



# Town of South Kingstown

## Zoning Board of Review Meeting

Zoning Board of Review Meeting Minutes  
Wednesday, April 15, 2026 at 7:00 PM  
South Kingstown Town Hall, Town Council Chambers  
180 High Street, Wakefield, RI 02879  
[www.southkingstownri.gov](http://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 7:06:56 PM.

### B. Chairman Introductions and Instructions

Mr. Cagnetta explained the rules and procedures.

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

**Members Absent:** William Rosen, Member.

**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. Elia, Ms. Hicks, and Mr. MacDonald.

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

Mr. Cagnetta called for the first petition.

- I. **Petition ZA-26-2:** The continuation of **Silver Mesa Group, LLC**, 700 Narragansett Park Drive, Pawtucket, RI 02861, for an Appeal under the Zoning Ordinance as follows: The applicant is seeking to **Appeal a Decision of the Zoning Enforcement Officer (ZEO)**, dated January 20, 2026, related to property at 691 Kingstown Road. The owner of the property is Robert S. Gilardetti Revocable Trust, for premises located at 691 Kingstown Road, South Kingstown, Assessor's Map 57-1, Lot 91 and is zoned CH (Commercial Highway).  
[691 Kingstown Road - Application](#)

All the material was recognized and entered into the record.

There was no one present who wished to speak for the applicant.

Ms. Goins recommends that the board table the petition indefinitely because the current state of licensing Rhode Island recreational marijuana is in a state of disarray.

There was no one in the audience who wished to speak for or against this petition.

Whereas the following motion was made.

#### **The motion is as follows:**

**The following motion to approve tabling the petition indefinitely was made by Ms. Hicks and duly seconded by Mr. Elia.**

**Motion passed unanimously (5-0 Vote in favor)**

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

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Mr. Cagnetta called for the next petition.

- II. **Petition ZBR-26-9: Matunuck Market, LLC**, the applicant is seeking to amend a previously granted Special Use Permit to expand the dining area of the existing Restaurant with Alcohol (Use Code 56.1) by seventy-three (73) seats. The dining area will be located within the existing structure where a retail market was formerly proposed. Lot size is .91 acre. **A Special Use Permit is required per Zoning Ordinance Section 301 (Schedule of Use Regulations Table), Section 504.18 (Standards for Restaurant with Alcohol) and Section 907 (Standards of Relief)**. Owner is Matunuck Market LLC, for premises located at 151 Old Tower Hill Road, Assessor's Map 57-2, Lot 51 and is zoned CH. The applicant also seeks to amend a previously granted Special Use Permit related to the abutting west property by interconnecting the subject lots by way of a paved driveway for purpose of additional parking. Lot size is 1.23 acres. **A Special Use Permit is required per Zoning Ordinance Section 702 (Standards for Parking Lots and Loading Facilities – Location) and Section 907.B (Special Conditions)**. Owner is 133 Old Tower Hill Road, LLC, for premises located at 133 Old Tower Hill Road, Assessor's Map 57-2, Lot 52 and is zoned CH.  
[151 Old Tower Hill Road - Application](#)

All the material was recognized and entered into the record.

Attorney Elizabeth Noonan was present. Ms. Noonan is representing on behalf of Matunuck Market LLC, and she is also representing the adjacent lot "Kenyon Lot" at 133 Old Tower Hill Road.

Ms. Noonan and Matunuck Market, LLC submitted an application to address traffic-related concerns at Matunuck Atelier, 151 Old Tower Hill Rd. which opened on January 30, 2026. The applicant expressed a preference to proceed with an expansion of the existing restaurant at this time, rather than advance the previously proposed market at the same location. There are two lots at play with two special use permits. The applicants are looking for two different avenues of relief. The first relief requested is for an interconnection between properties to allow Matunuck Atelier's Valet access to more parking in the Kenyon Lot.

Back in 2000, the Kenyon Lot had a special use permit to allow the drive-thru for KFC and Taco Bell. Ms. Noonan is looking to adjust that special use permit to reflect that there will be valet parking after hours, 5:00 pm in the upper lot. She proposes that the entrance off Narragansett Avenue West will be blocked off when the lot is used for valet parking. This will prevent any of Matunuck Atelier's patrons from exiting onto Narragansett Avenue West after 5:00 pm. Matunuck Atelier's gate will be closed from 2:00 pm to 6:00 am. Ms. Noonan acknowledged that there may continue to be clients exiting from the upper parking lot at Kenyon after 5:00 p.m. and indicated that the applicant is exploring potential solutions to address this issue.

Thomas Principe, RPE, was present and sworn in.

Mr. Principe was tasked with designing the proposed interconnection. One of his main priorities is to minimize disturbance to the Narragansett Ave. West residential neighborhood. The interconnection is not located close to Narragansett Ave. West. Instead, it is pushed back 60–70 feet. The width of the interconnection is 17.5 feet. The interconnection will be designed this way to protect existing vegetation. The interconnection will have a post and chain gate and proper signage to limit any sort of access or use.

The applicants are also proposing to add plantings onto the Matunuck Atelier lot along the Narragansett Ave. West right of way. Currently, there are three evergreens approximately 3–5 feet tall. The application will supplement the existing evergreens with 10 to 12 more of the same height. They will keep the two existing mature trees in that cluster.

The board and legal council discussed the original two special permits for both properties.

Ms. Noonan's second special permit request is to expand the Matunuck Atelier restaurant by 73 seats. There are 58 parking spots in the Matunuck Lot. The requirement for this zone is 4 seats to 1 parking space.

Robert Clinton, BHB engineer, was present and sworn in.

Mr. Clinton explains how the valet parks cars by double stacking them into each parking space.

Ms. Goins stated that, at the time the board granted the original special use permit for Matunuck Atelier, no parking relief was required. She further noted that the 58 parking spaces on the lot have remained unchanged since prior to the current ownership.

Mr. Clinton has prepared a traffic assessment. Matunuck Atelier may eventually be opening up a market at 151 Old Tower Hill Rd. These market trips will be quicker than those dining at the restaurant. Currently, there are 147 seats in the restaurant. By adding 73 seats, this will bring the total to 220 seats (*it was noted that none of the new seats will be bar seats*). Adding these seats will require an additional 55 parking spots.

Ms. Noonan explained that the Matunuck Atelier lot will not utilize Narragansett Avenue West from either exit after 2:00 p.m, and that the Kenyon Lot will not utilize this access after 5:00 p.m. She further stated that the applicants do not propose a permanent gate between the Matunuck and Kenyon Lots, as clients may need to exit the Kenyon Law Offices after hours. Signage at this gate would say something along the lines of "Parking Lot is for Matunuck Valet ONLY."

Ms. Noonan then goes on to talk about the Matunuck Atelier's proposed 73-seat expansion. Trash storage, utilities, and delivery areas will stay the same on the Matunuck Lot. They have also proposed adding screening and a buffer to block the view for Narragansett Ave. West residents. Ms. Noonan is aware that some abutters are requesting to have more vegetation put in. Signage and lighting will remain the same in the proposed plan.

Ms. Noonan says that the applicants are willing to work with any of the abutters to add even more vegetation than what is proposed. She then read a letter from Matthew Moynihan, Chief of Police. In the letter, Chief Moynihan says he is pleased with how the traffic is being handled by the valets and that he has only received one complaint since the Matunuck Atelier's opening. He goes on to say that Mr. Raso has consistently demonstrated a willingness to work collaboratively with the police department to address any concerns.

Board questions ensued.

Mr. Daniels asked about the conditions for the original special use permit from 2000.

Ms. Noonan says that she has no issue with the 4 conditions of the original special permit at the Kenyon Lot.

Mr. Cagnetta inquired about the expansion of seats in the restaurant. Will additional deliveries or garbage be needed?

Ms. Noonan answers that there would be the same number of deliveries, but they would be stocked with more food. The applicant is not proposing to put another dumpster on the Matunuck Lot, but she says if the current dumpster fills up quicker, then they will schedule more frequent trash pickups.

There were no further board questions for the applicants at this time.

Mr. Cagnetta asked if anyone in the audience wished to speak either in favor of or opposition to the above petition.

Virginia Kenny, a resident of Narragansett Ave. West, was present and sworn in.

Ms. Kenny has lived in South Kingstown since 1997. She says that when the original special use permit from 2000 was passed, the owners of the Kenyon Lot kept a lot of the buffer and vegetation.

After one of the owners of the Kenyon Lot passed away, the screen Ms. Kenny was referencing was removed. Ms. Kenny would like the board to add more landscaping requirements to the proposed plan. She especially wants more screening behind the Kentucky Fried Chicken restaurant and also on the right and left sides of the Narragansett Ave. West entryway. If you look at the site map of the Matunuck Lot, the specific area for the vegetation is at the bump out below

parking space #10 on the property line of Lot 52 (across from where the applicants are proposing to add new vegetation).

The board and legal counsel discussed the difference between a gate versus a fence and a post with a chain.

There were no further board questions for Ms. Kenny.

Kasey Abedi, a resident of Narragansett Ave. West, was present and sworn in.

Ms. Abedi submitted correspondence the day of the hearing. She goes on to explain the original 2000 special use permit for the Kenyon Lot and the conditions for locked gates and restricted access to Narragansett Ave. West. She would like to see a gate go in at the back of 151 Old Tower Hill Road to restrict access to Narragansett Ave. West. She would also like the delivery trucks to stop parking in the residential neighborhood. Her last request is to have a fence put up on the top of the Kenyon Lot abutting Narragansett Ave. West to prevent noise and light glare. Ms. Abedi is concerned about the future uses of the Kenyon Lot not related to Matunuck Atelier traffic.

Ms. Goins recommended that, in conjunction with valet parking operations in the Kenyon Lot, appropriate signage be included as a condition of approval. She stated that such signage should clearly indicate that the lot is designated for use by Matunuck Atelier valet services only.

There were no further board questions for Ms. Abedi.

Alan Towle, a resident of Narragansett Ave. West, was present and sworn in.

Mr. Towle is concerned with Matunuck Atelier patrons parking their cars in the Kenyon Lot and walking to the restaurant. He states that over the years he has evidence of multiple infractions happening on Narragansett Ave. West, including delivery trucks blocking residential driveways.

There were no further board questions for Mr. Towle.

The applicants returned to the podium.

Perry Raso, the owner of Matunuck Atelier, was present and sworn in.

Mr. Raso stated that during construction of the restaurant, a chain-link fence was removed as it had been collecting debris and detracted from the appearance of the property. In its place, he installed a wrought iron fence. Mr. Raso explained that he had originally envisioned installing an automatic rolling gate; however, due to significant snowfall during construction, an alternative solution was required. Mr. Raso stated that he had been unaware of delivery trucks parking on Narragansett Avenue West, but upon becoming aware of the issue, he spoke with the drivers. In response to concerns raised by abutters, Mr. Raso stated that he would install taller plantings, increasing the height to 6–8 feet.

Mr. Cagentta then called for a five-minute recess.

Ms. Noonan confirmed that Mr. Raso had spoken with the owners of the Kenyon Lot, who agreed to permit Mr. Raso to install vegetation along the westerly side of the Kenyon Lot entrance. She noted that the proposed plantings, at a height of six feet, would be located within the bump-out area adjacent to Parking Space 10, as depicted on the site plan, and that the landscaping design plan would be subject to review by the Building Official prior to installation.

Regarding the interconnection, Ms. Noonan stated that a chain would be appropriate during non-valet hours, together with proper signage. She agreed that the signage should specifically read “Valet Parking” to ensure that any future owners of the Matunuck Lot would be limited to using the Kenyon Lot for valet purposes only. With respect to the gate on the Matunuck Lot, Ms. Noonan stated that Mr. Raso would need additional time to determine the most suitable removable barrier for that location. She further recommended retaining the chain barrier between the Kenyon Lot and

Narragansett Avenue West.

There were no further board questions for the applicants.

Harold Thomas was present and sworn in.

Mr. Thomas's son lives on Narragansett Ave. West and he states that his son has not had any issues with noise or lights. He agrees that the buffer is a great idea and more signage should be put up around Narragansett Ave. West to prevent parking there.

There were no further board questions.

Board discussions ensued.

Mr. MacDonald stated that the proposed plans were well thought out and commended Mr. Raso for working collaboratively with neighboring property owners. He remarked that the application would not alter the character of the neighborhood and that the proposed interconnection would improve traffic flow. Mr. Daniels and Mr. Cagnetta concurred with Mr. MacDonald's remarks.

There was no further Board discussion.

Whereas a motion was made.

**The motion is as follows:**

**The following motion to approve the petition was made by Mr. Cagnetta and duly seconded by Mr. MacDonald.**

**Motion passed unanimously (5-0 Vote in favor)**

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

At a meeting held on April 15, 2026, there was a motion to approve the petition of **Matunuck Market, LLC**. The applicant is seeking to amend a previously granted Special Use Permit to expand the dining area of the existing Restaurant with Alcohol (Use Code 56.1) by seventy-three (73) seats. The dining area will be located within the existing structure where a retail market was formerly proposed. Lot size is .91 acre. **A Special Use Permit is required per Zoning Ordinance Section 301 (Schedule of Use Regulations Table), Section 504.18 (Standards for Restaurant with Alcohol) and Section 907 (Standards of Relief)**. Owner is Matunuck Market LLC, for premises located at 151 Old Tower Hill Road, Assessor's Map 57-2, Lot 51 and is zoned CH. The applicant also seeks to amend a previously granted Special Use Permit related to the abutting west property by interconnecting the subject lots by way of a paved driveway for purpose of additional parking. Lot size is 1.23 acres. **A Special Use Permit is required per Zoning Ordinance Section 702 (Standards for Parking Lots and Loading Facilities – Location) and Section 907.B (Special Conditions)**. Owner is 133 Old Tower Hill Road, LLC, for premises located at 133 Old Tower Hill Road, Assessor's Map 57-2, Lot 52 and is zoned CH.

**The following individuals spoke as representatives of the applicant:**

- Attorney Elizabeth Noonan, Real Estate Lawyer, representing Matunuck Market and the "Kenyon Lot" located at 133 Old Tower Hill Road.
- Perry Raso, Owner of Matunuck Atelier.
- Thomas J. Principe, III, PE. Civil Engineer.
- Robert Clinton from BHB. Traffic Engineer in 2023.

**No members of the audience were present who spoke solely in favor of the petition.**

**The following individuals were present and spoke either in opposition to, or in a neutral capacity regarding, the petition:**

- Virginia Kenny, resident of Narragansett Avenue West.
- Kasey Abedi, resident of Narragansett Avenue West.
- Alan Towle, resident of Narragansett Avenue West.
- Harold Thomas, owns property on Narragansett Avenue West.

**The following materials were entered into the record:**

- Attorney Cover Letter from Alder Pollock & Sheehan P.C., dated March 16, 2026, and signed by Elizabeth McDonough Noonan, Esq.; Non-Residential Character of the Neighborhood Map, uploaded digitally by Julissa Arce on March 16, 2026; Conceptual Site Plan designed by Principe Company, Inc. dated March 13, 2026; Special Use Permit Criteria Narrative, uploaded digitally by Julissa Acre and dated March 16, 2026 (7 pages).; Kenyon Lot Special Use Permit Decision Dated December 5, 2000, uploaded digitally by Julissa Acre on March 16, 2026 (2 pages).; Matunuck Lot Special Use Permit Decision from July 18, 2023, uploaded digitally by Julissa Acre on March 16, 2026, (3 Pages); Abutter Correspondence and Three Pictures, signed by Virginia and Paul Kenny dated April 10, 2026; Correspondence #2 written by Kasey Abedi and received on April 15, 2026.
- 200' Abutter's List and Radius Map; Legal Notices; and Notarized Affidavit of Mailing.

**Findings of Fact:**

1. The Board finds that the special use is specifically authorized by this Ordinance, because a Special Use Permit is required, and the applicants have already received a special use permit to have the restaurant. They are entitled to expand the amount of seating. The new dining area will have an amended special use permit in order to serve alcohol for those additional seats.
2. The Board finds that the special use meets all the criteria set forth in the subsection of this Ordinance authorizing such special use, because through testimony it was determined that the applicant met all the specified criteria of the Zoning Ordinance. The applicant's proposed plan is well thought out and during the hearing, more accommodations were discussed to satisfy the abutter's concerns.
3. The Board finds that granting of the special use permit will not alter the general character of the surrounding area or impair the intent or purpose of this Ordinance or the Comprehensive Plan of the Town. In so doing, the Board has considered whether satisfactory provisions and arrangements have been or will be made concerning, but not limited to, the following matters, where applicable:
  - i. Ingress and egress to the lot and to existing or proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire, emergency, or catastrophe; the proposed egress between lots will be 17.5 feet wide. This interconnection will only be used by the Matunuck Atelier valet once the Matunuck Lot is filled. The Board requested that a chain be put up, with signage "Valet ONLY" and the HOURS 6AM-5:00pm. The description of the existing back gate on the Matunuck Lot has been amended to say fence, gate, or chain. This is the only egress change being proposed.
  - ii. Off-street parking and loading areas where required, with particular attention to the items in subsection A.1., above, and the noise, glare, or odor effects of the special use permit on adjoining lots; There are no changes to off-street parking and delivery, but the board does request there be clear signage on the Matunuck Lot that says what the hours of delivery are and when that gate will be opened and closed.
  - iii. Trash, storage, and delivery areas with a particular reference to the items in (i) and (ii) above; will remain the same with the inclusion of the additional seats.
  - iv. Utilities, with reference to locations, availability, and compatibility, will remain the same.
  - v. Screening and buffering with reference to type, dimensions, and character; the applicants' proposed plan

included adding evergreens on the right side of the egress onto the Kenyon lot. This has been amended by the Board to say that plants must be included on the left side of the egress onto Kenyon lot also and all new plantings will be 6 to 8 feet tall. (Referring to the site plan, the area is located just south of parking spot #10, where a small bump out exists).

- vi. Signs, if any, and exterior lighting with reference to glare, traffic safety, and compatibility and harmony with lots in the zoning district; adding signage for valet and hours of operation.
- vii. Required yards and other open space; not a condition for this petition.
- viii. General compatibility with lots in the same or abutting zoning districts; both lots are in commercial highway districts. The applicants and the Board are trying to protect the privacy of the residents on Narragansett Ave. West.

**Approval is conditional subject to the following three conditions:**

- **Condition 1:** The applicant shall install landscape screening on the west side of the Narragansett Avenue entrance to the “Kenyon Lot”. Said landscaping shall be evergreen measuring no less than 6 feet in height and shall be subject to review and approval by the Building Official prior to installation.
- **Condition 2:** A chain shall be installed across the driveway which interconnects the Kenyon Lot and Matunuck Lot between the hours of 6:00 am and 5:00 pm. The use of the interconnection shall be limited to valet parking for the Matunuck Lot and appropriate signage shall be displayed at the interconnection stating “Valet Only.”
- **Condition 3:** A gate or chain shall be installed at the access to the Matunuck Lot from Narragansett Avenue West. Signage shall be installed directing delivery drivers to lock the gate or chain after each use. This gate will remain closed between the hours of 2:00 pm and 6:00 am. This gate may be opened and closed to allow for deliveries that may occur outside the aforementioned hours.

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Mr. Cagnetta called for the next petition.

- III. **Petition ZBR-26-7: Daniel J. Driscoll**, the applicant is seeking to construct a 1,040 sq. ft. Accessory Dwelling Unit (ADU) attached to the principal dwelling. The lot consists of 19,782 sq. ft. in area. Lot area of 20,000 sq. ft. is required to establish an ADU, therefore relief of 218 sq. ft is requested. The ADU will be located 8’6” from the south side property line. The required side yard setback is 10’, therefore 1’6” of relief is requested). A **Dimensional Variance is required per Zoning Ordinance Section 401 (Schedule of Dimensional Regulations) and Section 907 (Standards of Relief)**. The applicant previously received a dimensional variance for the requested relief, however failed to obtain a Building Permit prior the variance expiration. Owner of the property is Daniel J. Driscoll, for premises located at 312 Woodruff Avenue, South Kingstown, Assessor’s Map 57-4, Lot 41 and zoned R10. [312 Woodruff Avenue - Application](#)

***Vice Chairman, Mr. Daniels, left the meeting before this petition, he will not participate in the remaining two petitions.***

*During the November 2024 Zoning Board meeting, the applicant had previously received the dimensional variance for the requested relief. However, they failed to obtain a building permit prior to the variance expiration.*

All the material was recognized and entered into the record.

Attorney Steven Surdot, representing on behalf of the applicant, was present.

Mr. Surdot acknowledged that a building permit should have been obtained within one year of the approval of the dimensional variance. He explained that, due to personal circumstances, his client was unable to secure the permit

within the required timeframe. Mr. Surdot stated that the applicants were before the board seeking the same dimensional variance relief, along with the same approvals previously granted at the November Zoning Board meeting.

At this time, Mr. Surdot submitted Exhibit 1 to the record for the board's consideration, consisting of the November 2024 Zoning Board decision and corresponding meeting minutes. Mr. Surdot remarks that there are no changes to the application that was previously granted.

There were no further board questions for Mr. Surdot.

Mr. Cagnetta asked if anyone in the audience wished to speak either in favor of or opposition to the above petition.

There was no one from the audience who wished to speak.

There was no further Board discussion.

Whereas the following motion was made.

**The motion is as follows:**

**A motion to approve the re-adoption of the November 20, 2024, dimensional variance, together with the same approvals previously granted, was made by Mr. Elia and duly seconded by Ms. Hicks.**

**Motion passed unanimously (4-0 Vote in favor)**

**(Mr. Elia -Aye, Ms. Hicks -Aye, Mr. MacDonald -Aye, Mr. Cagnetta -Aye)**

At a meeting held on April 15, 2026, there was a motion to readopt the prior decision and findings from the November 20, 2024, Zoning Board meeting regarding the **Daniel J. Driscoll** petition. The applicant is seeking to construct a 1,040 sq. ft. Accessory Dwelling Unit (ADU) attached to the principal dwelling. The lot consists of 19,782 sq. ft. in area. Lot area of 20,000 sq. ft. is required to establish an ADU, therefore relief of 218 sq. ft is requested. The ADU will be located 8'6" from the south side property line. The required side yard setback is 10', therefore 1'6" of relief is requested). **A Dimensional Variance is required per Zoning Ordinance Section 401 (Schedule of Dimensional Regulations) and Section 907 (Standards of Relief)**. The applicant previously received a dimensional variance for the requested relief, however failed to obtain a Building Permit prior the variance expiration. Owner of the property is Daniel J. Driscoll, for premises located at 312 Woodruff Avenue, South Kingstown, Assessor's Map 57-4, Lot 41 and zoned R10.

**The following individuals spoke as representatives of the applicant:**

- Steven Surdut, attorney for the applicant.
- Dan Driscoll, the applicant.

**There was no one present who wished to speak either in favor of or in opposition to the petition.**

**The following materials were entered into the record:**

- Site Plan & Floor Plan was created by Herk Works Architecture and dated June 25, 2024, (A001, A101, A102); Existing Conditions Plan of Land stamped by James T Caldarone, PLS. dated June 6, 2024; Applicant entered into record Exhibit #1 during the hearing, "Driscoll, Zoning Decision," recorded on November 27, 2024, in Land Evidence for the Town of South Kingstown.
- 200' Abutter's List and Radius Map; Legal Notices; and Notarized Affidavit of Mailing.

**Findings of Fact:**

1. The Board finds that the hardship from which the applicant seeks relief is 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 when the lot was originally cut it was clipped along the northwest corner making the lot slightly smaller than the required 20,000 square feet for R20 zoning.

2. The Board finds that the hardship is not the result of any prior action of the applicant because, through testimony, the applicant demonstrated that since they have purchased the house, they have undertaken many improvements since their ownership of the property and the proposed location is the most logical placement for the garage, at the back of the existing driveway.

3. The Board finds that the granting of the requested variance will not 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 there are a variety of turn-of-the-century buildings in this neighborhood, and these buildings are generally centrally located on the properties, all of which have unique shapes and varying lot sizes, so this proposal will fit in well.

4. The Board finds that the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts 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 they are seeking minimal relief so that the garage can be most effectively utilized and also allow for egress to the second-floor.

**Approval is conditional subject to the following conditions:**

- A building permit must be submitted for the proposed structure within one year of the Zoning Board's decision.

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Mr. Cagnetta called for the last petition.

- IV. **Petition ZBR-26-8: Levon Kasparian**, the applicant is seeking to construct a two-story addition to the dwelling. The addition will be located 25.9' from the east side property line. The required side yard setback is 36.1', therefore, relief of 10.2' is requested. Lot size is 1.7 acre. **A Dimensional Variance is required per Zoning Ordinance Section 205 (Single Nonconforming Recorded Lots) and Section 907 (Standards of Relief)**. Owner of the property is Levon Kasparian for premises located at 29 Peckham Avenue, South Kingstown, Assessor's Map 57-2 Lot 38 and is zoned R80. [29 Peckham Avenue - Application](#)

All the material was recognized and entered into the record.

Levon Kasparian, the applicant, was present and sworn in.

Mr. Kasparian is proposing to build a one-story connector and a two-story garage connected to the existing house. Originally, the garage was going to be one-story, but that design did not look appealing. The connector and garage will be the same architectural design as the existing house. Mr. Kasparian purchased the home in April 2024, and it is located in an R80 zone, which would make the property non-conforming. Mr. Kasparian tried to stay within his set-backs by moving the proposed garage 36 feet closer to the house. This layout would not work because a car would not be able to pull out of the first bay garage port. He goes on to say that he has looked at placing the garage in many different spots, but this was the only area that it would fit. To the north of the house is the septic system and to the south is a steep hill. Mr. Kasparian mentions that a few of the neighbors have written letters in support of the petition.

Mr. Kasparian shares a driveway with two other neighbors who own newer million-dollar homes. The two neighbors had remarked to Mr. Kasparian that his property was an eye-sore before he purchased it because it had been neglected for so long. Everyone agrees that, with the garage addition, Mr. Kasparian's house will fit in better with surrounding homes.

Mr. Cagnetta remarked that the proposed addition is well-thought-out, and the applicant has looked at alternatives in order to ask for the least amount of relief as possible. Mr. Cagnetta inquires about the route taken to get to the garage by car.

Mr. Kasparian stated that access to the proposed garage would be from the rear of the house and confirmed that the proposal includes a three-car garage. He explained that the purpose of the proposed plan is to accommodate his aging-related needs by providing first-floor access to the amenities necessary for his comfort and convenience. Mr. Kasparian further stated that the three-car garage is intended to house his three vehicles and provide additional space at the rear of the garage for a tool area on the first floor. He noted that the proposed garage would have a depth of 30 feet, which is slightly larger than a typical garage to accommodate this additional storage and workspace.

There were no further board questions.

Mr. Cagnetta asked if anyone in the audience wished to speak either in favor of or opposition to the above petition.

Margaret Impagliazo was present and sworn in.

Ms. Impagliazo, an abutting property owner to the west who stated she has resided in her home for 72 years, spoke in support of the petition. She stated that prior to Mr. Kasparian's purchase of the property, the home had been in poor condition for many years and, in her opinion, was beyond saving. She acknowledged that since acquiring the property, Mr. Kasparian has done an exceptional job restoring and improving the home, and she commended the architectural design incorporated into the existing structure. Ms. Impagliazo concluded by respectfully requesting that the Board grant the relief sought in his proposal.

There were no further board questions.

Mr. Kasparian returns to the podium.

Mr. Kasparian forgot to mention that his house is currently grandfathered for a two-family dwelling. Part of the proposed project is to change it to a single family residence to fit in with the neighborhood.

Ms. Goins adds that if he is grandfathered in right now or if the property is non-conforming, Mr. Kasparian has the right to do that. But if he abandons it by converting to a single family, it can not be converted back without zoning relief.

No further Board discussion.

Whereas the following motion was made.

**The motion is as follows:**

**The following motion to approve the petition was made by Mr. Elia and duly seconded by Ms. Hicks.**

**Motion passed unanimously (4-0 Vote in favor)**

**(Mr. Elia -Aye, Ms. Hicks -Aye, Mr. Cagnetta -Aye, Mr. MacDonald -Aye)**

At a meeting held on April 15, 2026, there was a motion to approve the petition of **Levon Kasparian**, the applicant is seeking to construct a two-story addition to the dwelling. The addition will be located 25.9' from the east side property line. The required side yard setback is 36.1', therefore, relief of 10.2' is requested. Lot size is 1.7 acre. **A Dimensional Variance is required per Zoning Ordinance Section 205 (Single Nonconforming Recorded Lots) and Section 907 (Standards of Relief)**. Owner of the property is Levon Kasparian for premises located at 29 Peckham Avenue, South Kingstown, Assessor's Map 57-2 Lot 38 and is zoned R80.

**The following individual spoke as a representative of the applicant:**

- Levon Kasparian, applicant.

**There was one individual present who was in favor of the petition:**

- Margaret Impagliazzo, a direct abutter.

**There was no one present who wished to speak in opposition to the petition.**

**The following materials were entered into the record:**

- East, North, South, and West Elevation Plans, Roof Plan uploaded digitally by Levon Kasparian dated March 11, 2026 (5 pictures); Site Survey Zoomed In uploaded digitally by Levon Kasparian dated March 11, 2026; Correspondence #1 written by Brian Steele and uploaded digitally on April 2, 2026; Correspondence #2 written by Derek DiMeo dated March 31, 2026; Correspondence # 3 written by Margaret R. Impagliazzo uploaded digitally on April 2, 2026; Stamped Site Survey stamped by Daniel F. Harrington III PLS. dated November 20, 2025; Floor Plan uploaded digitally by Levon Kasparian dated March 11, 2026; Calculation of Setbacks uploaded digitally by Levon Kasparian dated March 11, 2026.
- 200' Abutter's List and Radius Map; Legal Notices; and Notarized Affidavit of Mailing.

**Findings of Fact:**

1. The Board finds that the hardship from which the applicant seeks relief is 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 the applicant is looking to construct a garage with 10.2 feet of relief, the lot is 1.7 acres.
2. The Board finds that the hardship is not the result of any prior action of the applicant, because this is the first time this petition has come up. The applicant has tried to design the garage so that the least amount of relief is being asked for.
3. The Board finds that the granting of the requested variance will not 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 the applicant stated that the proposed plan, together with improvements to the principal dwelling, will result in the property being aesthetically consistent with the surrounding abutting properties.
4. The Board finds that the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts 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 stated he has tried to design the garage multiple ways in different locations in order to reduce the amount of relief requested.

**Approval is conditional subject to the following conditions:**

- There are no conditions upon this approval.

**D. Other Items**

- I. Attendance for the May 20, 2026, Zoning Board of Review Meeting

All of tonight's Zoning Board Members will be attending the May 20, 2026, meeting.

II. Approval of the March 25, 2026, Zoning Board of Review Minutes

There was a motion to approve the Zoning Board of Review Meeting Minutes from March 25, 2026.

**The motion is as follows:**

**A motion to approve the March 25, 2026, meeting minutes was made by Mr. Cagnetta and seconded by Mr. Elia.**

**Motion passed unanimously: (4-0 Vote in favor)**

**(Mr. Cagnetta -Aye, Ms. Hicks -Aye, Mr. Elia -Aye, Mr. MacDonald -Aye)**

The March 25, 2026, Zoning Board of Review Meeting Minutes will be published to the public.

III. Adjournment

Mr. Cagnetta made a motion to adjourn the meeting.

All members were in favor.

Meeting adjourned at 9:51:47 PM