

July 14, 2025

Via Electronic Mail

Mark Carruolo, Planning Director
North Smithfield Town Hall
83 Greene Street
Slatersville, RI 02896
mcarruolo@nsmithfieldri.gov

Re: 300 Buxton Street, Assessor's Plat 1, Lot 35

Dear Mark,

Please be advised this office represents Jacques Farm LLC, c/o Frank Jacques (the "Applicant"). Enclosed herein is a copy of the Town of North Smithfield Planning Board's (the "Board") decision to approve a Master Plan for a Major Land Development Project (the "Decision") on 300 Buxton Street, more particularly described by the Tax Assessor as Assessor's Plat 1, Lot 35 (the "Property"). The Decision was recorded in the Town's Land Evidence Records at Book 973, Page 315, on August 17, 2023.

Pursuant to R.I. Gen. Laws § 45-23-39(c)(7)(i), "[t]he approved master plan is vested for a period of two (2) years, with the right to extend for two (2), one-year extensions upon written request by the applicant, who must appear before the planning board for the annual review." *See* R.I. Gen. Laws § 45-23-39(c)(7)(i). The Applicant is entitled to two separate one-year extensions on the Board's Decision to approve the Master Plan.

Accordingly, the Applicant respectfully requests that a one-year extension be granted for the Decision pursuant to R.I. Gen. Laws § 45-23-39(c)(7)(i).

Very truly yours,

John O. Mancini

John O. Mancini

encs.

cc: Client

RECEIVED FOR RECORD
NORTH SMITHFIELD R.I.

AUG 17 2023 at 02:10P

BOOK 973 PAGE 315
DOC #: 00051187



Town of North Smithfield
Planning Board
Decision Letter

June 7, 2023

Mr. Frank Jacques
c/o Mr. David Russo, P.E.
DiPrete Engineering
Two Stafford Court
Cranston, RI 02920

Re: OWNER: Frank Jacques
LOCATION: 300 Buxton Street
Tax Assessor's Plat: 1, Lot: 35
APPLICANT: Frank Jacques

Dear Mr. Jacques,

The following is the decision on your application for Master Plan approval of a Major Land Development Project to construct a 12-unit Conservation Development in accordance with Zoning Section 6.20 and Section 4.1 of the Land Development and Subdivision (LDSR) Regulations on an existing 25.85-acre parcel in a Rural Agricultural RA-65 zoning district.

After completion of a public informational meeting for which notice was served and a record was kept, the North Smithfield Planning Board, taking into consideration its knowledge and expertise and after considering all the representations and presentations made at the public informational meeting makes the following findings of fact:

- 1) That the subject property is located at 300 Buxton Street and is identified as Tax Assessor's Plat: 1, Assessor's Lots: 35 and is zoned RA-65.
- 2) That the existing property consists of one (1) parcel totaling approximately 25.85 acres with one (1) outbuilding (barn)
- 3) That the property was formally used for farming as well as a composting operation.
- 4) That the property has two distinct wetlands complexes, one located near the northerly entrance to the site and one toward the southerly third of the site.
- 5) That the proposed development will be clustered on the uplands area located on the central portion of the site to preserve and protect the wetlands complexes.

- 6) That the proposed development will be a condominium style development and is authorized under North Smithfield Zoning Section 6.20 and Land Development and Subdivision (LDSR) Regulations Section 4.1 "Conservation Development."
- 7) That the development requires a Special Use Permit from the ZBR to construct two-family dwellings in compliance with Zoning Section 6.20.3 A (3).
- 8) That abutter, Mr. Scott Lentz of 474 Buxton Street, provided the Board with a seven (7) page report and expressed his concerns related to location, and extent of the wetlands on the property, and the presence of unique features of the property including a potential vernal pool and stone walls. Mr. Lentz also commented on the developers "conventional yield plan" and how it related to the unique features present on the property.
- 9) The applicant is requesting the following waivers from the LDSR and the Board determined the following:
 - Section 4.1(N) "Streets" to have a private roadway. *This relief is not required due to the private condominium style development.*
 - Section 5.7 (A) 3.a. & g. to have to have 22' pavement width & 15' at the wetlands crossing. *Waiver was not granted, the planning board stipulated 24' driveway (12' lane for each direction of travel).*
 - 5.7 (B) for the elimination of sidewalks. *Waiver was not granted, the board stipulated sidewalks along the interior ring road and sidewalk along one side of the access road.*
 - 5.7 (A) 3. j. to have a street in excess of 600'. *This relief was not necessary, standard is for dead-end roads, development is proposing a ring road.*
- 10) That there were several abutters present who were concerned about the development including increased traffic from the development, the speed of cars traveling on Buxton Street, the dangerous condition for pedestrians in the area due to the lack of sidewalks and their concern about the zoning regulation requiring LMI housing units to be provided as part of the development.

Based on the foregoing findings of fact, a motion was made by Mr. Porter, seconded by Mr. Keene and voted unanimously on a roll call vote to approve the master plan with the following stipulations:

- 1) That the applicant shall receive a Special Use Permit from the ZBR to construct two-family dwellings in compliance with Zoning Section 6.20.3 A(3).
- 2) That one (1) unit in each duplex shall be LMI in accordance with Zoning Section 6.20.3 A (3).

- 3) That all necessary State of Rhode Island permits including but not limited to RIDEM Wetland permit and RIDEM Underground Injection Control (UIC) permit shall be issued prior to preliminary approval.
- 4) That the preliminary plan shall clearly delineate the proposed conservation areas at the northern and southern end of the development.
- 5) That the proposed conservation areas shall be deed restricted in perpetuity with a conservation easement and public access agreement to the Town of North Smithfield Conservation Commission, Land Trust, or other similar land preservation groups.
- 6) That a sufficient number of fire hydrants shall be located within the development in compliance with LDSR cistern standards and subject to the approval of the NSFD prior to preliminary approval.
- 7) That the proposed private roadway shall have a minimum pavement width of 24' to accommodate two-way travel.
- 8) That the access drive/roadway, drainage, and all associated utilities shall be owned and maintained by a homeowner's association.
- 9) That the preliminary plan shall include additional parking areas located throughout the development to accommodate visitor parking.
- 10) That all exterior lighting shall be contained on site and directed away from and/or shielded from the abutting residential properties.
- 11) That a Soil and Sediment Control Plan shall be required at preliminary approval in conformance with Zoning Section 18 "Soil Erosion and Sediment Control and Stormwater Pollution Prevention Plan."
- 12) That the applicant shall provide an excavation/construction plan, which may be combined with the Soil and Sediment Control Plan, designed to mitigate the impact of construction on the abutting properties which shall include but not be limited to, construction access, best practices for dust control and vibration and hours of operation at preliminary approval.
- 13) That the preliminary plan shall include a landscape plan designed and stamped by a RI Registered Landscape Architect which shall remediate the invasive species, Japanese Knotweed, and shall also include a viewshed analysis from Buxton Street and the abutting properties.

- 14) That the proposed development shall not receive any Town of North Smithfield trash hauling services, snow plowing, roadway maintenance, drainage maintenance or other similar services and said stipulation shall be included on all site plans, within the deeds to the property and within the condominium declaration documents.
- 15) That a traffic study shall be submitted prior to preliminary approval. Said study shall analyze site distances from the proposed entrance on Buxton Street and shall measure the effect of the development on Buxton Street traffic.
- 16) That the preliminary plan shall include sidewalks along one side of the condominium access road and along the internal loop road.
- 17) That the applicant shall provide a plan for the removal of the compost present on the site which shall also include odor control measures prior to preliminary approval.
- 18) That the public notice for preliminary approval public hearing shall be sent both certified and first-class mail to the abutters.
- 19) That the preliminary plan shall include a plan for public parking in conjunction with the public access agreement.
- 20) That the preliminary plan shall include 12-16 visitor parking spaces in groups of 3-4 spaces each located throughout the development.

In granting its approval, the Planning Board found the development to be generally consistent with Article 1.1 "Purpose" of the Towns Land Development and Subdivision Regulations and;

- 1) Generally consistent with the Comprehensive Community Plan.

Housing Chapter Goal 1. Achieve a diversity of housing opportunities that are affordable for various population groups of North Smithfield for both current and future generations.

Housing Chapter Policy 1.a. Promote affordable housing options to families and younger cohorts.

Housing Chapter Policy 2.a. Identify programs and potential locations for affordable housing development.

Housing Chapter Goal 3. Meet and maintain the 10% threshold of affordable units mandated by the low and moderate-income housing act.

- 2) In compliance with the standards and provisions of the Town Zoning Ordinance.

The proposed development requires a Special Use Permit for two-family units in accordance with Zoning Section 6.20.3 A(3).

The project is in compliance with the following purposes of Zoning Section 6.20.1 Purpose [of conservation developments]:

- A. To protect natural resources, including but not limited to those areas containing woodlands, unique or specimen vegetation, streams, floodplains, aquifers to their recharge areas, agricultural lands, wetlands, and vernal pools, by setting them aside from development.
- E. To provide for diversity of lot sizes, building densities, and housing choices to accommodate a variety of age and income groups, and residential preferences, so that the population diversity of the community may be maintained.
- F. To implement adopted municipal policies to conserve a variety of irreplaceable and environmentally important resources as set forth in the comprehensive plan.

- 3) That there will be no significant negative environmental impacts from the proposed development.
- 4) That the development 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.
- 5) That the proposed development possesses adequate physical access to a public street.

The following vote on the motion to approve was cast:

Gary Palardy, Chairman	Yes
Jeffrey Porter, Vice-Chair	Yes
Richard Keene	Yes
Lucien Benoit	Yes
Cheryl Marandola	Yes

Sincerely,

Gary Palardy
Gary Palardy, Chairman
North Smithfield Planning Board