



SOUTH KINGSTOWN PLANNING DEPARTMENT
PROJECT REVIEW MEMO
South Shore Village & Country Club
Change to a Previously Approved Development Plan
June 11, 2024

Project Type:	Development Plan Review		
Review Stage:	Chance to a Previously Approved Development Plan		
Address:	South Shore Village Boulevard		
Plat:	65	Lot:	3
Parcel Size:	279.17 acres	Zoning District:	R40 & R80
Applicant:	Envine, LLC c/o Lawrence C. LeBlanc P.O. Box 1299 Charlestown, RI 02813	Owner:	Same as applicant

Description

With regards to some background information, South County Sand and Gravel filed an application for a Special Use Permit from the Zoning Board of Review to allow the creation of a manufactured home park and golf course on a combined 265 +/- acres of land in 1998. At the time of application, the property was zoned R-40A and the proposed uses were allowed by Special Use Permit. The application requested approval for 443 units and a nine-hole golf course with clubhouse and recreational facilities. The Zoning Board held hearings over a five-month period in 1998 and issued a decision on March 22nd, 1999. The Zoning Board granted the developer a Special Use Permit to construct 285 two-bedroom units limited to senior housing and a nine-hole golf course with clubhouse and recreational facilities. The Zoning Board established the project density based on 40,000 square feet of gross land area per dwelling unit. The decision required that the development be served by public water and that the golf course not be open to the general public but limited to use by residents of the subject development and the adjoining residents of Tuckertown Village. As a condition of approval and pursuant to the applicant's own election, the proposed development was subject to Development Plan Review by the Planning Board to determine "the final layout plan and location of individual units to be submitted to the Zoning Board".

Following an appeal by the applicant of the Zoning Board's decision to Superior Court the matter was remanded to Planning Board and the Zoning Board of Review for completion of the Development Plan Review process and finalization of the Special Use Permit. The Planning Board voted on November 14, 2006 to grant Development Plan Approval to the South Shore County Club. The approval was based on 17 conditions many of which are crafted around specific physical design elements and/or construction criteria. Those conditions that were prerequisite to commencement of construction have been satisfied including the recording of an Administrative Subdivision combining the component parcels, the recording of a final overall site plan and the recording of required legal documents including the substitution of historical

rights to use Sand Plains Trail (Plans and documents were recorded on May 20, 2009). There were no similar prerequisite conditions in the final Zoning Board approval (March 28, 2007). The Zoning Board of Review decision remains valid due to "tolling" legislation enacted in the General Assembly. (Planning Board & Zoning Board of Review decisions attached.)

A second appeal to the Superior Court by opponents of the project was addressed in June of 2009. The Court affirmed the decision of the ZBR granting South County Sand and Gravel's special use permit for the manufactured home park and golf course.

The original approval had a condition attached (#6) that stated "The use of the golf course shall be open to resident of this mobile home park and that neighboring mobile home park know as Tuckertown Village. The golf course shall not be open to the general public for playing golf or for any other purpose, including catering or location of social events."

The primary and only item subject of this application is the change from private golf course (Play/membership only allowed by property owners within the development and adjoining mobile home park known as Tucketown Village) to a public golf course which would allow play by the general populace. What is not subject of this application is the prohibition on utilizing the property/facilities for any other purpose, including catering or location of social events, which was part of the language of condition #6. As part of the application, the Planning Board received a letter from Christopher Duhamel, PE, PLS stating that no events are contemplated at this time. Consequently, it would be our recommendation that any favorable action by the Planning Board only address private verse public play at the golf course and does not undue the restriction on the use of the property and/or facilities for general public for any other purpose, including catering or location of social events."

Waivers Requested

The applicant has not indicated that there are any waivers associated with this application.

Decision Deadline

This application was certified complete on June 1, 2024.

Review to Date

At the meeting of the South Kingstown Technical Review Committee (TRC) on April 20, 2024, the TRC granted conditional approval of the application with the following conditions, provided the conditions are addressed and the application is determined complete before scheduling with the Planning Board:

1. That the applicant evaluate traffic patterns on weekdays verse weekends
2. That the applicant evaluate public rights for non-residents to enter and use facilities within the development and how those visitor will enter property.
3. The applicant shall clarify their stated intent to hold events (small and large) at the golf course and how those events will parking, traffic numbers; and how access to the site would need to be vetted with event solicitations never to show Sand Plains Road or Worden Pond Road as access points.
4. The applicant shall clearly articulate their intent to hold events at the golf course and how those events will affect the functionality of the golf course during those events.

Regulatory Considerations and Required Findings

In accordance with RIGL § 45-23-60 (Procedure – Required Findings), the Planning Board shall address each of the general purposes stated in RIGL § 45-23-30 and make positive findings on the following standard provisions, as part of the proposed project’s record prior to approval:

- 1) The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies;
- 2) The proposed development is in compliance with the standards and provisions of the municipality’s zoning ordinance;
- 3) There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval;
- 4) The subdivision, as proposed, will not 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. (See definition of Buildable lot). Lots with physical constraints to development may be created only if identified as permanent open space or permanently reserved for a public purpose on the approved, recorded plans; and
- 5) All proposed land developments and all subdivision lots 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.

Further, the Planning Board must establish findings of fact supported by legally competent evidence on the record which discloses the nature and character of the observations upon which the fact finders acted.

Draft Motion for Consideration

“The South Kingstown Planning Board hereby approves the requested amendment of the previously approved Conceptual Master Plan to allow the general public to play and/or become members at the nine-hole golf course and utilize the practice facilities associated with the golf course (i.e., driving range and putting green).

Findings of Fact

- A. The proposed amendment is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies.
- B. The proposed amendment is in compliance with the standards and provisions of the municipality's zoning ordinance.
- C. There will be no significant negative environmental impacts from the proposed amendment, with all required conditions for approval.
- D. The amendment, as proposed, will not 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. And,
- E. All proposed land developments and all subdivision lots have adequate and permanent physical access to a public street.

Conditions of Approval

1. All prior conditions associated with previous approvals shall remain in full force and effect. Specially, Condition #6 shall remain in full effect with the exception that public play shall be allowed. Consequently, the golf course shall be prohibited from conducting business that allows the general public to utilize the property facilities for any other purpose, including catering or location of social events.”