



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT

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

April 6, 2021

David Barnes, Inc.
456 Main Street
Wakefield, RI 02879

At a meeting of the Zoning Board of Review held March 17, 2021, your petition for a Special Use Permit was granted for premises located at 456 Main Street, South Kingstown, Tax Assessor's Map 56-3, Lot 20.

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



RECORDED 04/06/2021 01:00:42 PM
B/P:1785/Pgs 795 - 796 (2 pgs)
INST# 13798
TOWN OF SOUTH KINGSTOWN, RI



Town of South Kingstown, Rhode Island

BUILDING AND ZONING DEPARTMENT

180 High Street
Wakefield, RI 02879
Tel (401) 789-9331 x1224
Fax (401) 789-9792

April 6, 2021

NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

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

At a meeting held on March 17, 2021 regarding the Petition of David Barnes, Inc., 456 Main Street, Wakefield, RI 02879 for a **Special Use Permit** under the Zoning Ordinance as follows: The applicant is seeking to amend their existing Special Use Permit for the expansion of their liquor service area. The proposed exterior liquor service area will be located at the rear of the building and will be approximately 8,000 square feet in area. This service area has been temporarily authorized due to COVID-19 restrictions. Lot size is .7 Acres. A Special Use Permit is required per Zoning Ordinance Section 907 (Standards of Relief). Owner is 456 Main Street LLC for premises located at 456 Main Street, South Kingstown, Assessor's Map 56-3, Lot 20 and is zoned CD (Commercial Downtown). The Use Code is 56.1 (Restaurant with Alcohol).

The following individuals spoke as representatives of the applicant:

- John Kenyon, Attorney for applicant
- Daniel Rubino, owner

There was no one present who spoke either in support of or opposition to the petition.

The following materials were entered into the record:

- Application with Cover Letter & Exhibit A, signed and dated January 15, 2021; Owner Authorization Form signed and notarized January 18, 2021; 200' Radius Map and Abutter's List; Vision Appraisal Field Card Map 56-3 Lot 20 (4 pages); Temporary Service Expansion Plan dated May 1, 2020
- Legal Notice, Proof of Certified Mailings 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 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 applicant has met all of the requirements under Section 907 to grant the expansion of the liquor service area by amending an existing Special Use Permit that allows liquor service in the Commercial Downtown district.
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:

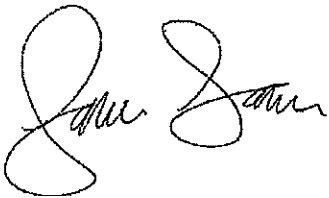
(i) Ingress and egress to the lot and to existing or proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire, emergency or catastrophe; the traffic pattern was redesigned to create a one way traffic flow.

- (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; ample existing parking
- (iii) Trash, storage and delivery areas with a particular reference to the items in (i) and (ii) above; this is an existing property with no change of use
- (iv) Utilities, with reference to locations, availability and compatibility; this is an existing property with no change of use
- (v) Screening and buffering with reference to type, dimensions and character; this is an existing property with no change of use
- (vi) Signs, if any, and exterior lighting with reference to glare, traffic safety, and compatibility and harmony with lots in the zoning district; not applicable
- (vii) Required yards and other open space; not applicable
- (viii) General compatibility with lots in the same or abutting zoning districts, this is not applicable because this is an existing business that is allowed under the Zoning Ordinance.

Approval is subject to the following conditions:

- The Outdoor liquor service area, as indicated on the Liquor Service Expansion Plan, dated May 1, 2020, will be allowed annually from May 1st to December 1st.
- Hours of operation will be from 11:00 am to 11:00 pm
- Granting of an amended liquor license by the South Kingstown Town Council allowing for the expanded liquor service area.

Respectfully,



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