



SOUTH KINGSTOWN PLANNING DEPARTMENT
PROJECT REVIEW MEMO
Lofts at Fairgrounds
Major Land Development – Comprehensive Permit
Conceptual Master Plan
~~October 28, 2025~~
January 27, 2026

| | | | |
|---------------------------|--|-------------------------|-------|
| Project Type: | Major Land Development | | |
| Review Stage: | Conceptual Master Plan | | |
| Address: | 132 Fairgrounds Road | | |
| Plat: | 21-3 | Lot: | 9 |
| Parcel Size: | 20.22 acres | Zoning District: | IND-1 |
| Applicant: | 132 Fairgrounds LLC c/o Jonathan Fox 51 DeForest Avenue Summit, NJ 07901 | Owner: | Same |
| Decision Deadline: | <p>The original statutory decision deadline was 12/15/2025. On 11/25/2025 the applicant agreed to extend the deadline to 1/27/2026. <u>Unless a further extension is granted by the applicant, the Planning Board will need to render a decision 1/27/2025</u></p> | | |

Project Description (as outlined in the narrative included in the application)

The project consists of 6 new multi-family buildings and a retail/amenity building at the entrance. Each building provides a mixture of studio, one-bedroom, and two-bedroom units for a total of 311 units. The design team has looked to provide key amenities to the future residents including an in-house fitness center, in-ground swimming pool with hot tub, outdoor passive/active recreation areas, new pedestrian walking paths, outdoor firepit/seating areas, detached covered garage spaces, and an outdoor pet area. The buildings will be professionally managed with onsite staff to serve the future residents.

Outdoor recreational areas are a key focus for the development and have been incorporated into the design. The applicant recognizes the importance of providing common areas (both indoor and outdoor) for the future residents to use. Potential outdoor recreation areas include new walking path connections to create an integrated pedestrian circulation system, an outdoor pet area, an outdoor firepit with seating/meeting area, an in-ground swimming pool and hot tub, and bike racks for multi-modal alternatives.

The architecture of the buildings at The Lofts at Fairgrounds has been an important aspect of the design from the beginning. In addition, the integration of a new residential community adjacent to an industrial building (Norpak, formerly Schneider Electric) which is presently situated amongst several existing industrial type buildings was also identified in the early stages as an important design factor that need significant thought and attention. In this case, Newbury Design Associates have created a site layout and residential community with building facades that the owners believe will be a great addition to the property. The architects will be prepared at the appropriate time to discuss with the board and staff what their design inspirations were, and goals in creating the new buildings.

Housing types include residential multi-family with a mixture of studio (89 units), 1-bedroom (130 units), and 2-bedroom units (92 units), including associated active/passive recreational amenities, an in-ground swimming pool, fitness center, pedestrian walking paths, and outdoor recreation areas. The low- and moderate-income housing units will be equally distributed between each unit type (studio, 1-bedroom, and 2-bedroom).

| Building | Floors | Total Units | Unit Types | | |
|----------------|--------|-------------|------------|------------|-----------|
| | | | Studio | 1-Bedroom | 2-Bedroom |
| 1 | 3 | 27 | 9 | 6 | 12 |
| 2 | 4 | 60 | 16 | 28 | 16 |
| 3 | 4 | 60 | 16 | 28 | 16 |
| 4 | 4 | 44 | 16 | 12 | 16 |
| 5 | 4 | 60 | 16 | 28 | 16 |
| 6 | 4 | 60 | 16 | 28 | 16 |
| Totals: | | 311 | 89 | 130 | 92 |

Occupancy of the units is estimated as follows:

| Unit Type | No. of Units | Per. / Unit | Total | Students |
|--------------|--------------|-------------|------------|----------|
| Studio | 89 | 1.5 | 134 | 0 |
| 1 Bedroom | 130 | 1.5 | 195 | 0 |
| 2-Bedroom | 92 | 2.1 | 193 | 9 |
| Total | 311 | -- | 522 | 9 |

The applicant anticipates building the project in phases, however, the order and timing of the phases of development has yet to be determined at Master Plan; the economy and general market rates will determine the pacing of the future construction. The applicant does expect that the amenity/retail building will likely be built in Phase 1 to provide recreational options for the residents at the onset.

Regulatory Considerations

Comprehensive Permit - Optional Master Plan – RIGL §45-53-4(d)(2)

An applicant may elect to apply for and be heard on master plan review prior to preliminary plan submission. If a master plan review is elected by the applicant the following shall apply:

- (i) *Submission requirements.* Submission requirements for master plan review shall be limited to the following:
 - (A) An application form and fee;
 - (B) A short description of the project in writing including the number of units, type of housing, density analysis, list of adjustments needed, as well as a location map, and preliminary determinations as to site constraints;
 - (C) Conceptual site plans showing infrastructure locations for roadways, preliminary locations and design of conceptual stormwater facilities, location of sewer and water lines and/or wells and on-site wastewater treatment systems, locations of housing units, estimated locations of site constraints, and wetlands;
 - (D) A preliminary traffic opinion for projects of over thirty (30) dwelling units;
 - (E) A letter of eligibility issued by the Rhode Island housing and mortgage finance corporation, or in the case of projects primarily funded by the U.S. Department of Housing and Urban Development or other state or federal agencies, an award letter indicating the subsidy, or application in such form as may be prescribed for a municipal government subsidy;

- (F) If the applicant submits any requests for adjustments at master plan, a public hearing shall be held in the same manner as during preliminary plan review as set forth in this section and the applicant shall be responsible for providing the list of abutters and all advertising costs.

Zoning Ordinance

- Section 301 (Schedule of Use Regulations Table) prohibits all residential uses except “Loft, Commercial Artist” in the IND-1 Zoning District.
- Section 401 (Schedule of Dimensional Regulations Table) limits the maximum building height in the IND-1 zoning district to forty feet (40’). This project proposes multiple buildings at fifty-nine feet (59’); nineteen feet (19’) above the maximum allowable building height.

Subdivision & Land Development Regulations

Article IV, Section H – Multi-Household Land Development Project

- Section H(3) – Relation to Utilities requires that MHLDP only be located in Zoning Districts where permitted by the Zoning Ordinance.
- Section H(6) - Screening requires screening to provide a physical barrier and visual screen from adjacent properties.
- Section H(7) – Front Yard Setbacks for MHLDP requires a minimum front yard setback of 100 feet along public streets with prohibitions on buildings, parking lots and other utility areas from being located within this setback. A 50’ landscaped or natural buffer zone is required to be maintained along said public street.
- Section H(8) – Density Requirements limits density in a MHLDP to 7.71 units per acre for 1 and 2-bedroom units. However, as a Comprehensive Permit, RIGL § 45-53-4(b)(1) mandates a density bonus of at least 5 units per acre for projects with public water and sewer that provide twenty-five percent (25%) affordable housing. These local and state requirements combine to allow a total density of at least 12.71 units per acre. *(The project proposes 311 units over 10.87 acres, a density of 28.6 units per acre.)*
- Section H(9) – Supplementary Standards
 - Limits uses in an MHLDP to residential uses or uses customarily accessory thereto. *(The proposed project contemplates some retail uses.)*
 - Requires parking lots and driveways to be set back at least 15’ from principal buildings. *(Most buildings appear to be less than 10’ from parking areas or driveways.)*
 - Minimum distance between buildings is 50’. This distance may be reduced to 25’ for building ends with no windows. *(Distances between the Amenities Bldg., Bldg. 1 and Bldg. 2, and the distance between Bldgs. 5 and 6 appear to be less than 30’ on building ends with windows.)*
 - Floor area of accessory uses is limited to 2.5% of the MHLDP’s total residential floor area with a maximum of 800 sq. ft. per structure.
 - 10% of the developable area (~5,653 square feet) must be dedicated as open space, type dictated by occupants and approved by the Planning Board.

NOTE: *By submitting this project as a Comprehensive Permit the applicant is authorized by statute to deviate from the requirements of many Zoning Ordinance and Subdivision Regulations in return for restricting at least 25% of the units for low and/or moderate-income housing.*

Requested Adjustments

Via an updated request for adjustments dated September 25, 2025, the applicant requests the following adjustments:

- (1) Zon. Ord. – Art. 3, Sec. 301, Use Regulations - Zone Change/Use Variance – Multifamily Household Land Development Project Use not permitted in IND-1 zoning district.
- (2) Zon. Ord. – Art. 4, Sec. 401, Dimensional Regs - Maximum Structure Height – 59 ft. of height proposed on some buildings where a maximum of 40 ft. is permitted in the IND-1 zone.
- (3) Subdiv. & Land Devel. Regs. – Art. IV, Sec. H – Multi-Household Land Development Project
 - Section H(3) – Relation to Utilities requires that MHLDP only be located in Zoning Districts where permitted by the Zoning Ordinance.
 - Section H(6) - Screening requires screening to provide a physical barrier and visual screen from adjacent properties.
 - Section H(7) – Front Yard Setbacks for MHLDP requires a minimum front yard setback of 100 feet along public streets with prohibitions on buildings, parking lots and other utility areas from being located within this setback. A 50' landscaped or natural buffer zone is required to be maintained along said public street.
 - Section H(8) – Density Requirements limits density in a MHLDP to 7.71 units per acre for 1 and 2-bedroom units. However, as a Comprehensive Permit, RIGL § 45-53-4(b)(1) mandates a density bonus of at least 5 units per acre for projects with public water and sewer that provide twenty-five percent (25%) affordable housing. These local and state requirements combine to allow a total density of at least 12.71 units per acre. (The project proposes 311 units over 10.87 acres, a density of 28.6 units per acre.)
 - Section H(9) – Supplementary Standards
 - Limits uses in an MHLDP to residential uses or uses customarily accessory thereto. (The proposed project contemplates some retail uses.)
 - Requires parking lots and driveways to be set back at least 15' from principal buildings. (Most buildings appear to be less than 10' from parking areas or driveways.)
 - Minimum distance between buildings is 50'. This distance may be reduced to 25' for building ends with no windows. (Distances between the Amenities Bldg., Bldg. 1 and Bldg. 2, and the distance between Bldgs. 5 and 6 appear to be less than 30' on building ends with windows.)
 - Floor area of accessory uses is limited to 2.5% of the MHLDP's total residential floor area with a maximum of 800 sq. ft. per structure.
 - 10% of the developable area (~5,653 square feet) must be dedicated as open space, type dictated by occupants and approved by the Planning Board.
- (4) RI Housing Letter of Eligibility – Applicant requests that submission of the Letter of Eligibility be allowed to be submitted prior to final Master Plan approval.

The applicant has not requested adjustments with respect to other local regulatory requirements, including: dimensional setbacks, building size (*units per building*), density (*units per acre*), non-residential uses in a MHLDP, landscape buffers, separation distances between buildings or separation distances between buildings and parking areas/driveways.

Decision Deadline

In accordance with legislative changes adopted in July 2025 that became effective immediately upon enactment, the applicant has opted to file a Master Plan application as part of their Comprehensive Permit application.

The application was received on August 29, 2025, and a Notice of Incomplete Submission was issued on September 18, 2025. The application was certified complete on October 14, 2025.

Under the 2025 legislative changes, the Planning Board has sixty **(60) days** (*previously 90 days*) from the date the application was certified complete to render a decision on a Comprehensive Permit Optional Master Plan, through and including **Monday, December 15, 2025**, unless the applicant agrees to an extension of time in writing.

- **Original Decision Deadline:** 12/15/2025
- **First Extension Deadline:** 1/27/2026

Required Findings

In accordance with [RIGL § 45-53-4\(d\)\(2\)\(iii\)\(C\)](#), as amended July 2025, the following findings are required at the Optional Master Plan stage of review for all Comprehensive Permit applications:

“In voting on an application, the local review board shall make findings, supported by legally competent evidence on the record that discloses the nature and character of the observations upon which the fact finders acted, on the standards required for preliminary plan review in this section, to the extent applicable at the master plan.

“The failure to provide information which is required later at preliminary plan review shall not form a basis for denial.

“If the board votes to defer a finding to preliminary plan it shall do so on the record during the proceedings and in the written decision and specify what items are necessary for review at the preliminary plan stage in order to address that finding.”

Draft Motion for Consideration

~~For most conventional subdivision/land development applications staff will provide the board with a draft motion for consideration as part of the Project Review Memo in order to allow the Board to advance applications for approval with minimal delay where the Board finds the application acceptable. However, for more complex applications (including comprehensive permit applications) involving multiple or significant departures from the Zoning Ordinance or Subdivision Regulations or novel proposals, staff will defer the presentation of a draft motion until after the first hearing with the Board. By deferring the draft motion until after this hearing staff will have the benefit of listening to the Board’s initial evaluation of the application, the relief sought, the standards for approval/denial, and potential conditions of approval, thereby enabling staff to craft a more fully developed draft motion for the next meeting.~~

Motion: “The South Kingstown Planning Board hereby approves the application for Optional Master Plan approval for the Lofts at Fairgrounds Subdivision project for a six (6) building, 311 unit residential development located at 132 Fairgrounds Road, West Kingstown, R.I., also identified as Assessor’s Plat 21-3, Lot 9.132 Fairgrounds LLC, *owner/applicant*.”

This approval is based upon the plan set entitled, “*Master Plan Submission, The Lofts at Fairgrounds, 132 Fairgrounds Road, South Kingstown, Rhode Island,*” sheets 1 – 4, dated 8/29/2025, as revised through 10/20/2025, prepared by DiPrete Engineering, Inc., Two Stafford Court, Cranston, RI 02920, as well as the following materials:

- Architectural rendering entitled, “*The Lofts at Fairgrounds,*” sheets A1-A2, dated 8/29/2025, as revised through 10/21/2025, prepared by NDA Architects, 100 Foxborough Blvd., Foxboro, MA, 02035.
- “*Viewshed Analysis,*” dated 8/29/2025, sheet 1 of 1, prepared by DiPrete Engineering, Inc., Two Stafford Court, Cranston, RI 02920.
- “*Traffic Impact Study,*” dated August 2025, prepared by Paul J. Bannon, Crossman Engineering, 100 Jefferson Blvd., Ste. 200, Warwick, RI, 02888.

- “*Fiscal Impact Study*,” dated September 2025, prepared by Joseph D. Lombardo, AICP, JDL Enterprises.
- Land Use and Planning Report, entitled “*The lofts at Fairgrounds, 311-Unit Affordable housing Development in West Kingston, RI*,” dated 8/28/2025, prepared by Douglas R. McLean, AICP.
- Landscape Plan entitled, “*The Lofts at Fairgrounds*,” sheet L1.0, dated 8/29/2025, as submitted 10/27/2025, prepared by Diane C. Soule & Associates, 422 Farnum Pike, Smithfield, RI 02917.
- Proforma Preliminary Construction Budget, undated, received 9/2/2025.
- “*132 Fairgrounds Road Feasibility Analysis*,” dated 11/20/2025, prepared by Eric Schultheis and Thomas O. Sweeney, Sweeney Real Estate Appraisal, 1 Turks Head Place, Ste. 850, Providence, RI, 02903.
- “*Letter of Eligibility: Lofts at Fairgrounds, 132 Fairgrounds Road, Plat 21-3 and Lot 9, Town of West Kingston (South Kingstown)*,” dated 10/20/2025, prepared by James Comer, Executive Director, RI Housing, 44 Washington Street Providence, RI 02903.

Findings of Fact

- (1) The proposed land development application satisfies the statutory requirements for submission of a Comprehensive Permit Optional Master Plan in accordance with RIGL § 45-53-4(d)(2), including submission of:
 - a. The required application form and fee;
 - b. A short narrative description of the project;
 - c. Conceptual site plans;
 - d. A preliminary traffic opinion; and
 - e. A Letter of Eligibility from RI Housing.
- (2) The applicant has requested zoning relief and/or waivers from applicable provisions of the Subdivision & Land Development Regulations (S&LD Regs), including:
 - a. Zoning Ordinance Art. 3, § 301 - A zone change/use variance to allow multifamily residential housing in the IND-1 zoning district;
 - b. Zoning Ordinance Art. 4, § 401 - Relief from maximum height restrictions;
 - c. S&LD Regs Art. 4, § H(3) - Excluding multi-household land development projects in the IND-1 zone;
 - d. S&LD Regs Art. 4, § H(6) – Requiring physical and visual screening;
 - e. S&LD Regs Art. 4, § H(7) – Requiring minimum setbacks and buffering on front yards;
 - f. S&LD Regs Art. 4, § H(8) – Limiting density in multi-household land development projects to 7.71 units per acre for 1 and 2-bedroom units, plus appropriate density bonuses under RIGL § 45-53-4(b)(1);
 - g. S&LD Regs Art. 4, § H(9) – Supplementary standards for: non-residential uses, parking lot and driveway setbacks, distance between buildings, floor area of accessory uses, and minimum open space requirements.

- (3) The development satisfies the local requirements to obtain a waiver under Article VIII.B.1 of the Subdivision Regulations because the proposed subdivision plan is:
- Reasonable and within the general purposes and intents of the Subdivision Regulations; and
 - In the best interest of good planning practice or design as evidenced by consistency with the Comprehensive Community Plan and the Zoning Ordinance.

(4) The applicant has submitted “*legally competent evidence on the record ... on the standards required for preliminary plan review*” that satisfies the required findings for approval at the Master Plan (Optional) stage of review in accordance with RIGL § 45-53-4(d)(2)(iii)(C). The board finds that the following standards for Preliminary Plan review under RIGL § 45-53-(d)(3)(iii)(E) have been adequately addressed and, to the extent that any findings are deferred to Preliminary Plan, the board has specified “*what items are necessary for review at the preliminary plan stage in order to address that finding.*”

- a. **Required Finding 45-53-4(d)(2)(iii), (E)(I); “Whether the proposed development is consistent with local needs as identified in the community’s affordable housing plan and/or has satisfactorily addressed the issues where there may be inconsistencies**

The proposed development is consistent with local needs identified in the housing element of the town’s 2021 Comprehensive Community Plan, and as mentioned in the West Kingston Village Plan, which encourage increased density in the town’s villages (*i.e. West Kingston*) as opposed to building higher density in undeveloped rural areas. The plans also encourage the development and redevelopment of underutilized properties. As stated in the application materials, the development is proposed for an underutilized portion of an existing property and provides critically needed housing both in the form of deed-restricted affordable housing units and more affordable forms of market rate housing.

- b. **Required Finding 45-53-4(d)(2)(iii), (E)(II); “Whether the proposed development is in compliance with the standards and provisions of the municipality’s zoning ordinance and subdivision regulations, and/or where adjustments are requested by the applicant, whether local concerns that have been affected by the relief granted do not outweigh the state and local need for low- and moderate-income housing”.**

The applicant has requested variances and waivers to the applicable regulatory provisions, as noted above, which would bring them into compliance with local zoning and land development regulations. The relief that has been requested by the applicant does not outweigh state and/or local needs for low- and moderate-income housing.

- c. **Required Finding 45-53-4(d)(2)(iii), (E)(III) - “Whether the low- and moderate-income housing units proposed are integrated throughout the development; are compatible in scale, meaning that:**

(1) The size of the low- and moderate-income units shall not be less than seventy-five percent (75%) of the size of the market rate units, unless otherwise allowed by the local board;

(2) The affordable units are of similar architectural style to the market rate units within the project so that the exterior of the units look like an integrated neighborhood with similar rooflines, window patterns, materials and colors; and

(3) The affordable units will be built and occupied in a proportional manner with the construction and occupancy of the market rate units.” [Standards pertaining to age-restricted housing have been omitted.]

The applicant has stated that the affordable housing units will be integrated throughout the development and will be compatible in scale and architectural style with the market rate units and will be built and occupied in accordance with state law.

However, the **Planning Board hereby defers a final decision** on this finding as allowed by state law. This deferment is based on the fact that the Planning Board needs additional information associated with final floor plans/layout, unit locations within the buildings (i.e. unit type and floor placement) along with final building architecture to be submitted as part of the preliminary plan permitting phase in order to make this final determination.

- d. **Required Finding 45-53-4(d)(2)(iii), (E) (IV)** – “Whether there will be significant negative impacts on the health and safety of current or future residents of the community, in areas including, but not limited to, safe circulation of pedestrian and vehicular traffic, provision of emergency services, sewerage disposal, availability of potable water, adequate surface water run-off, and the preservation of natural, historical, or cultural features.”

The Planning Board has made an initial determination that the development as submitted and revised does not have any negative impacts associated with the required findings under this section. This initial determination is based upon a review of the preliminary information submitted as part of the application process and as testified by the applicant’s expert engineers and planners.

However the Planning Board hereby defers the final decision on whether the proposed development will have negative impacts on the health and safety of current or future residents based on specific subject matter of **E(IV)** above until the preliminary planning application stage where detailed engineered plans are submitted for review relative to and associated with items such as: stormwater management systems, traffic/transportation (i.e., vehicle and pedestrian circulation and parking), and exterior and interior building layouts for residential units along with any accessory uses to be submitted as part of the preliminary plan permitting phase.

- e. **Required Finding 45-53-4(d)(2)(iii), (E) (V)** – “Whether the proposed land developments or subdivisions lots will have adequate and permanent physical access to a public street in accordance with the requirements of § 45-23-60(a)(5), or the local review board has approved other access, such as a private road.”

As presently proposed, the development plans provide sufficient evidence that the property and its future residents will have adequate and permanent access to Fairgrounds Road.

- f. **Required Finding 45-53-4(d)(2)(iii), (E) (VI)** - Whether the proposed development will result in the creation of individual lots with any physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable, unless created only as permanent open space or permanently reserved for a public purpose on the approved, recorded plans.

The proposed development does not create individual lots with any physical constraints to development that will make development of the property impracticable.

Conditions of Approval

1. All findings deferred to Preliminary Plan in accordance with RIGL § 45-53-4(d)(2)(iii)(C), as outlined in Finding of Fact #4, above, shall be thoroughly addressed as part of the applicant’s Preliminary Plan submission, as follows:
 - a. Submission of floor plans for each building showing the actual physical location and unit numbers for each affordable apartment.
 - b. A written narrative or table providing unit information for each building including: unit numbers, number of bedrooms, square footage and whether the unit is affordable or market rate.

- c. Fully engineered site plans and drainage calculations for the development's stormwater management systems.
 - d. A draft stormwater maintenance plan and agreement appropriate for future recording in the land evidence records following Final Plan approval.
 - e. Fully engineered site plans showing all vehicle and pedestrian circulation throughout the development, including all relevant striping, signage, turning radii and sightlines, including sightlines along the public ROW on Fairgrounds Road while exiting the development.
 - f. Building plans for non-residential buildings or spaces showing all proposed accessory uses.
 - g. A proposed construction schedule discussing the sequence and estimated timetable for the construction and occupancy of each building. Construction schedule shall also include any phasing if proposed.
2. The applicant may not reduce and/or decrease the amount of green space that is depicted on the site plan that was submitted as part of the Master Plan application phase. Therefore, any green/turfed areas may not be diminished in scale and/or reallocated to support any storm water management infrastructure or project other project infrastructure except for recreational amenities, trash enclosures and or HVAC units and therefore, must remain as turfed areas accessible to and for the enjoyment of the future residents of the project.
3. The applicant shall submit draft language to be placed in future leases and/or sale documents disclosing that the fact that the residential project is located in the middle of an industrial area and that normal operations associated with industrial uses in the area could impact the enjoyment/character of the unit and/or project. Final language to be reviewed and approved by the Planning Board in consultation with the Administrative Officer and the Board's legal counsel.
4. As part of the deferred finding associated with impacts [Required Finding 45-53-4(d)(2)(iii), (E)(IV)], the applicant shall submit a landscape plan that addresses appropriate plant material choices as it relates to quantity, size and species that adequately address the issues associated with screening/buffers and development scale.
5. **And any other conditions deemed necessary by the Planning Board in consideration of this application..."**