

Cannabis Retail Facility - Commercial Redevelopment

Minor Land Development Plan and Special Use Permit Application 'Unified Development Plan Review'

711 Kingstown Road
Assessor's Plat 57-2 - Lot 76



Prepared For: Greenhouse Dispensary, LLC

Prepared By: Pimentel Consulting, Inc.

12 November 2025

INTRODUCTORY STATEMENT

Greenhouse Dispensary, LLC ("Applicant") has retained the professional land use planning and zoning consulting services of Pimentel Consulting, Inc. ("Consultant"), in order to evaluate the proposed redevelopment of historically utilized retail commercial property for conditionally permissible cannabis retail. The referenced redevelopment is permitted by Special Use Permit ("SUP"), which is now deemed permissible subject to 'specific' and 'objective' standards of review and approval. Furthermore, the proposed redevelopment will realize full dimensional compliance. Given the limited appropriately zoned commercial designation, and overwhelming quantity of land resources zoned for residential purposes, locating a property that is both properly zoned and situated the requisite setback distance should be well supported. Finally, the redevelopment necessitates Minor Land Development Plan Review ("Minor LDP"). The Applicant is now allotted the right to seek both Minor LDP and SUP approval via the Planning Board, pursuant to the Unified Development Plan Review ("UDR") procedural process. The proposed cannabis retail facility is not only an appropriate usage of the subject property, but will also realize a much-needed new tax generating stream. The referenced redevelopment is to foster economic development and further the goals and objectives of the Town's Comprehensive Plan, as will be evidenced throughout this report.

It necessitates emphasizing that the subject property previously received the requisite Planning Board and Zoning Board of Review approvals for a 'compassion center', however for reasons beyond the control of the then applicant, was unable to exercise the attained approvals. More importantly, unlike the prior approval, the present operation will be far less voluminous in vehicular and pedestrian traffic, thereby translating to vastly reduced vehicle trips and need for off-street parking. Finally, whereas the prior proposal would have resulted in the destruction of the nursery facility and introduction of more mundane architecture, the Applicant intends to both preserve and enhance the long-standing and well recognized facility.

Guiding Principle - *"Appropriate development in the village areas is of a scale and mass, with architectural design and site planning, that creates visual interest, activates the streetscape, and encourages walking, biking, and transit use."* [Page 29]

In light of the referenced commercial redevelopment proposal, this Consultant has thoroughly reviewed the submitted site plan package and associated materials, as well as the following regulatory documents:

- o Town of South Kingstown, Comprehensive Community Plan, 2021 - Adopted, South Kingstown Town Council: 24 May 2021 ("Comprehensive Plan");

Land Use Goal 2: *"A sustainable rate of development will be maintained, which is consistent with the ability of the Town to provide essential services, to achieve a stable tax rate, to protect environmental, historic, and cultural resources, and to provide a healthy environment."* [Page 28]

Land Use Goal 3: *"High standards of development will be required to preserve and enhance the quality of life, to encourage a sense of community, to support a healthy, walkable environment and to protect the natural resources of the Town."* [Page 28]

- o Town of South Kingstown, RI, Zoning Ordinance ("Ordinance");
- o Subdivision & Land Development Regulations ("Development Regulations"); and
- o Review of pertinent Rhode Island General Law ("RIGL") and case law.

Furthermore, a general analysis of the immediate neighborhood has been conducted for the express purpose of evidencing neighborhood compatibility. The purpose for the subject report is two-fold: document the appropriateness of the proposed business redevelopment in light of the requisite Minor LDP and SUP standards of approval; as well as render a professional opinion in regard to the consistency of the overall proposal with the Comprehensive Plan and related documents.

The proposed redevelopment will be in accordance with the Comprehensive Plan, because it will retain and revitalize a valuable economic resource that has remained fallow for some period of time. Redevelopment will contribute to the 'Village' setting envisioned by the Comprehensive Plan, as evidenced by the following.

Baseline Information - Overview: *"The purpose of the Land Use Element is to establish a plan for the future uses of land in South Kingstown in a manner which provides for the protection, development, use and management of the land and natural resources within the Town...The Town endorses the use of this Comprehensive Plan and its implementation as a means to preserve its diverse landscape and rural, small-town character, to balance the diverse needs of its citizens and businesses, and to implement its land use policies."* [Page 30]

Guiding Principles - *"The purpose of land use planning is to balance the needs and aspirations of the community with the rights of private property owners."* [Page 28]

- o *"South Kingstown's village character and natural resources must be protected and enhanced. (This can be done through land use regulations, design guidelines, and environmental protection, site planning and landscaping regulations.)"*
- o *"The existing village areas are unique, each with its own identity and sense of place. The distinct characteristics must protected and enhanced when planning for appropriate growth."*

PRESENT PROPERTY and NEIGHBORHOOD CONDITIONS

The subject property is addressed 711 Kingstown Road (Route 108), further identified as Assessor's Plat 57-2, Lot 76, and containing upwards of approximately 98,682 square feet in overall land area ("Property"). The Property had historically been improved with an agricultural nursery operation, otherwise known as 'Clark Farms'. Albeit long under-utilized, it is nevertheless an invaluable commercial property given its imperceptible presence along Route 108. Such placement permits appropriate economic land usage, while averting unwanted strip-commercial development that has permeated Route 108. Furthermore reuse, unlike the prior approval, will also ensure the preservation of a rather significant commercial facility. New construction is not always wanted, nor necessary.

Land Use Policy 3.3: *"Ensure high quality design of commercial development that provides an asset to the area, supports a healthy, walkable environment, and avoids the strip highway commercial development patterns characterized by suburban-type shopping centers dominated by parking lots."* [Page 62]

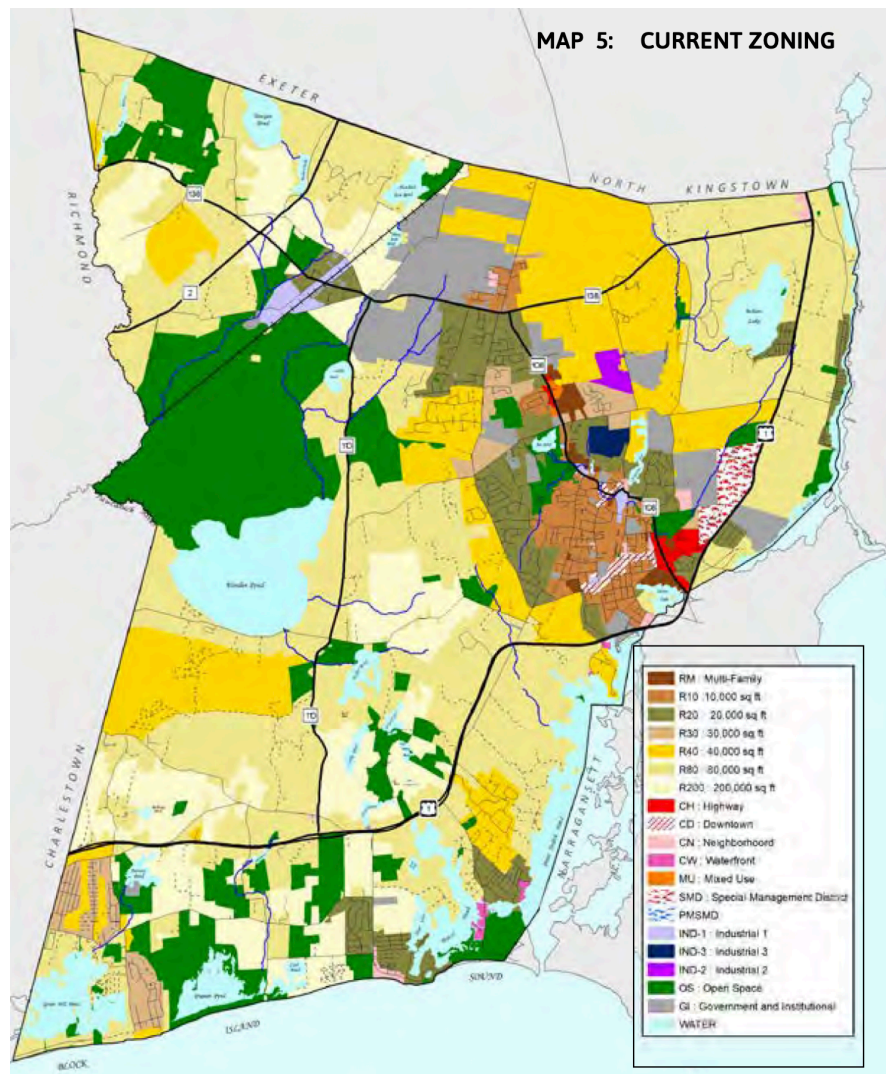
The Property is literally located towards the rear of several commercial entities, and uniquely accessed. Dedicated one-way ingress will be furnished via an approximately 12-foot wide driveway directly off of Kingstown Road, and egress out towards an existing private right-of-way situated along the southerly most point of the Property. Such travel patterns realizes greater vehicular safety, by maintaining internal order. Furthermore, the width associated with the dedicated ingress and egress are simply too narrow to accommodate two-way travel.

The Property is presently already well disturbed, with almost one-half cleared of any natural vegetation. However, more importantly, is the positioning of present mature vegetation, literally situated throughout the perimeter of the Property, thereby providing appropriate visual screening. Present conditions will be greatly enhanced with the introduction of additional vegetation and fencing. Building coverage will be kept to a minimum, unlike the prior approval, resulting from reuse and modest expansion of the present commercial facility. The same is true of impervious lot coverage, in fact being far less than the prior approval, due to a change in requisite off-street parking dynamics. Several years have now passed since the introduction of cannabis sales both statewide and throughout the regional New England area. Whereas there was an initial over-demand and limited sales experience thus resulting in excessive activity, combination of operational experience and transactional controls has expedited the sales process, vastly minimizing the need for off-street parking. The present proposal necessitates a mere fraction of the parking, thereby retaining far greater quantity of naturally pervious 'grassed' surface.

The Property is presently zoned Commercial Highway District ("CH District"), defined pursuant to Section 101.B 'Zoning Districts - Commercial' of the Ordinance, in the following manner:

CH - Commercial Highway. "This district represents an orientation toward the automobile, with sufficient off-street parking areas and direct traffic access to major highways. The predominant pattern is the shopping center, where several individual stores are planned and owned as a unit on the same parcel of land, but also may include many individual single-unit buildings and uses as well. Such retail uses as gas stations, fast food establishments and the larger supermarkets predominate in shopping centers. Also included are such uses as repairing, open lot sales, wholesale business, storage, etc. These uses are subject to performance standards. It is intended that this zone permits and encourages revitalization and intensification so that the areas so zoned are used to their peak potential. Provision of public water in the future may be permitted, particularly if area wells become contaminated, but such water line extensions should not be used to justify commercial expansion. Residential development is excluded from these areas."

In addition, the Property and surrounding resources are located within the 'Cannabis - Retail Overlay District'. The referenced zoning designation(s) remain consistent with the Comprehensive Plan as evidenced by Map 4 'Future Land Use Map' [Page 37], which illustrates that the Property and all properties lining Kingstown Road and Old Tower Hill Road are classified 'Commercial Highway'. Albeit a number of immediate properties are zoned in such a manner, town-wide the CH District is almost non-existent. This is a vitally important point, because it directly correlates with how limited are the sites appropriate for cannabis retail sales. The Comprehensive Plan - Map 5: Current Zoning [Page 39], illustrated to the right, corroborates this conclusion, detailing that the CH District is solely imposed on the area in question and a few properties within the Kingstown Road Special Management District.



The Comprehensive Plan - Table 7: 'Comparison of Zoning Districts & Future Land Use Map (FLUM) Descriptions' [Page 43], details the characteristics associated with the various land use classifications. The characteristics associated with the CH District are detailed below:

Zone: CH

Future Land Use Map: Commercial Highway

Purpose: **"To permit and encourage revitalization and intensification so that the areas within the district are used to their peak potential"**.

Characteristics: *"This district located along Old Tower Hill Road and Dale Carlia corner is categorized by larger, often freestanding commercial development oriented toward the automobile, with extensive off-street parking and direct access to major highways. The predominant development pattern is the shopping center."*

Allowed Uses: *"Retail uses, such as gas stations, fast food establishments, and larger supermarkets, as well as repair businesses, open lot sales, wholesale business, and storage are allowed in this district."*

The Property is situated within the 'Village of Wakefield' pursuant to the Comprehensive Plan - Map 1: 'Villages' [Page 31]. The reason why this is of particular importance is due to the fact that there is limited commercially zoned town-wide resources, especially 'Commercial Highway,' and the vast majority of said limited resources, as illustrated above, are situated within the Village of Wakefield. Figure 22: 'Future Land Use Map Categories' of the Comprehensive Plan [Page 38], illustrates the great disparity between commercial and industrial and all other land resources. In fact, less than one-percent of all town-wide land resources are zoned for commercial activity pursuant to the Comprehensive Plan [Page 54]. The Comprehensive Plan acknowledges that *'As such, existing opportunities for new commercial development and expansion are limited.'* It is therefore abundantly clear that there are only a smattering of sites that could potentially accommodate the referenced land use, especially in light of the fact that there are distinctive limitations, to include proximity to certain land uses (e.g. educational facilities and daycare operations).

The 'Village of Wakefield' is described by the Comprehensive Plan [Page 33], in the following manner:

Village-Centered Pattern of Development - *"Each of the eleven villages of South Kingstown is unique and planning efforts should seek to acknowledge and account for these unique environments... The village-centered pattern of development in South Kingstown, particularly in Wakefield, Peace Dale, and Kingston, has defined the historic pattern of development in the community, residential zoning and well-established conservation efforts."*

Central Villages - Wakefield: *"Wakefield is a dynamic and versatile village and serves as hub for business and cultural activity. The village provides a balance of historic structures, new development, and innovative infill strategies which create a seamless village environment. The village provides a diversity of housing options, an extensive mix of local*

*businesses, and convenient access to recreational, institutional and cultural amenities and services. The core of the village centers on Main Street, a vibrant corridor with many essential services, a pedestrian friendly environment, and an activated street front. Main Street is strengthened by the presence of the Saugatucket River and William C. O'Neill bike path. **Flexibility of land use and design in the area can enrich the historic fabric which helps define this unique village.** The commercial highway zoned area of Wakefield located near Old Tower Hill Road, Kingstown Road, and Dale Carlia Corner is an automobile-oriented area characterized by large footprint buildings and expansive parking lots."*

The Property is almost entirely surrounded by commercial development, some of which are rather intensive, such as commercial plazas. The referenced neighborhood conditions detailed below, as excerpted from the Applicant's submission package [Credit: McGeorge Architecture Interiors].



PROPOSED 'CANNABIS RETAIL SALES' REDEVELOPMENT PROPOSAL

The Applicant seeks to introduce a '**Conditionally Permissible**' cannabis retail sales by SUP, in accordance with the Ordinance's 'Schedule of Use Regulations.' The community recognizes their appropriateness by allowing them to be introduced subject to reasonable 'specific' and 'objective' standards of approval; to be satisfactorily addressed later in this report. Other than the need for the requisite SUP, the proposed redevelopment will realize full dimensional compliance.

Redevelopment appropriateness is substantiated by the unique positioning of the facility. The commercial facility is situated upwards of 250-foot distance from Kingstown Road and visually screened by the presence of mature perimeter vegetation. These conditions will be complimented by the introduction of additional vegetation and a thoughtfully designed entryway. And, unlike the prior approval, the present historically recognized commercial facility will be retained. Retention of such a recognizable and architecturally significant neighborhood feature is well supported by the Comprehensive Plan.

Protecting Community Character to Attract New Business - *"In order to maintain and enhance its special character, the Town needs to communicate with developers that design and appearance matter...The Town needs to explore more sophisticated standards regarding the aesthetic features of development within commercial zoning districts, such as architecture, scale and massing of structures, signage, and appropriate landscaping, to ensure these areas are more functional and beautiful..."* [Page 119]

The following illustration, excerpted from the Applicant's submission package [Credit: McGeorge Architecture Interiors], details the preservation and architectural enhancement of the present commercial facility.



Finally, considering there is a greater understanding of cannabis retail sales, associated off-street parking will be severely reduced. Demand has been somewhat curtailed and operational standards greatly enhanced to expedite sales transactions. Therefore, a fraction of the off-street parking previously believed to be necessary and ultimately approved, is now proposed. However, purely out of an abundance of caution, additional parking will be designed in plan form

only; evidencing ability to introduce the referenced appropriately configured spaces and associated drainage should the need arise. Otherwise, unlike the prior approval that anticipated an excessive number of spaces and associated impervious lot surface, the present proposal will realize a greater quantity of green space. Redevelopment actions are in direct accord with the Comprehensive Plan.

Wakefield: *“Wakefield contains two distinctly different areas: Main Street; and the Commercial Highway areas adjacent to Route 1, Old Tower Hill Road, and Dale Carlia Corner. Opportunities to increase density and permit a greater diversity and mix of uses exist in both areas. Along Main Street opportunities exist to promote development through evaluation and revision of parking regulations, implementation of traffic calming strategies, greening of streetscape, celebration of the Saugatucket River, and activation of commercial street fronts. Opportunities to promote mixed-use development that provides both commercial and residential uses exist along Main Street, included the eastern section of Main Street approaching Dale Carlia Corner. The Commercial Highway area of Wakefield is challenged by an automobile-oriented development pattern. Opportunities to increase density, allow more mixed-use development, improve traffic safety and circulation, and reduce the amount of impervious surface occupied by parking areas exist in this area. Additionally, more area for limited commercial development may exist within an area located south of Old Tower Hill Road to the east of Route 108. A need for small scale green spaces within this developed portion of Town is noted.”* [Page 54]

Goal 3: *“High standards of development will be required to preserve and enhance the quality of life, to encourage a sense of community, to support a healthy, walkable environment and to protect the natural resources of the Town.”* [Page 61]

Policy 3.2: *“Require landowners, builders, and developers to address the local impacts of development or redevelopment on the community. Such local impacts include, but are not limited to: adequacy of transportation infrastructure including multi-modal transportation opportunities; pedestrian connectivity; integration with the natural and built environment, including historic, cultural and recreational resources; and the provision of essential services to the site.”*

Action 3-1: *“Support a Low Impact Development (LID) approach to development and redevelopment by revising regulations to provide innovative standards for resource protection and site design.”*

Policy 3.4: *“Support a policy of improved “access management” for local and state roads to discourage the creation of multiple driveways along the frontage of existing public streets which may create traffic safety hazards and contribute to visual degradation of scenic roadside areas.”* [Page 62]

Action 3-10: *“Explore, evaluate and pursue revisions to parking requirements in Commercial Downtown and Commercial Highway zoning districts to reduce the amount of impervious surface on development sites, promote an activated street front, and reduce regulatory barriers to appropriate commercial development.”*

Once again, the majority of the Property will be maintained in a pervious, naturally vegetated state, to include a wide perimeter buffer throughout. In regard to the operation itself, the Applicant has provided the requisite details, evidencing traffic safety, security protocols, and

COMPREHENSIVE PLAN CONSISTENCY ANALYSIS

The Comprehensive Plan not only documents the community's support for the type of development proposed, but also the proximate location.

Goal 4: *"The integrity of the Town's villages will be intact, and the village-centric approach to development, which recognizes each village's unique objectives, will be strengthened."*[Page 64]

Policy 4.3: *"Encourage a mix of commercial activities within the Town's Villages to support a sustainable model of economic and community development."*

"The Town of South Kingstown will continue to value and support its business community as a source of jobs and as a means to provide the goods and services required by residents and tourists alike. The Town will continue to support the development of shops and offices located in walkable village settings through appropriate zoning. These small businesses, many of which are locally owned, help reinforce the "small town" character of South Kingstown. The charm of the seaside villages of the community will be preserved while attracting development to create appropriately scaled tourism opportunities. The Town will support current businesses and properly-sized expansion of commercial and light industrial development, while protecting the quality of the Town's finite natural and cultural resources, as this may relieve the current tax burden on residential land use while providing additional tax revenue for municipal services." [Page 107]

Another equally important consideration, is evidencing the economic benefit to be garnered. It was previously evidenced, pursuant to the Comprehensive Plan, that there is quite limited commercially zoned resources, in particular CH District zoned resources. To reiterate, a mere one-percent of all town-wide land resources is zoned for commercial development. The Comprehensive Plan [Page 111] acknowledges that 'South Kingstown is recognized as a predominantly residential community with a limited commercial and industrial base.' Therefore, with such a heavy reliance on property taxes, especially residential property, the community welcomes new commercial 'revenue' sources. The referenced redevelopment will provide a new revenue stream, and one which is very neighborhood oriented.

Land Use Goal 2: *"A sustainable rate of development will be maintained, which is consistent with the ability of the Town to provide essential services, to achieve a stable tax rate, to protect environmental, historic, and cultural resources, and to provide a healthy environment."* [Page 59]

Policy 2.1: *"The development review process will consider the fiscal, as well as the environmental, social, and cultural impacts of redevelopment projects and new development on raw land."*

Economic Activity in a Changing Environment - *"In an environment, nationally and regionally, where "bricks and mortar" retail is in decline, South Kingstown needs to continue to build on what makes it special, including the small-scale commercial spaces in its villages that provide opportunities for "mom and pop" businesses. And while manufacturing is on the decline in many parts of the country, the fact that it is remaining more or less stable in South Kingstown may indicate that manufacturing has a future here, and the Town should make sure that sufficient land remains available to support the expansion of manufacturing and related*

*production industries. For example, if a local start-up brewery wanted to expand, would it have places to go? Or do such businesses eventually have to move out of town? **The Town also needs to be prepared for a future where more and more retail sales occur on line, and commercial buildings are occupied more by services, "maker spaces" and other light industrial production, recreation, unique retailers, and other uses.*** [Pages 116 - 117]

Minor Land Development Project - Consistency Analysis

The proposed redevelopment is defined as a Minor LDP. The requisite 'General Requirements' for the granting of an LDP are individually addressed below.

Article III.A - General Requirements - *"The requirements listed below shall be applicable to all subdivisions submitted for approval, unless otherwise specifically provided. Prior to approval of any subdivision or land development project, (if Planning Board approval is required) the Board shall make positive findings on all of the standards listed below, as part of the proposed project's record. If a negative finding for any of these standards is made, the Planning Board shall have grounds for denial of the project design."*

1. *"Each subdivision shall be consistent with the requirements of the South Kingstown Comprehensive Community Plan and/or shall satisfactorily address the issues where there may be inconsistencies."*

As well-documented throughout this report, and more specifically under the 'Comprehensive Plan Consistency Analysis' portion of the report, general consistency has been evidenced and there are no inconsistencies associated with the subject redevelopment proposal.

2. *"Each lot in the subdivision shall conform to the standards and provisions of the South Kingstown Zoning Ordinance..."*

Although, no subdivision is being pursued, there is nevertheless the need for an SUP. Requisite 'Standards' are individually addressed below.

3. *"In subdivisions requiring individual sewage disposal systems, no building lot shall be designed and located in such a manner as to require relief from Article 5, Sections 504.1 and 504.2 of the Zoning Ordinance, as amended."*

Not applicable. Public sewage is available, and will be connected accordingly.

4. *"There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval."*

The Property has long been used for retail sales operations. In fact, the present operation will institute site design features long missing, such as drainages controls. The referenced standard will be addressed to the satisfaction of the Planning Board in both material submission and testimony by the respective experts.

5. *"Subdivision, as proposed, will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable..."*

Once again, the requisite standard is not applicable because there is no subdivision being pursued. Nevertheless, redevelopment of the property will comport with all site design

standards, in addition to being fully compliant with all Ordinance regulatory requirements, provided there is successful obtainment of the requisite SUP.

6. *"All proposed land developments and all subdivision lots shall have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered in compliance with this requirement."*

The redevelopment proposal will have direct and permanent physical access to Kingstown Road, utilizing long-standing curb-cuts.

7. *"Each subdivision shall provide for safe circulation of pedestrian and vehicular traffic, for adequate surface water run-off, for suitable building sites, and for preservation of natural, historical, or cultural features that contribute to the attractiveness of the community."*

As evidenced by a thorough analysis of the Comprehensive Plan, there are no significant natural, historical and/or cultural resources that will be impacted by the proposed redevelopment. All drainage will be properly handled on-site, as will be further testified to by the project's civil engineer. Finally, the redesign will realize provision of sufficient off-street parking, proper separation between vehicular and pedestrian traffic, and installation of appropriate landscaping.

8. *"The design and location of streets, building lots, utilities, drainage improvements and other improvements in each subdivision shall minimize flooding and soil erosion."*

All drainage will be properly handled on-site, resulting in a zero-increase in run-off, as will be corroborated by expert testimony. More importantly, there will be an overall reduction in impervious surface, and introduction of much-needed pervious (landscaped) surface.

9. *"The use of open space in a Flexible Design Residential Project or Residential Compound is an appropriate use and is consistent with the requirements of Article IV.A.4.c."*

Not applicable.

ZONING ORDINANCE CONSISTENCY ANALYSIS

The proposed redevelopment will fully comport with all dimensional criteria. Furthermore, it is defined as a 'conditionally permissible' land use, being permitted by SUP. In accordance with RIGL all land uses permitted by SUP are required to have 'specific' and 'objective' standards of approval. The requisite 'standards' are individually addressed below.

1. Marijuana / Cannabis-Related Uses - SUP Specific Standards of Approval - Section 504.15

I. *"Marijuana retail facilities, and/or marijuana cultivation facilities may be allowed by special use permit in those zones specified in Section 301, subject to the following conditions:"*

Section 504.15.I.B: *"The marijuana retail facility must not be located within."*

Section 504.15.I.C: *"The distances specified in the immediately preceding section (B) shall be measured by a straight line from the nearest property line of the premises on which the proposed marijuana retail facility or marijuana cultivation facility is to be located to the nearest property line of any of the other designated uses set forth therein."*

1. *"One thousand (1,000) feet from a pre-existing public or private school, or pre-school, or any licensed day-care center, not including higher education facilities."*

Compliant. No such facilities located within the requisite distance.

2. *"Two thousand (2,000) feet from any other marijuana retail facility or marijuana cultivation facility."*

Compliant. No such operation present.

Section 504.15.I.D: *"Hours of operation for a marijuana retail facility or marijuana cultivation facility shall be limited to 8:00 a.m. to 8:00 p.m."*

Compliant. The proposed marijuana facility is proposed to operate between the referenced hours.

Section 504.15.I.E: *"The proposed facilities shall implement the appropriate security measures to deter and prevent the unauthorized entrance into areas containing marijuana and shall ensure that each location has an operational security/alarm system."*

Compliant. Refer to submitted security protocols. Fencing, lighting and other security measures are proposed to be instituted.

Section 504.15.I.F: *"Development Plan Review and approval shall be required prior to application for the Special Use Permit, and is to be conducted by the Planning Board. In addition to the Development Plan Review standards set forth in the Subdivision and Land Development Regulations, the Planning Board shall ensure compliance with the following conditions:"*

1. *"The requested use at the proposed location is sufficiently buffered in relation to any residential area in the immediate vicinity so as not to adversely affect said area."*

2. *"The exterior appearance of the structure is consistent with the exterior appearance of existing structures within the immediate neighborhood, so as to prevent blight or deterioration, or substantial diminishment or impairment of property values within the neighborhood."*

3. *"Lighting is provided to illuminate the marijuana retail facility or marijuana cultivation facility, its immediate surrounding area, any accessory uses including storage areas, the parking lot(s), its front façade, and any adjoining public sidewalk."*

4. *"Development Plan Review applications for all marijuana cultivation facilities shall include detailed plans of the facility's wastewater treatment system(s). Such plans shall be approved by the Department of Public Services prior to issuance of the Development Plan approval."*

There is limited residential presence, the sole entity being the Indian Run Village Apartments. Besides the 200-foot separation, there is considerable vegetative screening and buffering. The referenced improvements will avert any light, noise, or other related operational activity from spilling onto the referenced residential property. The office facility will continue to maintain a residential appearance, as evidenced by the attached elevation plan. Only that lighting which is necessary to maintain a secure and safe environment will be introduced. However, the referenced lighting will be 'dark-sky' compliant and of a decorative style. All requisite

infrastructure is present and will be accordingly connected. Finally, LID oriented site drainage improvements, such as rain gardens to both slow the rate and quantity of site run-off, will be properly introduced.

Section 504.15.I.G: *"All marijuana retail facilities and marijuana cultivation facilities shall fully comply with all other licensing requirements of the Town and the laws of the State of Rhode Island."*

Will realize compliance, upon attaining all local and state regulatory approvals.

II. *"Cannabis-related facilities may be allowed by special use permit in those zones specified in Section 301, subject to the following conditions:"*

Section 504.15.II.B: *"Pursuant to Section 21-28.11-17.1(b)(3) of the Cannabis Act, the cannabis facility must not be located within:"*

1. *"Five hundred (500) feet of a pre-existing public or private school providing education in kindergarten or any of grades one (1) through twelve (12). This distance shall be measured by a straight line from the nearest property line of the premises on which the proposed cannabis facility is to be located to the nearest property line of the parcel on which the school is located."*

Compliant. No such facilities located within the requisite distance.

Section 504.15.II.E: *"Cannabis retailers/hybrid cannabis retailers shall only be permitted where ingress and egress to the facility is via direct access from State Route 108, or Old Tower Hill Road."*

Compliant. Located directly adjacent to Route 108.

2. Compassion Center - SUP General Standards of Approval - Section 907.A.2

Section 907.A.2 Standards for Review - Special Use Permit: *"In granting a special use permit, the Board shall require that evidence to the satisfaction of the following standards be entered into the record of the proceedings:"*

(a) *"That the special use is specifically authorized by this Ordinance, and setting forth the exact subsection of this Ordinance containing the jurisdictional authorization."*

Section 301 - Schedule of Use Regulations Table

Subsection 100. *"Marijuana Retail Facility."* Permitted by Special Use Permit in the CH District.

(b) *"That the special use meets all of the criteria set forth in the subsection of this ordinance authorizing such special use."*

Compliant. Refer above, under the preceding section. Also, will realize full dimensional compliance.

(c) *“That the 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 shall consider, whether or not satisfactory provisions and arrangements have been or will be made concerning, but not limited to the following matters, where applicable.”*

The extensive ‘Ordinance’ and ‘Comprehensive Plan’ analyses prepared by this Consultant, evidences the appropriateness of permitting a marijuana facility operation. The sole apartment complex to the east is both distant and will be afforded considerable vegetative screening and buffering. Once again, the proposed improvements will avert any light, noise, or other related operational activity from spilling onto the referenced residential, or any other property. In addition, the requisite ‘matters’ are individually addressed as follows:

(1) *“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.”*

Permanent and safe access from Kingstown Road exists and will be maintained. Dedicated ingress and egress points will be provided to maintain an orderly vehicular flow. Furthermore, internal travel patterns will be redesigned to ensure sufficient off-street parking and pedestrian safety.

(2) *“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.”*

The proposed cannabis retail sales operation will not generate any unusual noise or odor, or any other nuisance-like effect. Sufficient off-street parking will be provided, and in a manner that averts unsafe interaction with pedestrians.

(3) *“Trash, storage and delivery areas with a particular reference to the items in (i) and (ii) above.”*

Once again, no unusual deliveries nor storage requirements are anticipated, and therefore storage and delivery areas have been provided that correspond to operational needs. Trash will be properly disposed of in an appropriately screened dumpster to be located towards the rear of the Property.

(4) *“Utilities, with reference to locations, availability and compatibility.”*

All utilities, to include public sewer and water, are available, and will be accordingly connected.

(5) *“Screening and buffering with reference to type, dimensions and character.”*

Considerable vegetative screening will be provided, as evidenced by the submitted Landscape Plan. The entire perimeter will be thoroughly buffered, most notably towards the rear, to screen the adjacent apartment complex.

(6) *“Signs, if any, and exterior lighting with reference to glare, traffic safety, and compatibility and harmony with lots in the zoning district.”*

The compassion center will be lighted in accordance with all respective regulatory and security standards. Nevertheless, it will comply with the respective ‘Dark Sky’ performance standard. Signage will also be minimized, only that necessary to advertise the proposed commercial entity.

(7) *“Required yards and other open space.”*

Will realize full dimensional compliance.

(8) *“General compatibility with lots in the same or abutting zoning districts.”*

Facility positioning, in addition to present and proposed landscaping, will visually screen the operation from surrounding land uses.

CONCLUSION

It is this Consultant’s professional opinion that the proposed redevelopment will be consistent with the goals and objectives of the Comprehensive Plan, specifically the Land Use and Economic Development Elements, in addition to comporting with all respective SUP standards and can therefore be supported and approved by the Planning Board. My professional opinion is based upon the manner in which the proposed cannabis retail sells operation can be well incorporated into the overall fabric of the surrounding commercial neighborhood.