



## Town of South Kingstown, Rhode Island

### BUILDING AND ZONING DEPARTMENT

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

November 15, 2021

Peter Loconte  
5 Limestone Road  
Armonk, NY 10504

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 South Kingstown, Tax Assessor's Map 89-2, Lot 45.

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 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 194 - 195; (2 pgs)  
 INST# 19024  
 TOWN OF SOUTH KINGSTOWN, RI



## Town of South Kingstown, Rhode Island

**BUILDING AND ZONING DEPARTMENT**  
 180 High Street  
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November 15, 2021

### NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

The following motion, made by Mr. Charkowick and duly seconded by Mr. Rosen

Motion passed unanimously 5-0

(C. Charkowick-Aye, W. Rosen-Aye, S. Walsh-Aye, T. Daniels-Aye, R. Cagnetta-Aye)

At a meeting held on October 27, 2021 regarding the Petition of Peter Loconte, 5 Limestone Road, Armonk, NY 10504 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) within 150' of a wetland. The OWTS will service a proposed two-bedroom dwelling. A Special Use Permit was previously granted for the OWTS on February 21, 2018, but construction has not commenced and approval has since expired. Lot size is .13 acres. A Special Use Permit is required per Zoning Ordinance Section 504.1 (Special Use Permits-Location of OWTS) and Section 907 (Standards of Relief). Property is owned by Peter Loconte for premises located in South Kingstown, Assessor's Map 89-2, Lot 45 and is zoned R80.

The following individuals spoke as representatives of the applicant:

- Sergio Cherenzia, PE
- Brian McCuin, contractor

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 with Cover Letter signed and dated September 15, 2021; Owner Authorization signed and notarized September 16, 2021; Site Plan prepared by Cherenzia & Associates, Ltd. (C-1) dated September 16, 2021; Floor Plan (1 page); Engineering Report (122 pages) prepared by Cherenzia & Associates, Ltd. and dated September 2021 and stamped by Sergio Cherenzia PE; Zoning Board of Review Recorded Decision (3 pages) granted February 21, 2018 and Recorded March 14, 2018 Book L1668 and Page 380; RI DEM OWTS Construction Permit; Location Map prepared by Cherenzia & Associates, Ltd. (2 pages) dated April 29, 2016 with Revisions October 24, 2016 & November 28, 2016 and stamped by Nathan Lauder, PLS and Sergio Cherenzia, PE
- 200' Radius Map and Abutter's List; Legal Notice; Proof of Certified Mailings and Notarized Affidavit of Mailing
- Applicant's Exhibit #1 submitted, CRMC Assent Extension.
- Correspondence
  - Douglas Shapiro, 19 Teal Drive, received October 20, 2021
  - Mary-Gail Smith, 17 Periwinkle Drive West, received October 19, 2021
  - Ann Sarpu, 17 Marine Drive, 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 504.1 (Special Use Permits-Location of OWTS) 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 testimony and documentation presented support the necessary criteria as defined within the Ordinance.

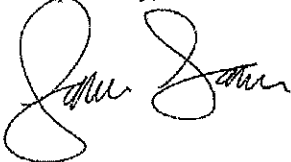
3. The Board finds that granting of the special use permit will not alter the general character of the surrounding area or impair the intent or purpose of this Ordinance or the Comprehensive Plan of the Town. In so doing, the Board has considered whether or not satisfactory provisions and arrangements 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; the lot will have sufficient ingress and egress and will meet all of the dimensional setback regulations.
- (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; not applicable.
- (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; not applicable.
- (iv) Screening and buffering with reference to type, dimensions and character; not applicable.
- (v) Signs, if any, and exterior lighting with reference to glare, traffic safety, and compatibility and harmony with lots in the zoning district; not applicable.
- (vi) Required yards and other open space; the proposed OWTS will conform to all RI DEM and CRMC regulations for the lot.
- (vii) General compatibility with lots in the same or abutting zoning districts, because there are many other small non-conforming lots in this area that have similar limitations. Additionally, the applicant has proven that the proposed OWTS is the best system for this particular parcel and the applicant also successfully addressed the concerns put forth in the Conservation Commission's previous advisory.

**Approval is subject to the following conditions:**

- There are no conditions upon this decision.

Respectfully,



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