



# MEETING AGENDA

## Town of North Smithfield Planning Board

**Meeting Date:** Thursday, December 11, 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, December 5, 2025.

**Item 1**  
**Call to Order**

**Item 2**  
**Roll Call**

**Item 3**  
**Minutes**  
Review and approval of the November 13, 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 Meeting**

#### **Amendment to the Zoning Ordinance Text and Town's Zoning Map**

Applicant:	Pound Hill Realty, LLC.
Assessor's Plat:	7
Lot(s):	38
Zoning District:	Rural Agricultural (RA) & Rural Estate Agricultural (REA)
Map Amendment:	Zoning map amendment to amend the zoning of lot 38 from Rural Agricultural (RA) & Rural Estate Agricultural (REA) to Industrial Special Management District 1 Overlay.

The applicant is requesting a text amendment and a zoning map amendment to the Zoning Ordinance of the Town of North Smithfield (the "Zoning Ordinance"). The proposed zoning amendment will create a new zoning district "Industrial Special Management District 1 Overlay," the intent of the district is to allow mining, quarrying, sand and gravel extraction, loam stripping, stone cutting operations, crushing, washing, and/or processing of materials.

The zoning map amendment proposes to amend the zoning designation of the parcel of land located at 14 Pine Hill Road in the Town of North Smithfield, more specifically described as Assessor's Plat: 7, Lot: 38 (the "Property") from Rural Agricultural (RA) & Rural Estate Agricultural (REA) to Industrial Special Management District 1 Overlay.

#### **Planning Office Findings**

The proposed text and zoning map amendments are intended to authorize a pre-existing Industrial Use, J.2 "Mining, quarrying, sand and gravel extraction, loam stripping, stone cutting operations," which is currently prohibited in the Rural Estate Agricultural (REA) Zoning District, as presented in Zoning Ordinance Section 340, Attachment 2 "District Use Regulations".

The Planning Office performed a review of the North Smithfield Comprehensive Plan and could find no specific authorization nor prohibition for the existence/establishment and/or expansion of mining and quarry operations in the Town.

#### **Land Use Chapter**

The following excerpt on page 15 of the Land Use Chapter, and the Goal, Policies and Actions table contained in the Town's Comprehensive Plan, do not directly address the proposed zone change, but may be interpreted as being related to the request:

*Comp Plan Page 15: Rural Estate Agricultural (REA) – Low Density (formerly Rural Residential Conservation (RRC))* **The REA area covers land and groundwater aquifer areas requiring conservation action.** It includes major natural areas such as Todd's Pond, Cedar Swamp and Cedar Brook, **all sensitive areas where utilities should not be provided and open space preserved.** **The designated area also has been established as a buffer district** along Trout Brook, Trout Pond, Dawley Brook/Pratt Pond and **around the Slatersville Reservoirs.** **It is proposed that the buffer be increased to include the portions of the Reservoir's drainage area and the Slatersville Aquifer and aquifer recharge area between the Reservoirs and Pound Hill Road.** **This area encompasses the Landfill & Resource Recovery and Western Sand & Gravel EPA Superfund sites.** Less than 10 percent of the REA area is currently developed. **Development proposals must consider the constraints associated**

**with the existence of the EPA Superfund sites and the need to protect the Slatersville Aquifer and Reservoirs.**

*The description of the REA Zone presented above represents the Town’s concern about the existence of a groundwater aquifer, the Slatersville Reservoir and presence of contaminated superfund sites. This section of the plan calls for open space, enhanced buffers, and consideration of constraints to development related to the superfund sites in the REA district. However, there is no specific mention of what constitutes an adequate buffer and what qualifies as appropriate land uses, other than open space.*

Table III. 4. Goal 3.

Goal	Policy	Action
3. Prevent incompatible non-residential uses in residential neighborhoods		

*When reviewing the Goals, Policies and Actions in the Land Use Chapter, Table III. 4. Goal 3. (above) appears to be the most direct statement in conflict with the proposed zoning amendments. Location of a sand and gravel quarrying operation directly abutting residential land use is indicative of an incompatible land use condition. However, the sand and gravel operation in some configuration, is a preexisting condition which predates the current zoning and the adoption of the comprehensive plan. Should a proposal for a NEW sand and gravel operation be presented, it would clearly be incompatible with Table III. 4. Goal 3.*

**Economic Development Chapter**

The following excerpts from the Economic Development Chapter are not directly related to the proposed zone change, but may be read to be related to the request:

Page 43 includes the following excerpt: **“Also, a detailed buildout of all non-residential zone districts was performed using GIS and discussed later in this chapter in section entitled “Non-residential buildout analysis”.** All maps related to the buildout are available in Appendix A. **The findings confirm that North Smithfield has very little undeveloped commercially zoned property remaining. As a result, the Town must consider both flexibility in its subdivision and land development process to encourage development of remaining industrially zoned land, along with potential zone changes to add to the Town’s industrial base.** Such will likely require cooperation between the Planning and Zoning Boards for subdivision and land developments.

*This section of the Economic Development Chapter states a need for more commercially zoned land. The Chapter suggests flexibility to encourage development of remaining industrially zoned land, as well as potential zone changes to add to the industrial base.*

*While this section supports new and expanded industrial activity, it is the Town’s responsibility to determine the most appropriate areas and type of activities that are most suitable for proposed expansion and/or rezoning.*

Page 44 contains the following section:

### **Financial Revenue Basics and Trends**

**North Smithfield's revenue is dominated by residential taxes. The commercial tax revenue has been growing which helps to mitigate the tax burden to residents. However,** the delta between commercial and residential is nearly identical to that of 2006 which tells us that **reliance on residential revenue vs. that of commercial has not made the progress we'd prefer.** It would appear that the reliance gap shrank during 2011 and 2012, however that was a result of the post 2008 recession. Residential values are rebounding but the structural reliance has not changed much.

**We must address the challenge of increasing revenue from commercial taxes to meet the town's financial needs without raising residential taxes in addition to creating local jobs to the greatest extent possible. The expansion of this tax base is critical to a community's success in stabilizing residential tax rates, controlling the cost of living for its residents, and generating tax revenues to fund quality municipal services, the most demanding of which is public education. Expanding the commercial tax base also allows the commercial tax rate to be low, which in turn attracts business.**

*This section emphasizes the Town's reliance on the residential tax base and expresses the need to expand the commercial tax base to provide necessary municipal services for the Town's residents, in particular funding the education system. It also articulates the idea of the compounding effect of business attracting business and supports new and expanded industrial activity. However, as previously stated, it is the Town's responsibility to determine the most appropriate types of business activities that are suitable for the Town and the location.*

Page 51 includes the following section:

### **Non-residential build out analysis**

**The Economic Development Element calls for an aggressive program to attract new, quality industrial and commercial development to North Smithfield.** In addition, it suggests measures to assure the retention of existing business and industry. **This Economic Development Element encourages a type, scope and scale of industrial and commercial development that will result in the creation of quality job opportunities and expansion of North Smithfield's tax base while at the same time preserving North Smithfield's unique character and environment. This is best accomplished by encouraging redevelopment within existing commercial and industrial areas and establishing corridors of commercial and industrial development in designated areas that are near transportation facilities.**

A detailed buildout of all non-residential zone districts was performed using GIS and 2014 aerials. **The findings indicate that North Smithfield has very little undeveloped commercially zoned property remaining. As a result, the Town must consider both flexibility in its subdivision and land development process to encourage development of remaining industrially zoned land, along with potential zone changes to add to the Town's industrial base**

*The Economic Development Chapter is clear that North Smithfield needs to attract new commercial and industrial development. The section, however, presents a vision of desired industries being the type that will result in the creation of quality job opportunities and expansion of the tax base while preserving the Town's unique character and environment.*

## Natural Resources Chapter

Page 72 of the Natural Resources Chapter discusses the importance of groundwater:

### **Groundwater Water Resources**

**Groundwater is an important resource as it supplies drinking water for a large percentage of the town's households. North Smithfield has two class GAA groundwater aquifers, the Slatersville and Lower Branch. Groundwater classified GAA are those groundwater resources that are known or presumed to be suitable for drinking water use without treatment and are in one of the two areas described below. Groundwater classified GAA underlies approximately 21% of the state and 32% of North Smithfield. Groundwater classified GAA includes the following:**

Map V. 1 is the **Groundwater Aquifer Protection Overlay District from the North Smithfield Zoning Ordinance. This map combined with North Smithfield Zoning Ordinance 6.19 regulates the use and development of land to protect major stratified drift aquifers and their recharge areas (GAA Classification), surface drinking water supplies and their watersheds, community well-head protection areas, and town-owned non-transient, non-community wellhead protection areas (schools).**

**While much of the town's more intense residential, commercial and industrial development has historically been located over aquifers, ordinances have been put in place specifying permitted uses and non-permitted (possibly contaminating) uses to protect the drinking water of North Smithfield's residents.**

### **Groundwater Overlay Zoning**

**The Town responded to the 1992 Comprehensive Plan requirement for groundwater protection by adopting Section 6-19 of the Zoning Ordinance titled "Regulation of Groundwater Aquifer Zones, Groundwater Recharge Areas, Wellhead Protection Areas and Water Supply Basin". As recommended by the Comprehensive Plan, the regulations dictating uses over these resources are more stringent than in the underlying districts. The current Overlay language will be reviewed for possible expansion of the list of prohibited uses and the Overlay map will be revised to clearly show all protection zones including surface water supply basins. More specifically, it will prohibit excessive water drawdown for non-municipal uses. More resources will be spent on enforcement of the Ordinance and property owner education.**

There is merit to carving out areas of the overlay within existing industrial areas to support expansion in those areas. This is particularly true in pockets where water quality has been degraded historically such that it would never be approved for drinking water

*The Natural Resources Chapter includes an emphasis on the protection of the Town's groundwater resources. The chapter includes mapping of the sensitive areas and expresses a desire to control the land use in these areas and to develop more stringent regulations for these areas. It should be noted that the subject property is included in the Water Supply Protection Overlay District. This does not necessarily preclude the existing land use; however, the use should comply with the standards, provisions and requirements of the Water Supply Protection Overlay Zone.*

Page 85 mentions the Town’s Soil and Earth Removal Ordinance below:

**Soil and Earth Removal Ordinance**

**The Soil and Earth Removal Ordinance does not apply to several sand and gravel operations which were in operation prior to the enactment of the Ordinance.** One, for example, is located between the Slatersville Reservoir and the Slatersville groundwater reservoir. **Since critical resources of the Town and State may be at risk, the Town should reexamine present regulations about the underlying water resources and adjacent wetland and surface waters and the restoration of the land in a manner which will provide long-term protection.**

*This section addresses the fact that the current sand, gravel and quarrying operation predates the soil and earth removal ordinance. It goes on further to recommend that the town should reexamine its regulations to consider underlying water resources, wetlands, surface water and land restoration in the long term.*

Table V. 3.

Goals	Policies	Actions
1. Natural resource systems, wetlands, wildlife habitats, and groundwater aquifers, will be protected.	1.a. Limit development in environmentally sensitive and rural areas in accordance with zoning policy.	1.a.1. Determine compatible land uses and develop land acquisition and management programs to identify open space and river corridors.
		1.a.2. Protect existing natural environments and mitigate impacts of proposed development on those environments.

*When reviewing the Natural Resources Chapter Goals, Policies and actions Table V. 3 above, the emphasis is on protecting the Towns’ natural resources including groundwater aquifers by limiting development through proper zoning regulations which establish compatible land uses and mitigate impacts of the land uses on the environment.*

**Peer Review**

As part of its review process, the Town Council directed the Planning Office to engage GZA GeoEnvironmental, Inc. (environmental engineering firm) to perform a peer review of the testimony and material presented to the Town Council throughout the public process. The GZA report is included for the

Board's information. Planning Staff also reviewed the GZA report and included some additional recommended stipulations based on the findings and recommendations in the peer review report.

## **Planning Office Recommendation**

The Town's Comprehensive plan does not specifically address the proposed zoning text amendments. However, there are several sections of the Comprehensive Plan that may be appropriate when reviewing the proposed zoning amendments.

**The Land Use Chapter** explains the purpose of the REA zoning designation is to protect and preserve environmentally sensitive areas of the town by proposing low intensity land use. Goal 3. of the Land Use Chapter calls for preventing the establishment of incompatible non-residential uses in residential neighborhoods. If the request was to allow a new sand, gravel and quarry business on the subject property, one could argue the proposal would conflict with the Land Use Chapter. However, the fact that the use is pre-existing hinders this argument as the use was established before the current Comprehensive Plan was written.

**The Economic Development Chapter** discusses the need for the Town to expand its non-residential tax base to shift the burden away from residential property owners. The chapter presents a vision of desired industries being the type that will result in the creation of quality job opportunities and expansion of the tax base while preserving the Town's unique character and environment.

**The Natural Resources Chapter** identifies the need to protect the Town's natural resources, in particular groundwater aquifer recharge areas. The chapter goes on to explain that the Town should re-examine its regulations protecting these resources, including soil and earth removal ordinances, and provide for the restoration of land in a manner which will provide long-term protection.

The requested zone change is unique because it proposes the creation of a new zoning district that focuses on a pre-existing nonconforming use as opposed to requesting rezoning to an existing zoning designation and approval of an allowed use in that designation. It should be noted that sand, gravel and quarry businesses were at one time allowed under the Town's zoning ordinance and the Town amended the zoning ordinance to prohibit the use. This action represents a policy decision by the Town that eliminated the ability to establish new quarry businesses. The effect of this action was to make all existing quarries pre-existing nonconforming uses.

There are no specific references in the Town's Comprehensive Plan explicitly prohibiting and/or specifically in support of the requested amendment. The plan does include multiple passages related to natural resources and the environment. These passages are presented in this analysis and are primarily focused on protecting the Town's natural resources including groundwater aquifers. The Comprehensive Plan recommends limiting development through proper zoning regulations to establish compatible land uses which mitigate impacts on the environment.

Based on the history of quarrying in the Town, having been allowed and then prohibited, this request becomes a question of policy. The Planning Office suggests the Planning Board consider forwarding the following conditions to the Town Council regardless of whether the Board makes a positive or a negative recommendation regarding the proposed zoning change:

1. That use shall maintain minimum setbacks of 200 feet from any abutting residential property line, district or zone where sufficient land remains available.
2. That within the 200 feet setback mentioned above, there shall be a minimum, one hundred foot (100') linear no-cut buffer from any abutting residential properties, said buffer shall be supplemented with planting of conifers for screening, including but not limited to pine and spruce

trees, cypress, arborvitae and the like, said buffer area shall also include installation of an earthen berm topped with a (natural or artificial) sound barrier designed to curtail noise from the abutting residents, to be designed and stamped by a RI Registered Landscape Architect.

3. That the owner shall comply with RIDEM Air Pollution Control Regulation 250-RICR-120-05-5 for airborne particulate matter, including a dust control mitigation plan consisting of industry standard technology which may include dust control filtration barriers and/or atomized misters and the like.
4. That the owner shall provide advanced and direct notice of all blasting activity to the Town and all abutters within a ¼ mile radius of the property, a minimum of 24 hours prior to any scheduled blasting event which shall also include an email notification process for those who choose to participate.
5. That the applicant shall incorporate blast vibration monitors which shall monitor and record vibration levels in accordance with State of Rhode Island regulations to assess potential damage to surrounding properties.
6. That the use shall comply with the following provisions of North Smithfield Code Section 340-3.13 “Extraction of earth products”, which are creation of a restoration plan, hours of operation, fencing, reduction of dust, off street parking, posting of signs, access roads and truck routes, and bonding to insure repair to Town roads for damage by any hauling operations.
7. That the owner shall provide and maintain a copy of all required State, Federal and local permits to the Building Office.
8. That the applicant shall provide a traffic study performed by a qualified Rhode Island Registered Professional Engineer, which shall examine the traffic impacts of the existing business, including but not limited to, the amount and type of vehicles entering and exiting the property, hours of operation, the suitability and capacity of the receiving roadways to handle the type and volume of traffic, the deterioration/degradation of the receiving roadways and the effect on the abutting residents. Said traffic report shall result in no degradation of conditions and/or shall provide proposed mitigation measures to be implemented by the applicant to resolve any adverse effects.
9. That the applicant shall hire a hydrogeologic consultant to evaluate the potential impact of dewatering through the installation of a groundwater monitoring well near the northeast area of the bedrock quarry and one between the site and L&RR to compare with groundwater elevation data from L&RR and to evaluate potential groundwater elevation changes that may suggest contaminated groundwater flow toward the site from L&RR and report any abnormal results to the EPA.

10. That the quarry operator shall hire a hydrogeologic consultant to evaluate whether dewatering activity could draw groundwater bedrock contamination easterly from beneath the WSG property, as well as impact nearby residential water supply wells and report any abnormal results to the EPA.
  
11. That the applicant shall equip one or more residential water supply wells, or install a bedrock monitoring well, with a pressure transducer and datalogger that will enable the applicant to monitor changes in groundwater elevations and respond proactively to changes that may be attributed to the quarry.
  
12. That the Town may perform third party peer review of all reports provided by the applicant, the reasonable cost of which shall be borne by the applicant.

**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
Ryan Hammond (Alt.)	Yes	No

**Item 8**

**Administrative Subdivisions**

None

**Item 9**

**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: