

From: seanphayden@outlook.com
Subject: FW: South County Commons - District 5 Correspondence
Attachments: SCC-VestingLetter March 20 2023 ltr process prior approvals.pdf

Begin forwarded message:

From: Matthew Landry <mjl@blishcavlaw.com>
Subject: Re: South County Commons - District 5 Correspondence
Date: March 23, 2023 at 10:40:12 AM EDT
To: Jason Parker <jparker@southkingstownri.com>
Cc: Eric Prive <eprive@diprete-eng.com>, "hstrauch@hdsarchitecture.com" <hstrauch@hdsarchitecture.com>, James Rabbitt <jrabbitt@southkingstownri.com>, Peter Skwirz <Peteskwirz@utrlaw.com>, Brian Wagner <bwagner@southkingstownri.com>, seanphayden@outlook.com

Jason,

We are in receipt of your letter with regard to the existing Master Plan approvals for SCC and our team is working to formulate a response. As I have requested in my last two emails to you, we will need to continue the meeting on Tuesday to allow sufficient time to address the items staff has raised and ensure any amendments to the application are properly noticed and advertised. We believe there is a misunderstanding or confusion as to what is being presented to the town and the procedural process by which we can proceed. We have presented a Master Plan (Comp Permit) application to the town that includes an amendment/revised MP with respect to only the lots in question. We recognize the need to address the existing approvals for those lots (including the hotel and 2 restaurant sites) and any restrictions on residential uses. The remaining SCC lots are left unaffected or impacted by this amendment. My understanding from discussions with counsel is that we need to amend our Comp Permit application to add a specific request to amend the prior approvals with respect to those lots (only), which includes the hotel and two restaurant sites i.e. Phases 1 and 2. The owners of those parcels/phases are already co-applicants. That request will necessitate re-noticing and re-advertising the project for next hearing and we agree. However, the planning board can review that request as part of the Comp Permit application and make a finding without the need for a separate hearing.

A continuance is in order so that we can meet and address the procedural issues that have been raised. Please advise as to your availability next week so that we can work through and proceed on the application accordingly. I am available at your convenience to discuss further.

Regards,



30 Exchange Terrace, Providence, RI 02903

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On Mar 21, 2023, at 4:30 PM, Jason Parker <jparker@southkingstownri.com> wrote: