



Town of South Kingstown

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ZONING BOARD OF REVIEW

MEETING AGENDA

Wednesday, June 17, 2020 at 7:00 p.m.

VIA VIDEO CONFERENCE

Via Computer: <https://zoom.us/j/94864930272>

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: 948 6493 0272

- **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>

Posted: June 4, 2020

Accessing the Zoom Meeting via Computer, Tablet or Smartphone:

- **Click on this link to join the meeting: <https://zoom.us/j/94864930272>**
- 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**

- I. **Continuation of the Petition of David Levesque, 1395 Atwood Avenue, Johnston, RI 02919** for a **Special Use Permit** under the Zoning Ordinance as follows: The applicant is seeking is seeking to establish a restaurant with alcohol, accessory drive-up window and accessory entertainment to a restaurant. All uses require a special use permit. The applicant received a favorable advisory opinion for the Development Plan from the Planning Board on January 29, 2020. Lot size is .91 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 Gerald Richmond for premises located at 151 Old Tower Hill Road, Assessor's Map 57-2, Lot 51 and zoned CH (Commercial Highway). Use Code 56.1 (Restaurant with Alcohol) Use Code 56.3 (Accessory Entertainment to Restaurant) and Use Code 58 (Drive Thru Accessory Window). **** Petitioner requesting Continuance until July 15, 2020 Hearing****

[151 Old Tower Hill Road Application](#)

- II. **Continuation of the Petition of Charles Walsh, 3 Stone Post Way, Greenville, RI 02828** for a **Special Use Permit & Dimensional Variance** under the Zoning Ordinance as follows: The applicant is seeking is seeking to construct a new single family dwelling. A special use permit is required because the proposed OWTS is proposed to be located within 150' of a wetland. A favorable advisory opinion was obtained by the South Kingstown Conservation Commission on March 3, 2020. The dwelling will be located 25' from the front property line. The required front yard setback is 40'. Relief of 15' is requested. Lot size is .57 acres. **A Dimensional Variance is required per Zoning Ordinance Section 401 (Dimensional Regulations) and the Special Use Permit is required per Zoning Ordinance Section 504.1 (Special Use Permit-Location of OWTS) and Section 907 (Standards of Relief).** Owner of the property is Louise Marie Walsh Living Trust for premises located on Rosebriar Avenue, Assessor's Map 90-4, Lot 215 and zoned R 30. **** Petition to be continued and heard on June 24, 2020 ****

[0 Rosebriar Avenue, Application](#)

- III. **Petition of John C. Drew & Conrad C. Heffernan, c/o Kenyon Law Associates, LLP, 133 Old Tower Hill Road, Wakefield, RI for a Special Use Permit Extension** under the Zoning Ordinance as follows: Request for third one-year extension of expiration date for **Special Use Permit** granted on November 16, 2016 and recorded on December 14, 2016 for property owned by John C. Drew & Conrad C. Heffernan, 130 Rosebriar Avenue, Wakefield, RI for a **Special Use Permit** to install an onsite wastewater treatment system (OWTS) closer to a wetland than permitted in an R-80 Zone (150' required – 75.4' requested). Premises located at Green Hill Beach Road, South Kingstown, RI, Assessor's Map 90-4, Lot 174, Section 504 and 907. **Request made pursuant to Sec. 910(B) of the Zoning Ordinance. Applicant requests an extension of the expiration date from July 1, 2020 to July 1, 2021.**

[0 Green Hill Beach Road Application](#)

- IV. **Petition of John C. Drew & Conrad C. Heffernan, c/o Kenyon Law Associates, LLP, 133 Old Tower Hill Road, Wakefield, RI for a Dimensional Variance Extension** under the Zoning Ordinance as follows: Request for third one-year extension of expiration date for the **Dimensional Variance** granted on March 16, 2016 and recorded on March 23, 2016 for property owned by **John C. Drew and Conrad C. Heffernan**, 130 Rosebriar Avenue, Wakefield, RI for a Dimensional Variance to construct a 24' x 24' dwelling closer to a front line than permitted in an R-80 zone. (40' required-35.7' requested). Premises located at Green Hill Beach Road, South Kingstown, RI, Assessor's Map 90-4, Lot 174, Section 207 and 907. **Request made pursuant to Sec. 910(B) of the Zoning Ordinance. Applicant requests an extension of the expiration date from July 1, 2020 to July 1, 2021.**

[0 Green Hill Beach Road Application](#)

- V. **Petition of Donna Martone, 126 Pershing Avenue, Locust Valley, NY for a Dimensional Variance** under the Zoning Ordinance as follows: The applicant is seeking to construct two additions onto the existing single family dwelling. The lot is legally non-conforming, which allows for reduced setbacks. The two story addition on the front requires side yard relief only. The ordinance allows the front of the house to align with abutting structures by right. The required side yard setback is 10'. The addition along the right side will be 7.75' from the property line. Relief of 2.25' is required. The rear yard setback is 30'. The addition in the rear of the dwelling will be 16' from the rear property line. Relief of 14' is required. The same side yard relief of 2.25' is needed for the rear addition also. The maximum lot coverage of 25% will also be exceeded. It currently is at 27.6% and will increase to 36.8%. Overall relief of 11.8%, or an additional 459.5 square feet overall is requested. Lot size is .09 acres. **A Dimensional Variance is required per Zoning Ordinance Section 401 (Schedule of Dimensional Regulations Table) and Section 907 (Standards of Relief).** Owner of the property is Donna M. Martone for premises located at 8 Pine Court, Assessor's Map 43-4, Lot 41 and zoned R 20.

[8 Pine Court Application](#)

- VI. **Petition of Daniel J. Cunningham, 3986 BI Tower Hill Road, South Kingstown, RI 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.

[35 Fire Lane Two Application](#)

- VII. **Petition of Brandon & Natale Fish,** 100 Oakwoods Drive, South Kingstown, RI for a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant has installed a detached barn. The barn was purchased as a kit, and after an inspection, it was determined that the roof height exceeded the maximum of 15' allowed. The owner stated that there was an error in the roof pitch specifications originally provided by the company that he wasn't aware of. The height of the roof is 16.5'. Relief of 1.5' is requested. Lot size is .69 acres. **A Dimensional Variance is required per Zoning Ordinance Section 401 (Schedule of Dimensional Regulations Table) and Section 907 (Standards of Relief).** Owner of the property is Brandon & Natalie Fish for premises located at 100 Oakwoods Drive, Assessor's Map 49-1, Lot 77 and zoned R 20.

[100 Oakwoods Drive Application](#)

- VIII. **Petition of DiStefano Brothers,** 433 Main Street, South Kingstown, RI for a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant is seeking to construct a detached accessory structure. The living area size of the accessory apartment structure will be 750 square feet, the maximum allowed. The applicant is also proposing to construct a covered entry and rear covered deck consisting of 162 square feet and 214 square feet respectively. Covered porch areas are to be included as part of the maximum of 750 square feet allowed for an accessory structure. The two covered porches consist of 376 square feet. This exceeds the amount allowed. Relief of 376 square feet over the maximum is requested. Lot size is 4.28 acres. **A Dimensional Variance is required per Zoning Ordinance Section 503.2 (Accessory Apartments) and Section 907 (Standards of Relief).** Owner of the property is Ian & Lindsay Madom for premises located at 26 East Hill Way, Assessor's Map 55, Lot 18 and zoned R 80

[26 East Hill Way](#)

- IX. **Petition of Thomas L. Cabral,** 1240 Middlebridge Road, South Kingstown, RI for a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant is seeking to remove the existing deck around three sides of the dwelling and reconstruct it slightly larger than the existing. The entire existing structure and decks are within the rear building setback area. The required setback from the rear property line is 50'. The proposed deck will be 9.1' from the rear property line. Relief of 40.9' is requested. Lot size is 2.23 acres. **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 Thomas L & Gerdine A. Cabral for premises located at 1240 Middlebridge Road, Assessor's Map 27-1, Lot 10 and zoned R 80.

[1240 Middlebridge Road Application](#)

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

[South Kingstown Current Zoning Applications](#)

D. OTHER ITEMS:

Approval of May 27, 2020 Zoning Board of Review Minutes
Any other miscellaneous business

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.