

# Town of Smithfield

64 FARNUM PIKE  
SMITHFIELD, RHODE ISLAND 02917

**Building / Zoning Office**

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## **Smithfield Zoning Board of Review Meeting Minutes**

Date: January 20, 2010

Time: 7:30 pm

Place: Town Hall, 64 Farnum Pike, Smithfield, Rhode Island

Members Present: Chairman George McKinnon  
Vice Chairman Antonio Fonseca  
Peter Fogarty  
S. James Busam  
Alt. Jack Kovolski

Members Absent: David Greene (Illness)  
Alt. Gordon Stroupe (Business Travel)

Others Present: Town Solicitor Edmund Alves  
Deputy Zoning Official Brandon Ruotolo

Meeting session opened at 7:33 p.m.

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### **OLD BUSINESS**

**Case: 09-039**

**Applicant/Owner: T-Mobile Northeast LLC**

**Address: 490 Douglas Pike**

**Plat/Lot: 42/116 & 116A**

**Zoning District: R-80**

#### **Case Summary:**

T-Mobile Northeast LLC as applicant and Chateau Enterprises as owner of property located at 490 Douglas Pike, listed as Lot 116 and 116A on Assessor's Plat 42, seek a use variance to deviate from section (§) 4.3.G-19 of the Ordinance, titled "Radio, Television, or Communications Tower," to build a communications tower in an R-80 district.

#### **Background:**

Applicants presented their application before the Smithfield Zoning Board on September 20, 2009, seeking approval of a second communications tower at 490 Douglas Pike. Near the resolution of such meeting Applicants requested a continuance until the October 28<sup>th</sup>, 2009 meeting. Prior to the October meeting, Applicants requested, by way of an October 26<sup>th</sup>, 2009 correspondence, a continuance until the December 16<sup>th</sup>, 2009 meeting, citing an ongoing negotiation. Then prior to the December meeting, Applicants requested, by way of a December 15<sup>th</sup>, 2009 correspondence, a continuance until the January 20<sup>th</sup>, 2010 meeting which the Board granted.

**Disposition:**

During the communications session of the docket, Chairman George McKinnon asks Deputy Zoning Official Brandon Ruotolo to report new communications to the Board. Ruotolo reports he is in receipt of a January 15<sup>th</sup>, 2010 correspondence from Applicant's Attorney Simon J. Brighenti, Jr.. Chairman McKinnon asks Ruotolo to summarize Attorney Brighenti's correspondence. Ruotolo summarizes that Applicants seek a continuance until the February 24<sup>th</sup>, 2010 meeting because T-Mobile's negotiation with tower owner AT&T for antenna co-location is moving forward in a favorable manner and one (1) additional thirty (30) day extension is required to conclude this matter.

Motion to continue to February 24, 2010: Busam

Motion seconded: Vice Chairman Fonseca

Voting in favor:     Chairman McKinnon  
                          Vice Chairman Fonseca  
                          Busam  
                          Fogarty  
                          Alt. Kovolski

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**OLD BUSINESS**

**Case: 09-044**  
**Applicant/Owner: Philip and Carol Sabella**  
**Address: 546 Putnam Pike**  
**Plat/Lot: 06/012**  
**Zoning District: Mixed Use**

**Case Summary:**

Philip and Carol Sabella as applicants and owners of property located at 546 Putnam Pike, listed as Lot 12 on Assessor's Plat 6, seek to amend a previously granted resolution, and obtain a special use permit to allow additional parking and parking reconfiguration.

**Background:**

Applicants presented their application before the Smithfield Zoning Board on November 18<sup>th</sup>, 2009, seeking approval of a site plan addressing their parking needs. Near the resolution of such meeting Applicants requested a continuance until the December 16<sup>th</sup>, 2009 meeting to revise their site plan. On the day of the December meeting, Applicants requested, via written correspondence, a continuance until the January 20<sup>th</sup>, 2010 meeting, which the Board granted.

**Disposition:**

The findings and conclusions of the Board are contained in a written resolution which has been, or will be, recorded in the Smithfield Land Evidence Records.

Motion to approve the requested special use permit, as amended by Applicant, with conditions imposed by the Board: Vice Chairman Fonseca

Motion seconded: Busam

Voting in favor: Chairman McKinnon  
Vice Chairman Fonseca  
Busam  
Fogarty  
Alt. Member Kovolski

**NEW BUSINESS**

**Case: 10-001**

**Applicant/Owner: Barlo Signs / Linear Retail Properties**

**Address: 400 Putnam Pike**

**Plat/Lot: 43/120**

**Zoning District: Planned Development**

**Case Summary:**

Barlo Signs as applicant and Linear Retail Properties as owner of property located at 400 Putnam Pike, listed as Lot 120 on Assessor’s Plat 43, seek multiple dimensional variances under section (§) 8.5.A.2 of the Ordinance, “Village, Commercial, Highway Commercial, Planned Corporate, Planned Development and Industrial Signs,” to install a freestanding sign in a planned development zone.

**Disposition:**

The findings and conclusions of the Board are contained in a written resolution which has been, or will be, recorded in the Smithfield Land Evidence Records.

Motion to approve dimensional variances with conditions imposed by the Board: Vice Chairman Fonseca

Motion seconded: Busam

Voting in favor: Chairman McKinnon  
Vice Chairman Fonseca  
Busam  
Fogarty  
Alt. Kovolski

Prior to the recordation of the resolution, Applicant petitioned the Board for a rehearing. This request will be heard at the March 31<sup>st</sup>, 2010 meeting.

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**NEW BUSINESS**

**Case: 10-002**  
**Applicant/Owner: Clear Wireless LLC / Salvatore Cirillo**  
**Address: 5 Larch Street**  
**Plat/Lot: 29/64**  
**Zoning District: Highway Commercial**

**Case Summary:**

Clear Wireless LLC as applicant and Salvatore Cirillo as owner of property located at 5 Larch Street, listed as Lot 64 on Assessor's Plat 29, seek a special use permit under sections (§§) 4.3.G-26 and 4.4.G-26 "Communication Antenna(s)", §4.5, "Dimensional Relief By Special Use Permit", and §10.7.I.4, "Zoning Board of Review; Powers and Duties" to install antenna to an existing communications tower in a highway commercial district.

**Disposition:**

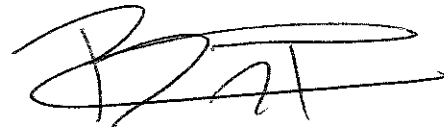
The findings and conclusions of the Board are contained in a written resolution which has been, or will be, recorded in the Smithfield Land Evidence Records.

Motion to approve special use permit with conditions imposed by the Board: Vice Chairman Fonseca

Motion seconded: Busam

Voting in favor: Chairman McKinnon  
Asst. Chairman Fonseca  
Busam  
Fogarty  
Alt. Member Kovolski

Respectfully submitted,



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Brandon Ruotolo  
Zoning Board Clerk