



MEETING AGENDA

Town of North Smithfield Planning Board

Meeting Date: Thursday, January 9, 2025

Time: 7:00 p.m.

Location: North Smithfield Town Hall
Town Council Chambers
83 Greene Street
North Smithfield, RI 02896

The meeting will be livestream. Please join the meeting from your computer, tablet, or smartphone by clicking on this link:

https://www.youtube.com/channel/UCFgw5KxL950ZgZ_DKz8B-MQ

or go to the North Smithfield YouTube page - North Smithfield Town Meetings.

Documents related to the meeting will be posted on the Planning Department's page of the Town's website on Friday, January 3, 2025.

Item 1
Call to Order

Item 2
Roll Call

Item 3
Minutes
Review and approval of the December 14, 2024, meeting minutes.

Item 4
Disclosure
Planning Board members shall disclose potential conflicts on matters before the Planning Board.

Item 5
Disclosure & Notice:
Planning Board members shall disclose any ex parte communications about any contested or material adjudicatory facts or opinions concerning the merits of any application before the Planning Board.

Item 6
Declaration of voting members

Item 7
Public Hearing
Unified Development Review
American Tower

Applicant: American Tower, LLC.
Location: 51 Industrial Drive
Assessor's Plat: 5
Lot: 484
Zoning District: Manufacturing – (M)
Land Area: 6.693 Acres
Number of lots: 1
Engineer: Joshua H. Walton

The applicant is requesting a combined preliminary and final approval under Unified Development Review to install and operate a 140' wireless communications monopole with the antennas and equipment for three (3) FCC-license wireless service providers at 51 Industrial Drive, in a (M) Manufacturing District. The proposed monopole requires a special use permit in accordance with Zoning Section 5.6.3.10(6)(A)(1). The project also requires dimensional variances from Zoning Sections 5.6.3.10(7)(A)(1) & (2), to have less than the required setbacks from a residential structure or residential lot line, and less than the required setback from an adjoining commercial or manufacturing structure or use.

Unified Development Review requires that the Planning Board act as the "authorized permitting authority" and consider the request for a special use permit and dimensional variances. As the "authorized permitting authority", the Planning Board may grant the requested special use permit and the requested dimensional variances upon making the required positive findings under RIGL 45-24-42, "Special-use Permits," and RIGL 45-24-41, "Variances." These approvals shall be conditional upon and prior to consideration of the land development project (LDP).

Dimensional Variances

In granting the requested dimensional variances, the authorized permitting authority shall require that evidence to the satisfaction of the following standards is entered into the record of the proceedings:

- (1) That the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in § 45-24-30(a)(16).

***Planning Office Comment:** The requested relief is necessary to allow the proposed monopole to locate on the subject site and still allow the property owner to utilize the site for an allowed principal use in the M Zoning District. It is necessary for the applicant to locate the new monopole in proximity to the existing antenna to ensure that the current cell coverage area remains intact.*

- (2) That the hardship is not the result of any prior action of the applicant; and

Planning Office Comment: *The North Smithfield Water Division requested the applicant permanently remove the antenna from the water tank. As a result, locating the proposed new monopole in proximity to the previous location is necessary to maintain the established coverage area.*

- (3) That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the Zoning Ordinance or the Comprehensive Plan upon which the ordinance is based.

Planning Office Comment: *The North Smithfield Zoning Ordinance allows cell towers in the Manufacturing (M) Zoning District upon issuance of a Special Use Permit (SUP). Further, the proposed location is in proximity to the former antenna located on the Town's water tank and in proximity to the previously approved temporary monopole. The applicant has sited the proposed monopole 41 feet from the easterly property line abutting a manufacturing zoned property, behind the existing water tank, and further away from, and screened by the water tank from the closest residential property.*

Planning Office Recommendation:

The Planning Office recommendation is to grant the requested dimensional variances with the following stipulations:

- 1) The approval shall be contingent upon the granting of a special use permit for the proposed wireless communications monopole and Planning Board approval of the Land Development Project.
- 2) That the applicant shall post a bond payable to the Town of North Smithfield in the amount of \$51,250, which shall be recalculated and reissued every two years, in compliance with Zoning Ordinance Section 5.6.3.10(8), to cover the removal cost and site restoration.
- 3) That the chain link fence enclosure shall include privacy slats, screening the base of the tower from visibility.
- 4) That all lighting related to the tower shall be contained within the fenced area and directed downward so as not to bleed into surrounding properties.
- 5) That all utilities servicing the tower shall be buried underground.
- 6) That the existing temporary tower shall be removed, and the site be restored within 60 days of activation of the new tower.

Permitting Authority Vote

Gary Palardy, Chairman	Yes	No
Jeffrey Porter, Vice-Chair	Yes	No
Lucien Benoit	Yes	No
Roland Menard	Yes	No
Cynthia Roberts	Yes	No
Cheryl Marandola (Alt.)	Yes	No
Ariana Ramos	Yes	No

Special Use Permit

Zoning Section 5.6.3.10(6)(A)1 Special use permits (SUP) states: “If the tower or antenna is not a permitted use under subsection 5 of this article or [not] permitted to be approved administratively pursuant to subsection 5 of this article, then a special use permit shall be required for the construction of a tower or the placement of an antenna in all zoning districts.”

Planning Office Comment: *The proposed wireless communications monopole cannot be approved administratively. Therefore, the applicant is seeking a SUP in accordance with section 5.6.3.10(6)(A)1.*

Section 5.6.3.10(6)(B) Factors considered in granting special use permits. The Zoning Board shall consider the following factors in determining whether to issue a special use permit, although the Board may waive or reduce the burden on the applicant of one or more of these criteria if they find that the goals of this section are better served thereby.

- 1) Height of the proposed tower.
- 2) Proximity of the tower to lot boundaries.
- 3) Nature of uses on adjacent and nearby properties.
- 4) The opportunity for natural screening of telecommunication facilities through a combination of reduced facility height due to site elevation, lot depth, natural vegetation, or topography.
- 5) Design of the tower, with references to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.
- 6) Proposed ingress and egress; and
- 7) Availability of suitable existing towers for co-location and other structures as discussed in Subsection 3C and D of this article. The applicant shall submit a co-location statement as well as an evaluation of friendly sites as called for in Subsection 3C.

Planning Office Comment: *The applicant is seeking dimensional variances for items 1 & 2. The subject property is zoned Manufacturing (M), and the facility is currently vacant. The proposed ingress and egress appear adequate. Finally, the facility was collocated on the abutting town-owned water tank and is being relocated at the request of the North Smithfield Water Division.*

Planning Office Recommendation:

The Planning Office recommendation is to grant the requested special use permit for the proposed temporary cell tower with the following stipulations:

- 1) The approval shall be contingent upon Planning Board approval of the Land Development Project.
- 2) That the applicant shall post a bond payable to the Town of North Smithfield in the amount of \$51,250, which shall be recalculated and reissued every two years, in compliance with Zoning Ordinance Section 5.6.3.10(8), to cover the removal cost and site restoration.
- 3) That the chain link fence enclosure shall include privacy slats, screening the base of the tower from visibility.

- 4) That all lighting related to the tower shall be contained within the fence area and directed downward so as not to bleed into surrounding properties.
- 5) That all utilities servicing the tower shall be buried underground.
- 6) That the existing temporary tower shall be removed, and the site be restored within 60 days of activation of the new tower.

Permitting Authority Vote

Gary Palardy, Chairman	Yes	No
Jeffrey Porter, Vice-Chair	Yes	No
Lucien Benoit	Yes	No
Roland Menard	Yes	No
Cynthia Roberts	Yes	No
Cheryl Marandola (Alt.)	Yes	No
Ariana Ramos (Alt.)	Yes	No

Item 8

Public Meeting

Minor Land Development Project for Development Plan Review

Combined preliminary/final approval

American Tower

Applicant:	American Tower, LLC.
Location:	51 Industrial Drive
Assessor’s Plat:	5
Lot:	484
Zoning District:	Manufacturing – (M)
Land Area:	6.693 Acres
Number of lots:	1
Engineer:	Joshua H. Walton

This application is contingent upon Planning Board approval of the requested dimensional variances and special use permit.

The applicant is requesting approval to install and operate a 140’ wireless communications monopole with the antennas and equipment for three (3) FCC-license wireless service providers at 51 Industrial Drive, in a (M) Manufacturing District.

Planning Office Findings

The Planning Office finds the proposal to be generally consistent with Article 1.1 “Purpose” of the Town’s Land Development and Subdivision regulations, and:

- 1) Generally consistent with the Comprehensive Community Plan.

Economic Development Policy 3.a. Encourage private investment in the town’s existing commercial areas.

- 2) In compliance with the standards and provisions of the Town’s Zoning Ordinance.

Use Table 5.4.18 Cellular communications tower 125'-200' is an allowed use in the Manufacturing (M) Zoning District. This finding is also contingent upon the applicant receiving the necessary dimensional variances and SUP from the "authorized permitting authority."

- 3) That there will be no significant negative environmental impacts from the proposed development.
- 4) That the development will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.
- 5) That the proposed development possesses adequate physical access to a public street.

Planning Office Recommendation

The Planning Office recommendation is to grant a combined preliminary/final approval with the following stipulations:

- 1) That the applicant shall post a bond payable to the Town of North Smithfield in the amount of \$51,250, which shall be recalculated and reissued every two years, in compliance with Zoning Ordinance Section 5.6.3.10(8), to cover the removal cost and site restoration.
- 2) That the chain link fence enclosure shall include privacy slats, screening the base of the tower from visibility.
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Planning Board Vote

Gary Palardy, Chairman	Yes	No
Jeffrey Porter, Vice-Chair	Yes	No
Lucien Benoit	Yes	No
Roland Menard	Yes	No
Cynthia Roberts	Yes	No
Cheryl Marandola (Alt.)	Yes	No
Ariana Ramos (Alt.)	Yes	No

Item 11

Public Meeting

Review and Approval of 2025 Meeting Schedule

The Planning Board to review and approve the annual meeting schedule in accordance with RIGL 42-46-6 (a) Open Meetings Notice: All public bodies shall give written notice of their regularly scheduled meetings at the beginning of each calendar year. The notice shall include the dates, times, and places of the meetings and shall be provided to members of the public upon

request and to the secretary of state at the beginning of each calendar year in accordance with subsection (f).

Proposed meeting schedule attached.

Item 13

Administrative Subdivisions

None

Item 14

Adjournment

Individuals requesting special assistance should contact the Town Planner's Office at 767-2200, ext. 336 seventy-two (72) hours in advance of the meeting date. Agenda posted at Town Hall, North Smithfield Police station, North Smithfield High School, and RI Secretary of State website.

Agenda posted: January 3, 2025