



Town of South Kingstown

Zoning Board of Review Meeting

Meeting Minutes

Wednesday, December 17, 2025 at 7:00 PM
South Kingstown Town Hall, Town Council Chamber
180 High Street, Wakefield, RI 02879
www.southkingstownri.gov

Robert Cagnetta, Chair
Thomas Daniels, Vice Chair
William Rosen, Member
Arlene Hicks, Member
Geoff Elia, Member
William MacDonald, Alt. #1
Vacancy, Alt. #2
Vacancy, Alt. #3

A. Call to Order

Mr. Cagnetta called the meeting to order at 7:02:56 PM.

B. Chairman Introductions and Instructions

Mr. Cagnetta explained the rules and procedures.

Members Present: Robert Cagnetta, Chairman; Thomas Daniels, Vice Chairman; William Rosen, Member; Arlen Hicks, Member; Geoff Elia, Member; William MacDonald, Alt. #1.

Members Absent: None

Staff Present: Amy Goins, Special Legal Counsel; Jamie Gorman, Building and Zoning Official; Ben Barbera, Building and Zoning Associate.

Members voting tonight will be Mr. Cagnetta, Mr. Daniels, Mr. Rosen, Ms. Hicks, and Mr. Elia.

C. Agenda Items *Order can be subject to change*

Mr. Cagnetta called for the first petition.

- I. Continuation of the petition of **Milton Rogers**, 70 Foster Sheldon Road, South Kingstown, RI, 02879, for an **Appeal to the Zoning Board** under the Zoning Ordinance as follows: The applicant is seeking to **appeal a decision issued by the Zoning Enforcement Officer (ZEO)**, dated June 25, 2025, related to premises at 28 Columbia Street. The owner of the property is Rogers Home, Inc., for premises located at 28 Columbia Street, South Kingstown, Assessor's Map 57-1, Lot 43 and is zoned CN (Commercial Neighborhood)
[28 Columbia Street - Application](#)

All the material was recognized and entered into the record.

The applicant, Milton Rogers was present and sworn in.

Mr. Rogers began by saying his lawyer is not present with him tonight and goes on to say he has received approval for funding regarding this project.

Mr. Rogers is requesting a continuance of his petition to the January 21, 2026, Zoning Board Meeting.

There were no further board questions.

Whereas the following motion was made:

The Motion is as Follows:

**Mr. Cagnetta made a motion to continue the above petition to the January 21, 2026, Zoning Board of Review Meeting, which was duly seconded by Mr. Elia.
Motion passed unanimously; (Vote 5-0 in Favor)**

(Mr. Cagnetta -Aye, Mr. Elia -Aye, Mr. Rosen -Aye, Ms. Hicks -Aye, Mr. Daniels -Aye)

At a meeting held on December 17, 2025, a continuation was approved for the January 21, 2026, meeting regarding the petition of **Milton Rogers**, 70 Foster Sheldon Road, South Kingstown, RI, 02879, for an **Appeal to the Zoning Board** under the Zoning Ordinance as follows: The applicant is seeking to **appeal a decision issued by the Zoning Enforcement Officer (ZEO)**, dated June 25, 2025, related to premises at 28 Columbia Street. The owner of the property is Rogers Home, Inc., for premises located at 28 Columbia Street, South Kingstown, Assessor's Map 57-1, Lot 43 and is zoned CN (Commercial Neighborhood).

Mr. Cagnetta called for the next petition.

- II. Continuation of the petition of **Sara Isabella**, 32 Willard Avenue, Wakefield, RI 02879, for a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant is seeking to construct a detached Accessory Dwelling Unit (ADU) on a lot consisting of 17,379 sq. ft. in land area. The minimum lot size to establish an ADU is 20,000 sq. ft.. Therefore, relief of 2,621 sq. ft. is requested. Lot size is .39 acres. **A Dimensional Variance is required per Zoning Ordinance Section 401 (Schedule of Dimensional Regulations) and Section 907 (Standards of Relief)**. Owner of the property is Sarah Isabella for premises located at 232 Willard Avenue, South Kingstown, Assessor's Map 56-2, Lot 23 and is zoned R10.
[232 Willard Avenue - Application](#)

All the material was recognized and entered into the record.

Attorney Steven Surdut was present.

Mr. Surdut started by describing the petition and the reason he is in front of the board tonight. The homeowner would like to build a one-story ADU on the corner of the property. The lot is 17,379 sq. ft., the minimum lot size that an ADU can be established on is 20,000 sq. ft. He goes on to say that across the street are condominiums which add to the density of the neighborhood. There is already an old outbuilding located on the property with an unlevel stone foundation. The outbuilding is used as a garage and for storage. The owner of the property does not live at the address, she lives up the road. Her mother is getting elderly, and a one-story ADU would be great for her in the future to age in place.

Mr. Surdut called his first witness.

Sarah Isabella, the property owner, was present and sworn in.

Ms. Isabella states that originally she thought to put the ADU where the garage is now, but that was not feasible. She has carefully planned the location of the ADU to fit the neighborhood and ensure the neighbors have privacy.

Mr. Cagnetta asked Ms. Isabella about the garage on the property and why it could not be used for an ADU.

Ms. Isabella answered that her builder said the stone foundation is no good and that it would not meet modern energy codes. The outbuilding will serve better as a garage and storage. To renovate the garage would be more costly and require extra work. Ms. Isabella handed out an updated aerial view of the property with the proposed ADU location (Exhibit #1). Ms. Isabella has been in contact with the direct abutters and insists she will maintain a natural buffer between the properties.

Board questions for Ms. Isabella ensued.

Mr. Elia asks if Ms. Isabella currently lives on the property and will the proposed ADU also be a rental.

Ms. Isabella states that the property is a year-round rental, and she has not lived there in the past six months. As of right now, Ms. Isabella's mother doesn't need to live in the ADU but as she ages, the ADU would be a good spot for her.

Mr. Daniels questioned Mr. Gorman, Building Official, if the proposed ADU was within the setbacks.

Mr. Gorman stated that the proposed plans for the ADU are within the allowed setbacks.

Mr. Rosen asks why the garage footprint can not be used for the ADU.

Ms. Isabella would like to keep the garage for its aesthetically pleasing design. She believes the garage is too close to the house.

Ms. Hicks asks where the parking would be located for the ADU.

Ms. Isabella answered that there would be a driveway put in from Willard Street that is parallel to her neighbor's driveway.

There were no further board questions for Ms. Isabella.

Mr. Cagnetta asked if anyone in the audience wished to speak in opposition to the above petition.

Daniel Morreti, an abutter, was present and sworn in.

Mr. Morreti states that there are two ADUs on Willard that were built on existing footprints. There are no new ADU builds on the street. Mr. Morreti thinks that the garage footprint should be used for the ADU.

Jim Patalano, an abutter, was present and sworn in.

Mr. Patalano believes that another building on the lot would be too much and would change the look of the neighborhood.

Donna Judevine, an abutter, was present and sworn in.

Ms. Judevine also agrees that the current garage footprint would be an ideal spot for the ADU. The property is too small to have three buildings on it and, depending on who rents it, there could be many cars parked there.

Jane Francis, an abutter, was present and sworn in.

Ms. Francis is worried about the greenery around her property if an ADU were to be built. The proposed ADU would interfere with her personal privacy.

Steve Horton, an abutter, was present and sworn in.

Mr. Horton is also concerned about losing vegetation and his privacy. If a driveway were to be put in parallel to his, then a historic stone wall would have to be removed. Most houses in the neighborhood are single families. What Ms. Isabella is proposing is renting out to two separate families on one lot. Mr. Horton is worried that a lack of vegetation will create more water problems when it rains.

Marilyn Geti, the property owner's mother, was present and sworn in.

Ms. Geti is in favor of the petition. She goes on to point out how much time and careful planning has gone into the design of the ADU.

Mr. Surdut returned to the podium and passed out his exhibit #2 packet. This packet included images of the condos nearby, and street views of the surrounding property. Mr. Surdut's Exhibit #3 was the Town of South Kingstown

Comprehensive Community Plan from 2021.

There were no further board questions for Mr. Surdut.

Mr. Cagnetta states that the town's comprehensive plan is not caught up with the state law yet.

Board discussion ensued.

Mr. Daniels states that if the original purpose of the ADU was to house the property owner's mother, then why does the proposed ADU have two bedrooms? Instead of building a new ADU the garage footprint would make for a better ADU location.

Mr. Rosen believes that a new structure for the neighborhood could be beneficial depending on who lives there. He goes on to say that ADUs are important now as our nation grows older. Having two bedrooms would be beneficial if they were rented out to someone with disabilities, because a caregiver would be able to live on the premise in case any urgent needs are required.

Ms. Hicks mentions that the Comprehensive Community Plan (exhibit #3) is from 2021 and there are new regulations pertaining to ADUs.

Mr. Cagnetta has an issue with the scale of the ADU being similar in size to the main building.

There was no further board discussion.

Whereas the following motion was made:

The Motion is as Follows:

The following motion to deny the application was made by Mr. Cagnetta and duly seconded by Ms. Hicks

Motion passed: 4-1 Vote in favor

(Mr. Cagnetta -Aye, Ms. Hicks -Aye, Mr. Elia -Aye, Mr. Rosen -Nay, Mr. Daniels -Aye)

At a meeting held on December 17, 2025, regarding the petition of **Sara Isabella**, 32 Willard Avenue, Wakefield, RI 02879, a motion was passed to deny a **Dimensional Variance** under the Zoning Ordinance as follows: The applicant is seeking to construct a detached Accessory Dwelling Unit (ADU) on a lot consisting of 17,379 sq. ft. in land area. The minimum lot size to establish an ADU is 20,000 sq. ft.. Therefore, relief of 2,621 sq. ft. is requested. Lot size is .39 acres. **A Dimensional Variance is required per Zoning Ordinance Section 401 (Schedule of Dimensional Regulations) and Section 907 (Standards of Relief)**. Owner of the property is Sarah Isabella for premises located at 232 Willard Avenue, South Kingstown, Assessor's Map 56-2, Lot 23 and is zoned R10.

The following individuals spoke as representatives of the applicant:

- Attorney Steven Surdut, applicant and landowner's attorney
- Sara Isabella, Homeowner

There was one individual present who spoke in favor of the petition.

- Marilyn Geti, mother of the homeowner

The following individuals were present and spoke in opposition to the petition:

- Daniel Moretti, an abutter
- James Patalano, an abutter

- Donna Judevine, an abutter
- Jane Francis, an abutter
- Steven Horton, an abutter

The following materials were entered into the record:

- Correspondence from Daniel & Linda and Steven Horton, dated October 10, 2025; Property Survey, created and signed by James T. Caldarone L.S., dated July 16, 2025; Floor Plans and Elevations (S1, A1, and A2), dated August 14, 2025.
- The following Exhibits #1–3 were received during the hearing on December 17, 2025, presented to the board members by Steven Surdut: Exhibit #1 GIS Aerial View of the Property and Proposed ADU Location; Exhibit #2 Photographs of 232 Willard Property and the Surrounding Properties (7 Pages.); Exhibit #3 Town of South Kingstown 2021 Comprehensive Community Plan (13 Pages).
- An updated 200' Abutters List, uploaded digitally on December 10, 2025; Updated Radius Map uploaded digitally on December 10, 2025; Legal Notices; and Notarized Affidavit of Mailing; Updated Notarized Affidavit of Mailing, dated October 27, 2025.

Findings of Fact:

1. The Board finds that the hardship from which the applicant seeks relief is not due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in § 45-24-30(16), because this lot is smaller than the required 20,000 sq. ft. need to build an ADU upon.
2. The Board finds that the hardship is not the result of any prior action of the applicant, because there were no prior issues involving the applicant that would cause the board to deny the petition.
3. The Board finds that the granting of the requested variance would alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based, because of the scale of the ADU and the intensification of the property having too many buildings on one property.
4. The Board finds that the hardship suffered by the owner of the subject property if the dimensional variance is not granted does not amount to more than a mere inconvenience, meaning that relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted, because the applicant can still utilize the property without an ADU being built on it.

Mr. Cagnetta called for the last petition.

- III. Petition of **Heather Hopkins**, 107 Plains Road, South Kingstown, RI, 02879. The applicant is seeking to **appeal a Notice of Violation issued by the Zoning Enforcement Officer (ZEO)**, dated October 20, 2025, related to premises at 107 Plains Road. The owner of the property is Heather Hopkins, for premises located at 107 Plains Road, South Kingstown, Assessor's Map 22-2, Lot 13 and is zoned R200.
[107 Plains Road - Application](#)

All the material was recognized and entered into the record.

Heather Hopkins, the applicant, was present and sworn in.

Mr. Gorman started by explaining the notice of violation. This notice was investigated and issued by Josh Brother, the

Code Enforcement Officer. It was determined that the property was being used as a parking lot for vehicles, particularly students attending the University of Rhode Island that are not residing on the premises. The board's role tonight is to determine if issuing the notice of violation was the correct action or not.

Mr. Cagnetta mentions that he has received fourteen letters in support of allowing parking on the property.

Ms. Hopkins begins to explain how she got into this position of allowing cars to be parked on her property. After allowing a few people to park on her property by word of mouth, more people started to ask to park on the lot. Ms. Hopkins claims she has a waiting list of 38 people who want to park on her property. Ms. Hopkins says she does not charge to have people parked on her property and she was unaware that she was breaking any rules. Ms. Hopkins goes on to say that it is just first-year students who park on her property. Allowing students to park on the property allows them to get on and off campus quickly in case they have jobs. Ms. Hopkins' home provides a safe place for the students to talk and take a break from the busy student lifestyle. Ms. Hopkins' opinion is that URI does not have enough parking for students on campus and first-year students are not allowed to park on campus. An alternative parking place would be at Wickford Junction, which is further away.

Mr. Daniels asked Mr. Gorman what is the right away. It seems like some or all of the cars parked on the lot are in the right of way. Ms. Hopkins says she has never received violations from the police in regard to cars parking on her property.

Mr. Elia adds that Ms. Hopkins is putting herself liable by having students park on her property. By allowing cars to park there, foot traffic is increased on an already busy road.

Mr. Daniels asked Mr. Gorman if he or the zoning enforcement officer ever visited Ms. Hopkins after the violation was issued.

Ms. Hopkins said she received the violation through the mail and took the initiative of reaching out to Mr. Brother.

Discussions from the board and Ms. Goins detailing parking laws and Municipal Court ensued.

Mr. Gorman explained the \$500 fee, clarifying that it is written on every notice of violation as a standard, it is the maximum, he can not recall it having been implemented by the town.

Mr. Cagnetta added that it is everyone's intent at this hearing to enforce the rules, not necessarily penalize someone for trying to do the right thing.

Discussion related to Ms. Hopkins future actions pertaining to the violation ensued.

Mr. Daniels believes that the violation did not occur because Ms. Hopkins merely had guests parking on her property.

There was no further board questions.

Whereas the following motion was made:

The Motion is as Follows:

The following motion was made to grant the appeal by Mr. Cagnetta and duly seconded by Mr. Daniels

Motion passed: 4-1 Vote in favor

(Mr. Cagnetta -Aye, Mr. Daniels -Aye, Ms. Hicks -Aye, Mr. Elia -Aye, Mr. Rosen -Nay)

Motion Grounds are as follows:

The Zoning Board believes Ms. Hopkins was not advertising parking on her property based on the testimony. Ms. Hopkins simply had friends parking at her house and visiting her, they were not using the property as a parking lot.

At a meeting held on December 17, 2025, a motion was made to grant the appeal of the applicant regarding the petition of **Heather Hopkins**, 107 Plains Road, South Kingstown, RI, 02879. The applicant is seeking to **appeal a Notice of Violation issued by the Zoning Enforcement Officer (ZEO)**, dated October 20, 2025, related to premises at 107 Plains Road. The owner of the property is Heather Hopkins, for premises located at 107 Plains Road, South Kingstown, Assessor's Map 22-2, Lot 13 and is zoned R200.

The following individual spoke as a representative of the applicant.

- Heather Hopkins, applicant & property owner

There was no one present who spoke in favor of in opposition to the petition.

The following materials were entered into the record:

- Notice of Violation 10-20-2025 written by Joshua Brother, Zoning and Code Enforcement Officer for South Kingstown. Correspondence #1 signed by Michelle & Stephen Antonucci, dated November 23, 2025; Correspondence #2, includes seven letters in support of the petition (9 pages), signed by the following individuals: Lois Winn, Shelby Wood, Nicholas and Jennifer Rinaldi, Elliot Cobb, Jason Preston, Edward O. Todd II, and Heather Hamilton (applicant.); Correspondence #3, includes four letters in support of the petition (8 pages), signed by the following individuals: Lauren Todd, Heidi Robinson, Joe Izzo, and Jennifer Giara; Three images uploaded digitally to town portal by Heather Hopkins on December 16, 2025. (IMG_4100.JPEG, IMG_4099.JPEG, IMG_1595.JPEG).
- 200' Abutters List and Radius Map; Legal Notices; and Notarized Affidavit of Mailing.

D. Other Items

- I. Approval of the October 15, 2025, Zoning Board of Review Minutes

There was a motion to approve the Meeting Minutes from the August 27, 2025, meeting.

The Motion is as Follows:

**A motion to approve the Meeting Minutes from the August 27, 2025, meeting was made by Mr Cagnetta
Motion passed unanimously; (Vote 5-0 in Favor)
(Mr. Cagnetta -Aye, Mr. Daniels -Aye, Ms. Hicks -Aye, Mr. Rosen -Aye, Mr. Elia -Aye)**

October 15, 2025, Zoning Board of Review minutes will be published to the public.

The November 19, 2025, Zoning Board of Review minutes were not finished at the time of this meeting.

- II. Adjournment

Mr. Cagnetta made a motion to adjourn the meeting.

All members were in favor.

Meeting adjourned at 10:09:53 PM