



# Town of South Kingstown, Rhode Island

## BUILDING AND ZONING DEPARTMENT

180 High Street  
Wakefield, RI 02879  
Tel (401) 789-9331 x1224  
Fax (401) 789-9792

### ZONING BOARD OF REVIEW

PBL, Inc.  
520 High Street  
Wakefield, RI 02879

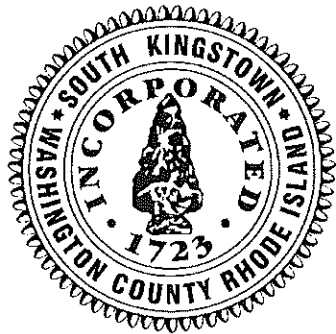
May 13, 2020

Dear Mr. Paglia,

I have attached an amended recorded decision for your records. There was an error in the original recorded decision stating the date the hearing was held, that has been corrected and re-recorded.

Yours truly,

Wayne Pimental, Clerk  
Zoning Board of Review  
Town of South Kingstown



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### ZONING BOARD OF REVIEW NOTICE OF DECISION \*Amended Date of Hearing\*

May 13, 2020

At a meeting of the Zoning Board of Review held **April 22, 2020**, your petition was **Granted** for a **Special Use Permit** under the Zoning Ordinance as follows: The applicant is seeking to establish a Liquor Store. Lot size is .35 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 Suburban Pilgrim Realty Dev. for premises located at 1321 Kingstown Road, Assessor's Map 48-2, Lot 67 and zoned CD (Commercial Downtown). Use Code 55.3 (Liquor Store).

*The Decision of the Board is as follows:*

**Mr. Daniels** moved to approve the petition of **PBL, Inc.** the description for the special use permit was previously read into the record by the chairman, so I won't repeat it at this point. The applicant was represented by attorney Kenyon and Josh Rosen, the Engineer also testified, along with Joe Paglia who is the owner of the business. There was no opposition to the request. The materials that were entered into the record consist of the hearing notice, the site plan and various other documents that information was read into the record by Jessica Spence, the administrative assistant. The Board finds that the special use is specifically authorized by the Ordinance and it is authorized under Zoning Ordinance section 301 schedule of use regulations and also section 907 standards of relief. The special use is permitted in the CD area, and that's what we're dealing with here that's used code 55.3 Liquor Store. So that is allowed by special use in the CD area. The Board finds that the special use meets all the criteria put forth in a subsection because the application to change or the application for the special use permit does not require any change in a building. There is no dimensional variance required. Egress and ingress to the lot have been testified to by Mr. Rosen. Ingress and egress for customers is on Kingstown Road and ingress and egress which was a subject of some discussion for delivery vehicles is on the side road which is identified as Kersey Road. The Applicant testified that the delivery is usually two trucks per week, both of those delivery vehicles will be able to turn into the premises and not have to back on to Kersey Road as testified to by Mr. Rosen. The parking was identified as eight spaces where only three are required in the Ordinance, there will be eight spaces, they will be clearly marked and identified and there will be parking to the east side of the building and limited parking to the west side of the building for employees. There is no off street parking that is required or will be needed, since there is ample parking spaces within the bounds of the premises. Mr. Rosen testified that there will be no changes to the building structure, there will be no changes to how trash is handled or how storage is handled presently. The building is fully equipped for utilities. There'll be no changes to the utilities. The screening and buffering that is currently in place will remain. There will be no changes based on testimony of Mr. Rosen to the external exterior of the building with regard to buffering and screening The sign, there will be some changes in the signs and Mr. Rosen has testified that the sign will be exterior lit and will comply with the Ordinance. And that all lighting will be in compliance with the Ordinance and no variance of lighting or any other variance is requested with this special use permit. This particular building is in general compliance with the area. It is a commercial district. There are other businesses in the area. This building has been existing for a long time and Mr. Paglia has testified that this is a better location for his business. There are going to be 2028 square feet available for use in this building, which is a significant increase

from where his former location is and with that, I see no reason not to grant the approval and I would move that it be granted.

Richard Jurczak, Chairman: Right, thank you. Motion made by Mr. Daniels with someone like the second

Bill Mark, Alt. #1: Second,

Richard Jurczak, Chairman: Okay, second by Mr. Mark.

Richard Jurczak, Chairman: Okay, by way of discussion first Jessica Spence's reminded me that I should read. The one letter in the file. I'm going to read it, whom it may concern I would like my full approval to be noted towards the granting of the special use permit for the premises located at 1321 Kingston road my business Bowse Builders located at 130 Kersey Road abuts this property. Thank you. Owner Bowse Builders, Charles Bowse.  
Okay. Any other discussion.

Tom Daniels, Member: I will amend my motion to include that as a document in support of that request.

Richard Jurczak, Chairman: Okay, would you second that Mr. Mark.

Bill Mark, Alt. #1: Second,

Richard Jurczak, Chairman: Motion made and seconded. Any further discussion.

Whereupon a Roll-Call Vote was Taken: Daniels-Aye, Mark-Aye, Cagnetta-Aye, Bernardo-Aye, Jurczak-Aye  
Motion Granted, Vote 5-0 in Favor, Petition Passed Unanimously



Wayne Pimental, Clerk  
Zoning Board of Review  
Town of South Kingstown