

# **Town of North Smithfield Ordinance Development Committee**

**November 10, 2011 7PM**

**Primrose Fire Station**

**Providence Pike, N. Smithfield, RI 02896**

## **Monthly Meeting**

### **Minutes**

**1. Call to order: The meeting was called to order by Chairman Zwolenski at 7:06 pm**

**2. Roll call: Members present were Mr. Zwolenski, Wm Juhr, Dr. Shumway and James Brennan. Town Planner, Robert Ericson arrived shortly after roll call. Members absent included Paul Soares, Lucien Benoit and Al Puccetti.**

**3. Acceptance of the meeting minutes from September 15, October 13, and October 27: A vote on the minutes was tabled to the next monthly meeting to assure a majority of the membership present and able to vote.**

#### **4. Reports**

**a. Town Council: an update of the status of the various Ordinances before the Council including, but not limited to SWPPP, OWTS, Parking and Loading.**

**i. Mr Zwolenski noted that the SWIPP ordinance has been scheduled for a public hearing on December 5th. The OWTS ordinance has been**

returned to the Planning Board for a judgement as to its compatibility with the Comprehensive Plan. Assuming that the Planning Board will so confirm, Mr. Zwolenski will work with the Town Council President to schedule this also for a public hearing at the December 5th Council meeting. No action has been taken on the Parking and Loading ordinance. Mr. Ericson will look into this and move it along.

## **5. Ordinance Development for discussion and action**

### **a. Ground Water Protection Overlay District**

**i. The latest revision of the Ground Water Protection Overlay District was reviewed in detail by the Committee with the following changes:**

- 1. Editorial corrections of wording, punctuation and organization**
- 2. Moved, seconded, discussed and passes unanimously that section 9.6, Prohibited Uses, be amended by addition to include ‘the storage, disposal or use as fill of materials containing asphalt, concrete, construction debris or stumps, even if determined to be non hazardous.’ [Shumway/Juhr]**
- 3. Moved, seconded, discussed and passes unanimously that section 9.6, Prohibited Uses be amended by addition to include ‘Installation of interior drains designed to permit fluid from any interior space to be discharged into or onto the ground, except for sump pumps and French drains used solely to accumulate and discharge ground water from a residence. Applicants for new construction or expansion of existing uses with sump pumps and French drains shall be required to identify the discharge location and demonstrate that such discharge is designed to prevent release of contaminants to the environment and to avoid increased storm water runoff offsite. The**

property owner shall report any accidental contamination of sump pump discharges and release to the environment to the Building Official and to RIDEM, and shall remediate as required by RIDEM. [Shumway/Zwolenski]

4. Moved, seconded, discussed and passes unanimously that section 9.6, Prohibited Uses, be amended by addition to include 'Pesticides and fertilizer businesses, lawn and garden supply stores, or storage of pesticides or fertilizers other than in amount normally associated with household or agricultural use.' [Shumway/Juhr]

5. Moved, seconded, discussed and passes unanimously that section 9.7, Exemptions, be amended by addition to include 'routine maintenance of buildings and landscape care; however, application of fertilizers and pesticides within the buffer is not recommended. Enhancement of wetland buffers by allowing natural re-vegetation of native plants or planting in accordance with DEM standards is encouraged. [Shumway/Brennan]

6. Moved, seconded, discussed and passes unanimously that section 9.10, Design and Operation Guidelines, be amended by addition to include 'Conservation Developments are strongly encouraged for all major subdivisions and land development projects in the Groundwater Aquifer Protection Overlay District. [Shumway/Zwolenski]

ii. The Water Resources Protection Map, 11/7/11 revision, was reviewed in detail. It was moved, seconded, discussed and unanimously passed to accept the map as amended as the official Groundwater Aquifer Protection Overlay District map. The changes

**include the following:**

- 1. The name shall be 'Groundwater Aquifer Protection Overlay District Map'**
- 2. The school icons shall be removed.**
- 3. Lot lines will remain, but deemphasized.**
- 4. Water supply basin boundaries will be shown.**
- 6. It was moved, seconded and passed unanimously to extend the meeting to 9:30 PM. [Shumway/Juhr]**
- 7. It was moved and accepted by unanimous consent to hold a special meeting on November 17 at 7PM at Kendall Dean. This will allow any committee member to respond to issues brought up by the Planning Board which will be considering the compatibility of the SWPPP ordinance with the Comprehensive Plan at that place and time.**
- 8. Adjournment: It was moved, seconded and passed unanimously to adjourn the meeting at 9:25 PM [Juhr/Shumway]**