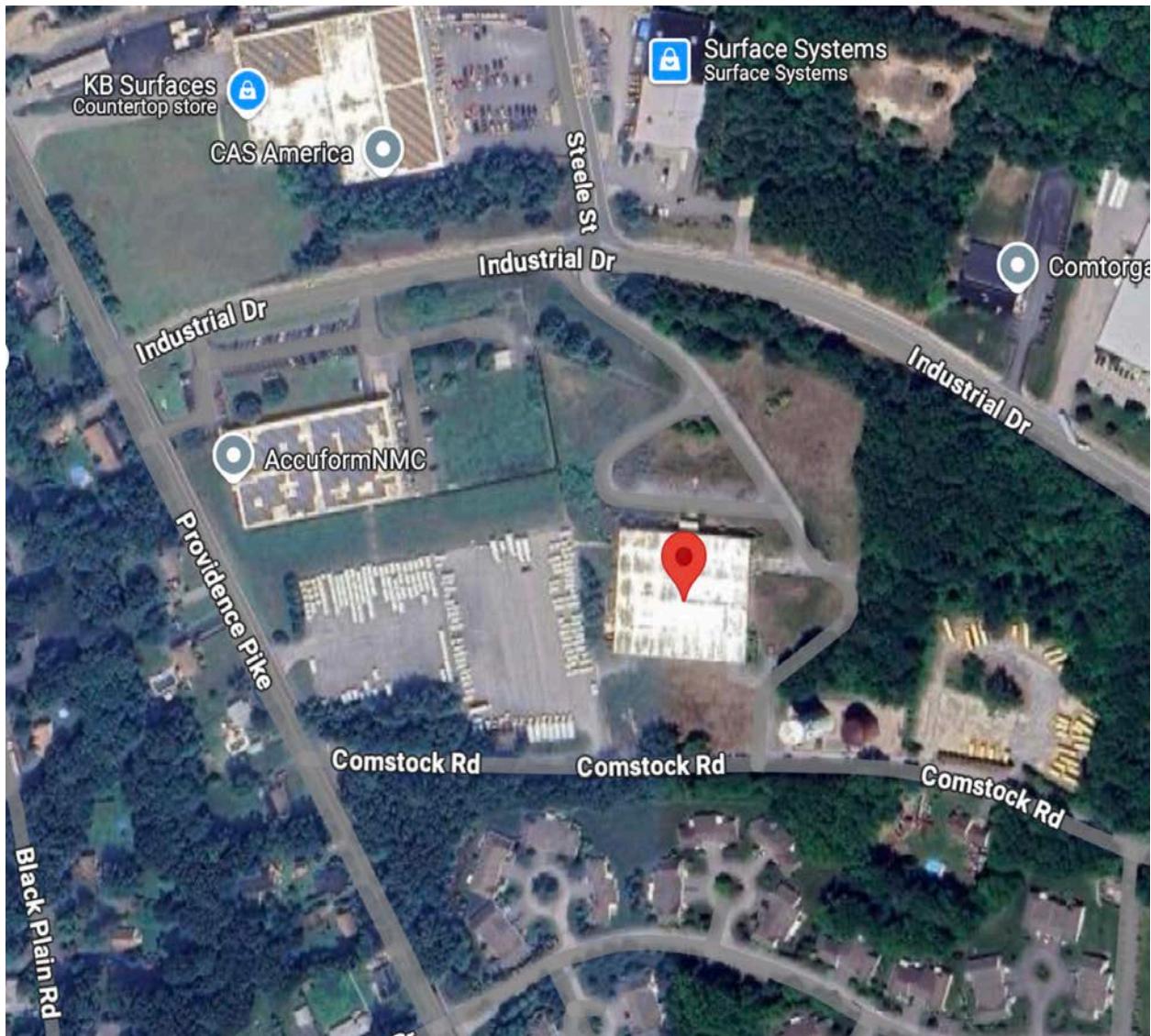


**Town of North Smithfield Planning Board  
Wireless Facility Installation Proposal  
Unified Development Plan Review**

**Minor Land Development Project and  
Special Use Permit and Dimensional Variance Development Proposal**

**51 Industrial Drive  
Assessor's Plat 5 - Lot 484**



Prepared for: American Tower Corporation

By: Pimentel Consulting, Inc.

26 September 2024

### **INTRODUCTORY STATEMENT**

American Tower Corporation ("Applicant") has retained the professional land use planning and zoning consulting services of Pimentel Consulting, Inc. ("Consultant"), in order to render an independent determination on the appropriateness of siting a Wireless Facility and ancillary equipment for the purpose of providing telecommunication service to three (3) distinct telecommunication carriers. Wireless Facility installation necessitates Minor Land Development Project ("Minor LDP") review, in addition to the need for a Special Use Permit ("SUP") and minor dimensional relief. The proposed improvement is permitted by SUP, thereby evidencing that it has already been deemed 'conditionally permissible' subject to specific and objective criteria. The Applicant is entitled to the pursuit of all requisite approvals via the Planning Board, pursuant to the recently adopted Unified Development Plan Review ("UDR") procedural process.

In light of the referenced wireless facility installation proposal, this Consultant has conducted a thorough analysis of the respective associated site plan package and supporting project materials, as well as the following regulatory documents:

- Town of North Smithfield, Rhode Island, Comprehensive Plan 2019 - Adopted 1 April 2019 ("Comprehensive Plan").
- Town of North Smithfield, Rhode Island, Zoning Ordinance ("Ordinance");
- Town of North Smithfield, Rhode Island, Land Development and Subdivision Regulations - ("Development Regulations"); and,
- Pertinent Rhode Island General Law ("RIGL") and case law.

In addition, a general investigation of the surrounding neighborhood has been conducted for the express purpose of evidencing neighborhood compatibility. This report will ultimately evidence that the proposed wireless facility installation realizes 'consistency' with the Comprehensive plan, in addition to satisfying the requisite 'standards' for the granting of the Minor LDP and zoning relief, alike.

### **PRESENT PROPERTY CONDITIONS**

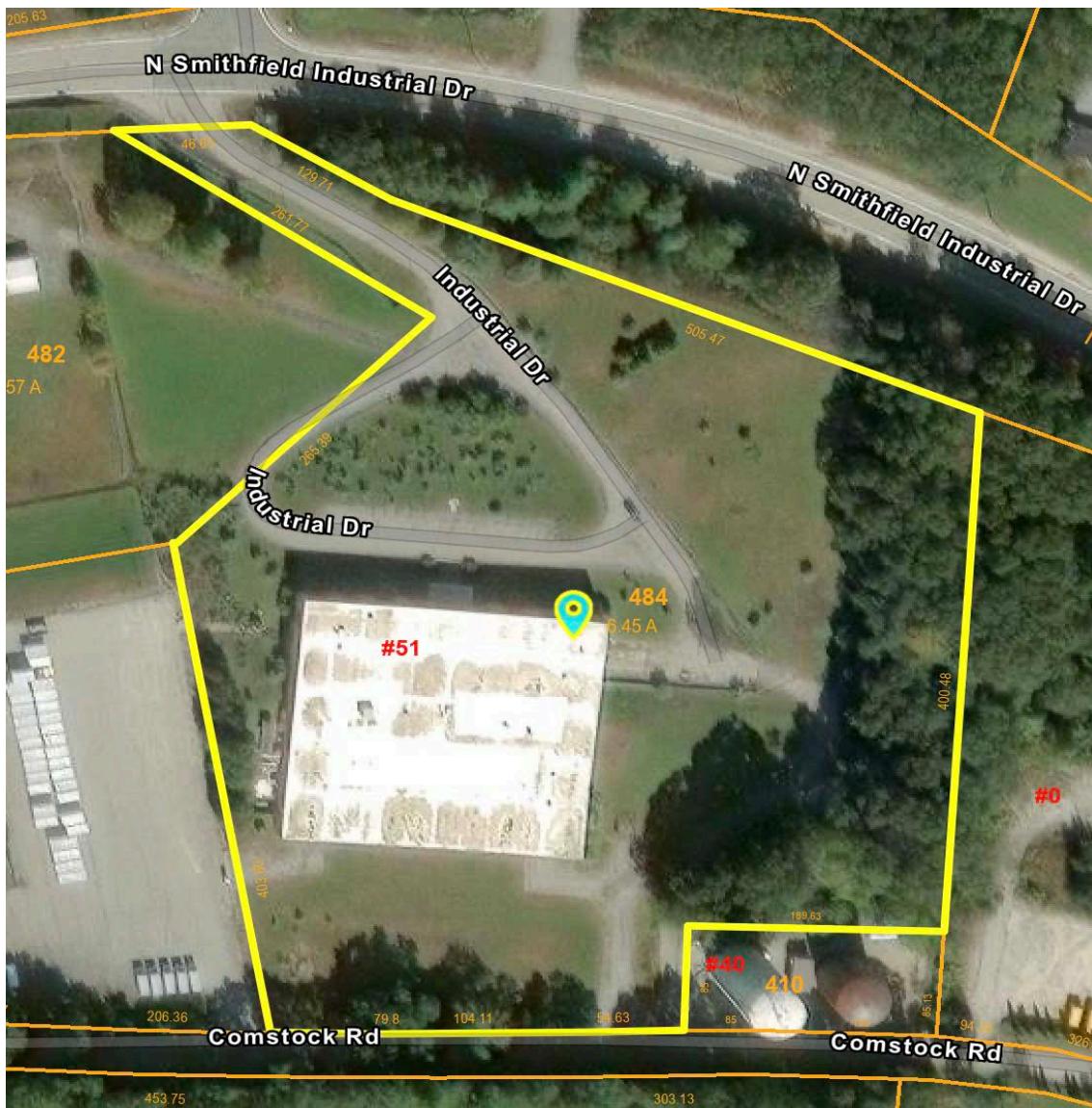
The property that is the subject of the proposed wireless facility installation is addressed 51 Industrial Drive, further designated Assessor's Plat 5, Lot 484, and containing approximately 6.45-acres of total land area, all of which is free of any development constraints ("Property"). The Property has been improved with a sizable two-story industrial entity, since minimally 1980. The referenced industrial facility has approximate dimensions of 223-feet in width by 192-feet in depth, resulting in an approximate 43,000 square foot building footprint and in excess of 85,500 square feet of usable gross floor area. The industrial facility is situated towards the far westerly

side of the Property, thereby leaving a large contiguous portion of unencumbered land area for further development.

The Property is uniquely configured, having upwards of nine (9) distinct boundaries and being defined as a through-lot, having parallel lot frontages along Industrial Drive and Comstock Road. Both roadways are already improved with driveway openings, thereby permitting vehicular traffic associated with on-site industrial entities to ingress and egress onto either Industrial Drive or Comstock Road. This is an important design feature, because it permits said industrial traffic to enter and exit from Industrial Drive and away from the residents along Comstock Road. The Property is well buffered with mature vegetation throughout its perimeter, most notably in the subject wireless facility installation location and along Comstock Road, the sole location realizing residential direct line-of-sight.

Another pertinent consideration is the significant change in topography, which greatly contributes to minimizing the overall scale of the proposed wireless facility. The Property drastically slopes in a southerly to northerly direction, from elevation 360 at the Comstock Road front property boundary down to elevation 341, the location of the proposed wireless facility. Even more significant is the topographical change in regard to the sole proximate grouping of residences situated to the south, opposite Comstock Road, approaching elevation 370 (or almost a 30-foot difference). Therefore, upwards of 30-feet of the overall wireless facility stature will be visually obstructed by being situated in such a such drastic depression. Another substantial feature that will contribute to visually obstructing the wireless facility installation, in addition to being the initial visual focal point of the immediate residences, is the 100-foot high municipal water tank situated to the immediate southeast of the Property. The wireless facility will be visually screened from the vantage point of numerous residences by the substantial massing and scale of the referenced municipal water tank.

The Property is predominantly surrounded by non-residential land uses, residential presence being primarily concentrated along the southerly side of Comstock Road. The Property is immediately surrounded by upwards of 27-acres of industrially zoned land resources and approximately 150,000 square feet of industrial square footage, exclusive of the Property. Although there is a sizable residential development opposite Comstock Road, a combination of physical distance, mature vegetation (along both sides of Comstock Road and installation locale), topography, and water tank presence, renders wireless facility installation most appropriate. Present neighborhood conditions are well illustrated on the following pages, as excerpted from the Town's GIS and personally obtained photographs, respectively.





**Mature vegetation in the approximate location of proposed wireless facility**

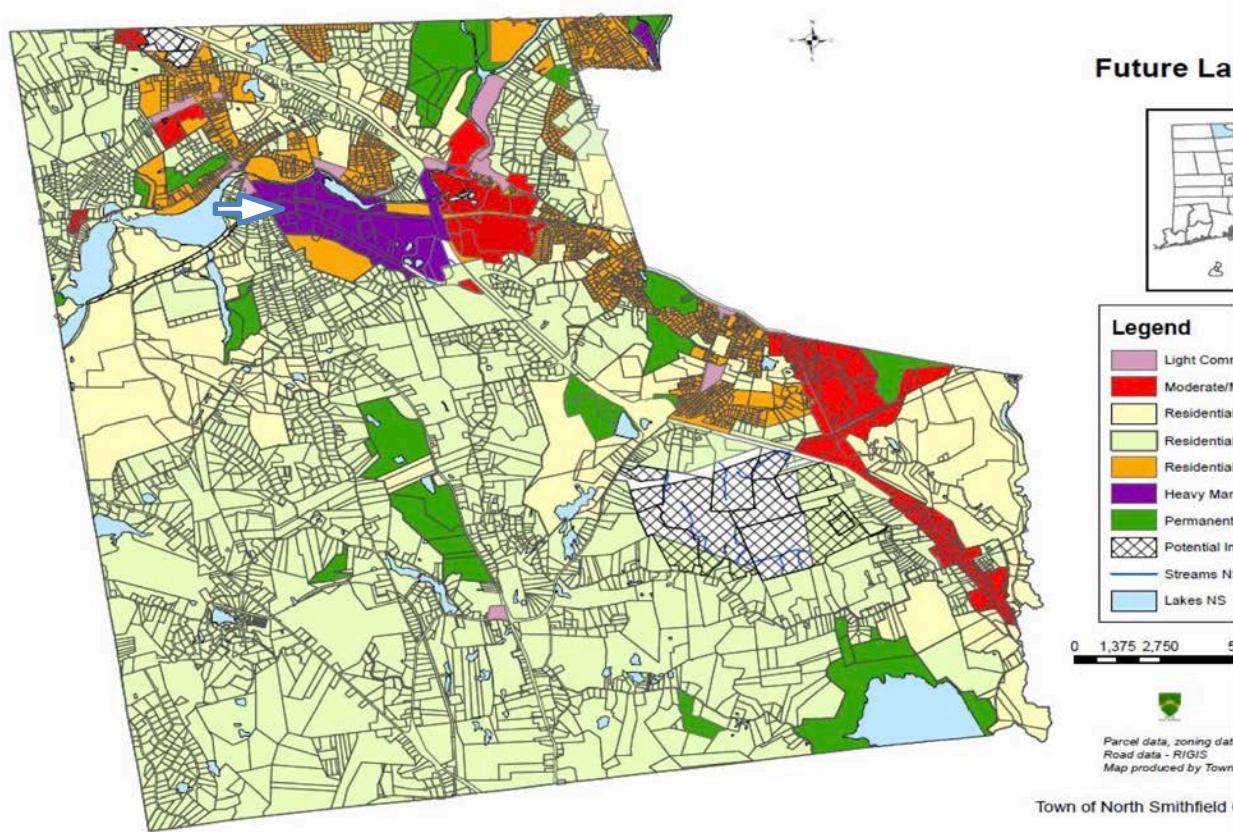


The Property, and large swath of parcels situated the west, north and east, are all zoned in a Manufacturing District ("M-District") manner. Otherwise, the parcels across Comstock Road to the south, are zoned in a Residential - Suburban District ("RS-District") manner. The M-District is defined by Section 340-3.2 'Intent of Each Zoning District' of the Ordinance, in the following manner:

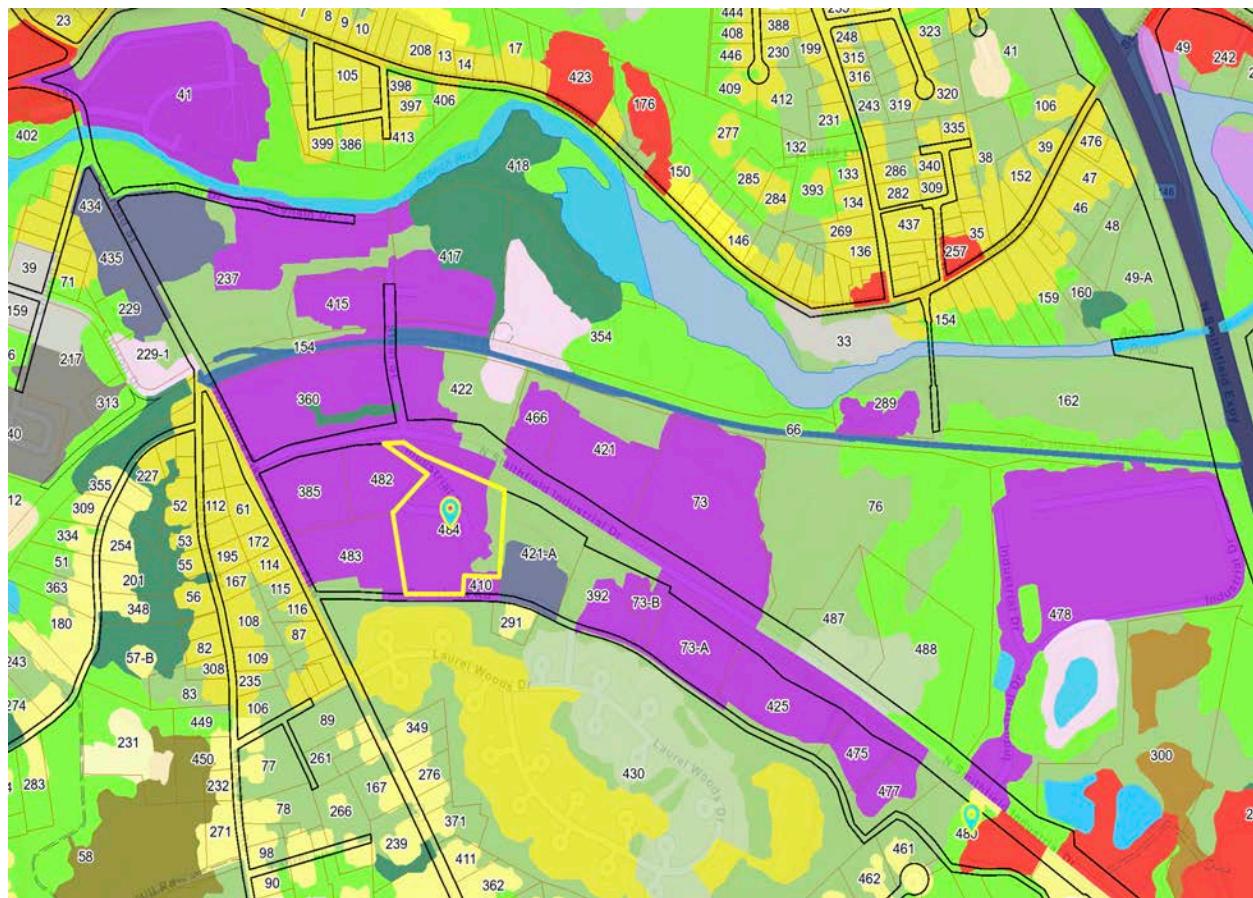
**Manufacturing (M)** - "**This District is established to provide areas suitable for** industrial development, research and certain transportation, storage and **utility uses**. In addition, certain commercial services catering primarily to the needs of industry and its employees are permitted. In order to maximize the potential of this District, incompatible uses which require extensive improvements are not permitted."

The referenced zoning designation is corroborated by the Comprehensive Plan - Future Land Use Map ("FLUM"), which details that the Property and all parcels zoned in a M-District manner are similarly classified 'Heavy Manufacturing'. The town-wide zoning map and FLUM, excerpted from the Town's GIS and Comprehensive Plan, respectively, are illustrated on the following pages.

## Zoning Map



FLUM



What is most significant is the restriction on by-right wireless facilities, being limited to M-Districts provided they are no higher than 125-feet and meet certain restrictive setbacks. In addition, it is the sole district that permits multiple 'principal' land uses, the overwhelming majority of such facilities being located on properties already improved with alternate land uses. Therefore, given the referenced regulatory limitations, and fact that almost the entire Town's appropriately recognized industrial land resources are concentrated in the subject locale (refer to FLUM above), it is almost certain that a wireless facility of certain stature exceeding maximum height limits will be introduced; particularly when co-location, as is most desired, is a mandatory design feature.

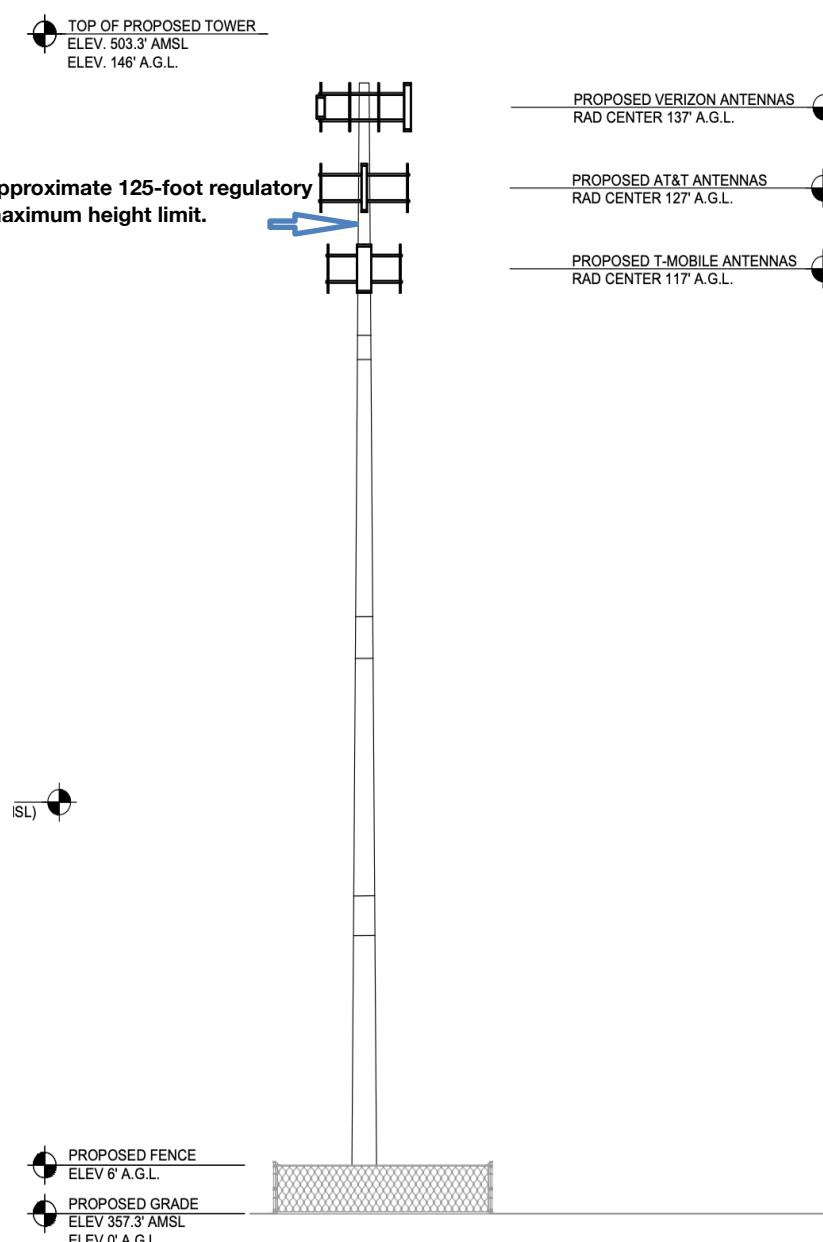
The surrounding neighborhood, detailing industrial and residential land uses alike, as excerpted from the Town's GIS, are illustrated below.



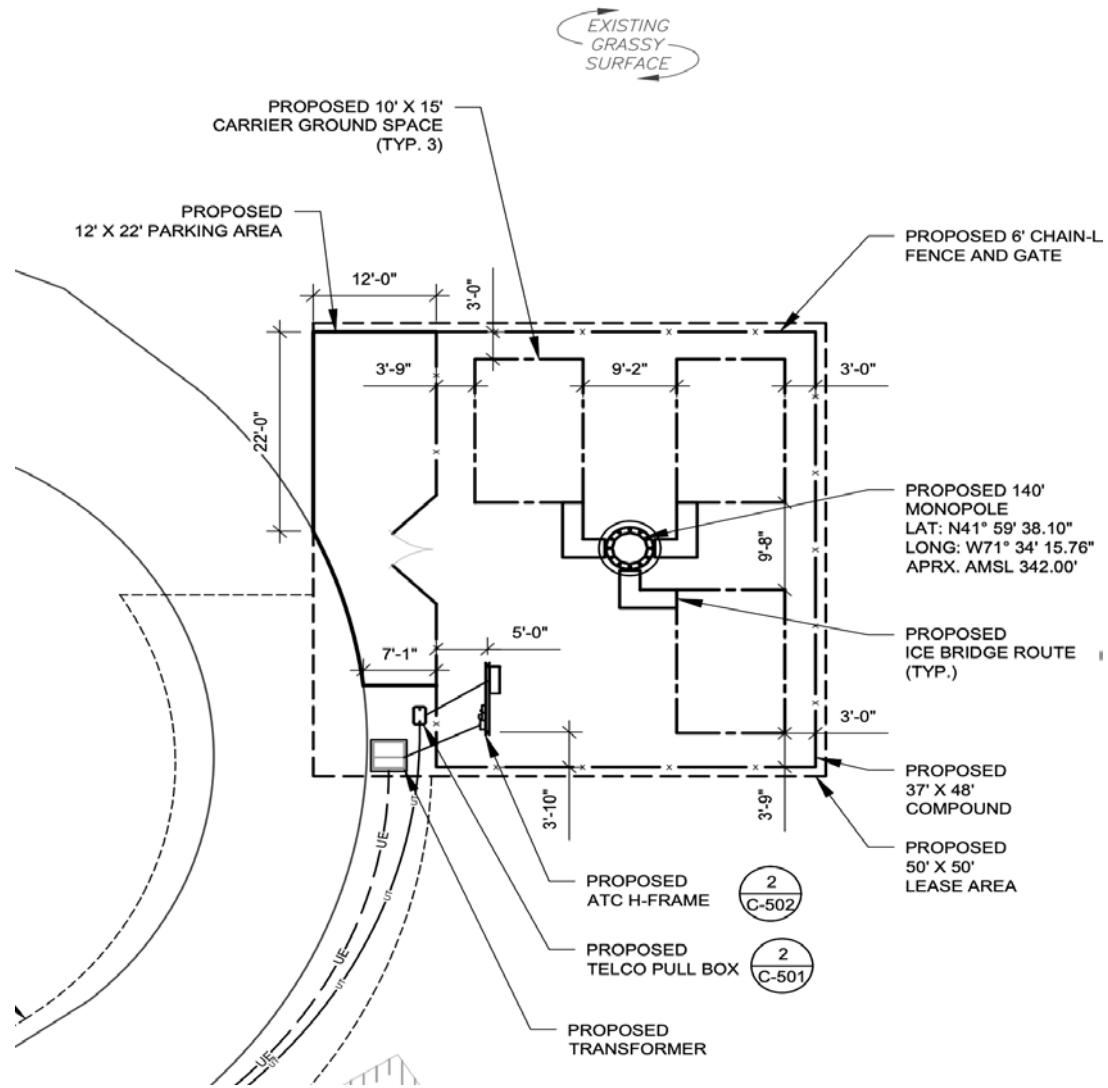
### PROPOSED WIRELESS FACILITY

The Applicant proposes to install an approximately 140-foot monopole-style wireless facility inside a secured ancillary equipment compound. Introduction of the referenced facility realizes a comprehensive and effective communications system, assuring citizenry and businesses alike have access to uninterrupted communication services, as mandated by Federal Statute. Appropriateness is well recognized by the Ordinance, as evidenced by the fact that the facility would be height compliant were it a mere 15-feet shorter in overall stature. However, a reduction would defeat the intended purpose of ensuring continued communication services, with little to no interruption, given the described topography, mature vegetation, and water tank obstruction. The very features that contribute to minimizing visual intrusion, would be an impediment to successful strength of signal. Equally important would be the loss in much-needed and much-preferred co-location points accommodating additional carriers. Loss of co-location only realizes a proliferation of unwanted towers. The severe restriction on overall tower height, limited to 125-feet, would solely permit a singular carrier; obviously in complete contradiction of the respective regulations that mandate accommodating additional carriers. The proposed tower elevation is illustrated to the right, as excerpted from the Applicant's submission package.

The selected site is quite appropriate given the surrounding land uses, most



notably singular residential presence, entirely concentrated to the south opposite Comstock Road, and obstructed by an approximately 100-foot high municipal water tank. The referenced 'fenced' compound will be approximately 1,775 square feet in area (or mere 0.6% of the overall Property), having approximate dimensions of 37-feet by 48-feet, and contain both the proposed wireless facility as well as ancillary equipment. The fenced compound is more than suitable to accommodate all three (3) carriers. The primary consideration for seeking a 140-foot high facility, in addition to achieving suitable height over surrounding obstructions (natural and man-made, alike), is for the express purpose of accommodating a reasonable quantity of carriers on a singular structure thereby minimizing need for additional towers. The referenced compound area will be secured by gated fencing. In addition, an existing paved driveway will be utilized to access the parking area and fenced compound, averting need for any additional points of ingress and egress and unwanted impervious surface. On average, the site is visited once or twice a month, for purpose of general inspection, and as required for emergency purposes. The proposed compound improvement is illustrated below, as excerpted from the Applicant's submission package.



The proposed Verizon antenna array will be installed at the centerline height of 137-feet. In addition, proposed AT&T antenna array will be installed at the centerline height of 127-feet, and proposed T-Mobile antenna array installed at the centerline height of 117-feet. It must be reemphasized that this is in accordance with Section 340-3.18.A 'Wireless Communications Facilities - Purpose' of the Ordinance, balancing height with desire to realize a reasonable quantity of additional carriers, and do so in a manner that accomplishes the overall goal of providing uninterrupted communication services.

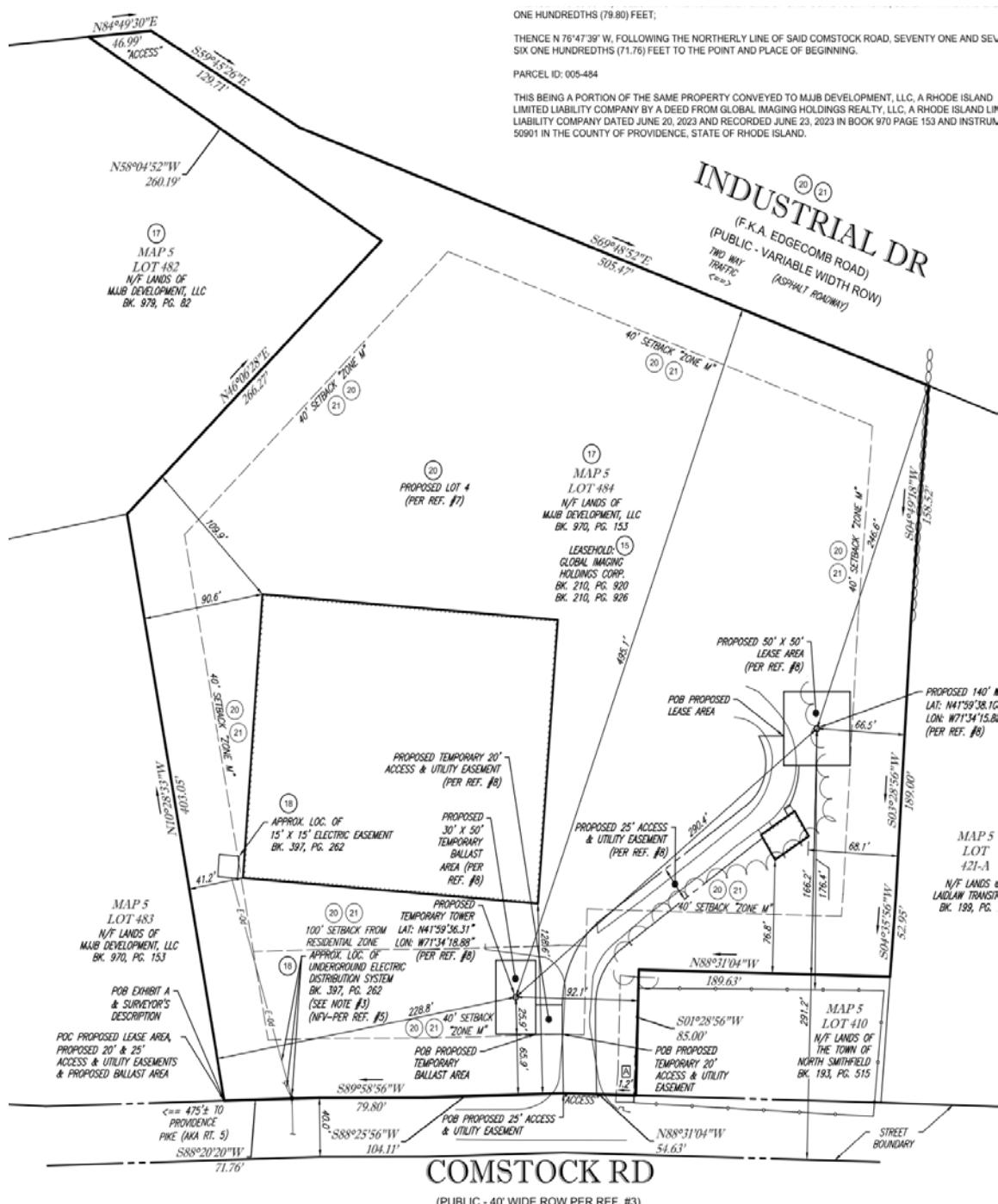
**Purpose** - *"The purpose of this section is to regulate the placement of wireless communications facilities, limited to monopoles (towers), and related equipment and structures, telephone and cable television equipment and related equipment and the addition of communication equipment to existing structures. For the purpose of this section, lattice towers and guyed towers are not permitted. The regulations serve to establish a procedure for application of special use permits, establish development standards and location requirements and to encourage the co-location of equipment onto existing structures. The goals of this section are to."*

**(3) "Minimize the number of new facilities by encouraging co-location and use of friendly sites."**

**(6) "Enhance the ability of carriers of telecommunication services to provide such services to the community quickly, effectively, and efficiently."**

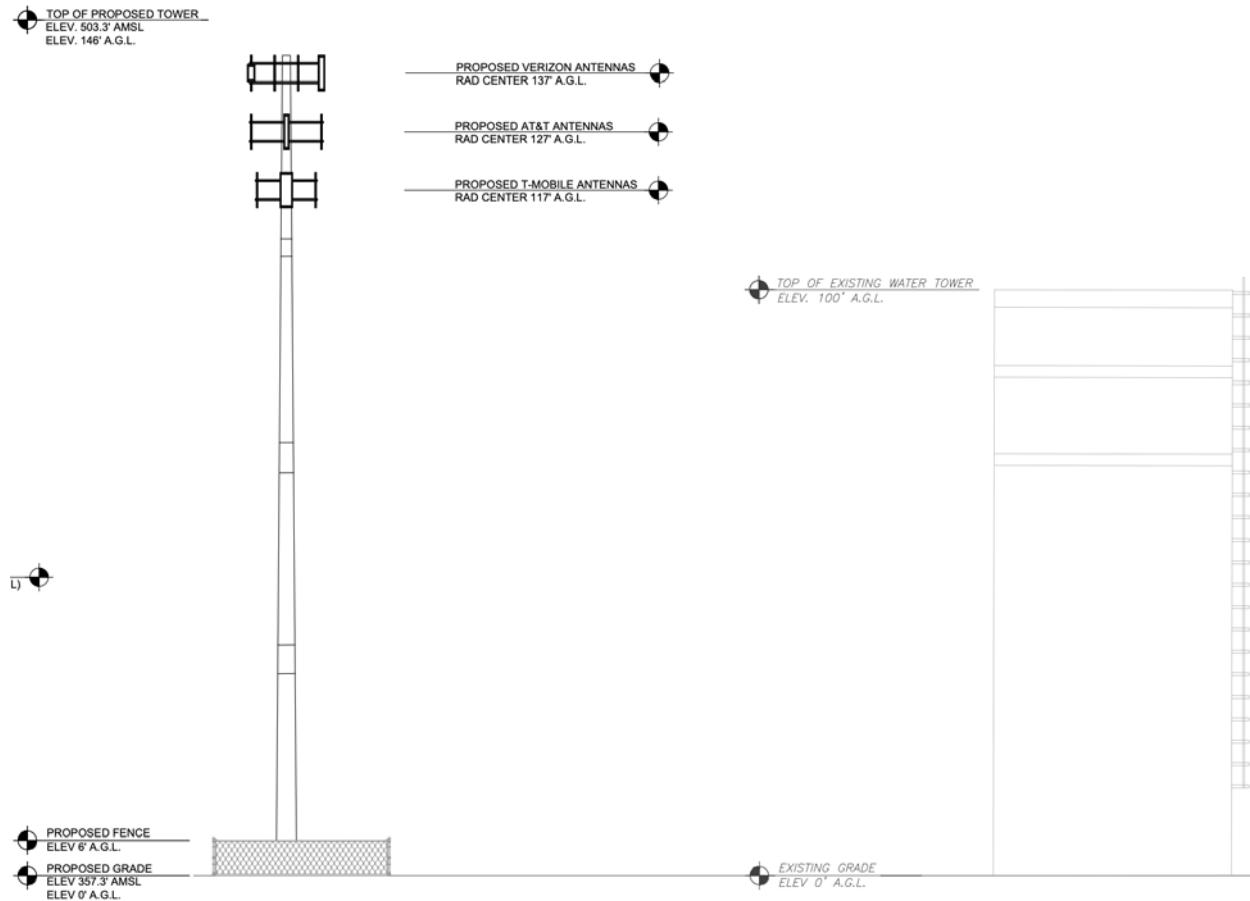
Proposed facility height is quite reasonable when considering massing and scale is mitigated by a variety of unique surrounding features. And yet, the facility is capable of accommodating multiple co-location points, averting need for additional towers. Finally, all cabling will be encased in the monopole to maintain a clean appearance, minimizing visual intrusion. Overall site plan is illustrated on the following page, as excerpted from the Applicant's submission package.

The one mandatory development standard, which also encourages co-location, is in regard to the number of proximate towers (if any) and other structures of suitable height, thereby evidencing that said entities have been investigated for purposes of achieving provision of adequate coverage and determined that said coverage is not sufficient. Pursuant to federal statute, a 'gap in coverage' is in the fact the standard that must be evidenced to the satisfaction of the local regulatory body. Should a carrier (or carriers) be capable of successfully achieving this mandatory requirement, they are legally entitled to an affirmative decision from the local regulatory body. Therefore, satisfying the Planning Board that there are neither proximate towers or existing structures of suitable height capable of addressing an identified 'gap in coverage,' entitles the Applicant to the subject wireless facility installation. In the subject instance, the detailed carriers were in fact situated on the adjacent Town owned water tank. However, due to proposed modifications / repairs to the stated water tank, the carriers have



been required to be removed and an alternate site located. Obviously, in order to maintain appropriate coverage an alternate site means in the same general locale, thus the reason for initially establishing a temporary wireless facility while formally pursuing the subject permanent placement.

The referenced water tank is illustrated below and on the following page, as excerpted from the Applicant's submission package and personally obtained photographs, respectively.



**Competitive analysis of temporary wireless facility to municipal water tank. Proposed wireless facility to be located a much greater distance to the north.**



Once again, introduction of a by-right wireless facility would be most difficult when considering the need for appropriate zoning designation, limitation on overall height while mandating provision for multiple carriers, and singular permissible 'principal usage' of property. Therefore, the need for the requisite SUP is much more likely. The same holds true for requisite dimensional relief; the mechanism triggering the SUP most likely resulting from a dimensional

deficiency. For example, failing to comport with the maximum 125-foot overall height necessitates both the SUP and a dimensional variance, evidencing how they do not appear to be mutually exclusive. The standards for the granting of the SUP, in addition to dimensional burdens, are individually addressed in the next section of this report.

## **UNIFIED REGULATORY ANALYSIS**

### **ZONING ORDINANCE CONSISTENCY ANALYSIS** **Special Use Permit 'General' and 'Specific' Standards of Approval**

The Applicant fully understands the great difficulty in providing wireless communication, balancing provision of 'adequate coverage' while doing so in the least intrusive and most neighborly compatible manner possible; although the true litmus test is evidencing a 'gap in coverage'. Regardless, the proposed wireless facility is nevertheless conditionally permitted by SUP, which pursuant to very recent statutory amendments means that it is inherently permissible provided it comports with 'specific' and 'objective' standards of approval. It is the Applicant's responsibility to address the requisite standards for the granting of the SUP to the satisfaction of the Planning Board. There are both specific and more general standards associated with the granting of a SUP, referenced standards are individually addressed below.

#### **1. Specific 'Standards' for the Granting of a Wireless Communications Facility'**

**Section 340-3.18.F.(2) 'Wireless Communications Facilities - Special Use Permits':**  
*"Factors considered in granting special use permits. The Zoning Board shall consider the following factors in determining whether to issue a special use permit, although the Board may waive or reduce the burden on the applicant of one or more of these criteria if they find that the goals of this section are better served thereby."*

**(a) "Height of the proposed tower."**

The proposed height will necessitate dimensional relief for being a mere 15-feet in excess of maximum height limits. However, the desire to accommodate three (3) distinct carriers on a singular facility is preferential to mandating a reduction in the overall height, and in turn, proliferation of additional towers.

**(b) "Proximity of the tower to lot boundaries."**

Once again, certain setback relief will be necessary, however this relates to the appropriate placement of the facility in a depression and aligned with the proximate Town owned water tank, thereby minimizing visual intrusion. It also appears that full dimensional compliance would be difficult, if at all possible to achieve, given the configuration of the parcel, present on-site improvements, and desire to realize multiple co-location points.

**(c)** *“Nature of uses on adjacent and nearby properties.”*  
**(d)** *“The opportunity for natural screening of telecommunication facilities through a combination of reduced facility height due to site elevation, lot depth, natural vegetation, or topography.”*

Present natural and man-made site features evidence facility appropriateness. The property is predominantly surrounded by non-residential land usage, most notably the proximate municipal water tank that has a stature approaching 100-feet in overall height, thereby providing a man-made physical barrier. In fact, it is far closer to the residences located opposite Comstock Road, thereby rendering the wireless facility imperceptible from a number of visual vantage points. The proposed facility will be located such that it will be upwards of 30-feet lower than the residences and screened by both on and off-site mature vegetation. Furthermore, the facility is located in excess of 300-feet distance from the referenced residences. Therefore, a combination of topography and physical distancing, mature vegetation, and present water tank, all contribute to minimizing the massing and scale of the facility.

**(e)** *“Design of the tower, with particular references to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.”*

The proposed self-supporting monopole-style facility, averting need for guyed wires or any other such obtrusive elements, will greatly assist in minimizing structural visibility. Once again, approximately one-quarter of the tower will be extinguished by the natural sloping topography, with an additional 50% obscured by the water tank. Finally, given the line-of-sight established by present topography and presence of mature vegetation located at both the perimeter of the residential and industrial parcels, in addition to the immediate locale of the facility, tower visibility will be greatly minimized.

**(f)** *“Proposed ingress and egress.”*

The Property is already improved with two (2) points of ingress and egress, and an interior driveway system that traverses the proposed facility placement. Therefore, no further vehicular improvements are necessary. Furthermore, all traffic associated with the facility, which is minimal at best, can be directed out towards Industrial Drive and away from the proximate residences.

**(g)** *“Availability of suitable existing towers for co-location and other structures as discussed in Subsection C(3) and (4) of this article.”*

The Applicant was in fact located on the proximate water tank, but agreed to relocate for purposes of tank improvements. There are no other such structure(s) and/or towers in the

immediate vicinity that can accommodate all three (3 carriers. This will be evidenced by other team members.

## 2. General 'Standards' for the Granting of the SUP.

**Section 340-5.19.C 'Special Use Permits':** "*The concurring vote of four members shall be required to decide in favor of an applicant on any matter concerning a special use permit upon which it is required to pass under this chapter. In granting a special use permit, the Board may impose such additional safeguards and conditions on the proposed use as are deemed necessary in order to conform to these requirements. The Board shall make a written decision, including findings of fact, certifying compliance with the rules governing that special use permit, and that satisfactory provision and arrangement has been made, where applicable concerning the following."*

**(1)** "*Ingress and egress to property and proposed structures thereon with particular reference to fire or catastrophe."*

The Property is already improved with two (2) points of ingress and egress, and an interior driveway system that traverses the proposed facility placement. Therefore, no further vehicular improvements are necessary. Furthermore, all traffic associated with the facility, which is minimal at best, can be directed out towards Industrial Drive and away from the proximate residences.

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

Post installation, minimal off-street parking and no off-street loading is required. Regardless, a dedicated, properly dimensioned parking stall, has been incorporated into the compound design. A wireless facility does not violate any industrial performance standards, such as generating glare, noise, or odor. Finally, there is no evidence of any economic impact resulting from introduction of a wireless facility, particularly when well located and appropriately screened.

**(3)** "*Refuse and service areas, with particular reference to the items in Subsection C(1) and (2) previous."*

Not applicable. No such areas will be necessary.

**(4)** "*Utilities, with reference to locations, availability, and compatibility."*

All improvements will be physically located within the secured fenced compound, to include all requisite utilities. Furthermore, all cabling associated with the wireless facility itself will be integral to the monopole in order to minimize visual intrusion.

**(5) "Screening and buffering with reference to type, dimensions, and character."**

Present natural and man-made site features evidence facility appropriateness. The property is predominantly surrounded by non-residential land usage, most notably the proximate municipal water tank that has a stature approaching 100-feet in overall height, thereby providing a man-made physical barrier. In fact, it is far closer to the residences located opposite Comstock Road, thereby rendering the wireless facility imperceptible from a number of visual vantage points. The proposed facility will be located such that it will be upwards of 30-feet lower than the residences and screened by both on and off-site mature vegetation. Furthermore, the facility is located in excess of 300-feet distance from the referenced residences. Therefore, a combination of topography and physical distancing, mature vegetation, and present water tank, all contribute to minimizing the massing and scale of the facility.

**(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."**

Not applicable. No signage is actually needed nor proposed, other than as may be mandated for safety and emergency purposes.

**(7) "Required yards and other open space."**

Once again, certain setback relief will be necessary, however this relates to the appropriate placement of the facility in a depression and aligned with the proximate Town owned water tank, thereby minimizing visual intrusion. It also appears that full dimensional compliance is difficult, if at all possible to achieve, given the configuration of the parcel, present on-site improvements, and desire to realize multiple co-location points. Regardless, the majority of present mature vegetation will be preserved, both along the respective perimeter and immediately surrounding the wireless facility.

**(8) "General compatibility with adjacent properties and other property in the district."**

The property is predominantly surrounded by non-residential land usage, most notably the proximate municipal water tank that has a stature approaching 100-feet in overall height, thereby providing a man-made physical barrier. In fact, it is far closer to the residences located opposite Comstock Road, thereby rendering the wireless facility imperceptible from a number of visual vantage points. Furthermore, the facility is located in excess of 300-feet distance from the referenced residences. Therefore, a combination of topography and physical distancing, mature vegetation, and present water tank, all contribute to minimizing the massing and scale of the facility.

**ZONING ORDINANCE CONSISTENCY ANALYSIS**  
**Dimensional Relief**

There are some rather restrictive dimensional setback standards that preclude introduction of a reasonably sized wireless facility, particularly when designing to accommodate multiple carriers as so desired Applicant and community, alike. The Applicant fully understands the great difficulty in providing wireless communication, balancing provision of 'adequate coverage' while doing so in the least intrusive and most neighborly compatible manner possible. The applicant has engaged in an arduous process, only to determine that there is simply no other option but to introduce an additional wireless facility in the subject locale. The stated wireless facility will exceed maximum height limits, in addition to failing to meet certain setback requirements. The individual dimensional deficiencies are as follows:

1. Section 340-3.18(E)(2)(a) 'Wireless Communications Facilities - Permitted Uses - Specific Permitted Uses': The maximum height limit is 125-feet, whereas the proposed wireless facility will approach an overall approximate height of 140-feet. Resulting dimensional variance is 15-feet.
2. Section 340-3.18(E)(2)(a) 'Wireless Communications Facilities - Permitted Uses - Specific Permitted Uses': The minimum setback from a residential district boundary is 500-feet, whereas the proposed wireless facility will be approximately 291.2-feet from the nearest residential property boundary across Comstock Road. Resulting dimensional variance is 208.8-feet.
3. Section 340-3.18(E)(2)(a) 'Wireless Communications Facilities - Permitted Uses - Specific Permitted Uses': The minimum setback from an adjoining industrial property boundary line is 210-feet, whereas the proposed wireless facility will be approximately 66.5-feet from the adjoining industrial property to the east. Resulting dimensional variance is 143.5-feet.

It is the Applicant's responsibility to address the requisite 'burdens' for the granting of the detailed dimensional variances. The stated burdens are as follows:

**Section 340-5.20.D - 'Variances':** *"In granting a Variance, the Board shall require that evidence to the satisfaction of the following standards be 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 not due to a physical or economic disability of the applicant."*

The relief sought results directly from the uniqueness of the property, namely that pursuant to federal statute, the premier standard is evidencing a 'gap in coverage' and the subject property affords resolution by ensuring continuous coverage for upwards of three (3) distinct carriers. There are only a handful of such properties, which are predominantly all situated in the subject locale due to being zoned in an industrial manner. The industrial designation is the preferred district for locating wireless facilities, and yet the imposed rather restrictive height and setback standards render full compliance rather difficult, particularly when it is the desire to realize multiple co-location points. It needs reemphasizing that the referenced

carriers were physically located on the adjacent water tank; evidencing need for a facility of suitable height within the subject locale.

**(2) "That the hardship is not the result of any prior action of the applicant."**

The hardship is a 'gap in coverage', which is clearly not due to any personal prior action on the part of the Applicant. The act of introducing a new wireless facility is due to the fact that no other option has availed itself, after an exhaustive investigation. The primary desire is curing a 'gap in coverage' as permitted by federal statute. Were there other options, such as a proximate tower or structure of suitable height, or an alternate more appropriate site, said alternative would have been successfully pursued, as evidenced by historical placement on the municipal water tank.

**c) "That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of this chapter or the Comprehensive Plan upon which this chapter is base."**

The property is predominantly surrounded by non-residential land usage, most notably the proximate municipal water tank that has a stature approaching 100-feet in overall height, thereby providing a man-made physical barrier. In fact, it is far closer to the residences located opposite Comstock Road, thereby rendering the wireless facility imperceptible from a number of visual vantage points. Furthermore, the facility is located in excess of 300-feet distance from the referenced residences. Therefore, a combination of topography and physical distancing, mature vegetation, and present water tank, all contribute to minimizing the massing and scale of the facility, and realizing neighborhood compatibility.

In regard to the Comprehensive Plan - FLUM, the subject locale comprises the overwhelming majority of the Town's classified industrial land resources, the area most appropriate for a wireless facility. This most assuredly evidences Comprehensive Plan 'consistency'.

**Section 340-5.20.E:** *"The Zoning Board of Review shall, in addition to the standards in Subsection D, require that evidence be entered into the record of the proceedings showing that:"*

**(2) - "In granting a dimensional variance, that the hardship is suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience, meaning that the relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted."**

A denial will result in failing to achieve appropriate coverage. There is simply no way of resolving the gap in coverage for three (3) distinct carriers, while complying with the

requisite dimensional standards. A reduction in overall height will solely permit a singular carrier, and yet still realize dimensional deficiencies. The resulting dimensional relief is therefore equitable in light of averting need for additional towers. It needs reemphasizing that many present site characteristics contribute to minimizing the overall massing and scale, thereby rendering it most appropriate and neighborhood compatible.

### **MINOR LAND DEVELOPMENT REGULATORY CONSISTENCY ANALYSIS**

In order to attain Minor LDP approval, the applicant must assure the Planning Board that all required standards pursuant to Article 1.5 'Required Findings' of the Land Development Regulations, can be adequately satisfied.

**Article 1.5 'Required Findings'** - *"The Planning Board shall make positive findings on the following standard provisions, as part of the proposed project's record prior to approval:"*

**1.** *"The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies."*

The proposed wireless facility installation is in agreement with the Comprehensive Plan - FLUM. The subject locale comprises the over whelming majority of the Town's classified industrial land resources, the area most appropriate for a wireless facility, thereby evidencing Comprehensive Plan 'consistency'.

**2.** *"The proposed development is in compliance with the standards and provisions of the North Smithfield Zoning Ordinance."*

The proposed wireless facility will necessitate both a SUP and dimensional relief. Requisite 'standards' and 'burdens' individually addressed earlier in this report.

**3.** *"That there will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval."*

There does not appear to be any site and/or environmental constraints present, which would otherwise render development impractical. Specific design elements will be individually addressed by consultants with expertise in their respective field.

**4.** *"Subdivision, as proposed will not result in the creation of individual lots with such physical constraints to development..."*

Not applicable. No subdivision is proposed.

**5. "All proposed land developments and all subdivision lots shall have adequate and permanent physical access to a public street."**

The Property will continue to have physical access from either Comstock Road or Industrial Drive.

### **CONCLUSION**

It is the professional opinion of this Consultant that the proposed wireless facility installation clearly satisfies the requisite standards for the granting of the SUP and burdens for the respective detailed dimensional deficiencies. Permitting a wireless facility of slightly greater stature that realizes appropriate coverage for three (3) distinct carriers, thereby averting the need for and proliferation of telecommunication towers, is most assuredly appropriate. The Applicant has done its due diligence in regard to seeking reasonable alternatives to no avail, and therefore there should not be any reservations in approving the Applicant's proposal.