



Town of South Kingstown

180 High Street
Wakefield RI 02879
Tel. 401-789-9331 x1244
Fax 401-788-9792
www.southkingstownri.com

ZONING BOARD OF REVIEW

MEETING AGENDA

Wednesday, July 15, 2020 at 7:00 p.m.

VIA VIDEO CONFERENCE

Via Computer: <https://zoom.us/j/91053270391>

Via Telephone: +1 929 205 6099; or +1 312 626 6799; or +1 669 900 6833;
or +1 253 215 8782; or +1 301 715 8592; or +1 346 248 7799

Webinar ID: 910 5327 0391

- **Instructions to Access the Meeting are available on Page 1, including:**
 - ❖ Testing Computer & Audio Equipment
 - ❖ Accessing the meeting via Computer, Tablet or Smartphone
 - ❖ Accessing the meeting by telephone only (not recommended)
 - ❖ Basic troubleshooting when speaking
 - ❖ Accessing documents and site plans
- **Agenda Items are available on Page 3.**

INSTRUCTIONS TO ACCESS THE MEETING:

A. MEMBERS OF THE PUBLIC:

The public can join this Zoom meeting electronically by computer, smartphone or tablet using the instructions below. If you do not have a smartphone or other electronic device capable of joining the Zoom meeting room, you may also join by telephone only.

Testing Computer & Audio Equipment

Attendees are encouraged to test their internet connection and audio capabilities in advance of the meeting. Please use the following link for detailed information from Zoom on how to test your equipment:

<https://support.zoom.us/hc/en-us/articles/115002262083>

Accessing the Zoom Meeting via Computer, Tablet or Smartphone:

Posted: July 7, 2020

- **Click on this link to join the meeting:** <https://zoom.us/j/91053270391>
- When prompted you will be asked to join via computer audio, or telephone. Use of computer audio is recommended, however you can also use your telephone for audio.
- When you enter the meeting room, your phone will be muted.
- You will be able to view site plans, see members, and listen to discussion in the Zoom meeting
- If you would like to speak during the meeting, use the 'raise your hand' feature of the Zoom platform to inform the host. Speakers will be recognized individually by the Zoning Board chair. Once recognized you can share your comments via audio.

Accessing the Meeting by Telephone Only:

- If you do not have access to a device capable of accessing the internet-based Zoom meeting, you may use your telephone to join the meeting.
- **Dial this phone number to join the meeting:** Or Telephone:
(For higher quality, dial a number based on your current location):
 - ❖ +1 929 205 6099;
 - ❖ or +1 312 626 6799;
 - ❖ or +1 669 900 6833;
 - ❖ or +1 253 215 8782;
 - ❖ or +1 301 715 8592;
 - ❖ or +1 346 248 7799
- If prompted to enter a Webinar ID, use your phone to dial the following ID: 918 243 649
- When you join the meeting, your phone will be muted.
- If you would like to speak regarding an application, dial *9 to 'raise your hand,' and inform the host. You will be recognized to speak. Once recognized to speak you dial *6 to mute or unmute your telephone.

Basic Troubleshooting when Speaking:

If you have been recognized to speak, but cannot be heard in the Zoom meeting use the following steps to troubleshoot your computer audio, or telephone connection.

- Ensure your microphone or telephone is unmuted. For users joining the meeting in the virtual meeting room you will find your 'mute' control in the lower left hand corner of the Zoom meeting screen. For telephone only users, dial *6.
- If you still cannot be heard and have joined by computer audio, you may need to switch to a telephone to improve the audio connection. Click on the 'drop-down' menu located beside the 'mute' control on the screen to change your audio connection to telephone. Use the information that pops-up on the Zoom screen to join the meeting using a telephone. You will need to enter a meeting id after calling the phone number, and a participant ID.
- If you are still unable to be heard, you may need to disconnect from the Zoom meeting and rejoin. If you rejoin the meeting and still cannot speak, use the 'Q&A' function on the Zoom screen to inform the host that you cannot be heard.

Accessing Documents & Site Plans:

To access documents, and view site plans discussed during a meeting, please use the links on the meeting agenda.

B. APPLICANTS, BOARD MEMBERS & INVITED GUESTS

Applicants, Board members and invited guests should use the invitation provided via email to access the meeting. If you cannot find the email invitation provided to you in advance of the meeting you may join using the instructions above for public access.

AGENDA ITEMS:

A. CALL TO ORDER

B. CHAIRMAN INTRODUCTIONS AND INSTRUCTIONS

C. AGENDA ITEMS * Order subject to change*

- I. **Continuation of the Petition of Charles Walsh, 3 Stone Post Way, Greenville, RI 02828** for a **Special Use Permit & Dimensional Variance** under the Zoning Ordinance as follows: The applicant is seeking to construct a new single family dwelling. A special use permit is required because the proposed OWTS is proposed to be located within 150' of a wetland. A favorable advisory opinion was obtained by the South Kingstown Conservation Commission on March 3, 2020. The dwelling will be located 25' from the front property line. The required front yard setback is 40'. Relief of 15' is requested. Lot size is .57 acres. **A Dimensional Variance is required per Zoning Ordinance Section 401 (Dimensional Regulations) and the Special Use Permit is required per Zoning Ordinance Section 504.1 (Special Use Permit-Location of OWTS) and Section 907 (Standards of Relief).** Owner of the property is Louise Marie Walsh Living Trust for premises located on Rosebriar Avenue, Assessor's Map 90-4, Lot 215 and zoned R 30.

[0 Rosebriar Avenue Application](#)

- II. **Continuation of the Petition of Daniel J. Cunningham, 3986B Tower Hill Road, South Kingstown, RI** for a for a **Special Use Permit** under the Zoning Ordinance as follows: The applicant is seeking to demolish the existing single family dwelling and construct a new 1,600 square foot dwelling with a detached 24' x 24' garage. This property is located within the Jerry Brown Farm Association property. The parcel of land that this property is located on is non-conforming due to the number of residential structures on the same parcel. A Special Use Permit is required for any addition, enlargement, expansion or intensification of non-conforming land. Lot size is 70 Acres. Although there are no property lines between dwellings, the distance from the proposed dwelling to the closest adjacent dwelling is 83'. **A Special use permit is required per Zoning Ordinance Section 203 (Special Use Permit for addition, enlargement, expansion or intensification) and 907 (Standards of Relief).** Owner of land is Jerry Brown Farm Association, Inc., and the owner of the dwelling is Daniel J. Cunningham for premises located at 35 Fire Lane Two, South Kingstown, RI, Assessor's Map 82-1, Lot 1-1 and is zoned R-80.

[35 Fire Lane Two Application](#)

- III. **Continuation of the Petition of David Levesque, 1395 Atwood Avenue, Johnston, RI 02919** for a **Special Use Permit** under the Zoning Ordinance as follows: The applicant is seeking to establish a restaurant with alcohol, accessory drive-up window and accessory entertainment to a restaurant. All uses require a special use permit. The applicant received a favorable advisory opinion for the Development Plan from the Planning Board on January 29, 2020. Lot size is .91 acres. **A Special Use Permit is required per Zoning Ordinance Section 301 (Schedule of Use Regulations Table) and Section 907 (Standards of Relief)**. Owner of the property is Gerald Richmond for premises located at 151 Old Tower Hill Road, Assessor's Map 57-2, Lot 51 and zoned CH (Commercial Highway). Use Code 56.1 (Restaurant with Alcohol) Use Code 56.3 (Accessory Entertainment to Restaurant) and Use Code 58 (Drive Thru Accessory Window

[151 Old Tower Hill Road Application](#)

- IV. **Petition of Kevin and Kathleen Moore, 112 Homeward Lane, North Attleboro, MA, 02760** for a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant is seeking to construct an addition on the left side of the second floor and extend the second floor deck on the left side. This parcel is non-conforming by dimension, so reduced setbacks are allowed. The deck extension on the left side will be located 4.1' from the left side property line. The side yard setback requirement is 10'. Relief of 5.9' is requested. The second floor addition on the left side will be located 7.6' from the left side property line. The side yard setback is 10'. Relief of 2.4' is requested. Lot size is .19 Acres. **A Dimensional Variance is required per Zoning Ordinance Section 207 (Nonconforming Lots of Record-Building Setback Requirements) and Section 907 (Standards of Relief)**. Owner of the property is Kevin & Kathleen Moore for premises located at 30 Ocean Avenue, Assessor's Map 93-1, Lot 68 and is zoned R 20.

[30 Ocean Avenue Application](#)

- V. **Petition of The Compass School, c/o Michael Commendatore, 537 Old North Road, South Kingstown, RI, 02879** for a **Special Use Permit Modification** under the Zoning Ordinance as follows: The Compass School is seeking to construct an outdoor 25' X 45' pavilion for use in outdoor school activities and as a covered bus waiting area. Because this property is zoned for residential use and there is a current Special Use Permit in place for the educational use, any modification or expansion requires approval from the Zoning Board. Lot size is 5 Acres. **A Special Use Permit is required per Zoning Ordinance Section 202 (Building, Structure or Land Nonconforming by Use), Section 203 (Special Use Permit for Addition, Enlargement, Expansion or Intensification) and Section 907 (Standards of Relief)**. Property is owned by the Compass School for premises located at 537 Old North Road, South Kingstown, RI, Assessor's Map 16-4, Lot 16, and zoned R40. Use code is 20 (Education Institution, Primary through Secondary).

[537 Old North Road Application](#)

- VI. **Petition of Arthur H. Parmentier, 15 Tomahawk Trail South, South Kingstown, RI 02879** for a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant is seeking to relocate an existing shed from the rear yard to the front yard. The proposed location of the shed is within the front yard setback, which requires relief as accessory structures are not allowed in the front yard setback. The shed will be located 23.8' from the front property line. The front yard setback is 35'. Relief of 11.2' is requested. The lot is a non-conforming lot of record, and setbacks are reduced for the side yard from 10' to 6'. No relief

is requested for the side yard. Lot size is .21 acres. **A Dimensional Variance is required per Zoning Ordinance Section 207 (Nonconforming Lots of Record-Building Setback Requirements), Section 503.1 (Accessory Structures) and Section 907 (Standards of Relief).** Owner of the property is Arthur H. Parmentier for premises located at 15 Tomahawk Trail South, Assessor's Map 34-2, Lot 178 and is zoned R 20.

[15 Tomahawk Trail South Application](#)

- VII. **Petition of Heidi Henderson & Stephen Rogers, 16 Elm Street, South Kingstown, RI, 02879** for a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant is seeking to construct an attached deck and outdoor shower closer to the rear property line. Although this parcel is non-conforming by dimension, there are no further reductions in setbacks allowed. The deck will be located 6' from the rear property line. The required setback is 30'. Relief of 24' is requested. The accessory outdoor shower will be located 4' from the rear property line. The required rear yard setback for accessory structures is 6'. Relief of 2' is requested. The lot coverage maximum is 25%. The deck, shed and outdoor shower will increase the overall lot coverage to 1,723 square feet or 30%. Relief of 5% or 270 square feet is requested. Lot size is 5,814 square feet. **A Dimensional Variance is required per Zoning Ordinance Section 207 (Nonconforming Lots of Record-Building Setback Requirements), Section 401 (Schedule of Dimensional Regulations) and Section 907 (Standards of Relief).** Owner of the property is Heidi Henderson & Stephen Rogers for premises located at 16 Elm Street, Assessor's Map 57-4, Lot 187 and is zoned R 10.

[16 Elm Street Application](#)

- VIII. **Petition of Manny M. Vieira, 80 Brookridge Drive, Exeter, RI, 02822** for a **Special Use Permit** under the Zoning Ordinance as follows: The applicant is seeking the approval of a Special Use Permit to locate an Onsite Wastewater Treatment System (OWTS) closer to a wetland than allowed. 150' is required, 110' is proposed. Relief of 40' is requested. This parcel was granted a Special Use Permit for the same relief sought on this application on October 22, 2014, but the approval period expired. The project also had received approval from the Conservation Commission on July 16, 2014. There is no change to the original location of the OWTS system. Lot size is .47 Acres. **A Special Use Permit is required per Zoning Ordinance Section 504 (Special Use Permits-Location of OWTS) and Section 907 (Standards of Relief).** Property is owned by Manny M. & Maria R. Vieira for premises located on Parkwood Drive, South Kingstown, RI, Assessor's Map 31-2, Lot 82, and zoned R20

[Parkwood Drive Application](#)

- IX. **Petition of John E. Savastano, 191 Lake Avenue, South Kingstown, RI, 02879** for a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant is seeking to construct a new attached garage and new covered deck closer to the front property line than allowed. The garage will be located 16.7' from the front property line. The required front yard setback is 35'. Relief of 18.3' is requested. The proposed covered deck will be located 9.9' from the front property line. The required front yard setback is 35'. Relief of 25.1 is requested. Lot size is .93 acres. **A Dimensional Variance is required per Zoning Ordinance Section 401 (Schedule of Dimensional Regulations) and Section 907 (Standards of Relief).** Owner of the property is John E. & Michelle Savastano for premises located at 191 Lake Avenue, Assessor's Map 87-4, Lot 39 and is zoned R 20.

[191 Lake Avenue Application](#)

**NOTE: FOR ALL OTHER DOCUMENTS INCLUDING ANY CORRESPONDENCE
CLICK THE LINK BELOW:**

[South Kingstown Current Zoning Applications](#)

D. OTHER ITEMS:

- Election of Officers
- Approval of June 17, 2020 and June 24, 2020 Zoning Board of Review Minutes
- Attendance for July 22, 2020 meeting

E. ADJOURNMENT

Individuals requesting disability accommodations must call the Town Clerk's Office at 401-789-9331 at least seventy-two (72) hours in advance of the meeting.