



**SOUTH KINGSTOWN PLANNING DEPARTMENT
PROJECT REVIEW MEMO**

Hillside Commons – Major Land Development

Preliminary Plan Approval Extension

January 25, 2022

Project Type:	Major Land Development		
Review Stage:	Extension request for a previously approved Preliminary Plan Approval		
Address:	76 Kelley Way		
Plat:	57-1	Lot:	59
Parcel Size:	2.97 acres	Zoning District:	Rt. 1 SMD
Applicant:	Scot V. Hallberg	Owner:	Scot V. Hallberg
Current Plan Set:	<i>'Preliminary Plan Submission – Hillside Commons, 76 Kelley Way, South Kingstown, Rhode Island, Assessor's Plat 57-2, Lot 59, Sheets 1 through 11, dated March 28, 2019, prepared by DiPrete Engineering, Two Stafford Court, Cranston, RI 02920.</i>		

Project Description

On January 28, 2020 the applicant received Preliminary Plan approval from the Planning Board to construct this eighteen (18) unit major land development consisting of twelve (12) detached dwelling units and two (2) triplex structures, with three (3) of these units being restricted low- and moderate-income housing units. The applicant is requesting a one (1) year extension to the approval that was issued on January 28, 2020.

Project History

The Preliminary Plan for this project was originally approved by the Planning Board on January 28, 2020. Said approval (valid for 2-years) is set to expire on January 28, 2022. While the applicant has made their Final Plan submittal to the Planning Department, the applicant is currently working with staff to complete the required submission materials.

Required Findings

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

Decision

“The South Kingstown Planning Board hereby extends the Preliminary Plan approval to Hillside Commons, an eighteen (18) unit major land development consisting of twelve (12) detached dwelling units and two (2) triplex structures, with three (3) of these units being restricted low- and moderate-income housing units, Assessor’s Plat 57-2, Lot 59, located at 76 Kelley Way, previously approved by the Planning Board on January 28, 2020, for a period of one (1) year, or until February 1, 2023. 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 Conditions of Approval as contained in the January 28, 2020 Preliminary Plan approval shall remain in full force and effect.”