

Town of North Smithfield Planning Board

Kendall Dean School, 83 Green Street

Thursday, September 4, 2014, 7:00 PM

The Chair called the meeting to order at 7:04 pm.

1. Roll Call: Present: Scott Lentz, Lucien Benoit, Art Basset, and Dean Naylor. Cynthia Roberts arrived at 7:24. Absent: Gene Simone. Also in attendance were Town Planner Robert Ericson and Town Solicitor James Lombardi III.

2. Approval of Minutes: Motion by Art Basset to approve the July 17, 2014 minutes. Second by Scott Lentz with all in favor (4-0).

3. Disclosure: This is the point where anyone can disclose potential conflicts related to matters before the Board. Each member has the option to recuse under RI ethics regulations or abstain from voting for other reasons. Mr. Ericson stated that Mali Jones resigned from the Planning Board today.

4. Preliminary Plan, Minor Subdivision: Oxford Creek

Applicant: Gordon F. B. Ondis

Location: Rocky Hill Road

Assessor's Plat 20 Lots 16 and 52

Zoning: RA-65

Attorney K. Joseph Shekarchi introduced the plan and engineer Marc Nyberg. He requested a continuance until October 2 and a Planning Board site visit.

Mr. Lentz read state law about adequate and permanent physical access to a public street. Atty Shekarchi said he was familiar with the law and thought the Planning Board could grant waivers under special circumstances. He said Gerald Ondis wanted to create a family compound.

Dr. Benoit noted that the plan's wetlands were delineated in 1998. Mr. Nyberg said everything was up to date and would be so indicated on the revised plans. Dr. Benoit further noted that Mr. Nyberg was a land surveyor, not an engineer. Atty Shekarchi corrected himself.

Mr. Ericson suggested a September 13 site visit, and all agreed on 10 am. A meeting notice will be posted, and it still counts as a site visit even without a quorum. Mr. Ericson explained how the review clock worked under state law, and Atty Shekarchi agreed to provide a letter stopping the clock.

Dr. Benoit moved to continue the review to October 2. Second by Art Bassett with all in favor (4-0).

5. Recommendations to the Zoning Board of Review: Discussion, vote or other action by the Planning Board regarding Town of North

Smithfield – Care and Custody of North Smithfield School Committee - on Plat 15 Lot 44. The applicants, Robert E. Lafleur and Stephen F. Lindberg, are seeking a Special Use Permit proposing to park school buses on school property near the North Smithfield Middle School.

Mr. Ericson noted that the School Department (SD) provides transportation services for students. Tony Kopacz manages that. For-profit DATTCO simply provides technical and administrative services for the SD, including equipment. DATTCO administrative staff will use the Andrews School, but it has long been used for that purpose.

He added that the Fire Department is satisfied with the 20' clearance for fire trucks. Dr. Benoit asked if they were using the dedicated bus slots. Mr. Ericson said yes. Dr. Benoit then asked if the Town would receive a benefit. Mr. Ericson said any payment from DATTCO would have to appear as a revenue.

Mr. Bassett said he has heard rumors about this and had questions about this arrangement. He thought the information was incomplete. He questioned the contracting process, but Mr. Ericson noted the process was outside the purview of the Zoning Board of Review.

Mr. Lentz said the radius map was missing, and being new to the town, he was not familiar with the area.

Dr. Benoit asked why the Andrews School could not be used for school administrators. Mr. Ericson replied that the building was too small (about 2,000 SF), and options other than new additions were more cost effective.

Cynthia Roberts arrived at 7:24 and did not vote on this agenda item.

Mr. Bassett moved that “Based upon material and information received, we recommend that the application be denied by the Zoning Board of Review without prejudice.” Second by Scott Lentz with all in favor (4-0).

6. Review of zoning for accessory buildings: Discussion, vote or other action by the Planning Board regarding the need for research restrictions for accessory buildings. This would accommodate a possible Town Council request for further information.

Mr. Ericson said that this is a placeholder in case the TC wants advice on some new ideas, and that he agreed to research some more restrictive provisions. Mr. Naylor reviewed the position of the Planning Board.

Mr. Lentz moved to change the order to take item 8 next. Second by Mr. Bassett with all in favor (5-0).

8. Master Plan, Major Subdivision with public hearing: Christina Way Extension

Applicant: Doris Godon Estate et al c/o Robert Branconnier

Location: Lots beyond Christina Way

Assessor's Plat 14 Lots 37 and 188

Zoning: RA

Mr. Ericson said he had discussed this item with Assistant Town Solicitor Stephen Archambault about granting a continuation.

Atty Nicholas Goodier requested an extension and provided a letter requesting a continuation with a 45-day agreement to stop the clock. The applicant needs time to revise the plan to include required features and surveyed topographic lines. He agreed that October 2 would be the appropriate date for return.

Dr. Benoit moved to open the public hearing. Second by Mr. Bassett with all in favor (5-0). Mr. Naylor apologized to the hearing attendees for the need to continue. Mr. Ericson suggested taking testimony on ways the plan could be improved. Scott Martin asked that Mr. Goodier read the memo into the record. See the attached letter.

Mr. Ericson said the record will show that the continuation will be to October 2, not the "next scheduled meeting."

Dr. Benoit moved to continue the public hearing to October 2. Second by Mr. Bassett with all in favor (5-0).

7. Planning update: Mr. Ericson discussed the Valley Breeze article on U-Haul and two other sites. He noted several errors and explained how quickly the article was rushed to publication. He focused on the incubator concepts

Mr. Ericson discussed the need to appoint Gene Simone to an alternate position because he will have completed almost seven years in December.

He noted that CVS Health has stopped sale of tobacco products sooner than previously announced.

At Mr. Naylor's request, he discussed the pending subdivision plan to divide Dowling Village Plat 21, Lot 401 into three lots. It will really be a line-drawing exercise using the Land Development & Subdivision Regulations Section 9.8 for process.

Dr. Benoit asked about the Redevelopment Agency (RA) as negotiator for the ATP site. Mr. Ericson said the RA would negotiate, but NeighborWorks would immediately step in with the money on closing.

Ms. Roberts discussed the Maker movement and Maker Spaces. Mr. Ericson said the ATP incubator space could have a common Maker Space that could be rented to a Maker Club. Ms. Roberts said it could also be done in a library.

Dr. Benoit asked about brownfield issues at the ATP site. Mr. Ericson responded that it was cleared by DEM before Coastal Recycling, but Coastal may have contaminated the site.

Motion to adjourn by Cynthia Roberts. Second by Mr. Bassett with all in favor at 7:59 pm.

Submitted by Robert Ericson on September 11, 2014