



RECORDED 10/07/2021 11:30:01 AM
 B/P:1808/Pgs 380 - 381; (2 pgs)
 INST# 18265
 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 x1225

October 7, 2021

NOTICE OF DECISION SOUTH KINGSTOWN ZONING BOARD OF REVIEW

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

Motion passed unanimously 5-0

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

At a meeting held on September 15, 2021 regarding the Petition of Elderwood Development, 1142 Wehrle Drive, Williamsville, NY 14221 for a Special Use Permit under the Zoning Ordinance as follows: The applicant is seeking to construct a 13' x 35', one-story addition to the Assisted Living Facility (Use Code 24.4). Lot size is 4.54 Acres. A Special Use Permit is required per Zoning Ordinance Section 301 (Schedule of Use Regulations Table) and 907 (Standards of Relief). Owner is 981 Kingstown Road, LLC and Scallop Shell Nursing for premises located at 55 Scallop Shell Way, South Kingstown, Assessor's Map 49-1, Lot 10 and is zoned R20.

The following individuals spoke as representatives of the applicant:

- Attorney Jeffrey Brenner
- Christopher Mazzier, AIA

The following spoke in opposition to the petition:

- Chris Bernard, 78 Oak Hill Road

The following materials were entered into the record:

- Application signed and dated August 12, 2021; Owner Authorization signed and notarized August 12, 2021; Site Plan (A1.0) prepared and stamped by Robert G. Babcock, PLS and dated August 11, 2021; Floor Plan and Elevations (A1.1, A2.1, A2.2 & A2.3 prepared by Studio 401 Architecture, LLC and dated August 9, 2021
- 200' Radius Map and Abutter's List; Legal Notice; Proof of Certified Mailings and Notarized Affidavit of Mailing
- Correspondence
 - Kathryn Kennedy, 43 Dendron Road dated September 13, 2021
 - Jenifer Eaton, 964 Kingstown Road, dated September 15, 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 301 (Schedule of Use Regulations Table) and 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; there is no issue because the existing ingress and egress to the lot will not change and the property will maintain the same traffic flow and emergency vehicle access that is currently present on site.
- (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; because testimony supported that parking will not change and that there will be no additional changes to the exterior of the property that will increase the overall noise, glare or odor.
- (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; because there will be no additional delivery or trash storage on site and there will be no new exterior utilities added.
- (iv) Screening and buffering with reference to type, dimensions and character; this is an existing lot with screening and buffering already in place.
- (v) Signs, if any, and exterior lighting with reference to glare, traffic safety, and compatibility and harmony with lots in the zoning district; there will be no new exterior signage and there will be no new exterior lighting for the proposed lighting.
- (vi) Required yards and other open space; not applicable.
- (vii) General compatibility with lots in the same or abutting zoning districts, because the lot is mostly self-contained and this is a small addition on an already existing facility. It should be noted that the proposed addition will not include additional beds. The addition is a dayroom placed at the end of an existing corridor, which will provide an easier and more sensible turnaround at the end of the corridor and additional common space for residents.

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