TOWN OF SOUTH KINGSTOWN
ZONING BOARD OF REVIEW APPLICATION

1. APPLICANT INFORMATION:
   Applicant Name: Eric Posillo Builders
   Applicant Address: 128 Matthews Ln, Charlestown, RI 02813
   Applicant Phone: 401-239-7645
   Applicant Email: eposillobuildersnc@gmail.com

2. OWNER INFORMATION:
   Owner Name: Susan R. Moore
   Owner Phone: 401-378-7036
   Owner Address: 7 Homestead Circle, Kingston, RI 02881

3. PROJECT INFORMATION:
   Physical Address: 246 Caudo Pond Rd
   Assessor's Plat: 92-1
   Assessor's Lot: 89-145
   Zoning District:

   Required Zoning Setbacks: Front yard _____ Rear Yard _____ Side Yard Right _____ Side Yard Left _____ Corner Side Yard _____

4. APPLICATION FOR:
   Special Use Permit ______ Dimensional Variance ______ Use Variance ______ Dimensional Modification by Zoning Officer ______

5. LOT SPECIFICATIONS:

6. USE OF PREMISES:
   Present Use: ______ # of families: ______
   Proposed Use: ______ # of families: ______

7. EXISTING STRUCTURES:
   Number of Existing Buildings or Structures Present: ______
   Size of Existing Structures: ______ sf; ______ sf; ______ sf; ______ sf
   Distance from Property Lines of Existing Structures:

<table>
<thead>
<tr>
<th>Structure</th>
<th>Front Yard</th>
<th>Rear Yard</th>
<th>Side Yard Right</th>
<th>Side Yard Left</th>
<th>Corner Side Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>25 ft.</td>
<td>22 ft.</td>
<td>16 ft.</td>
<td>17 ft.</td>
<td>13 ft.</td>
</tr>
<tr>
<td>2</td>
<td>______ ft.</td>
<td>______ ft.</td>
<td>______ ft.</td>
<td>______ ft.</td>
<td>______ ft.</td>
</tr>
<tr>
<td>3</td>
<td>______ ft.</td>
<td>______ ft.</td>
<td>______ ft.</td>
<td>______ ft.</td>
<td>______ ft.</td>
</tr>
<tr>
<td>4</td>
<td>______ ft.</td>
<td>______ ft.</td>
<td>______ ft.</td>
<td>______ ft.</td>
<td>______ ft.</td>
</tr>
</tbody>
</table>

8. WATER AND SOLID WASTE
   Water: Town Water ______
   Waste: Town Sewer ______
   Water: Well X
   Waste: Septic ______
   Other ______
9. SIZE OF PROPOSED BUILDINGS/ADDITIONS:
Total Square Feet: 720 sq.  Width: 20' ft.  Length: 30' ft.
Height Above Grade: ______ /____ ft.  Number of Stories: ______

10. IF DIMENSIONAL RELIEF IS SOUGHT INDICATE THE DISTANCE REQUESTED:
Front Yard: _______ ft.  Rear: _______ ft.
Side Yard Right: ______ ft.
Height: _______ ft.

11. PROVISION OF THE ZONING ORDINANCE FROM WHICH RELIEF IS SOUGHT:
Section and Use (If known):

12. DESCRIBE THE EXTENT OF PROPOSED ALTERATIONS, STATE REASONS WHY YOU ARE REQUESTING RELIEF:
We are requesting to take down the existing structure and rebuild a new house that is in line with the existing houses around it. We are keeping the existing width of 20’ but would like to extend back 7’ more.

ZONING BOARD OF REVIEW RULES OF PROCEDURE ITEM K: "Reports from expert witnesses should be submitted with the application or ten (10) days prior to the hearing to give the Zoning Board sufficient review time. If a report is submitted at the time of the hearing, the Chairman may rule on whether the Zoning Board will continue to another meeting to give the Zoning Board time to review the reports."

Preparation of this Application and all necessary documentation is the sole responsibility of the Applicant. Town Staff’s help in preparations of any facet of this applications, including abutter’s list is for assistance only. The staff cannot give the applicant advice on the merits of the application nor can they render legal opinions.

The undersigned declares that the information given herein is a true statement to the best of his/her knowledge and belief.

Applicant Signature(s) ______________________
Applicant(s) Printed Name: Eric Rasillo  Date: 12/2/23

Attorney / Other (If applicable)  Date:

Office Use Only
Received By:  Payment Amt.:  Check #:  Legal Notice Mailed:  Cert. Receipts Received:
NOTICE OF DECISION
SOUTH KINGSTOWN ZONING BOARD OF REVIEW

The following motion, made by Ms. Walsh and duly seconded by Mr. Rosen
Motion passed unanimously: Vote 5-0

At a meeting held on November 16, 2022 regarding the Petition of Eric Posillo Builders, 120 Matthias Lane, Charlestown RI 02813 for a Special Use Permit under the Zoning Ordinance as follows: The applicant is seeking to replace the existing seasonal cottage of 453 square feet with a new cottage of 660 square feet. Lot size is 50.2 acres. A Special Use Permit is required per Zoning Ordinance Section 203 (Special Use Permit for Addition, Enlargement, Expansion, or Intensification), Section 608 (Coastal Community Overlay District) and Section 907 (Standards of Relief).

Owners of cottage 13EC15 are Richard & Susan Moore on property owned by Matunuck Beach Properties Inc, located at 240 Cards Pond Road, South Kingstown, Assessor’s Map 92-1, Lot 9-145 and is zoned R200.

The following individuals spoke as representatives of the applicant:
- Eric Posillo, applicant

There was no one present who spoke either in favor of or opposition to the petition.

The following materials were entered into the record:
- Application signed and dated September 14, 2022; Owner Authorization signed and notarized September 14, 2022; Cross Section (2 page); Proposed and Current Site Conditions (1 page); Elevations (1 page); Vision Appraisal Field Card (1 page); Web GIS Aerial Photo (1 page); Proposed Floor Plan (1 page)
- 200’ Radius Map and Abutter’s List; Legal Notice; Proof of Certified Mailings and Notarized Affidavit of Mailing
- Authorization letter from Richard & Susan Moore dated November 16, 2022

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 203 (Special Use Permit for Addition, Enlargement, Expansion, or Intensification), Section 608 (Coastal Community Overlay District) 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 the proposed new structure falls within the limits allowed under the Zoning Ordinance and will not be encroaching any closer to existing structures or roadways.
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; ingress and egress is existing and will remain the same.

(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; not applicable, parking will remain the same and there will be no noise, glare, or odor effects.

(iii) Trash, storage, and delivery areas with a particular reference to the items in (i) and (ii) above; not applicable, already existing.

(iv) Utilities, with reference to locations, availability, and compatibility; there is no change in utilities.

(v) Screening and buffering with reference to type, dimensions, and character; not applicable.

(vi) Signs, if any, and exterior lighting with reference to glare, traffic safety, and compatibility and harmony with lots in the zoning district; not applicable

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

(viii) General compatibility with lots in the same or adjoining zoning districts because the proposed structure is located within a summer community and is similar in design and size with all of the other structures within this community.

Approval is conditional subject to the following conditions:

- There are no conditions upon this decision.

Respectfully,

[Signature]

James Gorman,
Building Official & Zoning Clerk
Town of South Kingstown
December 3, 2023

Attn:
Chairman of Zoning Board of Review

At a meeting held on November 16, 2022 a petition for a Special Use Permit was granted for premises located at 240 Cards Pond Road, 13E15, South Kingstown. Due to unforeseen circumstances, Covid and the restrictions to build during the summer months at Roy Carpenter’s, I am writing you today to respectfully request a one year extension on this decision. With your permission we would like to begin work this winter after the building permit has been received.

Thank you,

Eric Posillo
Owner: Eric Posillo Builders

Susan Moore
Cottage Owner 13E15
OWNER/AUTHORIZED AGENT AUTHORIZATION FORM  Submittal Date: 9/9/22

The Owner/Authorized Agent Authorization Form must be completed in full and returned to the Office of the Building and Zoning Official for the Town of South Kingstown along with the Zoning Board of Review Application. Failure to submit this form will delay your application being processed.

I, Susan Ferguson Moore, hereby certify that I am the owner/authorized agent of the property designated as Plat 92-1 Lot 09-145, as shown on the Town of South Kingstown Tax Assessor Maps. I further certify that I am the owner/authorized agent of the developmental rights for this property.

I hereby authorize and am in agreement with the application signed by Eric Poitier Builders (applicant), for the requested relief or use of the subject property. Said application is to be submitted to the Office of the Building and Zoning Official of the Town of South Kingstown for review and decision by the Zoning Board of Review.

Witness its name this 31st day of August, 2022.

By: ____________________________

Signature of Owner/Authorized Agent

STATE OF RHODE ISLAND
County of Washington

In office on the 31st day of August, 2022, before me personally appeared Susan Moore (name) to me known and known by me to the party executing the foregoing instrument and acknowledged said instrument, by him/her executed to be his/her free act and deed, as individual (individual, corporation, trustee, partnership, non-profit, etc.)

Notary Public: Bethany A. Moore
My Commission Expires: Sept 28, 2022

Town of South Kingstown Zoning Board of Review
OWNER/AUTHORIZED AGENT AUTHORIZATION FORM

Submit Date: 9/14/22

The Owner/Authorized Agent Authorization Form must be completed in full and returned to the Office of the Building and Zoning Official for the Town of South Kingstown along with the Zoning Board of Review Application. Failure to submit this form will delay your application being processed.

Debra Lee Thoresen hereby certify that I am the owner / authorized agent of the property designated as Plat 92-1, Lot 9, as shown on the Town of South Kingstown Tax Assessor Maps. I further certify that I am the owner/authorized agent of the developmental rights for this property.

I hereby authorize and am in agreement with the application signed by Susan Moore (applicant), for the requested relief or use of the subject property. Said application is to be submitted to the Office of the Building and Zoning Official of the Town of South Kingstown for review and decision by the Zoning Board of Review.

Witness its name this 14 day of September, 2022.

by: Debra Lee Thoresen

Signature of Owner/Authorized Agent

STATE OF RHODE ISLAND

County of Washington

In office on the 14 day of September, 2022, before me personally appeared Debra Lee Thoresen (name) to me known and known by me to the party executing the foregoing instrument and acknowledged said instrument, by him/her executed to be his/her free act and deed, as Individual (individual, corporation, trustee, partnership, non-profit, etc.)

Notary Public: Bethany A. Moore
My Commission Expires: Sept 28, 2022

Town of South Kingstown Zoning Board of Review
92-1-30 - William Dell Beach Club, INC.
   Attention: Secretary
   P.O. Box 533
   Wakefield, RI 02879

92-1-10 - Marceau Marioni Hope Irrevoc.
   Trust Agreement C/O Christiane
   Marceau
   158A Carlos Pond Rd
   Wakefield, RI 02879

92-2-39 - Town of South Kingstown
92-2-19 - 180 High St.
   Wakefield, RI 02879

92-1-12 - John & Kathleen Marcangelo
   183 Shaky Corners Cir.
   Ansonia, CT 06401-2419

92-1-13 - Jeffrey Bertholf & Brooke Hourigan
   49 McIntosh Dr
   Oxford, CT 06478

92-1-24 - Karen A. Ferreira
   51 South Western Rd
   Wakefield, RI 02879

92-1-25 - Virginia A. Scala
   35 Barnes Ave
   Worcester, MA 01605
93-1-24 - Susan B. Trustee, Biwal Trustee
C/O Ryan LLC
P.O. Box 790339 Dept 9109
Houston, TX 77256

93-1-27 - Joseph E. Eileen Howley
11 Inglenook Ln
Wakefield, RI 02879

93-1-8 - Gardner Realty LLC & Inglenook LLC
93-1-5 C/O Mike Lahti
34 Anthony St
only Inglenook S Dartmouth, MA 02748

93-1-7 - Gardner Realty LLC
C/O Jamie Gardner
231 S Market St
Frederick, MD 21701

93-1-9 - Matunuck Beach Properties, Inc.
81 Burnt Cedar Dr.
North Kingstown, RI 02852
CROSS SECTION
Roof

| 3.4.4 | 1.6 | 4.1.1 | 7.1.6.1 | 12.6.1 | 1.6.11.1 | 12.6.5.1 | 2.6.10.1 |

Fence

end of property
2 3/8" Ledger Laths
16 O.C.

4 Lateral Deck Jigs

2x8 Joists RT
16 O.C.

Deck
10x20

20x30

Beam Dbl 2x10

Dbl 2x10 Rim or Perimeter