

2. If the proposed garage doors are to be construction in such a manner that said doors will face Ministerial Road, the applicant shall receive a dimensional variance from the Zoning Board of Review relative to the orientation of said doors."

MOTION #2: "The South Kingstown Planning Board hereby provides a favorable recommendation to the Zoning Board of Review relative to any dimensional variance as may be sought by the applicant relative to the location and orientation of the garage doors. If such a dimensional variance is sought this motion, as well as the motion for Development Plan approval issued by the Planning Board on March 27, 2018, shall serve as the advisory development plan approval for said dimensional variance."

F. (CA) REPORT OF THE ADMINISTRATIVE OFFICER:

ADMINISTRATIVE SUBDIVISIONS recorded during February 2018

Palisade Mill Administrative Subdivision, AP 49-4, Lots 141, 153 and 172, located at Railroad Street and Kingstown Road, recorded 2/5/18.

Stites Administrative Subdivision, AP 67, Lots 59 and 68, located off Ministerial Road, recorded 2/27/18.

MINOR SUBDIVISIONS recorded during February 2018

None were recorded.

MAJOR SUBDIVISIONS recorded during February 2018

None were recorded.

Mr. DiMasi moved, Ms. Torello seconded; motion carried: **Motion:** "The South Kingstown Planning Board hereby approves the Consent Agenda."

VOTE: Mack – aye
Torello – aye

Murphy – aye
DiStefano - aye

Rubinoff– aye

DiMasi – aye

D. SUBDIVISIONS AND LAND DEVELOPMENT PROJECTS:

1. **PUBLIC INFORMATIONAL MEETING ON CONCEPTUAL MASTER PLAN, MAJOR LAND DEVELOPMENT PROJECT (continued) – Hillside Commons**, proposed multi-household land development project consisting of nineteen (19) detached residential units, with associated parking and infrastructure improvements, AP 57-2, Lot 59, located at 76 Kelley Way, Scot Hallberg, owner/applicant

John Kenyon, attorney for the applicant, and Eric Prive, DiPrete Engineering were present representing the applicant.

Mr. Kenyon described the two revised layout options which were provided to the Planning Board for consideration. Mr. Kenyon stated one (1) layout depicts the proposed development configured in such a way as to require no variances including meeting the required setbacks and providing rear access for the triplex units. The second option, the applicant's preferred alternative, depicts a potential layout which meets the required setbacks from property lines, provides adequate fire separation between structures, and provides twice the required amount of open space on the parcel. The second option will still require a variance from the requirements for rear yard parking and service lane access for multi-family structures.

The Planning Board and applicant discussed the requirement of the zoning ordinance that rear access be provided for the proposed triplex units. The Board and applicant discussed the nature of the request to not provide such rear access as related to the proposed density of the residential dwelling units proposed.

The Planning Board and applicant discussed the ability to preserve two significant copper beech trees on the property. The applicant stated they may need to remove the trees in order to meet the requirements of the zoning ordinance. Discussion continued regarding the trees and possible protection of the trees if the number of units proposed on the site were reduced. The applicant stated they would be willing to reduce the number of units required from nineteen to eighteen, eliminating

proposed units number sixteen (#16) in order to protect the copper beech trees. The applicant requested a positive recommendation for the zoning variance necessary to relieve the requirement for rear yard parking and service lane access.

The Planning Board discussed the waivers requested by the applicant relative to the standards held within the Subdivision and Land Development Regulations. Specifically, the request for reductions from the setback requirements for a multi-household land development project and provision of the required open space on a separately platted parcel.

Ms. Torello moved, Mr. Murphy seconded; motion carried: **Motion:** "The South Kingstown Planning Board hereby closes the public informational meeting on Conceptual Master Plan, Major Land Development Project – Hillside Commons."

VOTE: Mack – aye
Torello – aye
Murphy – aye
DiStefano - aye
Rubinoff– aye
DiMasi – aye

Mr. DiMasi moved, Mr. DiStefano seconded; motion carried: **MOTION:** "The South Kingstown Planning Board hereby grants Conceptual Master Plan approval to Scot Hallberg for the Hillside Commons Multi-Household Land Development Project and Flexible Design Residential Project, a proposed 18-unit residential project consisting of 12 single-family units and two multi-family buildings each containing three units, located at Assessor's Plat 57-2, Lot 59, with a physical address of 76 Kelley Way. Approval is based on the following plans, prepared by DiPrete Engineering, Two Stafford Court, Cranston, RI:

- 'Master Plan Submission, Hillside Commons,' sheets 1 through 3 of 4, dated 3-30-2017 with revisions through 11-3-2017; and
- 'Alternative Layout – Triplex Option,' sheet 1 of 1, dated 3-30-2017 with revisions through 3-19-18.

This approval is based on the following Findings of Fact and Conditions of Approval:

Findings of Fact

1. The proposed development is consistent with the South Kingstown Comprehensive Community Plan.
2. With the requested rear yard parking and service lane access variance, the proposed development is in compliance with the standards and provisions of the South Kingstown Zoning Ordinance, and specifically Section 605 relative to the Route 1 Special Management District.
3. Use Codes 12.0, *Multi-Household Detached Structure*, up to 12 units, and 12.1, *Multi-Household Land Development Project*, are permitted uses in the Route 1 Special Management District zoning district.
4. The proposed development will be served by public sewer; therefore, no relief from Article 5, Section 504.1 of the Zoning Ordinance, as amended, is required.
5. There will be no significant negative environmental impacts from the proposed land development project as depicted on the above referenced plans, with the required Conditions of Approval.
6. The proposed land development project will not result in the creation of individual lots with such physical constraints to development that building on the lots according to pertinent regulations and building standards would be impracticable.

7. The proposed land development project has adequate and permanent physical access to a public street, namely Kelley Way.
8. The proposed use will have no or very limited impact on those Town capacities that are critical in constraining the Town's current six-year capacity, as identified by the Town Council in determining that capacity as provided in Article 11, Section 1102.4.D of the Zoning Ordinance.
9. The applicant has demonstrated that the site planning methodology, standards and techniques utilized in the preparation of the site plan for the proposed land development project are consistent with the 'South Kingstown Residential Design Manual,' (South Kingstown Subdivision and Land Development Regulations, Article IV, A.4.a - e).
10. The design and scale of the project is found to preserve and enhance the Route 1 viewshed by providing a buffer that is determined to be adequate.
11. The density of the proposed development is found be appropriate to the southern district setting.

Findings of Fact, Waivers

1. The applicant has requested waivers from the following standards of the South Kingstown Subdivision and Land Development Regulations:
 - i. Article IV, Section A.11.a, which requires that the open space for an FDRP be established as a separate lot or lots from the intended residential use; and
 - ii. Article IV, Section A.13, which requires a perimeter buffer of 50', and can be reduced by the Planning Board to 10'.
2. The waivers requested are reasonable and within the general purposes and intents of these Regulations.
3. Waiver of the requested Regulations is in the best interest of good planning practice or design, as evidenced by consistency with the Comprehensive Community Plan and the Zoning Ordinance.

Conditions of Approval

1. This approval is limited to eighteen (18) residential units, consisting of twelve (12) single-family structures and two (2) multi-family structures each containing three (3) dwelling units, as depicted on the approved plan set, and seven (7) visitor parking spaces.
2. Prior to application for Preliminary Plan Review, the applicant shall secure a dimensional variance from the South Kingstown Zoning Board of Review for relief from the requirement for rear yard parking and service lane access.
3. As part of the Preliminary Plan submittal, the applicant is to include architectural renderings of the buildings. Such renderings shall demonstrate conformity with Section 605.16 of the Zoning Ordinance. Such renderings shall also demonstrate that a varied appearance between buildings within the development will be provided, including differentiation in facades along the street.
4. The Preliminary Plan submission shall include indication of where outdoor refuse collection and storage is to be provided.
5. The Preliminary Plan submission shall include a Soil Erosion, Runoff and Sedimentation Control Plan depicting the areas on site that will be protected from compaction during construction, including areas designed for stormwater infiltration and areas within drip lines around existing trees. The areas intended for protection shall be adequately demarcated.
6. The Preliminary Plan submission shall include a Landscape Plan, which identifies the plant locations and materials,
7. As part of the Preliminary Plan submission, the applicant shall propose a construction phasing plan with the intent of limiting the amount of soil disturbance occurring on the site at any given time.
8. The Preliminary Plan submission shall depict the extent of tree root growth for the two Copper Beech trees indicated to be protected. Such depiction is to be based on an assessment by a licensed arborist."

VOTE: Mack – aye
Torello – aye

Murphy – aye
DiStefano - aye

Rubinoff– aye

DiMasi – aye

Mr. DiMasi moved, Ms. Rubinoff seconded; motion carried: **Motion:** "The South Kingstown Planning Board hereby recommends favorable action by the Zoning Board of Review on the application of Scot Hallberg for relief from providing rear yard parking and service lane access for the Hillside Commons Multi-Household Land Development Project and Flexible Design Residential Project located at Assessor's Plat 57-2, Lot 59, with a physical address of 76 Kelley Way."

VOTE: Mack – aye
Torello – aye

Murphy – aye
DiStefano - aye

Rubinoff– aye

DiMasi – aye

2. PUBLIC INFORMATIONAL MEETING ON CONCEPTUAL MASTER PLAN, MAJOR LAND DEVELOPMENT PROJECT (continued) – Marina, Shellfish Hatchery and Principal Parking, request to develop a two-story, 3,600

square foot shellfish hatchery and a parking area as a principal use on the same parcel as an existing marina, AP 87-2, Lot 4, located at 650 Succotash Road, MTK ESM, LLC, owner/applicant

Rick St. Jean, project engineer, Beth Noonan, attorney for the applicant, and Perry Raso, applicant were present representing the application.

The applicant summarized the proposed changes since the application was last before the Planning Board in February. The applicant stated they have now added parking as a principal use on the parcel to the application. The applicant stated that they will be requesting a landscape waiver to reduce the required parking lot landscaping below the ten (10) feet width of plantings required by the Subdivision and Land Development Regulations. The applicant stated they have been in contact with RIDOT to discuss opportunities for the applicant to provide landscape screening of the parking areas through plantings within the public right-of-way through the RIDOT adopt-a-spot program. The applicant stated the parking area will remain gravel.

The Planning Board and applicant discussed stormwater runoff on the site. The Planning Board stated that stormwater will be a significant concern on the site given the proximity of the parking areas to the water. Planning Board members stated that landscaping and effective stormwater features are imperative to mitigate the oils, hydrocarbons and other elements of stormwater runoff often associated with parking lots.

The Planning Board and applicant discussed the possible utilization of RIDOT adopt-a-spot in order to provide parking lot landscaping that features of the site.

Ms. Mack invited members of the public present to provide comment.

Steve Jakes spoke on behalf of the 71 owners of property within the Village at Potters Pond, and the community's homeowners association. Mr. Jakes listed concerns from the property owners regarding: the hours of operation of the proposed hatchery, concern for the noise that could be generated from possible use of tumblers to sort shellfish, the number of employees for the hatchery, potential for commercial truck traffic on the site, reuse/ redevelopment of the hatchery structure as a potential restaurant or retail seafood market in the future, noise from the valet parking operation late in the evening, and the house of operation for the valet parking lot.

The Planning Board, and staff provided information regarding the required review process for any future proposed change of use from the hatchery to any other use. The applicant provided information regarding the proposed hours of operation for the