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NORTH SMITHFIELD R.I.

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STATE OF RHODE ISLAND
TOWN OF NORTH SMITHFIELD
ZONING BOARD OF REVIEW

February 28, 2023
North Smithfield Town Hall
83 Greene Street
North Smithfield, R.I.

DECISION RE:

ZBR-23-05 STORAGE RENTALS OF AMERICA, applicant has received Master Plan approval with conditions to construct a 3-story, approximately 61,200 SF self-storage building on Plat 13 lot 103 to expand the existing self-storage facility on lot 104 in a Business Highway (BH) zoning district and in the Water Supply Protection Overlay District. Applicant is requesting the following relief from the Zoning Board of Review: Section 5.1 Special Use Permit for properties within the Water Supply Protection Overlay District in accordance with Section 6.19 of the Town of North Smithfield Zoning Ordinance and Section 5.4 Special Use Permit for the self-storage facility use in the BH District.

BEFORE:

Robert Najarian
Christopher Deziel
Michael Marston
Vincent Marcantonio

ADMINISTRATIVE RECORD

A public hearing on this Application was held by the North Smithfield Zoning Board of Review after due and public notice was provided under the North Smithfield Zoning Ordinance and Rhode Island General Laws as follows:

- Publication in the Valley Breeze on February 16 and February 23, 2023
- Posting of the hearing notice at Town Hall, the North Smithfield Police Station, the North Smithfield School Department, Town website, and Rhode Island Secretary of State website
- Notification to parties of interest as determined by Section 5.6.2 (including the owners and applicants) by 1st Class mail on or about February 6, 2023

At the public hearing all those who desired to be heard were given the opportunity to ask questions about this application and to speak for or against the application.

EXHIBITS:

- P1. ZBR 23-05 Application with added Overlay section dated 02/28/2023
- P2. Radius Addresses – 1 page
- P3. Warranty Deed received for record on 06/17/2016 regarding 395 Eddie Dowling Highway
- P4. Warranty Deed received for record on 11/04/2020
- P5. Site Photos, Attachment and Cover Letter of 395 Eddie Dowling Highway from Nancy Rosenblatt dated 09/12/2022 – 21 pages
- P6. 200-foot Radius Map prepared by Kimley-Horn dated 09/15/2022
- P7. Architectural Drawings prepared by MSSI Design, LLC dated 03/23/2022
- P8. Civil Drawings prepared by Kimley-Horn, RI Registered Professional Engineer stamp #8946, dated 09/26/2022
- P9. Memorandum/Letter from Kimley-Horn addressed to the Zoning Board of Review signed by Kelly Esch, PE, New York and Georgia – 2 pages
- T1. Planning Board Decision of Master Plan Approval dated 09/06/2022 to Storage Rentals of America
- T2. Letter of Recommendation from the North Smithfield Planning Board to the North Smithfield Zoning Board dated 08/20/2022

FINDINGS OF FACT

In compliance with Section 9.2 of North Smithfield Zoning Ordinance, this written decision includes findings of fact, certifying compliance with the rules governing the special use permit, and that satisfactory provision and arrangement has been made, concerning the applicable portions of the North Smithfield Zoning Ordinance.

The Findings of fact were supported by the testimony and evidence presented at the public hearing as follows:

9.2 (1) Ingress and egress to property and proposed structures thereon with particular reference to fire or catastrophe;

This finding of fact established that ingress and egress will be accessible to emergency vehicles.

(2) Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare, or odor effects of the special-use permit on adjoining properties and properties generally in the district;

This finding of fact established that this is an expansion of an existing use, subject to Planning Board review. This finding further established that there is no noise, glare, odor or economic impact under the existing use and proposed expansion use.

(3) Refuse and service areas, with particular reference to the items in (1) and (2) previous;

This finding of fact established through the applicant's testimony that they will continue to use the existing dumpster pad location, and that there is minimal waste.

(4) Utilities, with reference to locations, availability, and compatibility;

This finding of fact established that in light of the existing storage facility, there is no issue with power and utility access.

(5) Screening and buffering with reference to type, dimensions, and character;

This finding of fact established that with respect to screening and buffering, the site plan includes a 12-14 ft. high retaining wall abutting a National Grid utility easement, with the rear of the property undeveloped.

(6) Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

This finding of fact established that the existing facility has been in use for over 20 years, with a similar facility located across the street, and therefore there is general compatibility with the Comprehensive Plan. This finding further established that exterior lighting is for security and safety, and the height of the proposed retaining wall will minimize any abutting impact.

(7) Required yards and other open space;

This finding of fact is non-applicable.

(8) General compatibility with adjacent properties and other property in the district;

This finding of fact established that there is a similar existing facility across the street; therefore, there is general compatibility with the Comprehensive Plan.

Motion made by Mr. Deziel, seconded by Mr. Marcantonio to approve application ZBR-23-05 by *Storage Rentals of America* dated 09/15/2022 seeking the construction of an approximately 61,200 sq-ft self-storage facility on Plat 13 Lot 103. Applicant seeks a Special Use Permit in accordance with Section 5.4 for the self-storage facility use in the Business Highway district.

THE APPLICATION IS APPROVED BY A VOTE OF 4-0

Voting to Approve: Robert Najarian YES, Christopher Deziel YES, Michael Marston YES, Vincent Marcantonio YES

FINDINGS OF FACT

6.19.8.4 Special-use permit approval criteria. After notice and public hearing, and after due consideration of the reports and recommendations of other Town personnel, boards and agencies, the Zoning Board of Review may grant such special use permit provided that it finds the proposed use:

(1) Will not cause the groundwater quality to fall below the standards established by Rhode Island Department of Environmental Management (DEM), Rhode Island Department of Health (DOH), U.S. Environmental Protection Agency (EPA), Rhode Island Public Law Ch. 3799, 1956, (reenacted 1988 Ch. 84) Chapter 13, and where existing upon determination that the proposed activity will result in no further degradation;

This finding of fact established that the existing development has a stormwater holding system approved by the DEM and the proposed activity will result in no further degradation.

(2) Is in harmony with the purpose and intent of this ordinance and will promote the purpose of the Water Supply Overlay District;

This finding of fact established that the DEM will approve the storm drainage and treatment of the surface groundwater and storm water, in harmony with the purpose of the ordinance.

(3) Is appropriate to the natural topography, soils, and other characteristics of the site to be developed;

This finding of fact established that although the natural topography is being modified by a substantial cut, the proposed new building requires the installation of a retaining wall which will not have any impact on groundwater quality.

(4) Will not, during construction or thereafter, have any adverse environmental impact on any water body or course in the Water Supply Overlay District; and

This finding of fact established that during construction, all activity will be regulated by the Planning Board, Building Official and DEM, who will collectively ensure there is no adverse environmental impact to any water body or course in the Water Supply Overlay District.

(5) Will not adversely affect an existing or potential water supply.

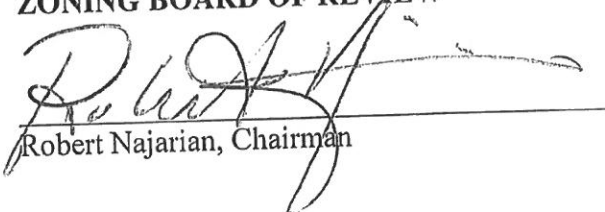
This finding of fact established that there will be no adverse effect to any existing or potential water supply.

Motion made by Mr. Deziel, seconded by Mr. Marcantonio to approve application ZBR-23-05 by *Storage Rentals of America* dated 09/15/2022 seeking a Special Use Permit in accordance with Section 6.19 Water Supply Protection Overlay District in order to construct an approximately 61,200 sq-ft self-storage facility on Plat 13 Lot 103.

THE APPLICATION IS APPROVED BY A VOTE OF 4-0

Voting to Approve: Robert Najarian YES, Christopher Deziel YES, Michael Marston YES,
Vincent Marcantonio YES

**BY ORDER OF THE NORTH SMITHFIELD
ZONING BOARD OF REVIEW**



Robert Najarian, Chairman

RECORDED IN NORTH SMITHFIELD RI Mar 29, 2023
AT 08:24A ATTEST JOANNE BUTTIE, TOWN CLERK