June 9, 2023

Matunuck Market, LLC
629 Succotash Road
Wakefield, RI 02879

At a meeting of the Zoning Board of Review held May 31, 2023 your petition for a Special Use Permit was granted for premises located at 151 Old Tower Hill Road Road, South Kingstown, Assessor’s Map 57-2, Lot 51 and is zoned CH.

Please be further advised that there is a One-year Expiration. Any variance or special use permit shall expire one year after the date of the filing of the decision in the office of the Town Clerk, unless the applicant shall, within one year, obtain a legal building permit and proceed with the construction, or obtain a certificate of occupancy when no legal building permit is required. If application is made prior to the expiration of the initial one-year period, the Board may, upon written request and for cause shown, renew the variance or special use permit for a second one-year period. Said request for an extension need not be advertised nor noticed, per South Kingstown Zoning Ordinance Section 910.

If a building permit is required, this Decision must be presented to the Building Official's office at the time you make application for your building permit.

Regards,

[Signature]

James Gorman,
Building Official & Zoning Clerk
Town of South Kingstown
June 9, 2023

NOTICE OF AMENDED DECISION
SOUTH KINGSTOWN ZONING BOARD OF REVIEW

The following motion, made by Ms. Walsh and duly seconded by Ms. Hicks
Motion passed unanimously: Vote 4-1 in favor

At a meeting held on May 31, 2023 regarding the Petition of Matunuck Market, LLC, 629 Succotash Road, Wakefield, RI 02879 a Special Use Permit was granted under the Zoning Ordinance as follows: The applicant is seeking to establish a one hundred forty-seven (147) seat Restaurant with Alcohol (Use Code 56.1) within the existing structure on the premises. Lot size is .91 acre. A Special Use Permit is required per Zoning Ordinance Section 301 (Schedule of Use Regulations Table) and Section 907 (Standards of Relief).

Owner is Matunuck Market LLC, for premises located at 151 Old Tower Hill Road, South Kingstown, Assessor’s Map 57-2, Lot 51 and is zoned CH (Commercial Highway).

The following individuals spoke as representatives of the applicant:
- Elizabeth Noonan, Attorney
- Perry Raso, Applicant
- Paige R. Bronk, AICP
- Robert J. Clinton, PE

The following spoke in opposition to the petition:
- Virginia Kenny, 57 Narragansett Avenue West
- Allen Towle, 73 Narragansett Avenue West
- Kasey Abedi, 96 Narragansett Avenue West
- Veronika Kot, 67B Narragansett Avenue West
- Jason Dollard, 91 Narragansett Avenue West
- Raymond Carr, 104 Narragansett Avenue West

The following materials were entered into the record:
- Application with cover letter signed and dated April 13, 2023; Owner Authorization signed and notarized April 13, 2023; Exhibit A (2 pages); Boundary Survey and Existing Conditions Plan (1 page) prepared by National Surveyors-Developers Inc. and stamped by Norbert A. Therien and dated August 22, 2019; Schematic Design (A, A1, E Option and C Option) prepared by Spring Street Studio and dated April 13, 2023;
- Supplemental Material
  - Comprehensive Plan and Zoning Project Review (16 Pages) prepared by Paige R. Bronk, AICP and dated May 5, 2023;
  - Traffic Assessment (5 pages) prepared by VHB and Robert J. Clinton, PE and dated May 5, 2023
- 200’ Radius Map and Abutter’s List; Legal Notices; Proof of Certified Mailings and Notarized Affidavit of Mailing
- Email dated May 17, 2023 requesting a continuation until either the May 31, 2023 or the June 21, 2023 hearing
• Correspondence
  o Paul and Ginny Kenny, 57 Narragansett Avenue
  o Neighborhood Petition with photos
  o Allen and Melissa Towle, 73 Narragansett Avenue West
  o Lois and Carl Towle, former owners of 73 Narragansett Avenue West
  o Kasey Abedi, Narragansett Avenue West
  o Martha Carr, neighbor

Findings of Fact:

1. The Board finds that the special use is specifically authorized by this Ordinance, because a Special Use Permit is required per Zoning Ordinance Section 301 (Schedule of Use Regulations Table) and Section 907 (Standards of Relief).

2. The Board finds that the special use meets all of the criteria set forth in the subsection of this Ordinance authorizing such special use, because through testimony the applicant has demonstrated that they have met the criteria set forth in the Zoning Ordinance. Additionally, the applicant and his team have invested a lot of time and planning into the development of this project. The applicant is an experienced restauranteur who has dealt with similar issues on other projects and implemented reasonable solutions to issues as they occur.

3. The Board finds that granting of the special use permit will not alter the general character of the surrounding area or impair the intent or purpose of this Ordinance or the Comprehensive Plan of the Town. In so doing, the Board has considered whether or not satisfactory provisions and arrangements have been or will be made concerning, but not limited to the following matters, where applicable:

   (i) Ingress and egress to the lot and to existing or proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire, emergency, or catastrophe; the applicant has indicated that he is willing to make some changes to maintain the integrity of the neighborhood behind the restaurant while also being able to meet the needs of the restaurant by implementing certain hours of operation for the gate.

   (ii) Off-street parking and loading areas where required, with particular attention to the items in subsection A.1., above, and the noise, glare, or odor effects of the special use permit on adjoining lots; off-street parking is existing, there are 58 designated parking spaces, where 55 parking spaces are required. Additionally, the owner has designated an area for loading.

   (iii) Trash, storage, and delivery areas with a particular reference to the items in (i) and (ii) above; the applicant has designated areas for trash, storage, and delivery.

   (iv) Utilities, with reference to locations, availability, and compatibility; utilities are existing.

   (v) Screening and buffering with reference to type, dimensions, and character; the applicant has built a new retaining wall and has added a vegetative buffer in the rear.

   (vi) Signs, if any, and exterior lighting with reference to glare, traffic safety, and compatibility and harmony with lots in the zoning district; signage was discussed in regard to traffic safety. Any new signage and lighting for the restaurant will be compliant with the Zoning Ordinance.

   (vii) Required yards and other open space; not applicable.

   (viii) General compatibility with lots in the same or abutting zoning districts; this lot is zoned Commercial Highway and there are other commercial businesses directly abutting this property. The lot abuts a residential neighborhood in the rear and the owner has indicated that a gate will be installed to limit the amount of traffic traveling through the neighborhood to the rear.
Approval is conditional subject to the following conditions:

- The applicant will install appropriate signage to direct the flow of traffic away from Narragansett Avenue West.
- The applicant will install a gate running across the rear of the lot and parallel to Narragansett Avenue West. This gate will remain closed between the hours of 2:00 pm and 6:00 am. This gate may be opened and closed to allow for deliveries that may occur outside of the aforementioned hours.

Respectfully,

[Signature]

James Gorman,
Building Official & Zoning Clerk
Town of South Kingstown