



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, September 16, 2020 at 7:00 p.m.

VIA ZOOM VIDEO CONFERENCE

Via Computer: <https://southkingstownri.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>

Posted: September 3, 2020

Accessing the Zoom Meeting via Computer, Tablet or Smartphone:

- **Click on this link to join the meeting:** <https://southkingstownri.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. Petition of Daniel J. Cunningham**, 3986 B1 Tower Hill Road, South Kingstown, RI, 02879 for an **Appeal of a Zoning Decision of the Zoning Enforcement Officer (ZEO)** under the Zoning Ordinance as follows: Petition of Daniel J. Cunningham, 3986 B1 Tower Hill Road, Wakefield, RI, for an Appeal of a Decision of the Zoning Enforcement Officer (ZEO) in a letter dated August 14, 2020. Premises located at 35 Fire Lane Two, South Kingstown, RI, Assessor's Map 82-1, Lot 1-1 and is zoned R-80. This appeal centers on the ZEO's interpretation of Sections 203 and 905 of the Zoning Ordinance as they relate to the premises. 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 Appeal](#)

- 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 SUP](#)

- III. **Continuation of the Petition of N & N Associates Inc.,** 10 Kent Avenue, Warwick, RI, 02886 for a **Special Use Permit** under the Zoning Ordinance as follows: The applicant is seeking a special use permit to establish a State Licensed Marijuana Retail Compassion Center. The State is in the process of expanding State Licensed Retail Compassion Centers. In anticipation of that expansion, applicants must receive local approval for the establishment of the facility as part of their application to the State Department of Business Regulation. Lot size is .7 Acres. **A Special Use Permit is required per Zoning Ordinance Section 301 (Schedule of Use Regulations Table), (Section 504.15 (Marijuana Related Uses) and Section 907 (Standards of Relief).** Owner is Karen Sweet for premises located at 703 Kingstown Road, South Kingstown, RI, Assessor's Map 57-1, Lot 92 and is CH (Commercial Highway). The Use Code is 100-Marijuana Retail Facility.

[703 Kingstown Road, Application](#)

- IV. **Petition of Celeste Helterline and Denise B. Hoffman,** 1077 Corn Neck Road / P. O. Box 576, Block Island, RI, 02807 for a **Special Use Permit** under the Zoning Ordinance as follows: The applicant is seeking to replace the existing seasonal cottage and deck. The cottage will be increased in size by 150 square feet, the maximum allowed. The new cottage is proposed to be 518 square feet and the deck will be replaced in the same size of the existing 192 square feet. The required separation between adjacent cottages will be in compliance with the zoning standards. Lot size is 50.2 Acres. **A Special Use Permit is required per Zoning Ordinance Section 203 (Special Use Permit for Addition, Enlargement, Expansion or Intensification), Section 608 (Coastal Community Overlay District) and Section 907 (Standards of Relief).** Owner of cottage 10E9 is Celeste Helterline on property owned by Matunuck Beach Properties, located at 240 Cards Pond Road, South Kingstown, RI, Assessor's Map 92-1, Lot 9-107 and is zoned R200.

[10EC9 Roy Carpenters, Application](#)

- V. **Petition of John K. Smith,** 13 Laurel Place, Manchester, CT, 06040 for a **Special Use Permit** under the Zoning Ordinance as follows: The applicant is seeking to replace the existing seasonal cottage substantially damaged by Hurricane Sandy. The applicant received a Special Use Permit for the replacement on December 18, 2013, but the approval has since expired. The cottage replacement will be 24' X 27'-6" with a 4' X 10" enclosed porch and a 10' X 20'-9" open deck. No changes from the original approval are proposed. The required separation between adjacent cottages will be in compliance with the zoning standards. Lot size is 50.2 Acres. **A Special Use Permit is required per Zoning Ordinance Section 203 (Special Use Permit for Addition, Enlargement, Expansion or Intensification), Section 608 (Coastal Community Overlay District) and Section 907 (Standards of Relief).** Owner of proposed cottage 19E11 is John K. Smith on property owned by Matunuck Beach Properties, located at 240 Cards Pond Road, South Kingstown, RI, Assessor's Map 92-1, Lot 9-11 and is zoned R200.

[19EC11 Roy Carpenters, Application](#)

- VI. **Petition of John Hanson,** 47 Walbridge Road, West Hartford, CT, 06119 for a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant is proposing to construct a new single family dwelling to replace the existing single family dwelling. The lot is nonconforming by dimension, and has reduced setbacks. The new dwelling will be located 20' from the front property line. The required front yard setback is 25'. Relief of 5' is requested. The new dwelling will also be located 18' from the right side property line. The required right yard setback is 30'. Relief of 12' is requested. Lot size is .41 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 Hanson Family GST-Exempt Gift Trust for premises located at 73 Potter Road, Assessor's Map 87-2, Lot 121 and zoned R 80.

[73 Potter Road, Hanson](#)

- VII. **Petition of Bahij Boutros**, 394 Woodbine Street, Cranston, RI, 02910 for a **Special Use Permit** under the Zoning Ordinance as follows: The applicant is seeking to establish a new restaurant (Baja's Taqueria & Grill) in place of an existing restaurant. They are requesting a special use permit to also allow for alcohol service with the restaurant. Lot size is 5.03 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 Belmont Shopper's Park Inc. for premises located at 600-C Kingstown Road, South Kingstown, RI, Assessor's Map 57-1, Lot 90 and is zoned CH (Commercial Highway). The Use Code is 56-1-Restaurant With Alcohol.

[600C Kingstown Road, Application](#)

- VIII. **Petition of Kelly & Brian Thibeault**, 3140 South County Trail, West Kingstown, RI, 02892 for a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant is proposing to construct a new 30' X 50' detached garage. The proposed garage will be 23'-5 3/4" high. The maximum height allowed for accessory structures is 20'. Relief of 3'-5 3/4" is requested. Lot size is 11.06 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 Kelly & Brian Thibeault for premises located at 3140 South County Trail, Assessor's Map 21, Lot 7 and zoned R 80.

[3140 South County Trail, Application](#)

NOTE: FOR ALL OTHER SUPPLEMENTAL DOCUMENTATION INCLUDING ANY CORRESPONDENCE CLICK THE LINK BELOW:

[South Kingstown Current Zoning Applications](#)

D. OTHER ITEMS:

- Approval of August 19, 2020 and August 27, 2020 Zoning Board of Review Minutes
- Attendance for October 21, 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.