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March 22, 2024

Maria Mack, Chair
South Kingstown Planning Board
James Rabbitt, AICP
Jay Parker, AICP
Planning Department
Town of South Kingstown
180 High Street
South Kingstown, RI 02879

Re: **Waiver Request / Narrative for Dimensional Relief Application – Unified
Development Review**
Glenn and Gretel McCrory
507-509 High Street
Map 48-3, Lot 150
Combined Master Plan/Preliminary Plan

Dear Chair Mack, Director Rabbitt, and Principal Planner Parker:

I hope you are all doing well. Our office represents Glenn and Gretel McCrory. Glenn and Gretel own property located at 507-509 High Street. This lot measures 15,678 sq. ft. and is located immediately to the north of the Flatt's Smokehouse restaurant (former Giro's Restaurant) location.

We appeared before the Planning Board on February 27, 2024 for Pre-Application Concept Review. We appreciated the feedback from both the Planning Board and the Staff. At that meeting, the Planning Board voted to approve combined Conceptual Master Plan/Preliminary Plan review.

Please accept this letter as part of the application for Conceptual Master Plan and Preliminary Plan approval. This correspondence includes both the written request for waivers and the narrative for dimensional variances (the application for Dimensional Variances (Section 402 (D) and Section 402 (I) is also attached). We believe the Planning Board can review both the waiver and the dimensional variance request pursuant to RIGL § 45-24-46.4 – Unified development review.

1. Proposed Development

The existing conditions on site include a somewhat dilapidated three-unit structure. As part of this process that structure would be completely renovated.

Glenn and Gretal propose to add five (5) units in a new separate building. The completed development includes eight (8) total units. Due to the units and the waivers/variances requested we expect this project will be considered a major multi-household land development project.

Since this project includes eight (8) total units, Section 502.6 of the Ordinances of the Town of South Kingstown requires that two (2) units be inclusionary. (20% of 8 = 1.6 (rounded up to two (2) per Sec. 502.6 (e)). A draft deed restriction for the affordable units is also attached.

2. Requests for Relief from Planning Board

(a) Waivers:

For purposes of combined Conceptual Master Plan and Preliminary Plan review, we are requesting waivers for the following:

- Rear Yard Transition Setback (Subdivision and Land Development Regulations, Section 7. Transition Yard Landscaping Standards, b. Commercial Zoning Abutting Residential Zoning Districts);
- Paving – Gravel Surface (Zoning Ordinance Section 703)
- For developments proposing use of existing physical access to a State right-of-way, an amendment to the original RIDOT Physical Alteration Permit, or a letter from RIDOT indicating that no further RIDOT approval is necessary. (Preliminary Plan Checklist E (6) Supporting Materials)
- Written confirmation that the applicable Fire District (Union Fire District) has reviewed the proposed plans and approves the proposed street design relative to emergency vehicle access and fire suppression requirements. (Preliminary Plan Checklist E (9) Supporting Materials)

In the event of a change of circumstances, we respectfully request and reserve the right to withdraw the requested waivers.

(b) Dimensional Variance

We are also seeking approval of the following dimensional variances through the Planning Board via Unified Development Review:

- Section 402 Note: D – Request for a dimensional variance to permit the existing dwelling unit on the first floor of the existing structure on High Street;
- Section 402 Note I: Commercial Zoning District (CD) abutting Residential (RM) Zoning District: Rear Setback Dimensional Relief – 30’ required; 12.4’ requested (17.6’ Dimensional Variance)

The requests for relief are essential to the success of this project. At the hearing we will present evidence which we believe will allow the Planning Board to approve the relief based on the new standards outlined in RIGL § 45-24-41.

Specifically, the request for the first floor dwelling will legalize the existing first floor dwelling in the existing three unit structure. There will be no first floor dwellings in the new five unit structure.

Additionally, the setbacks in the CD zone are usually 0’. However, this property abuts Brookedge Village, 301 Church Street, which is a 55+ condominium community. Brookedge Village is located in a Residential Multihousehold District (RM). In this instance, the proposed use and the abutting use are both residential. Nevertheless, pursuant to Section 402 when a commercial (CD) zone abuts a residential zone (RM) a 30’ setback is required. Due to the similarity between the abutting uses we believe a variance for setback relief fits within the character of the area.

Overall, we believe that this project will be a great improvement to the existing conditions. If approved it will provide much needed market rate and affordable units to the housing stock in the walkable Peace Dale and Wakefield areas.

The McCrory’s have worked on this project for a lengthy period of time. We are very hopeful that we can move this project forward in the near future.

Please contact me at your earliest convenience with any questions or concerns. Thank you for your time and consideration.

Sincerely,

/s/ James M. Callaghan

James M. Callaghan