

**SMITHFIELD PLANNING BOARD  
RESOLUTION GRANTING MAJOR LAND DEVELOPMENT  
MASTER PLAN APPROVAL OF  
RUBIUS THERAPEUTICS – 30 HANTON CITY ROAD  
ASSESSOR’S PLAT 49, LOT 78**

Rec # 84342



INST: 2021-173  
BK: 1327 PG: 1  
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6 Page(s)  
PLANNING BOARD DECISION  
Lyn Antonuccio, Acting Town Clerk

A handwritten signature in black ink, likely belonging to Lyn Antonuccio, the Acting Town Clerk.

**RUBIUS THERAPEUTICS  
AP 49 / Lot 78 – 30 Hanton City Road  
15.55 Acres (approx.) / PCD-B Zone  
Applicant/Owner: Rubius Therapeutics, Inc.  
Engineer: Joe Casali Engineering, Inc.**

*WHEREAS*, the Smithfield Planning Board met on December 17, 2020 to consider an application for a Major Land Development located at 30 Hanton City Road, on approximately 15.55 acres, in the PCD-B Zone; and

*WHEREAS*, the record includes: Master Plan Application received November 13, 2020; Master Plan Narrative and Planset prepared by Joe Casali Engineering, Inc., dated November 2020; Certificate of Completion, Master Plan, dated November 25, 2020; Technical Review Committee Comments dated December 3, 2020; Master Plan Public Hearing Notice – Valley Breeze, December 3, 2020; List of Abutters; Planning Department Staff Recommendation dated December 9, 2020; Findings of Fact; and

*WHEREAS*, Joe Casali, Professional Engineer with Joe Casali Engineering having offices at 300 Post Road in Warwick, stated this is a 15 acre parcel located in the PCD-B district having a stream with a 200’ DEM wetland setback and a Tennessee gas line located along the southern portion of the property. Mr. Casali stated that the proposal is for a 174,000 square foot building and noted that a number of parking spaces were reduced. Mr. Casali stated that they plan to tie into the existing water line and do not anticipate any pressure issues and are proposing to connect to the existing sewer line. Mr. Casali stated that there were some concerns with the capacity of Island Woods Pump Station but noted that the amount of effluent is reduced from what was previously approved for Alexion Pharmaceuticals; and

*WHEREAS*, Joe Casali stated that there is still a need to revisit with Fidelity to discuss items that were issues when the Alexion facility was seeking approval. Mr. Casali stated that there were also some concerns with noise but that they are in compliance with the regulations but if needed will attenuate the rooftop systems; and

*WHEREAS*, Chris Patterson, with Rubius Therapeutics, stated that they are looking to scope out their manufacturing abilities in Smithfield and that it is critical to have this understanding in planning for the future; and

*WHEREAS*, Al Gizzarelli questioned the concerns with the Island Woods pump stations capacity and Bill Lavery, Project Manager with Joe Casali Engineering, replied that he spoke to Kevin Sharpe with CDM, the Town’s sewer consultant, and was told that one pump has been disconnected to be in reserve and that the pumps alternate back and forth to reduce the amount of time each pump is used; and

*WHEREAS*, Mike Moan questioned the possibility of solar panels on the roof and Peter Hanson, with PM Group, replied that it is early in the engineering process and it is still to be decided whether solar panels are suitable; and

*WHEREAS*, the informational meeting was opened at 6:37 p.m. and there being no present to speak to this application was promptly closed; and

*WHEREAS*, in order to approve a project, the Planning Board is required to make positive findings, supported by legally competent evidence on the record which discloses the nature and character of the observations upon which the fact finders acted, on each of the following standard provisions, where applicable. The Board made the aforementioned positive findings, see Attachment A; and

*WHEREAS*, the applicant provided competent expert evidence, both in the form of the above referenced reports and testimony from a civil engineer, detailing how the project would comply and be in conformance with the Town's zoning ordinance and comprehensive plan and how it addressed each of the seven required positive findings to approve a Major Land Development project as just described above, which evidence the Board credits at this Master Plan stage of review; and

*WHEREAS*, no competent evidence was presented by an expert during the public comment, or at any other time, that refuted or contradicted the testimony of the applicant's experts; and

*WHEREAS*, the record evidence here supports the conclusion that applicant has provided the Board with sufficient evidence that the Master Plan submission for the proposed Major Land Development project can adequately mitigate any impacts the project will have and has sufficiently addressed the seven required findings; and

*WHEREBY*, CURTIS RUOTOLO MADE A MOTION, SECONDED BY MIKE PINELLI, TO APPROVE THE APPLICATION INCORPORATING THE PLANNER'S MEMO DATED DECEMBER 9, 2020 AND FINDINGS OF FACT MARKED AS BOARD'S EXHIBIT 1. THE VOTE ON THE MOTION WAS ALL IN FAVOR AND THE MOTION CARRIED.

MIKE PINELLI MADE A MOTION, SECONDED BY JENNIFER HAWKINS, TO DELEGATE THE RESPONSIBILITY TO MAKE THE WRITTEN DECISION TO THE TOWN PLANNER. THE VOTE ON THE MOTION WAS ALL IN FAVOR AND THE MOTION CARRIED.

The vote on the motion was as follows:

**Voting in Favor:** Al Gizzarelli, Richard Colavecchio, Mike Pinelli, Mike Moan,  
Curtis Ruotolo, Jennifer Hawkins and John Yoakum

**Voting in Opposition:** None

**Abstaining/Recused:** None

**Members Absent:** John Steere

NOW BE IT THEREFORE RESOLVED by majority vote of seven (7) members for in favor and zero (0) against and zero (0) abstaining, that the Major Land Development Master Plan Approval for Rubius Therapeutics – 30 Hanton City Road, with the stated findings of fact, conditions and recommendations expressed herein is GRANTED.

  
Albert S. Gizzarelli, Jr., Chairman

This decision will be publicly posted in a visible location in the Town Hall for a period of twenty (20) days commencing the 12<sup>th</sup> day of January, 2020.

**Attachment A**  
**Findings of Fact**

To assist the Board in addressing the Required Findings called for in Section II, Article B of the Land Development and Subdivision Regulations, a number of facts addressing the individual findings are provided below.

Finding #1. The proposed development is consistent with the Smithfield Comprehensive Community Plan and/or has satisfactorily addressed the issues where there may be inconsistencies;

**Comment: The proposed redevelopment of this appropriately zoned lot is consistent with the Comprehensive Plan.**

**GOAL LU-1**

**ESTABLISH A BALANCE BETWEEN RESIDENTIAL, COMMERCIAL, INDUSTRIAL, RECREATIONAL, PUBLIC FACILITY, AGRICULTURAL AND CONSERVATION LAND USES THAT SERVICE THE CURRENT AND FUTURE NEEDS OF THE COMMUNITY THROUGH THE DEVELOPMENT OF SOUND LAND USE PRACTICES.**

**Policy LU-1.2** Encourage residential, commercial, industrial and mixed use areas which do not conflict with one another, are compactly grouped, attractive and compatible with the ability of land and water resources to support the development.

**Policy LU-1.3** Maintain and enhance desirable existing industrial areas, shopping areas and concentrations of service activities to minimize the need for new infrastructure investment and to maximize the utilization of existing infrastructure.

**GOAL ED-1**

**ECONOMIC GROWTH AND CONTINUED INDUSTRIAL DEVELOPMENT**

**Policy ED-1.1** Facilitate the development of strong and emerging industries.

**Policy ED-1.2** Support and promote the economic development of appropriately zoned parcels.

**Action ED-1.2b** Work with owners of industrial land in promoting appropriate sites for development in the business and industrial parks and throughout the Town.

**GOAL ED-2**

**DIVERSIFIED ECONOMIC BASE**

**Policy ED-2.1** Work to Lessen dependence on any one particular type of industry or a few major employers. Capitalize on the wide range of the Town's resources to build an economic base capable of withstanding fluctuations in the world/national/state economy or in particular industries.

**GOAL ED-3**

**"DESIRABLE" GROWTH INDUSTRIES**

Seek to attract industries characterized as low energy consuming, high technology, and low- or non-polluting, which, based on past performance and foreseeable trends, are likely to grow at a faster rate than the general economy.

**Action ED-3.1a** Establish and maintain industry clusters.

**Action ED-3.1b** Establish a "brand" for Smithfield as recommended in the Bryant Clustering/ Brand Strategy report and promote clustering of related industries in Smithfield

**GOAL ED-4**

**MAINTENANCE OF EXISTING FIRMS**

**Action ED-4.1e** Work with state and development community to provide for the building space and expansion needs of existing companies.

#### **GOAL ED-5**

##### **INTEGRATED ECONOMIC DEVELOPMENT WITH APPROPRIATE LAND USE POLICIES**

Relate economic development to overall land use, including revitalizing old industrial/employment centers, planning business/industrial parks, minimizing commuting distances, and developing industry in accord with sound land use policy.

**Action ED-5.1b** Formally designate the Routes 7/116 Corridor as a community “growth center” and seek State and Federal support to enhance and promote development opportunities in the area.

**Action ED-5.1c** Continue to guide light industrial, office development, and related industries toward the Routes 7/116 industrial/planned corporate areas in the northeast quadrant of the Town, and develop plans that the appropriate infrastructure is available.

**Policy ED-5.2** Ensure that commercial, industrial and Planned Corporate developments are designed with consideration for adjacent land uses.

#### **GOAL ED-6**

##### **IMPROVED EMPLOYMENT OPPORTUNITIES**

Encourage diverse employment opportunities and provide appropriate training programs to upgrade the quality and diversity of jobs available.

**Policy ED-6.1** Build the capacity of Town departments for stimulating economic growth, and implementing strategies for economic development, by establishing partnerships with lenders, businesses and State partners.

#### **GOAL ED-7**

##### **INCREASED INCOMES**

Support opportunities for local workers to earn higher, family-wage incomes.

**Policy ED-8.1** Take advantage of infrastructure assets and improve the business climate.

**Action ED-8.1a** Work with the owners of industrial and Planned Corporate District land to find ways to meet infrastructure needs.

**Action ED-8.1b** Develop and maintain business/industrial park and roadway infrastructure maintenance program to include landscaping and roadway improvements.

Application will require significant permitting through RIDEM, Freshwater Wetlands and RIPDES. Project represents a significant change in overall landscape.

Finding #2. The proposed development is in compliance with the standards and provisions of the Smithfield Zoning Ordinance;

**Comment: Rubius is classified under the Drug & Pharmaceutical Manufacture & Associated Research & Development classification in the Zoning Ordinance. This use is allowed by-right in the PCD-B zone. The Rubius lots are the only lots in Smithfield that have this zoning designation. It appears that all the dimensional and performance standards found in 5.8 Planned Corporate and 5.8.4 PCD-B have been met.**

**The submission includes a site plan with building and parking locations, circulation patterns, utility plan, stormwater facilities and a building rendering. All elements appear to comply with the Design Standards of the PCD and PCD-B district.**

Finding #3. There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval;

**Comment: The plan shows the location of stormwater facilities and acknowledges that approvals will be required from RIDEM as wetland are located on and adjacent to the property. The Town and project engineer note that there will be significant earth removal involved to accommodate the building, parking and other facilities. A soil erosion permit will be required.**

Finding #4. A subdivision, as proposed, 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. (See definition of "Buildable Lot"). Lots with such physical constraints to development may be created only if identified as permanent open space or permanently reserved for a public purpose on the approved, recorded plans;

**Comment: The project engineer indicated during the TRC meeting that preliminary soil exploration effort show that soils on site appear to be suitable for use on site which will help to achieve a somewhat balanced site in terms of cut and fill.**

Finding #5. All proposed land developments and all subdivision lots shall have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered compliance with this requirement.

**Comment: The project provides for reasonable access from the private access drive built in 2008 (Hanton City Trail) which has access to DeCotis Farm Road which is a Town Road.**

Finding #6. A subdivision, as proposed, shall provide for safe circulation of pedestrian and vehicular traffic, for adequate control of surface water run-off, for suitable building sites, and for preservation of natural, historical, or cultural features that contribute to the attractiveness of the community.

**Comment: The layout of parking, access driveways and pedestrian walkways appear to provide for safe vehicular and pedestrian access within the site and to adjacent roadways.**

Finding #7. The design and location of streets, building lots, utilities, drainage improvements, and other improvements in a land development project, as proposed, shall minimize flooding and soil erosion.

**Comment: The design of all elements of the project, including drainage, soil erosion, utilities and circulation appear to be addressed in the Master Plan.**