

## Town of South Kingstown, Rhode Island

### BUILDING AND ZONING DEPARTMENT

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

January 20, 2022

Union Fire District  
PO Box 327  
Wakefield, RI 02880

At a meeting of the Zoning Board of Review held January 19, 2022, your petition for a Dimensional Variance was granted for premises located at 49 Matunuck School House Road, South Kingstown, Tax Assessor's Map 86-2, Lot 32.

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 01/20/2022 02:56:20 PM  
 B/P:1819/Pgs 119 - 120; (2 pgs)  
 INST# 20358  
 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

January 20, 2022

### 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, C. Charkowick-Aye, S. Walsh-Aye, R. Cagnetta-Aye)

At a meeting held on January 19, 2022 regarding the Petition of Union Fire District of South Kingstown, PO Box 327, Wakefield, RI 02880 for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is seeking to replace the existing fire station with a 5,075 square foot fire station and to construct a 1,890 square foot auxiliary building for emergency medical services. The proposed access driveway will be 18' wide. The required width for two-way traffic is 24'. Relief of 6' is requested. Proposed parking on the premises will consist of ten (10) spaces. Sixteen (16) spaces are required. Relief of six (6) spaces is requested. The Planning Board granted advisory Development Plan Review approval on November 23, 2021. Lot size is .73 acres. A Dimensional Variance is required per Zoning Ordinance Section 708 (Width of Access Driveways), Section 711 (Minimum Off-Street Parking Requirements) and Section 907 (Standards of Relief). Owner of the property is Union Fire District for premises located at 49 Matunuck School House Road, South Kingstown, Assessor's Map 86-2, Lot 32 and is zoned GI (Government and Institutional).

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

- Margaret Hogan, Attorney
- Joseph Casali, PE
- Steven Pinch, Chief Union Fire District

**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 and attachment signed and dated November 30, 2021; Owner Authorization signed and notarized September 8, 2021; Permit Submission Plan Set (9 pages) dated July 30, 2021, with revisions on September 10, 2021 and November 18, 2021 prepared by Joe Casali Engineering, Inc., and stamped by Joe Casali PE; Exterior Elevations, existing and proposed (2 pages) prepared by Aharonian & Associates, Inc; Proposed Floor Plan (1 page) prepared by Aharonian & Associates, Inc; Lighting Schedule (1 page) prepared by Robert Lindstrom and dated August 6, 2021; Location Plan (1 page) prepared by Steven Pinch, PLS and dated November 2010; Project Narrative and Stormwater Management Report (196 pages) dated July 2021, with revisions on September 2021 and November 2021 prepared by Joe Casali Engineering, Inc., and stamped by Joe Casali PE; Developmental Plan Review Decision (2 pages) granted on November 23, 2021 and recorded on December 3, 2021 Land Evidence Book 1814 & Pages 547-548
- 200' Radius Map and Abutter's List; Legal Notice; Proof of Certified Mailings and Notarized Affidavit of Mailing; Revised Legal Notice with Zoom instructions.
- Correspondence
  - Kristin and Richard Schwab, 61 Matunuck School House Road (Objection)


**Findings of Fact:**

1. The Board finds that the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in § 45-24-30(16), because this lot is severely restricted by width from east to west and is very narrow; in order to construct the new EMS building and demolish and rebuild the Fire Station the driveway width needs to be reduced from 24' to 18' to accommodate the buildings and fire apparatus.
2. The Board finds that that the hardship is not the result of any prior action of the applicant and does not result primarily from the desire of the applicant to realize greater financial gain, because the use of these proposed buildings are put forth to service the best interest of the public's safety and welfare in the surrounding area and not for any financial gain.
3. The Board finds that the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based, because the Planning Board has thoroughly vetted the entire application and granted a positive advisory opinion to Zoning. Additionally, the property is designated GI (Government/Institutional) and there is currently an operational Fire Station on-site; the proposed use will remain in character with the property's current use and not adversely affect the surrounding area.
4. The Board finds that the relief to be granted is the least relief necessary, because the applicant has taken every opportunity to reduce the size of the building while still being able to accommodate the necessary equipment and is therefore forced to ask for 6' of relief in terms of the driveway. Additionally the applicant has asked for a reduction in the required number of parking spaces and have designed a plan which will accommodate all on-site personnel and meet ADA requirements. Finally based on expert testimony there is nothing further the applicant can do in regards to locating the buildings anywhere else on the constricted lot and still be able to achieve all of their operational standards.
5. The Board finds that that the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience, because there is a need for public safety and the proposed application will support the general health, safety and welfare in the surrounding communities.

**The decision is subject to the following conditions.**

- All conditions of the Development Plan Review Advisory to Zoning granted on November 23, 2021 and recorded in South Kingstown Land Evidence Book 1814 & Page 547-548 on December 3, 2021 must be met.

Respectfully,



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