



**SOUTH KINGSTOWN PLANNING DEPARTMENT  
PROJECT REVIEW MEMO**

**Paul Masse – 4087 Tower Hill Road**

**Development Plan Review - Pre-Application Concept Review**

August 27, 2024

Project Type:	<b>Development Plan Review</b>		
Review Stage:	<b>Pre-Application Concept Review</b>		
Address:	<b>4087 Tower Hill Road</b>		
Plat:	<b>42-2</b>	Lot:	<b>26</b>
Parcel Size:	<b>1.19 acres</b>	Zoning District:	<b>R-80</b>
Applicant:	Paul Masse Chevrolet South, Inc. c/o Christine Dexter, Hinckley Allen 100 Westminster Street, Suite 1500 Providence, RI 02903	Owner:	M & S Property Management Associates, LLC, Steven D. Smith

**Property Characteristics**

The Property is a 1.19-acre parcel located in the Rural Residential Low Density District (R-80). The Property is currently improved with paved driveways and parking, two small sheds used for the storage of equipment, a canopy associated with a former gas station, and a chain link fence. This property is located on the southbound side of Route 1 which has been recognized as a Scenic Highway.

**Project Description**

The Applicant proposes to use the Property as an outdoor lot to store overflow inventory of new vehicles in connection with the Applicant’s nearby car dealerships. This use will involve minimal or no changes to the Property. The Applicant would propose to add landscaping along the Property line abutting Tower Hill Road, thereby beautifying and rehabilitating a difficult site that is already nonconforming and burdened with historic environmental conditions. The Applicant’s proposed use of the Property is uniquely suited to put the site to a beneficial purpose.

The sole use of the Property would be to store approximately 40-50 new vehicles in an outdoor lot. The Applicant or its affiliates owns and operates two auto dealerships within a few miles of the Property. Paul Masse Buick GMC South is located 2.3 miles north of the Property, at 2909 Tower Hill Road, and Paul Masse Chevrolet South is located 3.2 miles south of the Property, at 399 Main Street. The Applicant proposes to use the Property to store overflow inventory of new vehicles for these dealerships. The stored vehicles would be new, and would not include tanker trucks, tow trucks, junk cars, or the like. Moreover, no commercial transactions would occur at the Property, and no customers would travel to the site. Rather, dealership employees would travel to the Property to retrieve inventory as needed and drive the new vehicle to one of the nearby dealerships. No other activity is anticipated to take place at the Property.

In connection with the Applicant’s repurposing of the site for use as an outdoor lot, the Applicant proposes install landscaping along the Property line abutting Tower Hill Road. Doing so will require

approval from the Rhode Island Department of Transportation to locate plantings within the right-of-way. The Applicant recently undertook a similar development at its Buick GMC South location, also located along Tower Hill Road, to create a new vehicle storage lot adjacent to that dealership.

As shown on the accompanying plans, the Property will remain essentially the same. The Applicant does not propose any changes in lot coverage and intends to limit the vehicle storage to essentially the existing fenced-in area. Although the Applicant's proposed use of vehicle storage is not permitted in the R-80 district, the proposed use will conform to the Property's decades-long use as a commercial automotive facility. Since at least 1950, the Property has been used for commercial purposes, including as a gas station resulting in underground contamination from leaking storage tanks that has never been fully remediated and is still actively being monitored. As a result of this contamination the property is unlikely to be marketable for residential uses for the foreseeable future. The Applicant's proposed use likely constitutes a new nonconforming commercial use, albeit a use that aligns with the site's prior history of automotive and petroleum centered nonconforming uses. In fact, the proposed use may be construed as decreasing the existing nonconformance, as no commercial transactions will take place at the Property.

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### **Decision Deadline**

Pursuant to the Zoning Ordinance and Subdivision and Land Development Regulations, no decision is required for a Pre-Application Concept Review.

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### **Regulatory Considerations**

#### ***Purpose of the Pre-Application Review***

Per the Regulations, Pre-Application meetings shall:

- Aim to encourage information sharing and discussion of project concepts among the participants;
- Include a review of the physical character of the land, any environmental or physical constraints to development; and
- Include a discussion initiated by the Planning Board regarding what form of land development may be appropriate to meet the goals and policies of the Comprehensive Plan with regard to preserving the character of the land, the natural environment and the ability of the Town to provide essential services.

Pre-application discussions are intended for the guidance of the applicant and shall not be considered approval of a project or of any of its elements. No formal action need be taken by the Planning Board at the pre-application meeting.

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### **Required Findings**

Article IV (Special Requirements) outlines the following findings for Development Plan Review approval:

Prior to granting and DPR approval, the TRC or the Planning Board, as the case may be, shall find that: a) The granting of approval will not result in conditions inimical to the public health, safety, and welfare; b) The granting of such approval will not substantially or permanently injure the appropriate use of the property in the surrounding area or zoning district; c) The plans for such project comply with all the requirements of the Zoning Ordinance and these Regulations; d) The plans for such project are consistent with the Comprehensive Plan; and, e) Any conditions or restrictions that are necessary to ensure that these guidelines have been met have been incorporated into the written approval.

*It should be noted that the above required findings may be outdated and may not be consistent with newly enacted state legislation.*