Plat 1, Lot 35, has been received by the planner's office. Mr. Phillips is an abutter to the property and must recuse from the application. The application must be certified complete by May 22, 2008, and because the Board will not be meeting again before then, they need to review the application at this meeting. Dr. Benoit seconded the motion, with all in favor. Mr. Phillips left the meeting at 8:00 pm and did not take part in the review of the application.

The Board went through the application to certify that all items on the checklist were submitted. There were some items that were not accounted for. Dr. Benoit made a motion not to certify the application, as it appears to be incomplete. Mr. Santa Anna seconded the motion, with all in favor. Dr. Benoit agreed to draft a letter stating that the application has not been certified, before May 22, 2008.

Mr. O'Donnell informed the Board that due to increased professional demands which will require a great deal of travel, he will not be able to fulfill his responsibility to the Board, and therefore will be stepping down immediately. The Chair made a motion to nominate Dr. Benoit as Board secretary. Mr. Magill seconded the motion, with all in favor.

Mr. Santa Anna made a motion to add a brief discussion on bonding to the agenda. Dr. Benoit seconded the motion, with all in favor. Mr. Santa Anna stated that it seems that the problems with projects usually seem to occur at the tail end of the construction process. In order to insure that the roads are constructed in accordance with town standards, he suggested requiring a cash bond in the amount of the value of the asphalt layers. The Chair stated that he likes the idea, but doesn't like to restrict the bond to a certain portion of the project. Mr. Santa Anna stated that it would not be set aside for asphalt, but that the amount of the cash bond would be based on that value. The project would still be bonded in the usual manner, but there would be cash available at the end of the project in case it is needed. This would also allow the amount of the cash bond to be related to the size of the project.

VII. ADJOURNMENT

Mr. Santa Anna made a motion to adjourn at 8:45 pm. Mr. Parent seconded the motion, with all in favor.

**Respectfully Submitted,
Angela Pugliese
Planning Board Secretary**