



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT

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

November 15, 2021, 2021

629 Succotash Road, LLC
629 Succotash Road
South Kingstown, RI 02879

At a meeting of the Zoning Board of Review held October 27, 2021, your petition for a Special Use Permit was granted for premises located at 629 Succotash Road, South Kingstown, Tax Assessor's Map 87-2, Lot 189.

Please be further advised that there is a Two-year Expiration on this Dimensional Variance with the right to extend, if necessary, per South Kingstown Zoning Ordinance Section 908.

If you have to apply for a building permit, 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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 B/P:1812/Pgs 186 - 187; (2 pgs)
 INST# 19020
 TOWN OF SOUTH KINGSTOWN, RI



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NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

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

At a meeting held on October 27, 2021 regarding the Petition of 629 Succotash Road, LLC d/b/a Matunuck Oyster Bar, 629 Succotash Road, South Kingstown, RI 02879 for a Special Use Permit under the Zoning Ordinance as follows: The applicant is seeking further extension of the existing Special Use Permit to permanently establish the existing tent over the exterior dining area. The tent was previously authorized for the allocation of seating due to COVID-19 restrictions. Lot size is .8 acres. A Special Use Permit is required per Zoning Ordinance Section 907C (Continuation or Extension of Special Uses). Owner of the property is PKW LLC for premises located at 629 Succotash Road, South Kingstown, Assessor's Map 87-2, Lot 189 and is zoned CW (Commercial Waterfront).

The following individuals spoke as representatives of the applicant:

- Attorney Christine Dibiase
- Perry Raso

The following spoke in opposition to the petition:

- Paul Hooper, 636 Succotash Road

The following materials were entered into the record:

- Application with Cover Letter and Exhibit A signed and dated September 15, 2021; Owner Authorization signed and notarized September 13, 2021; Boundary Survey Plan prepared by DiPrete Engineering dated October 26, 2016 with revisions on November 9, 2016 and September 8, 2021 and stamped by Michael Gavitt, PLS; Correspondence, Check and Survey Plan to RIDOT dated October 22, 2021
- 200' Radius Map and Abutter's List; Legal Notice; Proof of Certified Mailings and Notarized Affidavit of Mailing
- Correspondence
 - Salt Pond Coalition, 50 Bend Road, Charlestown, received October 25, 2021

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 907C (Continuation or Extension of Special Uses).
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 testimony and documentation presented support the necessary criteria as defined within the Ordinance.
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 established.
- (ii) Off-street parking and loading areas where required, with particular attention to the items in subsection A.I., above, and the noise, glare or odor effects of the special use permit on adjoining lots; because off-street parking and loading areas are existing and remain the same. Allowing the tent to be a permanent structure will not cause any additional noise, glare or odor effects.
- (iii) Trash, storage and delivery areas with a particular reference to the items in (i) and (ii) above; Utilities, with reference to locations, availability and compatibility; because trash, storage and delivery areas are already established on site. Utilities are existing and not impacted by the granting of this SUP.
- (iv) Screening and buffering with reference to type, dimensions and character; not applicable, all screening and buffering are already pre-existing.
- (v) Signs, if any, and exterior lighting with reference to glare, traffic safety, and compatibility and harmony with lots in the zoning district; there is no additional signage or exterior lighting required.
- (vi) Required yards and other open space; not applicable, this is an existing business with already defined yard and open space.
- (vii) General compatibility with lots in the same or abutting zoning districts, because this property is within the Commercial Waterfront District and there are other similar restaurants within the neighborhood and also within this zoning district. Additionally the tent currently exists onsite and the applicant is simply looking to have the existing tent be designated as a permanent structure. No increase in capacity is proposed along with the tent becoming permanent.

Approval is conditional and subject to the following:

- The decision is a Conditional Zoning Approval and is conditioned upon any, if necessary, further CRMC approvals and will have a two-year expiration from the recorded date per Section 908 of the Zoning Ordinance with the right to extend if necessary.
- A Site Plan must be reviewed by the Building Official to verify lot coverage; if the lot coverage does not exceed the Zoning Ordinance requirement the SUP will remain in good standing.

Respectfully,



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