

Minutes for Town of North Smithfield Planning Board

Kendall Dean School, 83 Green Street

Thursday, March 12, 2015, 7:00 PM

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

1. Roll Call: Present: Gary Palardy, Dinna Finnegan, Lucien Benoit, Scott Lentz, Cynthia Roberts, Dave Punchak and Dean Naylor. Also in attendance were Town Planner Robert Ericson, Town Solicitor David Igliazzi and Assistant Planner Bobbi Moneghan.

2. Minutes: The February 19 minutes were approved as amended. Motion by Mr. Lentz, second by Mr. Palardy with all in favor (5-0).

3. Disclosure: This is where anyone can disclose potential conflicts on matters before the Planning Board. There were no disclosures.

4. Master Plan, Major Land Development: Slater Village with public hearing

**Applicant: DAS Contracting Corp Location: 1118-1156 Victory Hwy
Assessor's Plat 1 Lots 127, 134 & 330 Zoning: Urban Residential (RU) with rezoning conditions**

Discussion, vote or other action by the Planning Board

Joe Casali, PE gave a presentation for the benefit of new members and alternates. He showed a slide with a new geometry on the road

extension to the Silver Pines II property line. He explained the wetlands configuration and drainage for the site.

Dr. Benoit asked the basis for 120 units versus the standard zoning allowance. Atty Richard Kirby said it was in the petition for rezoning, but Mr. Lentz said it was not in the Town Council's rezoning motions. Dr. Benoit also asked why the plan shows more than twice the parking required by zoning. Mr. Casali replied that the market required more than the zoning minimum.

Mr. Palardy asked what staff services were required for assisted living. Atty Kirby replied that he did not have the answer and it was probably premature.

Ms. Finnegan asked how ADA parking would reduce total parking shown. Mr. Casali said they were over the requirement and the reductions would be minimal. He often aligns striped areas to walkways. He further explained the sequence of approvals and how that affects costs.

Dr. Benoit asked when the security gate would be installed. Atty Kirby said it would be when Slater Village is completed. (or when Silver Pines II was completed if that came first).

Mr. Naylor asked where snow would be stored. Mr. Casali explained that they would design snow stockpile areas to avoid melt water

running into the water courses. He said they did not envision stockpiling Slater Village snow in Silver Pines II.

Ms. Roberts asked who is responsible for the performance degradation of the porous pavement. Mr. Casali explained that porous pavement becomes less effective over time, so the detention basin will be larger than needed in year one. It also has one foot of freeboard. Atty Igliozzi said the PB could defer a decision on the number of parking spaces until the Preliminary Plan.

Mr. Palardy asked if 54 units would replace 36 units if the proposed assisted living was converted to 55+ active living. Mr. Casali said yes.

The public hearing was opened at 8:25 PM. Mr. Ericson first answered a question raised in the previous hearing, noting that apartment owners can deny housing to sex offenders and felons, because neither is a protected class.

Judith Wright from 9 Silver Pines said everything is predicated on the site being over 55. She asked if the demographic study showed you could fill 120 units. How will age be verified? Will there be an on-site manager? Atty Kirby said they presented a market analysis to the Town Council for rezoning. He anticipated that the management firm would have on-site staff.

Escadora Viera from 1098 Victory Highway (abutter) raised lighting,

pollution and other concerns. She wondered if, based on Silver Pines II, this project would be completed. Atty. Igliozzi said this was not the place to discuss previous projects. She had concerns about traffic, noise, and increased building heights. Mr. Casali addressed the questions and offered to meet with neighbors..

Rene Viera from 1098 Victory Highway (abutter) asked about multiple backyards facing his yard. Atty Kirby said there would be no storage sheds, wading pools, etc. Architect John O'Hearn discussed that the high-efficiency heating/cooling packages would vent through the sidewall and be very quiet.

John Quirk from 38 Alpine Way asked for clarification on the haul road. Atty Igliozzi said the Town Council specified emergency access only, in contradiction to the Planning Board's Silver Pines II condition that the road be a through road. Atty Kirby said it would be for emergency access only and all Silver Pines II construction would access through Slater Village.

Rene Viera returned to say his questions had not been completely answered. Atty Kirby said he could not answer all questions now, but members of the team had provided most answers. Mr. Naylor reminded Mr. Viera that the applicant had offered to work with the neighbors. Mr. Lentz said the lighting plan, fencing and landscaping would be addressed in the Preliminary Plan.

Dr. Benoit made a motion to close the public hearing at 9:01. Second by Mr. Palardy with all in favor (5-0).

Dr. Benoit asked if only the tenant needed to be 55+ or all inhabitants. Mr. Lentz asked if there would a requirement for all occupants to be at least 18. Mr. Ericson said that the 18 minimum is a requirement in most 55+ communities. Atty Kirby asked that a minimum not be a condition now, because he needed to discuss it with his client. Atty Igliazzi suggested that the management provide a tenant roll to verify 55+ compliance and Att Kirby agreed.

Atty Kirby agreed to enter the slide of the revised road geometry as Exhibit 2.

Mr. Lentz motioned to approve the Master Plan for Slater Village, Plat 1 Lots 127, 134 & 330, located at 1118-1156 Victory Highway, dated February 23, 2014 and stamped February 23, 2015, with the following conditions:

- Defer the minimum or maximum parking spaces to the Preliminary Plan**
- Defer determining if the haul road will be emergency access only or through access**
- Require the determination of eligibility of tenants**
- Contingent on verification of zoning changes by the Town Council for number of units**

- **Subject to all dimensional reliefs approved by Zoning Board of Approval**
- **Conditional on special use permit by Zoning Board of Approval if required**
- **Subject to provision of the road geometry slide as a revision to the plan**

Second by Mr. Palardy with all in favor (roll call vote, 5-0).

At 9:20 PM, Dr. Benoit made a motion to take a 2 minute recess, seconded by Mr. Parady with all in favor. Chairman Naylor called the meeting back to order at 9:26 PM.

5. Site Plan Review: Wide World of Sports with public hearing (following Major Subdivision process)

Applicant: ATM Development LLC

Location: 621 Pound Hill Rd

Assessor's Plat 8 Lot 299

Zoning: Manufacturing (M)

Discussion, vote or other action by the Planning Board

Dr. Benoit asked if anyone wanted to speak in the public hearing so the applicant would know how extensively to present. No one responded.

Dinna Finnegan asked for clarification of changes in the plan. Mr.

Casali said the pre-existing house was removed, and any landscaping would appear on the Preliminary Plan. He further explained the parking plan. The Zoning Board of Review granted parking relief for the original project, but the applicant will meet all zoning requirements for parking for the new addition.

Mr. Casali explained how the buildings are sprinklered. The fire truck would pump from a hydrant to further pressurize the sprinkler system so it would spray more water.

Mr. Punchak asked how parking was allocated. Mr. Ericson noted that he had not yet received the parking agreement for the condominium. Atty Chris O'Connor provided it. Atty Igliozi reviewed it and confirmed that it did provide mutual parking.

Mr. Punchak requested better traffic control in the redesign. Mr. Casali said the plan would add striping and end caps to the new construction area.

Chairman Naylor opened the public hearing for Wide World of Sports at 9:40 PM. No one wished to speak. Dr. Benoit motioned to close the public hearing at 9:41 PM. Seconded by Mr. Palardy, with all in favor (5-0).

Dr. Benoit made a motion to approve the Master Plan for Wide World of Indoor Sports, Plat 8, Lot 299, dated January 8, 2015, with an

engineering stamp date of February 12, 2015, with a condition that the Preliminary Plan will address the compliance with zoning for an opaque buffer between the commercial parking lot and the residential use.

Mr. Lentz seconded. Roll call vote, motion passed 5-0.

Dr. Benoit moved the Planning Board send a positive recommendation for the Wide World of Indoor Sports to the Zoning Board of Approval for a special use permit. Ms. Roberts seconded. Roll call vote, motion passed 5-0.

At 9:59 PM, Dr. Benoit motioned to extend the Planning Board meeting for 15 minutes. Mr. Palardy seconded with all in favor.

6. Capital Budget Requests: Emergency Management. Discussion, vote or other action by the Planning Board.

Mr. Ericson explained that the fire SUV available to them is no longer 4WD. He explained that they did not now have enough radios for their staff.

Mr. Lentz made a motion to make a recommendation to the Budget Board, Mr. Parady seconded with all in favor. The recommendation was:

If Homeland Security matches the funds needed for the purchase of the used SUV, the priority is High. Otherwise it is Medium. The 13 radios priority is High.

7. Planning Board appointment process: Discussion, vote or other action by the Planning Board on recommendations to the Town Council.

Ms. Finnegan presented the letter. She wants it to be constructive. Members and staff suggested minor revisions to the letter and application form. Ms. Finnegan will revise for the next meeting. Mr. Ericson said the letter would go to the Town Council under her signature, and he would note that it was approved by the Planning Board.

Atty Igliozzi offered to discuss issues and the application form with Town Council members. He suggested that the Planning Board not offer to conduct interviews.

8. Narragansett Improvement Settlement Agreement. Review and discussion in preparation for a March 19 meeting with Judge Frank Williams, mediator for the conditional settlement. Review and discussion of the 2003 Land Development & Subdivision Regulations.

Mr. Ericson said that members should read the settlement and know the differences between the 2003 and 2006 Land Development &

Subdivision Regulations. There is no Section 5 and no Conservation Development in the 2003 regulations, but Judge Williams has said we can offer those options. Mr. Naylor asked Mr. Ericson to email PDFs of the settlement agreement plus the 2003 and 2006 regulations, and he agreed.

9. Planning Update: Summary of new developments with the Comprehensive Plan, Invest in NS bond, new commercial and manufacturing projects, planned bridge work, applications in the pipeline, BRV Heritage Corridor projects, energy projects, Planning Board appointments, and meetings schedule.

Mr. Ericson discussed changes in the Ethics Commission filing process. If members do not receive their filing papers in the mail, they should call the EC for them, because the EC may not be aware of everyone who has been appointed.

10. Adjournment: Dr. Benoit moved that the Planning Board adjourn. Second by Mr. Palardy with all in favor (5-0). The meeting ended at 10:15 PM.

Submitted by Robert Ericson on March 17, 2015.

Approved by the Planning Board on March 19, 2015