



## Town of South Kingstown Zoning Board of Review Meeting

Zoning Board of Review May 20, 2026 Meeting Minutes  
Wednesday, May 20, 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 7:02:30 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; Arlene Hicks, Member; Geoff Elia, Member.

**Members Absent:** William MacDonald, Alt. #1.

**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. **Petition ZA-26-1:** Continuation for the petition of **Henry Cabrera**, 3812 Commodore Oliver Hazard Perry Highway, Wakefield, RI 02879, for an **Appeal under the Zoning Ordinance as follows: The applicant is seeking to Appeal a Notice of Violation issued by the Zoning Enforcement Officer (ZEO)**, dated May 22, 2025, related to premises at 3812 Commodore Oliver Hazard Perry Highway. The owner of the property is Henry Cabrera, for premises located at 3812 Commodore Oliver Hazard Perry Highway, South Kingstown, Assessor's Map 78-3, Lot 7 and is zoned R200.  
[3812 Comm O H Hwy - Application](#)

All the material was recognized and entered into the record.

There was no one from the audience to represent this petition.

Mr. Cagnetta asked Mr. Gorman, the Building Official, if he had any conversations with anyone related to this petition.

Mr. Gorman stated that he had spoken with the attorney representing Mr. Cabrera. Earlier that day, the attorney submitted correspondence requesting a continuance of the petition. Mr. Gorman explained that the applicant currently has a Development Plan Review application pending before the Planning Department; however, the application has been deemed incomplete. Mr. Cabrera is presently working with his design team to address the Planning Department's comments and outstanding concerns. Accordingly, the applicant is requesting a continuance to the August 19th meeting of the Zoning Board of Review. Mr. Gorman further noted that, should the Development Plan Review Committee determine that Mr. Cabrera may proceed with the proposed development, the violation issued by the Zoning Enforcement Officer would no longer be applicable.

Ms. Goins mentions that by filing the application with the Planning Department, it shows that the applicant has taken a

significant step towards compliance.

Mr. Cagneta asked Ms. Goins if the applicant would be in violation if they had events on the property before the town's approval.

Ms. Goins stated that the Notice of Violation (NOV) is no longer recent and remains under appeal. She explained that the appeal stays enforcement of the NOV, meaning the town will not proceed with enforcement actions that would require the applicant to cease operations while the appeal is pending. However, she noted that the town would continue to address any public safety concerns that may arise. Ms. Goins further stated that if the Planning Board approves the application, subject to any conditions it deems appropriate, such approval would resolve the applicant's petition before the Zoning Board of Review.

There were no further board discussions.

Whereas the following motion was made.

**The motion is as follows:**

**The following motion to grant the applicant's request for a continuation to the August 19, 2026, meeting was made by Ms. Hicks and duly seconded by Mr. Rosen.**

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

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

---

Mr. Cagnetta called for the next petition.

- II. **Petition ZBR-26-11: Jon Dodd**, 382 Bittersweet Farm Way, Wakefield, RI 02879, for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is seeking to construct an addition to an existing building which will be converted into an Accessory Dwelling Unit (ADU). The proposed floor area within the ADU will be 1,404 square feet. The maximum floor area permitted is 1,200 square feet. Therefore, relief of 204 square feet is requested. Lot size is 6.99 acres. **A Dimensional Variance is required per Zoning Ordinance Section 401 (Schedule of Dimensional Regulations) and Section 907 (Standards of Relief)**. Owners of the property are Jon & Joan Dodd for premises located at 382 Bittersweet Farm Way, South Kingstown, Assessor's Map 55, Lot 22 and is zoned R80.  
[382 Bittersweet Farm Way - Application](#)

All the material was recognized and entered into the record.

Jon Dodd, the applicant and homeowner, was present and sworn in.

Mr. Dodd began his presentation by submitting Exhibit #1, consisting of three photographs of the existing cabin to which he proposes an addition. Mr. Dodd explained that his petition seeks approval to enclose the existing rear deck of the cabin and convert the space into an addition containing a kitchen and a second floor bedroom directly above. Mr. Dodd further stated that abutter notifications were properly sent and that he had not received any objections regarding the proposed enclosure of the deck.

Mr. Dodd goes on to say that he has four adult children and grandchildren. His original plan was to purchase a piece of property in South Kingstown to build a cabin on for his family. After being outbid on a piece of property, he looked at the existing cabin on his property and felt that with renovations he would be able to construct his "entertainment" cabin for the family. The cabin would not be used as a rental, only for family and friends to use. The property's size is 6.99 acres and there are currently only two buildings on the lot.

Mr. Cagnetta clarified that the cabin would stay within the setbacks, and it was within the allowed height restrictions. The current septic system can handle the addition of one more bedroom.

Board questions ensued.

Mr. Daniels asked about the current layout of the cabin.

Mr. Dodd explains that the interior of the cabin is used for family entertainment purposes. There is a large dining room table, a big television for sports events, a couple of couches and chairs. There is currently no kitchen or bedrooms. Mr. Dodds' proposed plan is to enclose the deck (roughly 8 by 20 feet), put a kitchen in that enclosure, then add a bedroom to the second floor above the kitchen where there is a loft currently.

The variance that Mr. Dodd is requesting is for a relief of 204 sq. ft. The maximum square footage of an ADU is 1,200 square feet. The proposed petition will increase the ADU to 1,404 sq. ft. The footprint will remain the same. The added sq. ft. is for the bedroom on the second floor.

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

No one from the audience wished to speak.

There was no further board discussion.

Whereas the following motion was made:

**The motion is as follows:**

**The following motion was made by Mr. Elia and duly seconded by Mr. Daniels.**

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

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

At a meeting held on May 20, 2026, there was a motion to approve the petition regarding **Jon Dodd**, 382 Bittersweet Farm Way, Wakefield, RI 02879, for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is seeking to construct an addition to an existing building which will be converted into an Accessory Dwelling Unit (ADU). The proposed floor area within the ADU will be 1,404 square feet. The maximum floor area permitted is 1,200 square feet. Therefore, relief of 204 square feet is requested. Lot size is 6.99 acres. **A Dimensional Variance is required per Zoning Ordinance Section 401 (Schedule of Dimensional Regulations) and Section 907 (Standards of Relief)**. Owners of the property are Jon & Joan Dodd for premises located at 382 Bittersweet Farm Way, South Kingstown, Assessor's Map 55, Lot 22 and is zoned R80.

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

- Jon Dodd, applicant and owner of the property.

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

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

- SERSC & Site Plan from Environmental Planning & Surveying, Inc, stamped by Wesley Grant III, RPE. Revised on December 15, 2017; Cabin Addition Floor Plans & Elevations (Progress Prints - Not for Construction), created by Gail Hallock Architect, Inc. dated March 23, 2026 (A-201, A-101, and A-301); Applicant Exhibit, Photos of the Original Cabin submitted during litigation on May 20, 2026 (Exhibit: A-1, A-2, A-3).
- 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 desires to construct an addition to an existing building.
2. The Board finds that the hardship is not the result of any prior action of the applicant, because this is the applicant's first petition in front of the Zoning Board.
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 proposed ADU is on a large property of almost seven acres, also the ADU will be for family use, not for rental.
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 proposed addition will allow more room to enjoy family events on the property.

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

- There are no conditions upon this approval.

---

Mr. Cagnetta called for the last petition.

- III. **Petition ZBR-26-12: William McGraw**, 416 Shannock Road, Wakefield, RI 02879, for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is seeking to construct a detached garage located 8' from the side property line. The required side yard setback is 15', therefore 7' of relief is requested. Lot size is 1.27 acres. **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 to the variance expiration. Owner of the property is William R. McGraw for premises located at 416 Shannock Road, South Kingstown, Assessor's Map 72-4, Lot 23 and zoned R80. [416 Shannock Road - Application](#)

All the material was recognized and entered into the record.

William McGraw, applicant and homeowner, was present and sworn in.

During the January 15, 2025, meeting of the Zoning Board of Review, the board granted a dimensional variance for the same relief requested herein. However, the approval subsequently expired due to the applicant's failure to obtain the required building permit within the prescribed timeframe.

Mr. McGraw explains that the company he was working with in 2025 abruptly stopped doing business in Rhode Island. Mr. McGraw decided to put this project on hold as other expenses came up. Now, at the present time, Mr McGraw has found another company who is willing to install the garage. Mr. McGraw states that the plans are identical to the ones from 2025.

Mr. Cagnetta asks the applicant what makes the proposed location ideal for the garage.

Mr. McGraw explained that he currently parks his vehicle on an existing asphalt pad, which is the proposed location for the detached garage. He stated that this location is the most practical and logical site for the structure, as the opposite

side of the residence contains a steep slope, lacks direct access to the home, and would require substantial modifications to the existing driveway.

Board questions ensued.

Mr. Daniels proposed that the motion be to reapprove the decision of the Zoning Board of Review dated January 15, 2025. He noted that the applicant had represented that the proposed plans remain unchanged from those previously presented to the board during the prior hearing.

Ms. Goins agrees with Mr. Daniels' proposal.

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

There was no one present who wished to speak.

There were no further board discussions.

Whereas the following motion was made.

**The motion is as follows:**

**The following motion was made by Mr. Daniels and duly seconded by Mr. Elia.**

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

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

At a meeting held on May 20, 2026, a motion to re-approve the Zoning Board of Review's decision dated January 21, 2025, was passed regarding the petition of **William McGraw**, 416 Shannock Road, Wakefield, RI 02879, for a Dimensional Variance under the Zoning Ordinance as follows: The applicant is seeking to construct a detached garage located 8' from the side property line. The required side yard setback is 15', therefore 7' of relief is requested. Lot size is 1.27 acres. **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 to the variance expiration. Owner of the property is William R. McGraw for premises located at 416 Shannock Road, South Kingstown, Assessor's Map 72-4, Lot 23 and zoned R80.

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

- William McGraw, applicant and owner of the property.

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

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

- Foundation, Site Map, Floor Plan, and Garage Manufacturers Specifications, digitally uploaded by William McGraw on April 13, 2026 (13 pages); Recorded Zoning Board Decision Regarding the Petition of William McGraw, 416 Shannock Road, Wakefield RI 02879 for a Dimensional Variance, dated January 21, 2025 (2 pages).
- 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 due to the proximity of an existing deck the proposed garage could not be located any further back from the property setbacks while still maintaining functionality.

2. The Board finds that the hardship is not the result of any prior action of the applicant, because the applicant is simply seeking 7' of setback relief to construct a garage on his property.

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 area is residential and the addition of a garage falls in line with residential use. The Applicant's previous approval for a dimensional variance has expired. The Applicant stated that the original contractor ceased working in Rhode Island, and that additional circumstances arose last year which prevented the commencement of construction on the proposed garage.

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 without relief the applicant would not be able to fully utilize the proposed garage due to the proximity of the existing deck.

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

- There are no conditions upon this approval.

**D. Other Items**

I. Attendance for June 17, 2026, Zoning Board of Review Meeting

Mr. Rosen, Board Member, indicated that he would not be in attendance at the next Zoning Board of Review meeting scheduled for June 17, 2026.

All remaining members of the Zoning Board of Review indicated that they would be in attendance at the June 17, 2026, meeting.

During the June 17, 2026, Zoning Board of Review meeting, the annual Election of Officers will be conducted in accordance with the Board's June election schedule.

II. Approval of the April 15, 2026, Zoning Board of Review Minutes

There was a motion to approve the Zoning Board of Review Meeting Minutes from April 15, 2026.

**The motion is as follows:**

**A motion to approve the April 15, 2026, meeting minutes was made by Mr. Cagnetta and seconded by Ms. Hicks.**

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

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

The April 15, 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 7:33:21 PM

