

**Town of North Smithfield Planning Board**

**Kendall Dean School, 83 Green Street**

**Thursday, July 21, 2011, 7:00 PM**

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

**1. Roll Call**

**Present: Chairman Scott Gibbs, Dean Naylor, Gene Simone, Alex Biliouris, Dr. Lucien Benoit. Absent: Joe Cardello. Arriving late: Art Bassett. Also present was Town Planner Bob Ericson.**

**2. Approval of Minutes: June 23, 2011**

**Mr. Bilouris made a motion to approve the minutes of June 23, 2011 with two corrections. Mr. Simone seconded the motion, with all in favor.**

**3. Industrial Drive Commerce Park Phase I, Sublot 3: Development Plan Review (including public hearing)**

**Owner/Applicant: Industrial Drive Development Co., LLC**

**Location: Industrial Drive, Assessor's Plat Assessor's Plat 5, Lot 487**

**Zoning: M (Manufacturing)**

**The project engineer and surveyor were present to answer questions.**

**Mr. Nyberg presented additional documentation requested by the Planning Board at the last meeting including 1) a landscape plan stamped by a registered landscape architect 2) a catch basin detail relative to the nearby wall, and 3) turning templates for a WB-65 tractor-trailer. Attorney Nicholas Goodier stated that there were only minor changes made to the Development Plan Review since subdivision plan approval. Those changes were 1) a slight reduction in impervious surface, 2) relocation of a retaining wall, 3) additional guardrail, and 4) relocation of a transformer. Paul Gadoury, PE addressed the board and stated that the increase in impervious surface was nominal and the stormwater management system meets DEM requirements.**

**The Industrial Drive Commerce Park Phase I, Sublot 3 public hearing opened at 7:11 pm. The Chairman asked if there were any members of the public who wished to comment on the application. There were no comments made. Mr. Biliouris made a motion to close the public hearing. Dr. Benoit seconded the motion, with all in favor.**

**Mr. Biliouris made a motion to approve the Preliminary Development Plan for Industrial Drive Commerce Park Phase I, Sublot 3 on AP5, Lot 487 with two conditions 1) that the stormwater management operation and maintenance plan be recorded with the Final Development Plan and 2) that the applicant and successors file by December 31 each year a report of the actual maintenance done that calendar year. Dr.**

**Benoit seconded with all in favor.**

**Mr. Simone made a motion to delegate the Final Plan approval to the Planning Board's administrative officer. Dr. Benoit seconded the motion. A roll call vote was as follows: YES: Mr. Gibbs, Mr. Biliouris, Mr. Simone, Dr. Benoit NO: Mr. Naylor. Motion passed, with a vote of 4-1.**

**Mr. Bassette arrived at the meeting at 7:15.**

#### **4. Marshfield Commons: Major Land Development/ Comprehensive Permit Final Plan**

**Owner/Applicant: Woonsocket Neighborhood Development Corporation**

**Location: Mechanic Street**

**Assessor's Plat 1, Lots 69, 423**

**Zoning: RS-40 (Suburban Residential)**

**Mr. Ericson explained that the Preliminary Plan for Marshfield Commons was approved on June 23, 2011 with the condition that a draft maintenance plan for the roadway and entire property, reviewed by Casali Engineering, would be submitted for recording with the Final Plan. This maintenance plan was to include the best management practices for maintaining impervious and pervious surfaces. As requested, Casali Engineering completed an engineering review for the maintenance plan. The applicant's**

**engineer made revisions to satisfy all the review comments. Fire Marshall Brian Gartland required a 10,000 gallon cistern be added to the plan to compensate for a 10-15% deficiency in water supply flow rate needed for fire fighting. Mr. Gartland approved siting and detail plans for the cistern.**

**Architect John O’Hearne received state permission to demolish an old building on the property. He consulted with the RI Historic Society and determined the building had no historic value. The building contains asbestos, water in the basement and is severely deteriorated on the inside. The building will be demolished and a new foundation will be created 3-4 feet farther back from the roadway. The new foundation did not replicate the original but did include a patio area similar to the existing patio. To satisfy the project lenders, the applicant slightly reduced square footage in buildings 2 – 5.**

**Mr. Biliouris made a motion to approve the Final Major Land Development Plan dated June 7, 2011 and Comprehensive Permit for Marshfield Commons, 83 Mechanic St, AP 1, Lots 69 & 423 with two conditions: 1) that the stormwater management operating and maintenance plan be recorded with the Final Development Plan and 2) that the applicant and successors file by December 31 each year a report of actual maintenance done during that calendar year. Mr. Simone seconded the motion. A roll call vote was as follows: YES: Mr. Gibbs, Mr. Simone, Mr. Bassett NO: Mr. Naylor, Dr. Benoit. The motion passed with a vote of 3-2.**

**Mr. David Saadeh, NeighborWorks Director of Assets, stated that construction would begin during the first week of November, 2011 and would continue 14 months to completion. It is the intent that units would be rented as the buildings are completed.**

**Chairman Gibbs recently met with Associate Director of Administration Kevin Flynn, and they discussed the status of affordable housing in North Smithfield. The state's goal is 10% affordable housing in each Town. Mr. Ericson will verify the Rhode Island affordable housing methods of calculation relative to the 2010 Census and keep the Planning Board informed regarding the status of North Smithfield affordable housing.**

**5. Stop and Shop variance application: Attorney Liz Noonan representing Gas Development, LLC, was present to request a recommendation to the zoning board for a variance for signage at the Stop and Shop Fuel Station at 35 Eddie Dowling Highway. The variance is to increase the size of the signage to aid in the decision making of drivers. The pylon sign area plus the canopy lettering area totaled 32 square feet where 20 sq ft are allowed. The pylon is 15 feet high instead of 8 feet. That is standard placement in the industry, and that height limits access to the display area for vandalism. Mr. Biliouris inquired whether this is a LED sign. It is, but that is allowed if the message remains static for two minutes or more.**

**Dr. Benoit made a motion to recommend approval of a variance for signage at the Stop and Shop Fuel Station at 35 Eddie Dowling Highway. Mr. Naylor seconded the motion with all in favor.**

**6. Zoning Ordinance: The Planning Board was to review three ordinances for consistency with the Town's Comprehensive Plan. Mr. Biliouris requested that the ordinance review be tabled until Mr. Cardello is able to review and attend. Chairman Gibbs made a motion to change the order of the agenda to accommodate people who may be arriving late. Mr. Biliouris seconded with all in favor.**

**The procedure for reviewing ordinances is as follows. The Town Council has charged the Ordinance Development Committee (ODC) with developing certain ordinances. The ODC submitted the first two ordinances: the SWPPP ordinance and the ordinance related to setbacks from wetlands. The Town Council sent the ordinance to the Planning Board for review. The Planning Board has 45 days to review.**

**Chairman Gibbs suggested the Planning Board have additional time with the three ordinances presented in the PB packets. The PB would like to defer the discussion until the Planning Board meeting in September. Dr. Benoit made a motion to defer the discussion of the SWPPP ordinance, the setbacks from wetlands ordinance and the MU1/MU2 ordinance until the September Planning Board meeting. Mr. Naylor seconded with all in favor.**

**7. A request has been made by the applicant, Highlands at Iron Mine Hill Road, to stop the clock on the Planning Board decision timeline because of a billing dispute between the applicant and the surveyor. The clock will restart at the Planning Board meeting held after the plans are submitted. Dr. Benoit made a motion to accept the request. Mr. Biliouris seconded the motion with all in favor.**

**8. Mr. Ericson discussed the administrative approval steps for Dowling Village Phase II in a situation where building sizes are reduced. Condition #11 of the Preliminary Plan decision stated:**

**Should the Applicant seek to reduce either a proposed building by up to twenty percent (20%), or two or more buildings by an aggregate of up to twenty percent (20%) of the proposed square footage of such building or buildings as shown on the plans, then revised plans shall be submitted to the Administrative Officer for review and approval of the modification. Should the Applicant seek to reduce either a proposed building by twenty percent (20%) or more, or two or more buildings by an aggregate of twenty percent (20%) or more of the proposed square footage of such building or buildings as shown on the plans, then revised plans shall be submitted to the Town Planning Board for review and approval of the modification. In either process, the Applicant's revised plans shall utilize all available building and parking reduction options to minimize the impervious area of the Project and increase the distance to the nearest point of Booth Pond.**

**Mr. Ericson stated that he was prepared to approve the Dowling Village Phase II Administrative Subdivision on July 22, 2011.**

**Dr. Benoit made a motion to adjourn at 8:06 pm. Mr. Naylor seconded the motion, with all in favor.**