



TOWN OF EAST GREENWICH ZONING APPLICATION

Planning Department
125 Main Street
P.O. Box 111
East Greenwich, RI 02818

(401) 886-8645
Fax (401) 886-8625
www.eastgreenwichri.com/planning.htm

INFORMATION
APPLICANT

Property Owner Sam Sisters Realty Company, LLC
 Address: 5707 Post Road, East Greenwich, RI Phone _____
 _____ Fax _____
 _____ E-Mail _____

Applicant DiBiase Associates, Inc.
 Address: 2010 Mineral Spring Avenue, North Providence, RI Phone 401-232-1300
 _____ Fax _____
 _____ E-Mail dibiaseassociates@gmail.com

ZBR Approvals Required: Special Use Permit _____ Dimensional Variance(s) Use Variance _____
Application Date: February 19, 2021
Application Fee: _____ **Paid:** Yes No

PROPERTY INFORMATION

Map 45 Plat 11 Lot(s) 75
 Street Address 5707 Post Road
 Current Zoning District(s): Commercial Highway
 How long have you owned or rented the above property? The Applicant is under contract; the Owner has owned the property since 2003.
 Is there a building on the property at present? Yes.
 Dimensions of existing building: _____
 Existing use of the property: Retail
 Proposed use of the property in Detail: Restaurant

Describe proposed request: Off-street parking relief
 Number of Families Before/After Alteration N/A Before N/A After
IF A BUILDING PERMIT IS REQUIRED
 Have you submitted plans for the above building to the Building Official?
 If Yes, Give Date: Yes, February 11, 2021
 If No, Explain: _____
 If Refused, Give Reason: _____

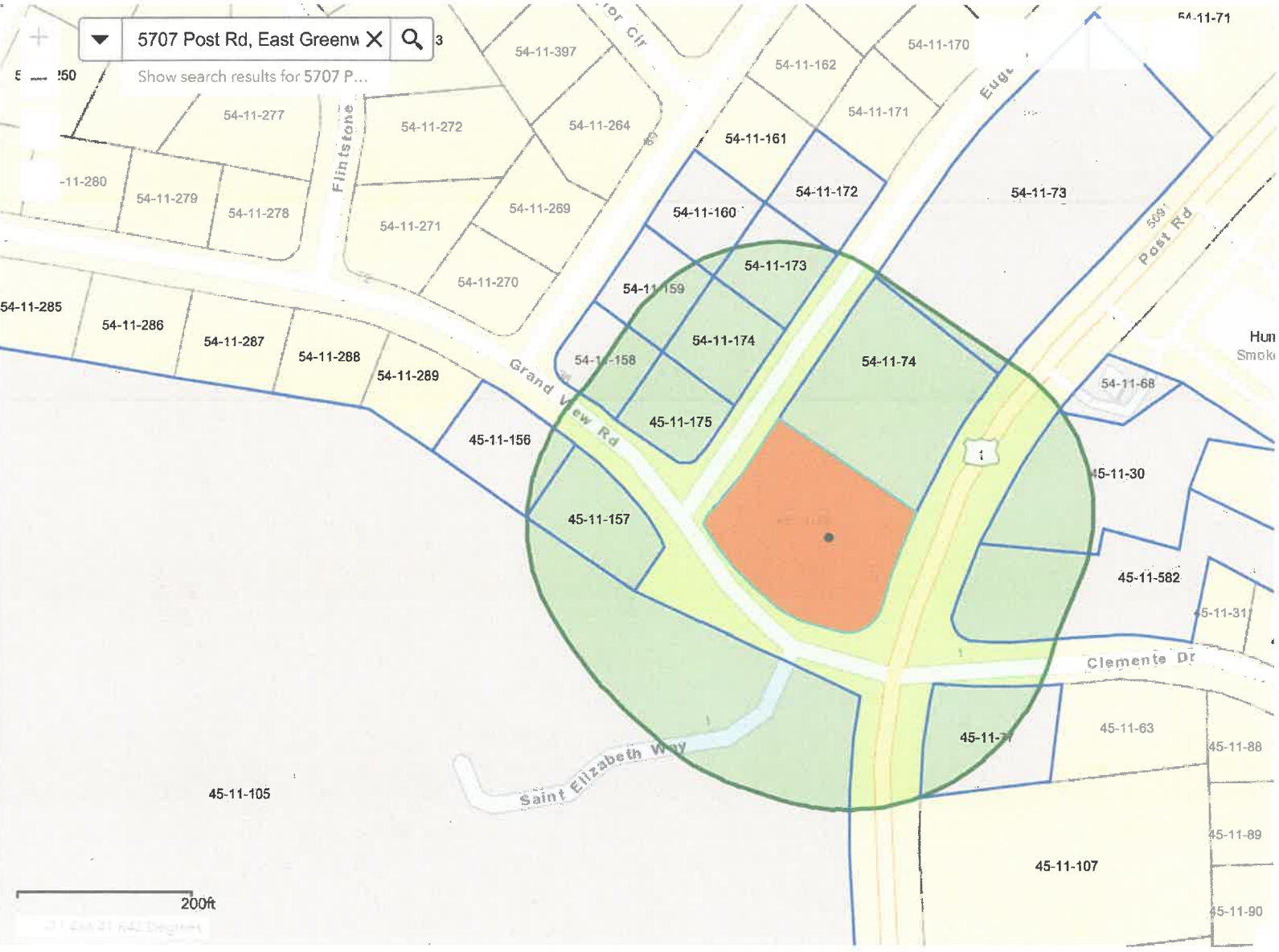
List all provisions or regulations of the East Greenwich Zoning Ordinance (or State Enabling Act) from which you are seeking relief by Section, Subsection and Title:
Chapter 260. Section 20. Required off-street parking spaces

State ground(s) for Special Use Permit, Use Variance or Dimensional Variance by each Section and Title referred to above. Please see attached Exhibit A.

CERTIFICATION

Attest: The information provided on this application is true and accurate:
 Applicant's Signature [Signature] Date: 2/18/2021
 Owner's Signature [Signature] Date: 2/18/21

<u>Plat</u>	<u>Lot</u>	<u>Property Address</u>	<u>Owner</u>	<u>Owner 2</u>	<u>Mailing Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
45-11	30	5700 POST ROAD	20 WATER STREET REALTY LLC		275 WEST NATICK RD STE 500	WARWICK	RI	02886
45-11	582	5702 POST ROAD	20 WATER STREET REALTY LLC		275 WEST NATICK RD STE 500	WARWICK	RI	02886
45-11	156	34 GRAND VIEW	BAKER STEVEN N& MONICA H		34 GRAND VIEW ROAD	EAST GREENWICH	RI	02818
54-11	173	95 EUGENE STR	BASSETT DIANE E LIV TRUST 2012	DIANE E BASSETT TRUSTEE	95 EUGENE STREET	EAST GREENWICH	RI	02818
54-11	158	114 CORA STREE	BRENNAN LISA A SO		114 CORA STREET	EAST GREENWICH	RI	02818
45-11	175	25 GRAND VIEW	GIULIANI ERNEST P LE/ET ALS JT		25 GRAND VIEW ROAD	EAST GREENWICH	RI	02818
54-11	73	5675 POST ROAD	J & M NALBANDIAN REALTY INC		45 KETTLE COURT	NORTH KINGSTOWN	RI	02852
45-11	77	5720 POST ROAD	MCDONOUGH EDWARD I. REV TRUST	EDWARD I. MCDONOUGH TRUSTEE	2940 N COURSE DR APT 207	POMPANO BEACH	FL	33069
45-11	157	20 GRAND VIEW	NORRIS LINDA E SO		20 GRAND VIEW ROAD	EAST GREENWICH	RI	02818
54-11	159	106 CORA STREE	PREFONTAINE DAVID S/MARY		106 CORA STREET	EAST GREENWICH	RI	02818
45-11	105	1 ST ELIZABE	SAINT ELIZABETH DEVELOPMENT		1 ST ELIZABETH WAY	EAST GREENWICH	RI	02818
45-11	75	5707 POST ROAD	SAM SISTERS REALTY CO LLC		5707 POST ROAD	EAST GREENWICH	RI	02818
54-11	174	105 EUGENE STR	SANGSTER NICHOLAS C SO		105 EUGENE STREET	EAST GREENWICH	RI	02818
54-11	160	96 CORA STREE	SARAZEN DAVID B SO		PO BOX 1926	EAST GREENWICH	RI	02818
54-11	172	85 EUGENE STR	SAMSON CAMILLE & MERLITA		85 EUGENE STREET	EAST GREENWICH	RI	02818
54-11	74	5687 POST ROAD	V S H REALTY INC	ATTN: CUMBERLAND FARMS INC	165 FLANDERS ROAD	WESTBOROUGH	MA	01581
54-11	68	5670 POST ROAD	FRATI PROPERTIES ..C		RED CHIMNEY DRIVE	WARWICK	RI	02886



5707 Post Rd, East Greenw X Q 3

Show search results for 5707 P...

E 150

54-11-285

54-11-286

54-11-287

54-11-288

54-11-289

45-11-105

200ft

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54-11-397

54-11-272

54-11-264

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54-11-269

54-11-270

54-11-159

54-11-158

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45-11-157

45-11-175

54-11-161

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54-11-173

54-11-174

54-11-172

54-11-171

54-11-162

54-11-170

54-11-73

54-11-74

54-11-68

45-11-30

45-11-582

5-11-31

45-11-71

45-11-63

45-11-88

45-11-89

45-11-90

45-11-107

54-11-71

Hun Smok

Clemente Dr

Post Rd

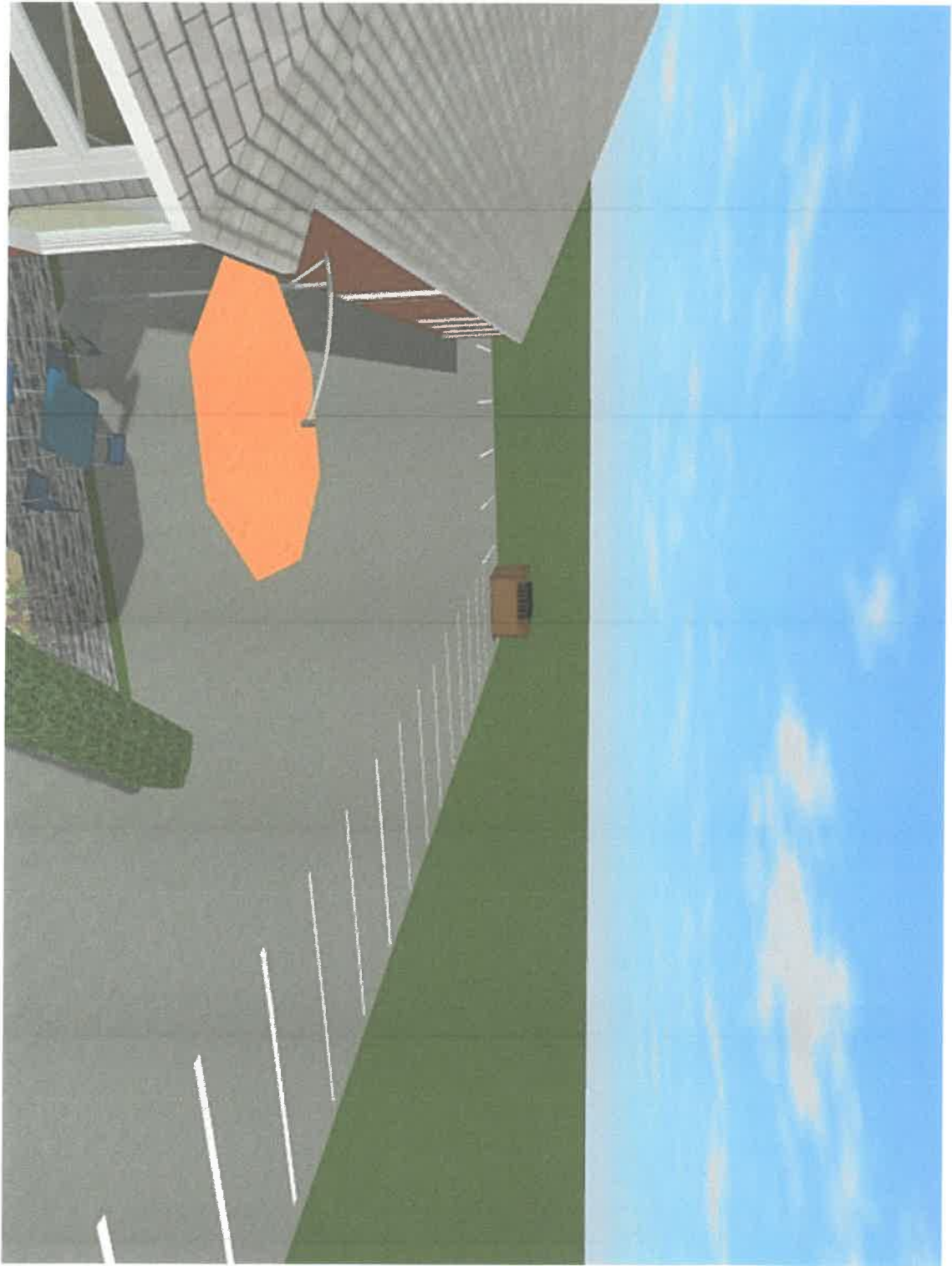
Eugle

Grand View Rd

Saint Elizabeth Way

Flintstone

1







UNDERGROUND UTILITY NOTE:
 SHOWN UNDERGROUND UTILITIES ARE APPROXIMATE ONLY.
 ALPHA ASSOCIATES, LTD. IN NO WAY GUARANTEES THE
 SHOWN LOCATION OR TYPE OF ANY UTILITIES.
 CONTRACTOR TO CONTACT DIG-SAGE PRIOR TO CONSTRUCTION.

- LEGEND**
- EXISTING EDGE OF PAVEMENT
 - EXISTING CONCRETE CURB
 - EXISTING ASPHALT DRIVE
 - ZONING SETBACK LINE
 - EXISTING UTILITY POLE
 - EXISTING CATCH BASIN
 - EXISTING SEWER MANHOLE
 - EXISTING DRAINAGE MANHOLE
 - EXISTING MANHOLE (UNKNOWN)
 - EXISTING SPOT GRADE

PARCEL OWNER
 SAM SISTERS REALTY CO., LLC
 L.E. 622, Pg. 252

PROJECT SURVEYOR
 HARRY MILLER
 ALPHA ASSOCIATES, LTD.
 35 ROCKY HOLLOW ROAD
 EAST GREENWICH, RI 02818
 T.401.884.8506 F.401.884.7747



LOCUS 1"=2000'

ASSESSORS PLAT 11C, LOT 71
 N/F
 VSH REALTY, INC.
 L.E. 45, Pg. 260

PARCEL ZONING
 ZONE CH
 FRONT YARD 50'
 SIDE YARD 40'
 REAR YARD 40'
 MAX. STRUCTURE HEIGHT 35'
 MAX. LOT COVERAGE (STRUCTURE) 25%

PARCEL AREA
 33,435 S.F.

PARKING CALCULATIONS

RETAIL:
 EXISTING BUILDING 3,074 S.F.
 1 SPACE PER 90 S.F. REQUIRED
 $3,074/90 = 34$ SPACES REQUIRED
WAREHOUSE TYPE/CANDY PRODUCTION:
 2,200 S.F. PROPOSED
 1 SPACE PER 500 S.F. REQUIRED
 $2,200/500 = 5$ SPACES REQUIRED
 NO COMPANY VEHICLES EXISTING/PROPOSED.
 39 SPACES REQUIRED
 51 SPACES TO REMAIN

LOT COVERAGE CALCULATIONS

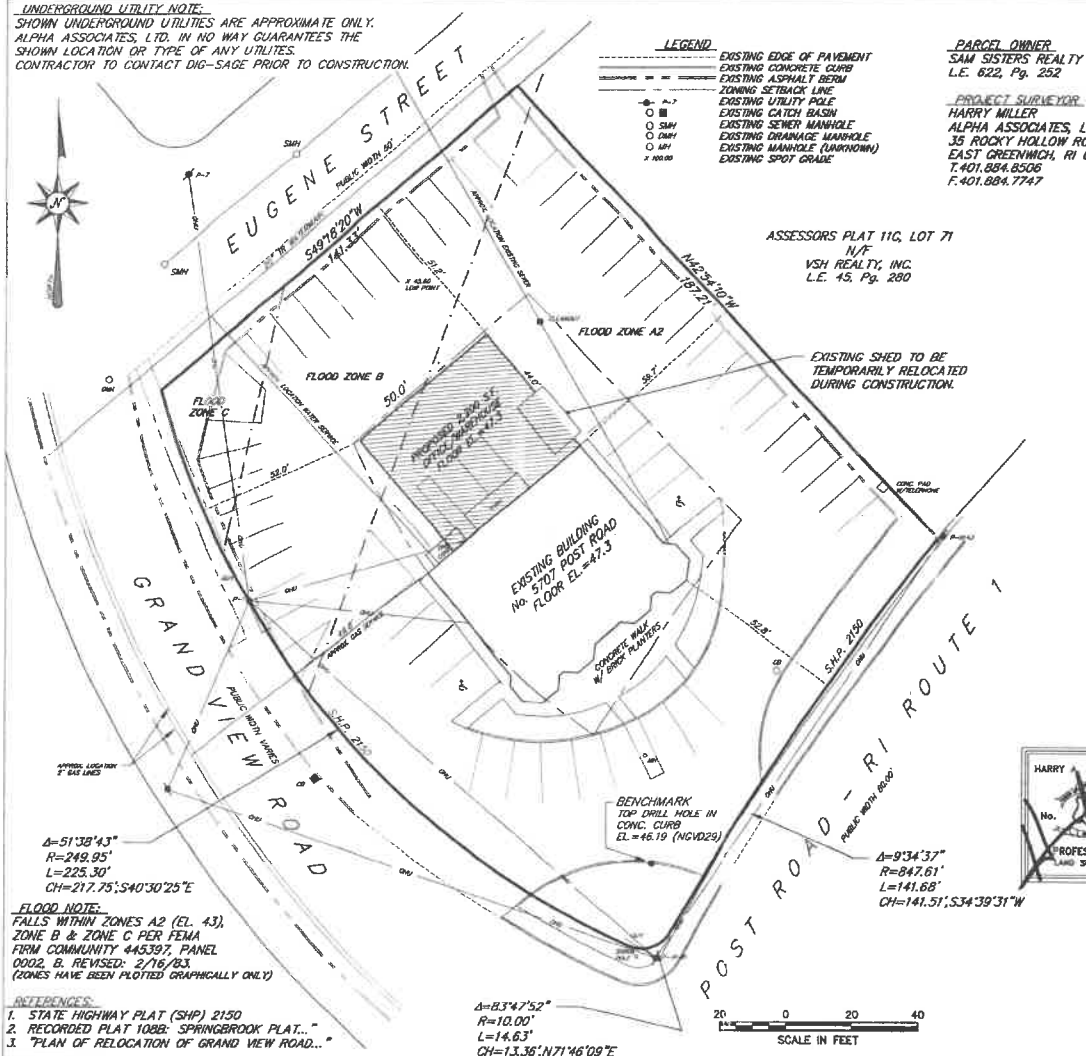
EXISTING BUILDING 3,074 S.F.
 PROPOSED WAREHOUSE 2,200 S.F.
 TOTAL: 5,274 S.F.
 $5,274/33,435 = 16\%$ COVERAGE
 TOTAL LOT COVERAGE 90% EXISTING & PROPOSED



THIS SURVEY AND PLAN CONFORM TO A CLASS "A" or "B" STANDARD AS ADOPTED BY THE RHODE ISLAND BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS.

By: *Harry Miller*
 HARRY A. MILLER, JR. PLS No. 1967 DATE: _____
 NOTE: CORNERS HAVE NOT BEEN SET IN ACCORDANCE WITH A CLASS "Y" SURVEY AT THE REQUEST OF THE OWNER.

SURVEY & SITE PLAN
 ASSESSORS PLAT 11C, LOT 75
 EAST GREENWICH, RHODE ISLAND
 PREPARED FOR: SAM SISTERS REALTY CO., LLC
 PREPARED BY: ALPHA ASSOCIATES, LTD.
 35 ROCKY HOLLOW ROAD
 EAST GREENWICH, RI 02818
 T.401.884.8506 F.401.884.7747
 SCALE: 1"=20' MARCH, 2006 SHEET 1 OF 1



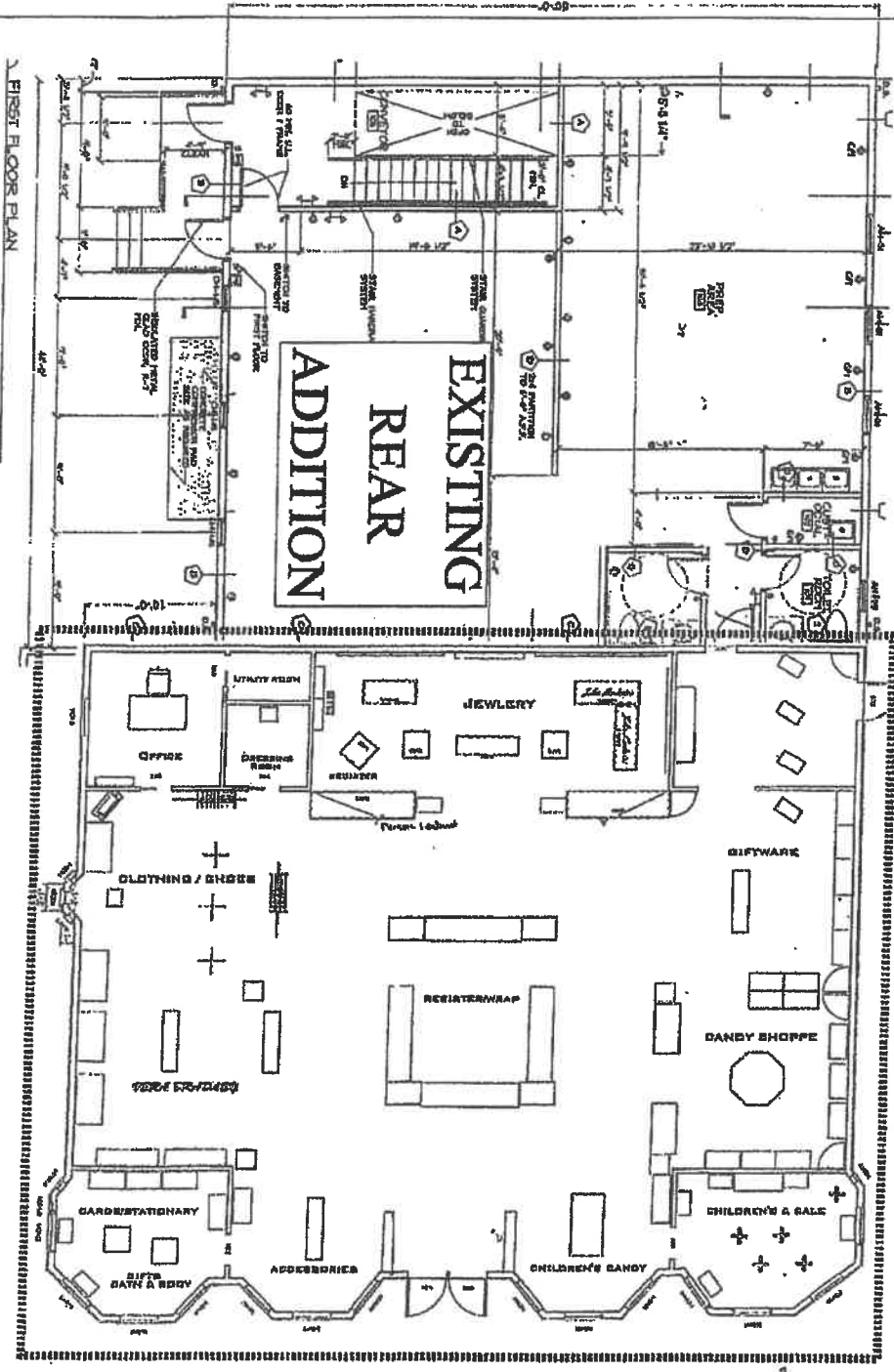
$A=51^{\circ}38'43''$
 $R=249.95'$
 $L=225.30'$
 $CH=217.75'; S40^{\circ}30'25''E$

FLOOD NOTE:
 FALLS WITHIN ZONES A2 (EL. 43),
 ZONE B & ZONE C PER FEMA
 FIRM COMMUNITY 445397, PANEL
 0002, B, REVISED: 2/16/83.
 (ZONES HAVE BEEN PLOTTED GRAPHICALLY ONLY)

- REFERENCES:
1. STATE HIGHWAY PLAT (SHP) 2150
 2. RECORDED PLAT 108B: SPRINGBROOK PLAT...
 3. PLAN OF RELOCATION OF GRAND VIEW ROAD...

$A=83^{\circ}47'52''$
 $R=10.00'$
 $L=14.63'$
 $CH=13.36'; N71^{\circ}46'09''E$





LIMITS OF
INTERIOR WORK
(NO EXTERIOR
WORK)



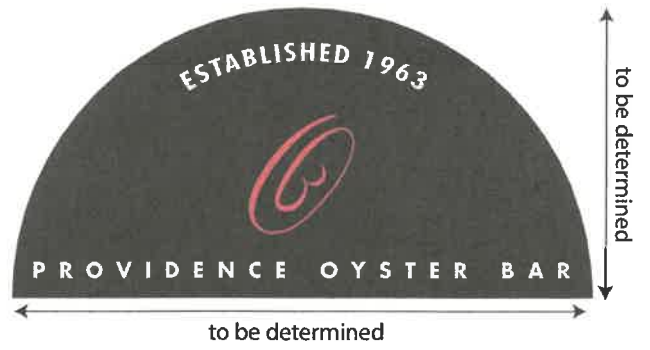
A3.0

PROPOSED
FLOOR PLAN

00-06-13
09-12-13

PERMIT SET / DRAWINGS

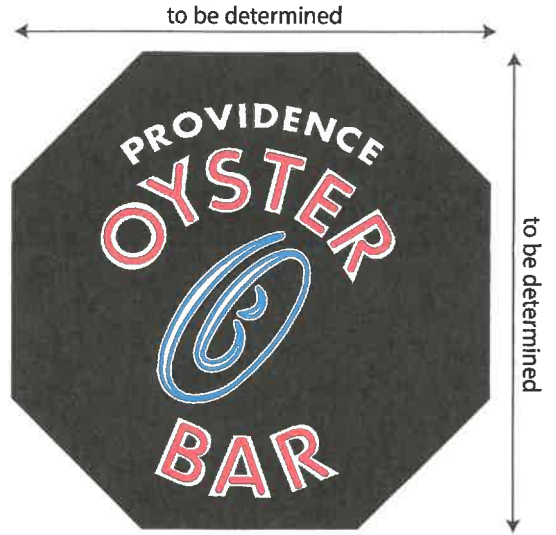
SWEET TWIST, 5707 POST ROAD, EAST GREENWICH, RI 02816



entrance awning



401-658-1990



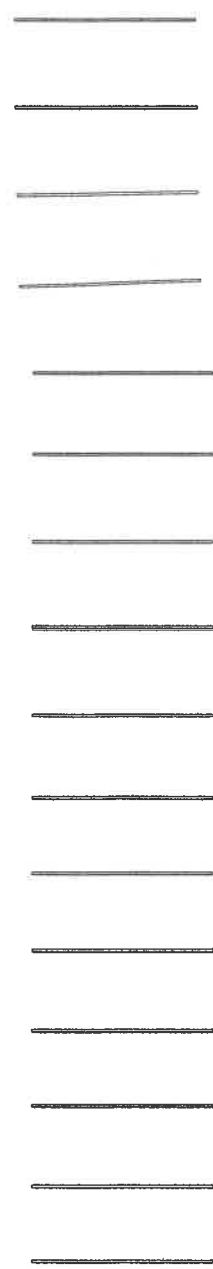
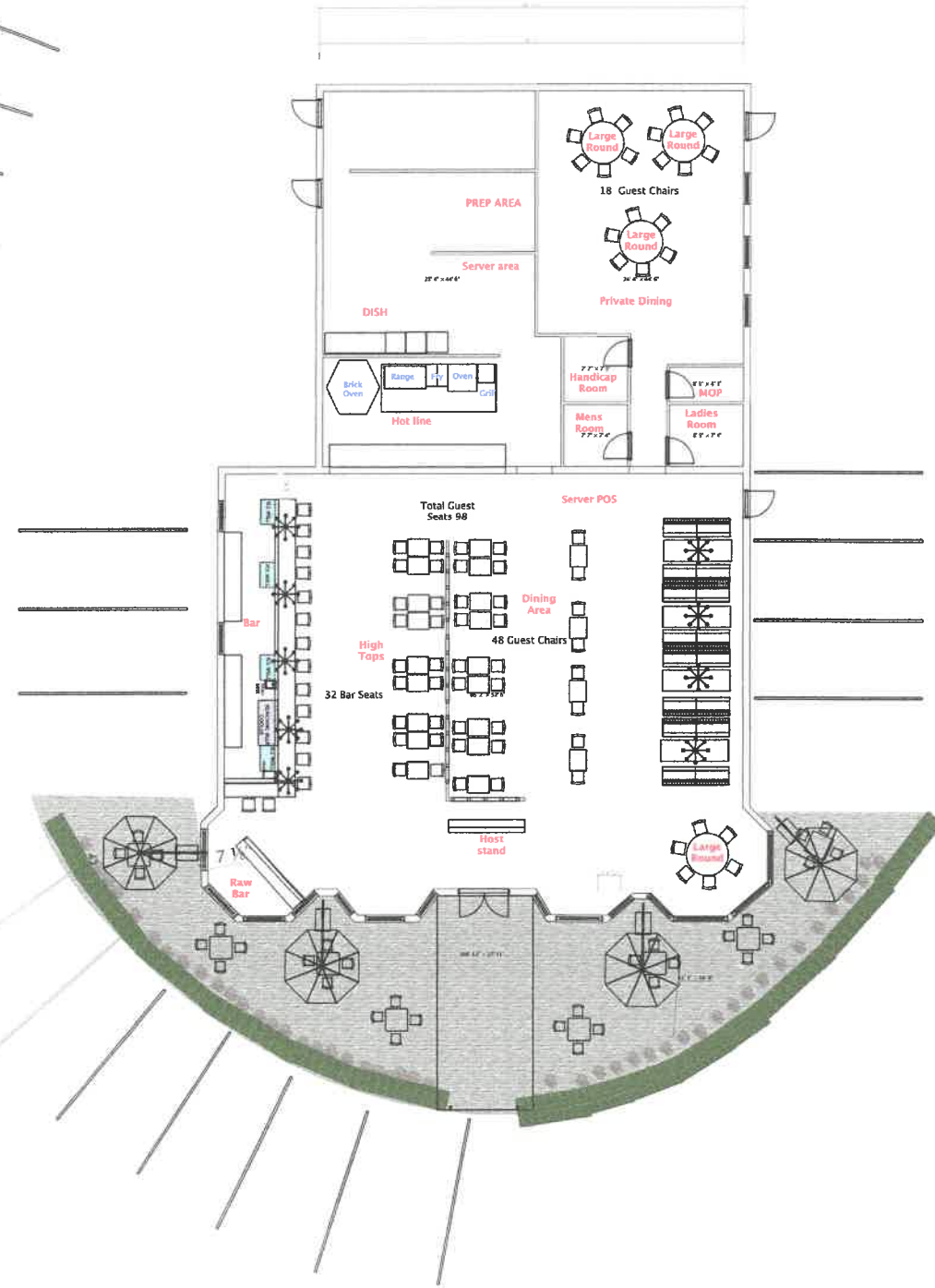
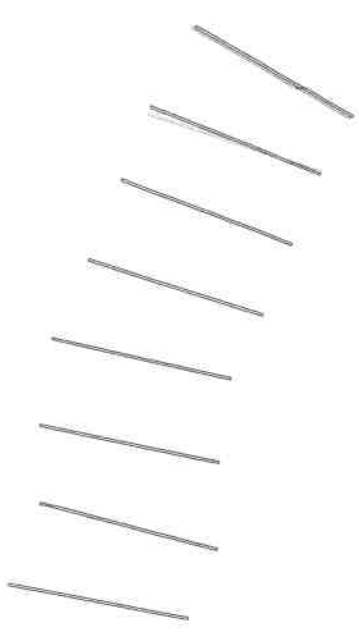
replacement faces for existong pylon sign
red and blue neon
white vinyl
opaque black background



401-658-1990



proposed
privacy fence
around dumpster
12x10



**5707 Post Road
East Greenwich, RI**

**Town of East Greenwich
Zoning Board of Review**

Exhibit A

State Grounds for Dimensional Variance by each Section and Title referred to above:

DiBiase Associates, Inc., or its assignee or nominee (the “Applicant”), is under contract to purchase the property located at 5707 Post Road, East Greenwich (the “Property”). By way of background, the Applicant and its subsidiaries have been in the real estate and hospitality business for over thirty years. The Applicant and its subsidiaries own and operate the following Rhode Island restaurants: the Spring House Hotel on Block Island, the Providence Oyster Bar and Federal Taphouse & Kitchen on Federal Hill in Providence, the Fire Wood Oven & Pizza Bar in North Providence, and the newest restaurant to its portfolio, the Providence Burger Bar on Douglas Avenue in Providence. The Applicant’s reputation is that of operating well-run, high quality, and respected establishments. The Applicant now seeks to bring to East Greenwich and its residents its popular Providence Oyster Bar by opening a second location at the Property.

The Applicant is requesting a dimensional variance for the off-street parking requirements under Section 260-20 of the Town of East Greenwich Zoning Ordinance (the “Ordinance”). Section 260-20 of the Ordinance requires that the Applicant provide one (1) off-street parking space for every two (2) persons of rated capacity. The Property currently offers fifty-two (52) off-street parking spaces. The Applicant anticipates twelve (12) employees to be on a shift and the Applicant is proposing ninety-eight (98) indoor seats for its patrons. The Property’s off-street parking supports the proposed employees and indoor seats in order to be compliant with the Ordinance. Accordingly, the Applicant can currently operate without outdoor seating in full compliance with the Ordinance’s parking requirements.

However, in light of COVID-19 and the increased demand for outside seating at restaurants for the safety and comfort of patrons, the Applicant is proposing thirty-two (32) additional outside seats that will be situated within the footprint of the existing building as depicted on the conceptual plans provided to the Town. While the Applicant is currently able to expand its service area outside under the Town’s COVID-19 emergency executive order in place, the Applicant would like to have the relief requested granted as it believes restaurant outdoor seating will still be in demand due to varying comfort levels long past the COVID-19 pandemic ends. Accordingly, the total proposed rated capacity is 142 persons and therefore the Applicant requires dimensional relief for nineteen (19) parking spaces.

In accordance with Section 260-91 (A) of the Ordinance, the Applicant will demonstrate that it meets the following dimensional variance criteria:

1. 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 not due to the physical or economic disability of the Applicant. As set forth above, the Property does not permit enough parking spaces for the additional thirty-two (32) proposed outdoor seating. The relief required is due to the subject land and not due to the Applicant's economic or physical disability.
2. That said, hardship is not the result of any prior action of the Applicant and does not result primarily from the desire of the applicant to realize greater financial gain. The Applicant's requested relief to allow for outdoor seating is not to realize a greater financial gain but to meet the expectations and demands of providing service to patrons during the COVID-19 pandemic. Rhode Island COVID-19 guidelines also encourages outdoor seating during this time. The Applicant expects such expectation for outdoor seating by patrons to continue long-after the COVID-19 pandemic ends as this will likely be the trend for restaurants. The Applicant's desire to provide outdoor seating is to offer additional safety and comfort to its patrons.
3. 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 Ordinance or the Comprehensive Community Plan. The requested variance of just nineteen (19) parking spaces will not alter the general character of the surrounding area or the intent or purpose of the Ordinance or Comprehensive Community Plan.
4. That the relief to be granted is the least relief necessary. The parking relief requested will allow Applicant to provide enough outdoor seating that will comfortably exist within the footprint of the building. The Applicant is not proposing more outdoor seating than the footprint allows or than is necessary. It is the Applicant's understanding that its intended use of the Property is in compliance with all other sections of the Ordinance.