



SOUTH KINGSTOWN PLANNING DEPARTMENT
PROJECT REVIEW MEMO
Silver Spring Marina
Advisory Development Plan Review
September 27, 2022

Project Type:	Development Plan Review		
Review Stage:	N/A		
Address:	362 Pond Street		
Plat:	63-3	Lot:	60
Parcel Size:	~3.2 acres	Zoning District:	CW
Applicant:	SHM Silver Spring, LLC c/o Joseph Mariani 362 Pond Street Wakefield, RI 02879	Owner:	Same

Property Characteristics

The subject property is the location of Silver Spring Marina, a 40-year old commercial marine sales and services business including a 90-slip marina. The parcel, located in a Commercial Waterfront Zoning District at 362 Pond Street, is approximately 3.2 acres in size with frontage on Pond Street located at the northern end of Point Judith Pond. The property directly abuts a residential (R10) zoning district to the south which requires transitional landscape buffering in an effort to screen noncompatible uses from neighboring properties.

Project Description

The applicant is requesting to construct a new 10,000 square foot metal building intended to be used for indoor repair, service and storage of boats. This building is proposed in a flat gravel parking area that has historically used for outdoor boat storage.

Parking, Loading & Access

There are no improvements directly associated with parking, loading or access. The majority of this property consists of cleared gravel areas with existing parking, loading and access.

Drainage

Drainage improvements for the proposed development are being accommodated with two (2) separate retention areas:

- A 160 square foot sediment forebay and a 600 square foot sand filter positioned to the southeast of the newly proposed building.
- Three (3) separate vegetated depressions between 425 and 500 cubic feet in size positioned between the parking lot and the edge of the coastal feature (Point Judith Pond shoreline). While not specifically required by local or state regulations, the applicant agreed to provide these BMPs adjacent to the parking lot at the request of the TRC in an effort to address direct runoff (sheet flow) to the pond due to existing non-mitigated drainage patterns.

Landscaping

The applicant is proposing to install landscape plantings around portions of the existing and proposed buildings, as well as screening along a portion of Pond Street and along the southern border where transitional screening is required. Additional plantings are also being proposed around the drainage features where there currently is none.

Waivers Requested

The applicant is requesting waivers from the landscape requirements of the Subdivision and Land Development Regulations. While transitional screening is being proposed, the applicant will not be meeting the requirements of our local regulations as it applies to street landscaping, interior landscaping (parking lot islands), and the required width of the transitional buffer plantings (10' required).

Regulatory Considerations

Section 301 (Schedule of Use Regulations Table) of the Zoning Ordinance allows for the proposed retail use (Use Code 33.4: Marina/Yacht Club and Use Code 55.5: Retail Trade of Marine Products) via Special Use Permit. As such this Development Plan Review opinion serves as an advisory to the Zoning Board of Review.

The project is also subject to the requirements of the Subdivision and Land Development Regulations including landscaping standards, and drainage standards.

A portion of the proposed structure is located within a Special Flood Hazard Area (SFHA or Flood Zone), therefore, to achieve compliance with building code requirements the applicant will need to receive a variance from the local Building Board of Appeals and install flood vents in the structure to industry standards.

Decision Deadline

Pursuant to the Zoning Ordinance and Subdivision and Land Development Regulations, there is no deadline for Planning Board decisions on Development Plan Review applications.

Review to Date

This application was discussed with the Technical Review Committee (TRC) on June 8, 2022; July 13, 2022; and on August 10, 2022 the TRC rendered a favorable recommendation with the following recommendations:

1. Revise landscape plan for mature trees and plantings;
2. Swale showing details for stormwater storage and bioremediation;
3. Revise architectural drawings to address proportionality of siding height;
4. Landscaping on western side of building; and
5. Include a construction detail for the 12"-18" retaining wall of west side of proposed building.

The applicant submitted revised plans to the Planning Department on September 7, 2022 in an effort to address these items noted by the TRC.

Required Findings

In accordance with Article IV.F(3) of the Subdivision & Land Development Regulations, prior to granting Development Plan Review approval the Planning Board shall find that:

- a) The granting of approval will not result in conditions inimical to the public health, safety, and welfare;

- b) The granting of such approval will not substantially or permanently injure the appropriate use of the property in the surrounding area or zoning district;
- c) The plans for such project comply with all the requirements of the Zoning Ordinance and the Subdivision & Land Development Regulations;
- d) The plans for such project are consistent with the Comprehensive Plan; and,
- e) Any conditions or restrictions that are necessary to ensure that these guidelines have been met have been incorporated into the written approval.

Draft Motion

“The South Kingstown Planning Board hereby grants advisory Development Plan approval for the Silver Spring Marina application, a proposed 10,000 square foot metal building to be used for indoor boat service and storage with associated site improvements on Assessor’s Plat 63-3, Lot 60, located at 362 Pond Street, SHM Silver Spring, LLC, *applicant/owner*. This advisory Development Plan approval is based upon the submitted plan set including the ‘*Proposed Site Plan (C2, Sheet 2 of 4)*’ and ‘*Proposed Details (C3 & C4, Sheets 3-4 of 4)*’, Silver Spring Marina, A.P. 63-3, Lot 60, 362 Pond Street, dated April 19, 2022 with revisions through August 15, 2022, prepared by Northeast Engineers & Consultants, Inc., 6 Valley Road, Middletown, Rhode Island 02842. This approval is also based upon the landscape plan entitled ‘*Permitting Graphics – Landscape Plan*’, Silver Spring Marina, 362 Pond Street, Wakefield, RI, Sheet L1, dated September 2, 2022, prepared by M.A. Desjardins Landscape Architecture, 456 Water Street, Portsmouth, RI 02871.

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

Findings of Fact

1. The granting of approval will not result in conditions inimical to the public health, safety, and welfare.
2. With the required Conditions of Approval, the granting of such approval will not substantially or permanently injure the appropriate use of the property in the surrounding area or zoning district.
3. With the required Conditions of Approval, the plans for the project comply with all the requirements of the Zoning Ordinance and the Subdivision and Land Development Regulations.
4. The plans for the project are consistent with the Comprehensive Community Plan.
5. Any conditions or restrictions that are necessary to ensure that these findings have been met have been incorporated into this approval.

Conditions of Approval

1. Development of the site shall be in strict conformance with the approved site plan, including the revised landscape plan, unless amended by these Conditions of Approval.
2. The applicant shall obtain all required local and State permits prior to commencing construction and/or installation of site improvements.
3. Prior to any request for a Certificate of Occupancy, a RI registered Professional Engineer shall inspect the installation of site improvements and shall submit certification to the Administrative Officer of the Planning Board that the construction conforms to the approved plans.
4. Prior to any request for a Certificate of Occupancy, a RI licensed Landscape Architect shall inspect the installation of the landscape improvements and submit certification to the Administrative Officer of the Planning Board that the installation conforms to the approved

plan and the planting standards of the South Kingstown Subdivision and Land Development Regulations.

5. The applicant shall guarantee all landscape materials depicted on the approved plan set for a period of one (1) year from the date of planting.
6. **And any other conditions deemed necessary by the Planning Board in consideration of this application..."**