

Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT

180 High Street
Wakefield, RI 02879
Tel (401) 789-9331 x1224
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ZONING BOARD OF REVIEW

Island Deli Sandwich Shop
c/o Michael Bucci
231 Old Tower Hill Road
Wakefield, RI 02879

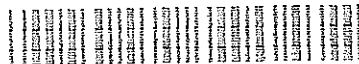
May 13, 2020

Dear Mr. Bucci,

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



RECORDED 05/13/2020 11:01:44 AM
 E/P:1742/Pgs 127 - 128 (2 pgs)
 INST# 5872
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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 obtain alcohol service with the existing restaurant use. Lot size is 1.07 acres. **A Special Use Permit is required per Zoning Ordinance Section 301 (Schedule of Use Regulations) and Section 907 (Standards of Relief).** Owner is George Geaber Jr. for premises located at 231 Old Tower Hill Road, South Kingstown, RI, Assessor's Map 57-2, Lot 43 and is zoned CH (Commercial Highway). Use code is 56-1-Restaurant with Alcohol.

The Decision of the Board is as follows:

Mr. Bernardo made the motion that we approved the petition of Island Deli Sandwich Shop c/o of Michael Bucci 231 Old Tower Hill Road Wakefield for a special use permit. The applicant is seeking to obtain alcohol service, in an existing restaurant, lot sizes 1.07 acres, a special use permit is required under our section 301 and 907. The owner of the property is George Geaber Jr., 231 Old Tower Hill Road, Assessor's Map 57-2 Lot 43 and is zoned commercial highway. Mr. Bucci is the owner of the restaurant Island Deli appeared this evening here via Zoom meeting. He indicated that he is trying to be competitive with his competition, and is trying to get an alcohol license as he indicated for craft beer and sangria. He indicated that his hours are Monday through Saturday nine through seven and Sunday nine to six and that if he gets the alcohol permit he is not going to change his hours. This zoning board member is familiar with where this restaurant located. It's in a small strip mall surrounded by a Dunkin Donuts and I believe a dry cleaning business as well as a liquor store. Based on my experience in that area having attended all of those places, there appears to be adequate parking, having no issue with ingress or egress. Utilities, I don't believe is an issue. Neither is buffering. The applicant didn't indicate anything about changing his sign or exterior lighting. So I think the requested permit would be consistent with the use of the area, especially in light of the fact that the liquor store is two doors down from his establishment so I would move that we approve the petition of this special use specifically authorized by our Ordinance. The use meets all the criteria set forth as a subsection of the ordinance, for a special Granting a special use will not alter the general character of the surrounding area or alter the purpose of the Ordinance or impair the entire purpose of the Comprehensive Plan. And that's based on my own and board members use of the area where the property is located. And we've already discussed the issues involving ingress and marketing. So with that said, I move that we approve the petition subject to I believe there were some drawings, but I don't think they indicate anything that we need to be concerned about. So I don't think it will be subject to anything other than I guess the hours that he indicated. I don't have a problem with putting a limitation on it, but I don't know. Maybe it was the purview of the Council in terms of, you know, two beers, or two wines per visit.

Richard Jurczak, Chairman: But is that is that part of your motion?

John Bernardo, Member: I know there was some talk about that. It seemed like the applicant had no issue with it. So why don't I add that to my motion that any customer is going to be limited to two drinks at any one time while then the restaurant.

Richard Jurczak, Chairman: All right, Mr. Bernardo. Okay. Well, someone second

Robert Cagnetta, Vice-Chair: I'll second.

Richard Jurczak, Chairman: Okay, second by Mr. Cagnetta. We have any discussion.

Discussion ensued

Richard Jurczak, Chairman: All right, any other question. Any other discussion, let's vote.

Whereupon a Roll-Call Vote was Taken: Bernardo-Aye, Cagnetta-Aye, Daniels-Aye, Mark-Aye, Jurczak-Aye
Motion Granted Unanimously, Vote 5-0 in favor, petition passed



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