

Town of North Smithfield Planning Board Meeting

Kendall Dean School, 83 Greene Street

Thursday, July 2, 2009, 7:00 PM

The Chair called the meeting to order at 7:03 pm.

I. Roll Call

Present: Joe Cardello, Scott Gibbs, Dean Naylor, Bruce Santa Anna, Alex Biliouris. Absent: Gene Simone, Stephen Vowels. Also present: Town Planner Bob Ericson and Town Solicitor Rick Nadeau.

II. Approval of Minutes

The Chair tabled this item until the next meeting.

III. Review of Plan & Recommendation to Zoning Board

Applicant: Jehovah's Witness

Location: 1054 Victory Highway,

Assessor's Plat 1, Lot 151

Zoning: Rural Agricultural (RA-65) (Continued from April 2, 2009)

Mr. Ericson informed the Board that the DEM permit and the Physical Alteration Permit from DOT are still outstanding for this application. An abutter had asked for additional screening and the engineer is

present to address this request. With regard to traffic issues discussed at the April 2, 2009 meeting, the DOT has reviewed the plan and determined that no sign is needed, because there is an adequate line of sight. The only option available is for the Town Administrator to petition the DOT for the sign.

Attorney John Shekarchi was present for the applicant. He explained that the applicant had been working with the Brand family (abutters to the property) with regard to screening. Engineer Eric Bazzett stated that the Brands had asked for willows for screening. The landscape architect had determined that cypress would be a better screening option, and will add more cypress to increase the screening.

Mr. Gibbs asked the applicant to consider innovative low-level LED lighting to eliminate impact on the abutters. The applicant agreed to look into these options.

Mr. Biliouris brought up the concerns he had about the traffic and the line of sight. He asked what type of sign could be provided if the Town Administrator were to petition the DOT. He suggested a flashing lighted sign. Mr. Ericson stated that the best they could probably hope for is a generic "Entering Traffic" sign, but they could ask for both types, as a two-step process. Mr. Nadeau stated that the DOT has made a determination that no sign is needed. He added that the applicant's traffic expert and the peer reviewer for the Town agreed to this. He informed the Board that they should not substitute

their judgment for expert testimony. The Chair agreed that two traffic engineers and the governing authority (DOT) have all made the determination that the line of sight is adequate and no sign is needed. Mr. Biliouris stated that he had visited the site during the site walk on April 11, 2009 and he, Mr. Vowels, Mr. Naylor, and Mr. Simone all agreed that there is a concern. The Chair replied that the applicant has already asked DOT, they said they would not put a sign up, but the Board could ask the Town Administrator to pursue the issue. However, he stated that at this point, the applicant is removed from the process, and the sign is a separate issue.

Mr. Santa Anna made a motion to recommend that the Zoning Board approve the Special Use Permit. Mr. Gibbs seconded the motion. Planning Board vote was as follows: AYE: Mr. Cardello, Mr. Santa Anna, Mr. Gibbs, Mr. Biliouris. NO: Mr. Naylor. Motion passed, with a vote of 4-1.

Mr. Biliouris made a motion that the Board asks the Town Administrator to petition the DOT to have an interactive sign be put in place for public safety purposes. Mr. Naylor seconded the motion. Planning Board vote was as follows: AYE: Mr. Biliouris, Mr. Naylor, Mr. Santa Anna. NO: Mr. Cardello, Mr. Gibbs. Motion passed, with a vote of 3-2.

The Chair made a motion to take a 4-minute recess at 7:26 pm. Mr. Santa Anna seconded the motion, with all in favor.

IV. Dowling Village Phase II & III – Preliminary Plan Public Hearing

Major Land Development Project- Site Plan Review (7:30pm – 9:00pm)

Also Reviewing project impacts for the whole project, Phases I-IV

Applicant: Bucci Development, Inc. - Brian Bucci

Location: 120 Eddie Dowling Highway/ 146A

Assessor's Plat 13 Lots 18, 20, 21, 44, 53, 76, 111, 112, 123 & 143 and Plat 21 Lots 25, 26, 29, 30, 31, 32, 50, 58, 61, & 71

Zoning: Professional Services (PS), Business Highway (BH), & Rural Agricultural (RA)

(Continued from Jan. 8, & 15; Feb. 12, & 26; Mar. 12, & 19; April 9, 23 & 30; May 14; June 4, 11 & 25, 2009)

(See stenographer's transcript.)

Respectfully Submitted;

Angela Pugliese

Planning Board Secretary