

Minutes for Town of North Smithfield Planning Board

Kendall Dean School, 83 Green Street

Thursday, June 18, 2015

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

1. Roll Call: Present: Lucien Benoit, Scott Lentz, Dean Naylor, Gary Palardy and Alternate David Punchak. Also in attendance were Town Planner Robert Ericson and Town Solicitor David Iglizzi.

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

3. Minutes: Mr. Lentz made a motion to accept the minutes of May 21, 2015 as written, seconded by Mr. Palardy with all in favor (5-0). Alternate Dinna Finnegan joined the meeting at 7:04pm and Cynthia Roberts joined the meeting at 7:05pm. Dr. Benoit made a motion to accept the minutes of June 4, 2015 as corrected, Mr. Lentz seconded with all in favor (5 – 0).

4. Pre-application meeting: University Orthodontics, applicant Bryan Beagan, DMD of Beagan Dental PC d/b/a University Orthodontics. Address: 947 Victory Highway, Assessor's Plat 1, Lot 241. Zoning: BN (Neighborhood Business). Discussion, vote or other action by the Planning Board.

Joseph Casali, registered professional engineer with an office at 300 Post Rd., Warwick, RI made a slide presentation on the proposed site.

Along with Mr. Casali is Mr. Beagan, owner of University Orthodontics and David Corrente of Vision III Architects. The site is located on Rte 102, next to the existing Dunkin Donuts, and the lot is approximately 25,000 sq. ft.

The lot is zoned neighborhood business, which allows 40% impervious lot coverage in an aquifer protection area. The topography is fairly flat with wetlands just beyond the lot, such that the RIDEM jurisdictional area eclipses the lot. Scott Rabideau of Natural Resource Services has reviewed the site, and it was mapped by Anthony Muscatelli of International Map Survey. The building will be slightly less than 3,000 sq. ft. so there will be no dimensional relief required. The building is an Adirondack style which will fit nicely into the community. They are asking for more parking than zoning requires and are doing so to accommodate the size of the practice and the staff.

DEM has been consulted concerning the stormwater runoff. Branch River has a higher than allowed bacteria level. The engineer added a bio retention garden and sand filter to clean the stormwater and not add to the Branch River's problems. The property has rights to a public well, and sewer is available from Victory Hwy. Amalgum is used for tooth fillings and typically requires pre-treatment to the wastewater. Mr. Casali testified that the Woonsocket Water

department told him that no pre-treatment is necessary.

Mr. Lentz made a motion to include all testimony from item #4, the pre-application meeting for University Orthodontics, into item #5, the review of the Master Plan for the same applicant. Dr. Benoit seconded. Roll call vote, all in favor (5-0).

5. Major Land Development Plan: University Orthodontics (see above). This includes an informational meeting (public hearing). Discussion, vote or other action by the Planning Board

Dr. Benoit made a motion to open the public hearing at 7:59 pm, Mr. Palardy seconded with all in favor. There was no public discussion. Dr. Benoit made a motion to close the public hearing at 8:00 pm, Mr. Palardy seconded with all in favor.

Mr. Lentz made a motion to approve the master plan for the applicant with two stipulations:

- 1. Applicant must gain a public water access from the Dept of Health**
- 2. Applicant must get all required state approvals from RIDOT and PAP**

Motion seconded by Dr. Benoit. Chairman Naylor reviewed the five tests for Master Plan approval from state law.

In discussion following the motion, Planning Board members found compliance with the five tests of state law:

- 1. Comprehensive Plan Consistency: Dr. Benoit affirmed Comprehensive Plan consistency because everything the applicant is doing is allowed by right in Neighborhood Business zones.**
- 2. Zoning Ordinance Compliance: The applicant is not going before the Zoning Board for any variances or special use permits and is in compliance with the Town's Zoning Ordinance.**
- 3. No Significant Environmental Impact: No significant environmental impact as shown in plan because bacteria is being treated. Applicant has delineated wetlands and plans for stormwater treatment.**
- 4. No Unbuildable Lots: No new lots will be created.**
- 5. Permanent Access to a Public Way: Lot already has access to Rt. 102 (state road) and plans to relocate the curb cut. The applicant will be petitioning for the relocation, and approval will be received from the RIDOT.**

Roll call vote on approval of Master Plan, all in favor (5 – 0).

Chairman Naylor asked Mr. Casali when they anticipate being back before the board, Mr. Casali estimated 60 – 90 days.

6. Development Plan Review: SolBright solar farm at Brookside Equestrian Center

Applicant: SolBright Renewable Energy, LLC

Assessor's Plat 4, Lots 49, 319, 397

Zoning: REA, also known as RRC (Rural Residential Conservation)

Discussion, vote or other action by the Planning Board under Section 5.7 of the Zoning Ordinance, with a possible recommendation to the Zoning Board of Review.

Mr. Ryan Black is representing SolBright. This will be a stand-alone commercial solar farm. They are leasing the property from Brookside Equestrian Center. The Planning Board, applicant and abutters represented by Steve Bator discussed options for visual buffering. They reached a working agreement on a condition for approval. Dr. Benoit asked if there was any type of sound that would come from these panels, Mr. Black responded no, but the inverter produced a slight hum. Mr. Bator is opposed to this solar farm due to visual concerns.

Dr. Benoit made a motion to approve application of SolBright solar farm at Brookside Equestrian Center, Applicant: SolBright Renewable Energy, LLC, Assessor's Plat 4, Lots 49, 319, 397, Zoning: REA, also known as RRC (Rural Residential Conservation) with the following conditions:

- Applicant will provide appropriate visual evergreen vegetative buffer and do suitable sound abatement if required due to excessive decibel levels to comply with Town's noise ordinance. An appropriate visual buffer applies to plat/lots 7-101, 7-102, 7-103, 7-104, 7-105 and 7-14.**

Motion was seconded by Gary Palardy.

In discussion following the motion, Planning Board members found compliance with the five tests of state law:

- 1. Comprehensive Plan Consistency: As presented this plan keeps land in agricultural use.**
- 2. Zoning Ordinance Compliance: The project is subject to Zoning Board approval.**
- 3. No Significant Environmental Impact: Project is causing minimal disturbance to land.**
- 4. No Unbuildable Lots: No new lots will be created.**
- 5. Permanent Access to a Public Way: Access to public way is existing.**

Roll call vote on approval, all in favor (5-0).

Dr. Benoit added to his motion a condition that the application will be approved conditional on Zoning Board approval. Gary Palardy seconded the motion. Roll call vote, all in favor (5-0).

Dr. Benoit motioned to make a favorable recommendation to the Zoning Board of Review in regard to the application of SolBright solar farm at Brookside Equestrian Center, Applicant: SolBright Renewable Energy, LLC, Assessor's Plan 4, Lots 49, 319, 397, Zoning: REA, also known as RRC (Rural Residential Conservation) for special use permit and/or a variance. Gary Palardy seconded the motion. Roll call vote, all in favor (5-0).

7. Land Development & Subdivision Regulations: Discussion of proposed revisions for the complete document. No votes will take place until after a public hearing tentatively scheduled for July 16 or later.

Due to the late hour, Mr. Lentz made a motion to move Item #7, Land Development & Subdivision Regulations discussion to the next PB meeting on July 16, 2015. Mr. Palardy seconded, all in favor (5 – 0).

8. Planning Board Rules of Procedure: Dr. Benoit made a motion to accept as amended, Mr. Palardy seconded, all in favor (5 – 0).

9. Planning Update: Bob Ericson shared that the Town will apply for a \$150,000 grant to restore the interior and exterior of Kendall Dean. The school department voted to approve combining Town and School Department administration at Kendall Dean.

He also wrote a letter of interest for a grant of up to \$100,000 to plan active facilities for public health improvements.

Adjournment: Dr. Benoit made a motion to adjourn at 10:00 pm, seconded by Gary Palardy, all in favor.

Submitted by Kris Fanning and Bobbi Moneghan on July 2, 2015

Approved by\ the Planning Board on July 16, 2015