



**SOUTH KINGSTOWN PLANNING DEPARTMENT  
PROJECT REVIEW MEMO**

**Westerly Community Credit Union  
Major Land Development – Change to an Approved Plan  
July 27, 2021**

Project Type:	<b>Major Land Development</b>		
Review Stage:	<b>Change to an Approved Plan</b>		
Address:	<b>4979 Tower Hill Road</b>		
Plat:	<b>58-1</b>	Lot:	<b>99</b>
Parcel Size:	<b>~2.06 acres</b>	Zoning District:	<b>Route 1 SMD</b>
Applicant:	Westerly Community Credit Union c/o Andrew Rogers 4979 Tower Hill Road Wakefield, RI 02879	Owner:	Same

**Property Characteristics**

The subject property received approval on July 21, 2017 for the construction of the Westerly Community Credit Union building and associated site improvements. Said improvements were completed in 2018.

**Project Description**

The applicant is proposing to construct eight (8) additional parking spaces off the eastern side of the travel lane that provides vehicular circulation around the building and the parking lot. The applicant is also proposing to supplement this construction with additional plantings and landscape improvements.

**Regulatory Considerations**

***Section 605.7 (Route 1 Special Management District – Highway access and buffering)***

No new principal building shall be located within one hundred (100) feet of the state highway line of US Route 1 or Kelley Way (or any highway access easement granted to the Rhode Island Department of Transportation). No parking area or access drive, except required principal access streets or driveways, if allowed, shall be located within this one hundred-foot setback unless the planning board finds that such parking area or access drive can be totally hidden from view by motorists on US Route 1 or Kelley Way. Such screening shall be accomplished by lowering the elevation of such parking area or drive by a significant amount below the grade of US Route 1 or Kelley Way, which, in combination with grading, landscaping, stone or masonry walls, or a combination thereof, will have the effect of completely preventing views of such facilities from US Route 1 or Kelley Way.

The area within the required one hundred-foot setback shall be devoted to a landscaped or natural buffer zone, the purpose of which is to provide an audio and visual screen of development within the district from US Route 1. Provided, however that the buffer zone adjacent to any driveway or access road may be cleared of vegetation which may impede sight distances to vehicles entering or exiting the district, but shall be suitably landscaped in a manner consistent with the purposes of this ordinance and the comprehensive plan. The planning board shall require a landscape plan

prepared by a landscape architect of all portions of this buffer zone to be submitted for review and approval.

### Waivers Requested

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This application requires a waiver from the 100' setback from Route 1 road right-of-way boundary.

### Review to Date

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At the meeting of the South Kingstown Technical Review Committee (TRC) held on July 14, 2021, the TRC reviewed the application requesting a change to an approved plan for Westerly Community Credit Union seeking approval to construct eight (8) additional parking spaces off the eastern side of the existing parking lot located at 4979 Tower Hill Road (AP 58-1, Lot 99).

Upon review and discussion with the applicant project team (Andrew Rogers; Attorney John Kenyon; Landscape Architect Karen Beck) the TRC rendered a **favorable advisory recommendation with conditions** to the Planning Board with the following conditions:

1. The Site Plan (specifically Sheet 1 of 4) shall be modified and resubmitted for inclusion in the Planning Board packet to delineate the Route 1 100' buffer on the plan and clearly identify the extent of intrusion the proposed improvement represents within said buffer;
2. The Site Plan (specifically Sheet 1 of 4) shall be modified to include the general note/restriction stating that *"No further parking expansion shall be allowed and/or requested for the subject property in the future."*; and,
3. The Site Plan (specifically Sheet 1 of 4) shall be modified to include the general note/restriction stating that *"The eight (8) additional parking spaces represented on this plan shall be restricted to the parking of compact cars only."*
4. The proposed pervious pavers shall be installed and maintained in accordance with manufacturers design specifications and maintenance plan;

Said motion, made by Mr. David Flanders and duly seconded by Ms. Susan Axelrod, was approved unanimously (S. Axelrod; R. Bourbonnais; D. Flanders; J. Gorman; J. Parker; B. Rice [Union Fire]; and J. Schock).

### Required Findings

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With regard to waivers, the Regulations (Article VIII.B.1) require that the Planning Board find that:

- a. The waivers or modifications are reasonable and within the general purposes and intents of the Regulations; and,
- b. Literal enforcement of the regulation is impracticable and will exact undue hardship because of peculiar conditions pertaining to the land in question; or waiver or modification of the regulation is in the best interest of good planning practice or design as evidenced by consistency with the Comprehensive Community Plan and the Zoning Ordinance.

In approving this application, the Board must make positive findings on the following standard provisions:

- (1) The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies;
- (2) The proposed development is in compliance with the standards and provisions of the municipality's zoning ordinance;
- (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;

- (4) The development, as proposed, will not result in the creation of individual lots with any 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 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; and
- (5) All proposed land developments and all subdivision lots have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered in compliance with this requirement.

The approving authority must also address each of the following general purposes of zoning:

- (1) Providing for the orderly, thorough and expeditious review and approval of land developments and subdivisions;
- (2) Promoting high quality and appropriate design and construction of land developments and subdivisions;
- (3) Promoting the protection of the existing natural and built environment and the mitigation of all significant negative impacts of any proposed development on the existing environment;
- (4) Promoting design of land developments and subdivisions which are well-integrated with the surrounding neighborhoods with regard to natural and built features, and which concentrate development in areas which can best support intensive use by reason of natural characteristics and existing infrastructure;
- (5) Encouraging local design and improvement standards to reflect the intent of the community comprehensive plans with regard to the physical character of the various neighborhoods and districts of the municipality;
- (6) Promoting thorough technical review of all proposed land developments and subdivisions by appropriate local officials;
- (7) Encouraging local requirements for dedications of public land, impact mitigation, and payment-in-lieu thereof, to be based on clear documentation of needs and to be fairly applied and administered; and
- (8) Encouraging the establishment and consistent application of procedures for local record-keeping on all matters of land development and subdivision review, approval and construction.

#### **Draft Motion**

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"The South Kingstown Planning Board hereby approves the change to a previously approved plan dated July 21, 2017 for the Westerly Community Credit union to construct eight (8) additional parking spaces and associated improvements off their existing parking lot and access driveway on Assessor's Plat 58-1, Lot 99, located at 4979 Tower Hill Road. This approval is limited to the improvements shown on the plan titled *Modification to an Approved Plan for Westerly Community Credit Union Parking Expansion* in South Kingstown, Rhode Island, Sheets 1 through 4 dated May 27, 2021 with revisions through June 29, 2021, prepared by Principe Company, Inc., P.O. Box 298, Tiverton, RI 02878.

This approval is based upon the following Findings of Fact and Conditions of Approval:

#### ***Findings of Fact – Waivers Requested***

- a. The waivers or modifications are reasonable and within the general purposes and intents of these regulations; and,
- b. Literal enforcement of the regulation is impracticable and will exact undue hardship because of peculiar conditions pertaining to the land in question; and/or waivers or modifications of

the regulations is in the best interest of good planning practice or design as evidenced by consistency with the Comprehensive Community Plan and the Zoning Ordinance.

***Findings of Fact***

- c. The granting of approval will not result in conditions inimical to the public health, safety, and welfare.
- d. With the required Conditions of Approval, the granting of such approval will not substantially or permanently injure the appropriate use of the property in the surrounding area or zoning district.
- e. With the required Conditions of Approval, the plans for the project comply with all the requirements of the Zoning Ordinance and the Subdivision and Land Development Regulations.
- f. The plans for the project are consistent with the Comprehensive Community Plan.
- g. Any conditions or restrictions that are necessary to ensure that these findings have been met have been incorporated into this approval.

***Conditions of Approval***

- 1. Development of the site shall be in strict conformance with the approved site plan, including the revised landscape plan, unless amended by these Conditions of Approval.
- 2. Upon completion, a RI registered Professional Engineer shall inspect the installation of site improvements and shall submit certification to the Administrative Officer of the Planning Board that the construction conforms to the approved plans prior to utilization.
- 3. Upon completion, a RI licensed Landscape Architect shall inspect the installation of the landscape improvements and submit certification to the Administrative Officer of the Planning Board that the installation substantially conforms to the approved plan and the planting standards of the South Kingstown Subdivision and Land Development Regulations prior to utilization.
- 4. The applicant shall guarantee all landscape materials depicted on the approved plan set for a period of one (1) year from the date of planting.
- 5. **And any other conditions deemed necessary by the Planning Board in consideration of this application..."**