

ZONING

Application for Special Use Permit

To: Westerly Zoning Board of Review
Town Hall – 45 Broad Street
Westerly, RI 02891

Date: _____

The undersigned hereby applies to the Westerly Zoning Board of Review for a special use permit pursuant to the provisions of § 260-34 of the Westerly Zoning Ordinance affecting the following described premises in the manner and on the grounds hereinafter set forth.

Applicant(s): _____ Address: _____

Owner(s): _____ Address: _____

Lessee: _____ Address: _____

- 1. Filing instructions:
a. Original application and 10 copies, typed or legibly printed, must be filed with the Zoning Office in accordance with the minimum time required to post adequate notice.
b. A filing fee in the amount of \$200, plus legal advertising and recording fees, shall accompany an application to the Zoning Board of Review to cover the costs of processing (payable to "Town of Westerly – Zoning"). In addition to the \$200 fee, the applicant shall also be responsible for all additional costs, if any, incurred by the town in the course of review of this application, such as third-party review, cost of additional advertising, and stenographic fees, and will be billed when the final costs have been determined.
c. All required checklist items for a special use permit must accompany the application in order to be considered a complete application.

2. Location of premises: _____

3. Plat: _____ Lot: _____ Zoning District: _____

911 Address: _____

4. Dimensions of lot: (frontage) feet by (depth) feet; Area (square feet or acres): _____

5. Present use of premises: _____

6. Proposed use of premises: _____

7. Is there a building on the premises at present: _____

8. How long have you owned the premises: _____

9. Year that lot was platted and recorded: _____

10. Have you submitted plans to the Zoning Inspector: _____

WESTERLY CODE

- 11. Has a permit been refused: _____ If a permit has been refused, attach a copy of the denial in writing.
- 12. Size (in square feet) of all existing buildings and accessory structures: _____

- 13. Size (in square feet) of all proposed buildings and accessory structures: _____

- 14. Indicate the number of families to reside in the building: _____
- 15. Clearly state the grounds for which this **special use permit** is sought, citing relevant section of Zoning Ordinance:

- 16. Request for waiver: Indicate checklist items that are requested to be waived by the Zoning Board and the reasons for the request:

Respectfully submitted:

Print Name: _____

Signature: _____

Address: _____

Phone Number: _____

Town of Westerly
Rhode Island

Department of Development Services
Zoning Office
(401) 348-2549



Westerly Town Hall
45 Broad Street
Westerly, RI 02891

Special Use Permit
Zoning Ordinance Application Requirements
Updated 30 June 2021

1. **§ 260-34 Special use permits. Item A. Application 2.b.1:** The original application and 10 copies of a site plan prepared by, and signed and stamped by, a land use design professional such as a professional engineer, land surveyor or architect licensed in the State of Rhode Island and to the extent allowed by their professional license, at a scale of not less than one-inch equals 40 feet, clearly showing the following:
 - [a] Name and address of property owner(s);
 - [b] Date, North arrow, graphic scale, lot dimensions and area in square feet or acres;
 - [c] Plat and lot, zoning district(s) and front, side and rear yard setbacks;
 - [d] Existing and proposed structures, and their relationship and distances from lot boundary lines;
 - [e] FEMA flood hazard zone, wetlands and coastal features boundaries, if present;
 - [f] Existing and proposed topography at two-foot intervals;
 - [g] Existing and proposed driveways, parking areas and walkways;
 - [h] Existing and proposed landscaping, as it relates to the request;
 - [i] Existing streets, 911 address, wells, septic system; and
 - [j] Any peculiar site conditions or features.
2. **§ 260-34 Special use permits. Item A. Application 2.b.2:** List of names and addresses of all property owners within 200 feet of the subject property, and 10 copies of a separate map showing all property owners within 200 feet of the subject property and/or all those property owners and entities that require notice under R.I.G.L. § 45-24-53, also depicting any zone district boundary and uses of all neighboring properties;
3. **§ 260-34 Special use permits. Item A. Application 2.b.3:** Letter from a biologist indicating that there are no coastal or freshwater wetlands on or in proximity to the site. In cases where the application is regulated by the Rhode Island Freshwater Wetlands Act or the Rhode Island Coastal Resources Management Council ("CRMC"), a physical alteration permit issued by the Rhode Island Department of Environmental Management ("RIDEM") and, where applicable, the United States Army Corps of Engineers shall be required;
4. **§ 260-34 Special use permits. Item A. Application 2.b.4:** Where construction requires approval by RIDEM Office of Water Resources for an OWTS (on-site wastewater treatment system) or change of use permit for the proposed activity, attach a copy of the required application;
5. **§ 260-34 Special use permits. Item A. Application 2.b.5:** Soil erosion and stormwater control plan with supporting calculations based on standards approved by the USDA Natural Resources Conservation Service and in conformity with the Rhode Island Erosion and Sediment Control Handbook;
6. **§ 260-34 Special use permits. Item A. Application 2.b.6:** Traffic study prepared by a professional engineer addressing the potential impacts of the proposed activity; and
7. **§ 260-34 Special use permits. Item A. Application 2.b.7:** Evidence that there is sufficient water supply to support the proposed activity and that this supply is of drinking water quality.

Town of Westerly
Rhode Island

Department of Development Services
Zoning Office
(401) 348-2549



Westerly Town Hall
45 Broad Street
Westerly, RI 02891

Special Use Permit - Standards to be Proven

DATE: **30 June 2021**
TO: **Applicants – Special Use Permit**
FROM: **Nathan Reichert – Zoning Official**
RE: **Special Use Permit – Legal Criteria**

During the deliberations of the Zoning Board the following five criteria must be met by the application. Please address within a written narrative submitted with your application these standards. These standards are defined by Town of Westerly Ordinance for a Special Use Permit. § 260-34.D Special use permits

D. In granting a special use permit, the Zoning Board shall be satisfied by legally competent evidence that the proposed use and/or structure:

- (1) Will be compatible with the neighboring uses and will not adversely affect the surrounding neighbors' use and enjoyment of their property.
- (2) That the special use meets all of the criteria set forth in the applicable subsection of this ordinance authorizing such special use;
- (3) That the 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 shall consider, 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, traffic flow and control, and access in case of fire, emergency or catastrophe;
 - (ii) Off-street parking and loading areas, pedestrian and bicycle circulation and convenience;
 - (iii) The noise, glare or odor effects of the special use on adjoining lots;
 - (iv) Location and maintenance of trash, storage and delivery areas;
 - (v) Utilities, with reference to locations, availability and compatibility;
 - (vi) Screening and buffering with reference to type, dimensions and character;
 - (vii) Signs, if any, and exterior lighting with reference to glare, traffic safety, and compatibility and harmony with lots in the zoning district;
 - (viii) Required yards, landscape and other open space;
 - (ix) Soil erosion, water supply protection, and wetland and wildlife protection have been addressed;
 - (x) General compatibility with lots in the same or abutting zoning districts; and
 - (xi) Protection of property values.
- (4) That all best practices and procedures to minimize the possibility of any adverse effects on neighboring property, the Town, and the environment have been considered and will be employed.

Sincerely,

Nathan K. Reichert – Zoning Official