



## **MEETING AGENDA**

### **Town of North Smithfield Planning Board**

**Meeting Date:** Thursday, January 23, 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](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 17, 2025.

#### **Item 1**

##### **Call to Order**

#### **Item 2**

##### **Roll Call**

#### **Item 3**

##### **Minutes**

Review and approval of the January 9, 2025, 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 exparte 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**

### **Canton East Holdings, LLC**

Applicant: Canton East Holdings, LLC.  
Location: 322 Eddie Dowling Highway  
Assessor's Plat: 13  
Lot: 70  
Zoning District: Business Highway – (BH)  
Land Area: 5.48 Acres  
Number of lots: 1  
Engineer: DiPrete Engineering

The applicant is requesting preliminary approval under Unified Development Review to demolish an existing building and surrounding pavement to subdivide the property into two new lots for construction of a 6,400 S.F. automatic car wash facility and a 4,600 S.F. gasoline station with convenience store and drive-through, in the Business Highway Zoning District.

The project requires a special use permit in accordance with Zoning Section 6.19.5 Water Protection Overlay with a dimensional variance from zoning section 6.19.10 (C) to exceed the maximum allowed impervious area in a Business Highway zoning district.

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**

**Relief requested to allow for a 0 ft setback of the wall to the front and side of property lines. + section 6.19.10-maximum percentage of impervious areas shall be 35% in BH zone. Proposed lot B will contain 39.3% impervious area. Relief for additional 4.3% is requested.**

**The maximum percentage of impervious area for each zone shall be as follows: M: 40%, BH: 35%, REA: 10%, RA: 12%, RS: 15%, RU: 25%, BN: 40%, and all other commercial: 40%. Residential lots of record that are nonconforming by area shall meet the requirements of the zone for which their area most nearly matches. Nonconforming lots of less than 15,000 square feet may use 40% impervious cover.**

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 gas station/car wash .....*

- (2) That the hardship is not the result of any prior action of the applicant; and
  1. 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 gas stations in the Business Highway (BH) Zoning District upon issuance of a Special Use Permit (SUP) .....*

### **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 gas station/car wash and Planning Board approval of the Land Development Project.

### **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**

**5.4.7 ZO – gas stations require special use permits in BH zone**

**6.19.8 – underground storage tanks require SUP in Water Supply Overlay District**

**Planning Office Comment:** *The proposed gas station/carwash .....*

**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 gas station/car wash with the following stipulations:

- 1) The approval shall be contingent upon Planning Board approval of the Land Development Project.

**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 for Preliminary Plan Review**

**Canton East Holdings, LLC.**

Applicant:	Canton East Holdings, LLC.
Location:	322 Eddie Dowling Highway
Assessor's Plat:	13
Lot:	70
Zoning District:	Business Highway – (BH)
Land Area:	5.48 Acres
Number of lots:	1
Engineer:	DiPrete Engineering

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

The applicant is approval to demolish an existing building and surrounding pavement to subdivide the property into two new lots for construction of a 6,400 S.F. automatic car wash facility and a 4,600 S.F. gasoline station with convenience store and drive-through, in the Business Highway Zoning 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.
  - Economic Development policy 3c. Encourage development and redevelopment of older retail and commercial areas along Route 146 and 146A.
- 2) In compliance with the standards and provisions of the Town’s Zoning Ordinance.
- 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**

### **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 9**

#### **2023 Land Use Legislation**

Presentation and discussion by Emily Innes of Innes Associates, Ltd., regarding the General Assembly 2023 Land Use and Zoning Legislation.

### **Item 10**

#### **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 16, 2025