



## Town of South Kingstown

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### ZONING BOARD OF REVIEW

### MEETING AGENDA

Wednesday, August 19, 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>

Accessing the Zoom Meeting via Computer, Tablet or Smartphone:

Posted: August 7, 2020

- **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. **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.

[Application, 35 Fire Lane Two](#)

- II. **Continuation of the 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

[Application, Parkwood Drive](#)

- III. **Petition of Tower Hill Landings Annex, LLC**, 543 Thames Street, Newport, RI, 02840 for a **Special Use Permit** under the Zoning Ordinance as follows: The applicant is seeking a special use permit to allow more than three (3) unrelated individuals within a household occupancy. The applicant is proposing to construct two multi household structures consisting of two 2 bedroom units and nine 4 bedroom units total. The four bedroom units may be rented to more than three unrelated individuals. The multi household use is allowed in the zoning districts. Lot size is 1.23 Acres. **A Special Use Permit is required per Zoning Ordinance Section 504.14 (Household Occupancy by more than Three Unrelated Individuals) and Section 907 (Standards of Relief)**. Owner is Tower Hill Landings Annex, LLC for premises located at 2095 Kingstown Road, South Kingstown, RI, Assessor's Map 32-4, Lot 32 and is zoned R-10 and CN (Commercial Neighborhood). The Use Code is 12.1-Multi-Household Land Development Project.

[Application, 2095 Kingstown Road](#)

- IV. **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.

[Application, 703 Kingstown Road](#)

- V. **Petition of Arthur Olsen**, 35C W. Castle Way Charlestown, RI, 02813 for a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant is proposing to construct a 12' x 14' detached shed in the rear of the property. Although the lot is nonconforming by dimension, no setback relief is needed for the shed. The current lot coverage of the lot is 30%, which exceeds the lot coverage maximum of 25%. With the addition of the 168 square foot shed, the lot coverage will increase to 32%. Overall relief of 7% is requested, although the net increase is 2%. Lot size is 8,000 square feet. **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 Barry F. & Anabela Olsen for premises located at 17 Liberty Street, Assessor's Map 56-2, Lot 99 and zoned R 10.

[Application 17 Liberty Street](#)

- VI. **Petition of Kristin Patterson**, PO Box 589, Wakefield, RI, 02880 for a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant is proposing to construct a 14' x 13'-8" two story addition onto the existing one-bedroom single family dwelling. The lot is nonconforming by dimension. The addition will be located 9.74' from the right side property line. The required side yard setback is 11'. Relief of 1.26' is requested. The front of the proposed addition will be in conformance with the front yard alignment per Section 402.3. The current lot coverage of the lot is 23.6%, which exceeds the lot coverage maximum of 20%. With the addition of the 187 square foot addition, the lot coverage will increase to 29.8%. Overall relief of 9.8% is requested, although the net increase is 6.1%. Lot size is 3,041 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 Kristin Patterson, TTE for premises located at 75 Billington Avenue, Assessor's Map 69-2, Lot 26 and zoned R 40.

[Application, 75 Billington Avenue](#)

- VII. **Petition of Geraldine V. Venter,** 813 South Road, South Kingstown, RI, 02879 for a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant is proposing to construct a one story addition onto the existing single family dwelling. The addition will be located along Winterberry Lane, a corner side line. The proposed addition will be located 17.04' from the corner side property line. The required corner side setback is 25'. Relief of 7.96' is requested. Lot size is 27,878 square feet. **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 Geraldine V. Venter for premises located at 813 South Road, Assessor's Map 47-2, Lot 22 and zoned R 20.

[Application, 813 South Road](#)

- VIII. **Petition of David J. & Cheryl A. Kozak,** 31 Hunters Ridge, Rocky Hill, CT, 06067 for a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant is proposing to add a second floor dormer to the existing 1740 single family dwelling. The lot and building are both nonconforming by dimension. The proposed second floor dormer will be located along the front of the existing structure, which is within the front yard setback. The dormer will be located 11.3' from the front property line. The required front yard setback is 25'. Relief of 13.7' is requested. Lot size is .20 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 David J. & Cheryl A. Kozak for premises located at 18 Ocean Avenue, Assessor's Map 93-4, Lot 28 and zoned R 20.

[Application, 18 Ocean Avenue](#)

- IX. **Petition of South County Survey Company, LLC,** 382-B Main Street, South Kingstown, RI, 02879 for a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant is proposing to demolish the existing garage and construct a 24' x 26' detached garage with a family recreation room above it to be used by the principal dwelling. The lot is non-conforming by dimension. The lot is located on a corner lot, and has two interior side yards. The garage will be located 1.9' from the left side property line. The required side yard setback is 15'. Relief of 13.1' is requested. The garage will also be located 1.6' from the side yard in the rear of the garage, which is considered a side yard. Relief of 13.6' is requested. The structure will meet the height requirement of 20'. Lot size is 7,500 square feet. **A Dimensional Variance is required per Zoning Ordinance Section 208 (Nonconforming lots of record-Accessory building setback requirements) and Section 907 (Standards of Relief).** Owner of the property is Michelle Quirk for premises located at 59 Browning Street, Assessor's Map 96-1, Lot 32 and zoned R 30.

[Application, 59 Browning Street](#)

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

**[South Kingstown Current Zoning Applications](#)**

**D. OTHER ITEMS:**

- Approval of July 15, 2020 and July 22, 2020 Zoning Board of Review Minutes
- Attendance for September 16, 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.**