



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT

180 High Street
Wakefield, RI 02879
Tel (401) 789-9331 x1225

November 28, 2022

Eric Posillo Builders
120 Matthias Lane
Charlestown, RI 02813

At a meeting of the Zoning Board of Review held November 16, 2022, your petition for a Special Use Permit was granted for premises located at 240 Cards Pond Road, 13E15, South Kingstown, Tax Assessor's Map 92-1, Lot 9-145.

Please be further advised that there is a One-year Expiration. Any variance or special use permit shall expire one year after the date of the filing of the decision in the office of the Town Clerk, unless the applicant shall, within one year, obtain a legal building permit and proceed with the construction, or obtain a certificate of occupancy when no legal building permit is required. If application is made prior to the expiration of the initial one-year period, the Board may, upon written request and for cause shown, renew the variance or special use permit for a second one-year period. Said request for an extension need not be advertised nor noticed, per South Kingstown Zoning Ordinance Section 910.

If a building permit is required, this Decision must be presented to the Building Official's office at the time you make application for your building permit.

Regards,

James Gorman,
Building Official & Zoning Clerk
Town of South Kingstown



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NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

The following motion, made by Ms. Walsh and duly seconded by Mr. Rosen
Motion passed unanimously: Vote 5-0
(S. Walsh, W. Rosen-Aye, T. Daniels-Aye, A. Hicks-Aye, R. Cagnetta-Aye)

At a meeting held on November 16, 2022 regarding the Petition of Eric Posillo Builders, 120 Matthias Lane, Charlestown RI 02813 for a Special Use Permit under the Zoning Ordinance as follows: The applicant is seeking to replace the existing seasonal cottage of 453 square feet with a new cottage of 600 square feet. 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).

Owners of cottage 13EC15 are Richard & Susan Moore on property owned by Matunuck Beach Properties Inc, located at 240 Cards Pond Road, South Kingstown, Assessor's Map 92-1, Lot 9-145 and is zoned R200.

The following individuals spoke as representatives of the applicant:

- Eric Posillo, applicant

There was no one present who spoke either in favor of or opposition to the petition.

The following materials were entered into the record:

- Application signed and dated September 14, 2022; Owner Authorization signed and notarized September 14, 2022; Cross Section (2 page); Proposed and Current Site Conditions (1 page); Elevations (1 page); Vision Appraisal Field Card (1 page); Web GIS Aerial Photo (1 page); Proposed Floor Plan (1 page)
- 200' Radius Map and Abutter's List; Legal Notice; Proof of Certified Mailings and Notarized Affidavit of Mailing
- Authorization letter from Richard & Susan Moore dated November 16, 2022

Findings of Fact:

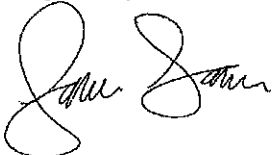
1. The Board finds that the special use is specifically authorized by this Ordinance, because a Special Use Permit is required per Zoning Ordinance Section 203 (Special Use Permit for Addition, Enlargement, Expansion, or Intensification), Section 608 (Coastal Community Overlay District) and Section 907 (Standards of Relief).
2. The Board finds that the special use meets all of the criteria set forth in the subsection of this Ordinance authorizing such special use, because the proposed new structure falls within the limits allowed under the Zoning Ordinance and will not be encroaching any closer to existing structures or roadways.

3. The Board finds that granting of the special use permit will not alter the general character of the surrounding area or impair the intent or purpose of this Ordinance or the Comprehensive Plan of the Town. In so doing, the Board has considered whether or not satisfactory provisions and arrangements have been or will be made concerning, but not limited to the following matters, where applicable:
- (i) Ingress and egress to the lot and to existing or proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire, emergency, or catastrophe; ingress and egress is existing and will remain the same.
 - (ii) Off-street parking and loading areas where required, with particular attention to the items in subsection A.1., above, and the noise, glare, or odor effects of the special use permit on adjoining lots; not applicable, parking will remain the same and there will be no noise, glare, or odor effects.
 - (iii) Trash, storage, and delivery areas with a particular reference to the items in (i) and (ii) above; not applicable, already existing.
 - (iv) Utilities, with reference to locations, availability, and compatibility; there is no change in utilities.
 - (v) Screening and buffering with reference to type, dimensions, and character; not applicable.
 - (vi) Signs, if any, and exterior lighting with reference to glare, traffic safety, and compatibility and harmony with lots in the zoning district; not applicable
 - (vii) Required yards and other open space; not applicable
 - (viii) General compatibility with lots in the same or abutting zoning districts because the proposed structure is located within a summer community and is similar in design and size with all of the other structures within this community.

Approval is conditional subject to the following conditions:

- There are no conditions upon this decision.

Respectfully,



James Gorman,
Building Official & Zoning Clerk
Town of South Kingstown