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**INST# 8522**  
 TOWN OF SOUTH KINGSTOWN, RI



## Town of South Kingstown, Rhode Island

### BUILDING AND ZONING DEPARTMENT

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 Wakefield, RI 02879  
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Date September 3, 2020

## NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

The following motion, made by Mr. Jurczak and duly seconded by Mr. Bernardo  
 Passed unanimously 5-0  
 (R. Jurczak-Aye, J. Bernardo-Aye, T. Daniels-Aye, W. Mark-Aye, R. Cagnetta-Aye)

At a meeting held on August 19, 2020 regarding 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.

**The following individuals spoke as representatives of the applicant:**

- Attorney John Kenyon
- Chris Bicho, Tower Hill Landings Annex, Applicant Member
- Steven Cabral, Crossman Engineering, Project Engineer

**No one present spoke in support of or opposition to the petition.**

**The following materials were entered into the record:**

- Letter from Attorney John Kenyon dated July 9, 2020; Application signed and dated July 9; 2020, Project Narrative; Signed and Notarized Owner Authorization form dated July 8, 2020; Abutters List and 200' Radius Map; Vision Appraisal Field Card Map 32-4 Lot 32;
- Applicant's Exhibits 1 & 2
  - Letter from Attorney John Kenyon dated August 6, 2020
  - Conceptual Master Plan of Proposed 11 Unit Residential Development prepared by Crossman Engineering and dated May 1, 2020 (Cover, C1, C2, C3, C4, C5, C6)
  - Planning Board Major Land Development Decision recorded June 30, 2020.
- Legal Notice, Certified Mail Receipts and Notarized Affidavit of Mailing

**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 504.14 (Household Occupancy by more than Three Unrelated Individuals) 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, Section 504.14B, authorizing such special use, additionally the applicant has met all of the Standards of Relief pursuant to Section 907. The applicant has received Conceptual Master Plan Approval from the Planning Board and the property is in conformance with all other Town Zoning Ordinances and Building Codes. Additionally, the property will have on-site management shared with the abutting property, Tower Hill Landings.
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; all ingress and egress will occur from Rolens Drive onto Route 108. In addition sidewalks will be installed directly in front of the proposed development all the way to Rolens Drive for pedestrian safety along Route 108.
  - (ii) Off-street parking and loading areas where required, with particular attention to the items in subsection A.1., above, and the noise, glare or odor effects of the special use permit on adjoining lots; the proposed plan has allocated forty-four (44) non-designated parking spaces where only forty (40) are required.
  - (iii) Trash, storage and delivery areas with a particular reference to the items in (i) and (ii) above; an on-site trash storage area has been designated and delivery is not applicable.
  - (iv) Utilities, with reference to locations, availability and compatibility; the proposed development will be tied into Town water and Town sewer.
  - (v) Screening and buffering with reference to type, dimensions and character; not applicable
  - (vi) Signs, if any, and exterior lighting with reference to glare, traffic safety, and compatibility and harmony with lots in the zoning district; all exterior lighting will be residential in nature.
  - (vii) Required yards and other open space; the proposed development shows open space and will additionally share common open space with the abutting multi-unit complex owned by the same management.
  - (viii) General compatibility with lots in the same or abutting zoning districts, because the project design is residential in nature and directly abutting another multi-unit apartment complex owned by the same management it is compatible with the surrounding areas.

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

- The applicant must meet all of the Conditions of Approval set forth under the Conceptual Master Plan Approval granted by the Planning Board on June 23, 2020 as recorded in Land Evidence on June 30, 2020 and,
- The applicant must go before the Zoning Board every three years for renewal of the Special Use Permit under Section 504.14 of the Zoning Ordinance and show that all criteria have been met for renewal to be granted.