



**SOUTH KINGSTOWN PLANNING DEPARTMENT  
PROJECT REVIEW MEMO**

**Hampton Place Full Build-Out – Major Land Development  
Combined Conceptual Master/Preliminary Plan Approval Extension**

June 27, 2023

Project Type:	<b>Major Land Development</b>		
Review Stage:	<b>Extension request to previously approved Conceptual Master &amp; Preliminary Plan Approval</b>		
Address:	<b>4847 Tower Hill Road</b>		
Plat:	<b>50-4</b>	Lot:	<b>24</b>
Parcel Size:	<b>~3.6 Acres</b>	Zoning District:	<b>SMD</b>
Applicant:	Chatham Properties, LLC c/o John Haddad 4847 Tower Hill Road Wakefield, RI 02879	Owner:	Chatham Properties, LLC c/o John Haddad 4847 Tower Hill Road Wakefield, RI 02879
Current Plan Set:	<i>Master-Preliminary Plan Submission for Hampton Place Build-Out, completed by Crossman Engineering, 151 Centerville Road, Warwick, Rhode Island 02886, dated May 2014 with revisions through April 3, 2015, including Landscape Plans by Dianne C. Soule &amp; Associates, ASLA, 422 Farnum Pike, Smithfield, Rhode Island 02917 dated May 2014 with revisions through April 21, 2015.</i>		

**Project Description**

The applicant is proposing a four (4) building, full build-out of the subject property including one (1) existing building and three (3) new buildings totaling 40,000 square feet in total area. The applicant is requesting a one (1) year extension to the approval that was reinstated in August 2019, subsequently extended for one (1) year in July 2020; July 2021; and most recently extended for an additional one (1) year in July 2022.

**Project History**

The Combined Conceptual Master and Preliminary Plan for this project was originally approved by the Planning Board on May 12, 2015. Said approval subsequently expired and was recently reinstated by the Planning Board on August 27, 2019 which was valid for a period of one (1) year, or until July 1, 2020. The applicant requested and received a one (1) year extension to the approval in July 2020, and again received another extension for two (2) years\* in June 2021 which is set to expire by August 1, 2023.

\* In 2021 the applicant requested and was inadvertently granted a two (2) year extension, however RI General Law ([RIGL § 45-23-41\(h\)](#)) does not provide for an extension of such timeframe. After consulting with our legal counsel, as well as the applicant, the applicant has conservatively requested an additional one (1) year extension even though the approval previously issued extends through August 1, 2023.

**RIGL § 45-23-41(h): Vesting.** *The approved preliminary plan is vested for a period of two (2) years with the right to extend for two (2), one-year extensions upon written request by the applicant, who must appear before the planning board for each annual review and provide proof of valid state or federal permits as applicable. Thereafter, vesting may be extended for a longer period, for good cause shown, if requested, in writing by the applicant, and*

*approved by the planning board. The vesting for the preliminary plan approval includes all general and specific conditions shown on the approved preliminary plan drawings and supporting material.*

### **Required Findings**

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Reinstatement and extension of approvals are governed by Article VIII. Waivers and Modifications, Section C. of the South Kingstown Subdivision and Land Development Regulations. The Regulations allow reinstatement or extension of approvals under the following conditions:

1. The subdivision is consistent with the Comprehensive Community Plan;
2. The Regulations are substantially the same as they were at the time of original approval;
3. The zoning of the subdivision parcel is substantially the same as it was at the time of original approval;
4. Physical conditions on the subdivision parcel are substantially the same as they were at the time of original approval;
5. Any applicable State or federal regulations are substantially the same as they were at the time of original approval; and
6. Any required fee, including Fair Share Development Fees, is the same as it was at the time of the original approval.

### **Draft Motion for Consideration**

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“The South Kingstown Planning Board hereby extends the Combined Conceptual Master and Preliminary Plan approval for the Hampton Place – Full Build-Out Major Land Development Project, a proposed four (4) building (one existing) full build-out development plan with three (3) new buildings totaling 40,000 square feet in floor area, AP 50-4, Lot 24, located at 4847 Tower Hill Road, for a period of one (1) year, or until August 1, 2024. This extension is based on the following Findings of Fact and Conditions of Approval:

#### **Findings of Fact**

- A. The development remains consistent with the Comprehensive Community Plan;
- B. The Regulations are substantially the same as they were at the time of original approval;
- C. The zoning of the development parcels is substantially the same as it was at the time of original approval;
- D. Physical conditions on the development parcels are substantially the same as they were at the time of original approval;
- E. Any applicable State or federal regulations are substantially the same as they were at the time of original approval; and
- F. The required application fee is the same as it was at the time of original approval, and the required Fair Share Development Fees are less than were required at the time of the original approval.

#### **Conditions of Approval**

1. All trees planted, or to be planted, as part of the approved plan shall adhere to the tree planting specifications as contained in Article XII of the Subdivision and Land Development Regulations as depicted in Figure 11 “Tree Planting Detail – Typical”.
2. All other Conditions of Approval as contained in the May 13, 2015 Combined Conceptual Master Plan and Preliminary Plan approval shall remain in full force and effect.”