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SUMMARY of QUALIFICATIONS

Forward-thinking, pragmatic urban planning professional with twenty (20+) years of practical experience. Skilled in a variety of neighborhood and commercial planning and zoning activities, frequently in a supervisory or managerial capacity. Solid track records with proven effectiveness in, but not limited to, the following areas:

- ⇒ **Zoning Boards of Review**
- ⇒ **Community Planning and Consulting**
- ⇒ **Planning Boards / Commissions**
- ⇒ **Subdivision Review and Planning**
- ⇒ **City / Town Councils**
- ⇒ **Superior Court**
- ⇒ **Code Enforcement**
- ⇒ **Residential, Commercial and Industrial Development**

SELECTED EXAMPLES of ACCOMPLISHMENT

- Testified before numerous boards, commissions and councils on matters of residential, commercial, and industrial development, as well as changes / amendments to Zoning Ordinances and Comprehensive Plans.
- Testified before Municipal and Superior Court on matters of code enforcement and general land use planning.
- Authored various documents including Cost of Community Services Study, Revitalization Plans, Zoning Ordinances, Comprehensive Plan Amendments and the first Telecommunications Ordinance in the State of Rhode Island.
- Responsible for reviewing all development associated with the Quonset Point / Davisville Industrial Park, an approximately 3,500 acre industrial park, site of the former Sea Bee Navy Base, numerous mill rehabilitation projects, including Pocasset Mill, Johnston, RI (Comprehensive Plan Amendments).
- Responsible for reviewing numerous residential subdivisions, especially expert in the field of Comprehensive Permits (Affordable Housing). Work product cited by the Rhode Island Supreme Court.
- Represented clients before numerous Zoning Boards of Review throughout the State of Rhode Island, on a variety of variance and special use permit petitions, with a greater than 90% success rate.
- Extensive energy and renewable energy projects, including solar, wind and gas-fired eccentric generating assets.

EDUCATION

MASTERS OF COMMUNITY PLANNING AND DEVELOPMENT
University of Rhode Island - Masters Received 1994

University of Florida - Studied City Planning - 1991 / 1992

BACHELOR OF ARTS – URBAN AFFAIRS; MINORS IN MATHEMATICS AND PHILOSOPHY
University of Rhode Island - BA Received 1990

ACCREDITATION: AMERICAN INSTITUTE of CERTIFIED PLANNERS – May 1996

PROFESSIONAL EXPERIENCE

Land Use Consultant
East Providence, Rhode Island

PIMENTEL CONSULTING, INC.

Zoning Officer
East Providence, Rhode Island

CITY OF EAST PROVIDENCE

Consulting Town Planner
Barrington, Rhode Island

TOWN OF BARRINGTON

Town Planner
Wayland, Massachusetts

TOWN OF WAYLAND

Principal Planner
North Kingstown, Rhode Island

TOWN OF NORTH KINGSTOWN

Assistant Planner
East Providence, Rhode Island

CITY OF EAST PROVIDENCE

Planning Consultant
Newport, Rhode Island

NEWPORT COLLABORATIVE

Planning Intern
Orange City, Florida

CITY OF ORANGE CITY

RHODE ISLAND AIR NATIONAL GUARD

Plans and Implementation Communications Specialist
Rhode Island Air National Guard 1995 – Retired 2013

Security Police Officer
Rhode Island Air National Guard 1987 – 1990

CIVIC

WGBH – Community Advisory Board Member
Cambridge, Massachusetts 2000 - 2003

SPECIAL SKILLS AND TRAINING

- Fluent in Portuguese

**Proposed 'Billboard'
Use and Dimensional Variance Application**

**58 Printery Street
Assessor's Plat 2; Lot 447**

Prepared for: Pettis Properties, LLC

By: Pimentel Consulting, Inc.

11 November 2020

INTRODUCTORY STATEMENT

Pettis Properties, LLC (“Applicant”) has retained my professional land use planning and zoning consulting services (“Consultant”) in order to evaluate the appropriateness of introducing a billboard, in light of the need for both use and dimensional relief. Typically, this Consultant would have to build a comprehensive case from the outset, given associated requisite difficult burdens. However, this very difficult argument has already been proffered and affirmed, and not merely on a single, but two (2) prior occasions. This report will once again evidence how the subject proposal is the only reasonable usage of the subject property. In fact, there has been upwards of a decade since the last approval, and the subject property remains barren.

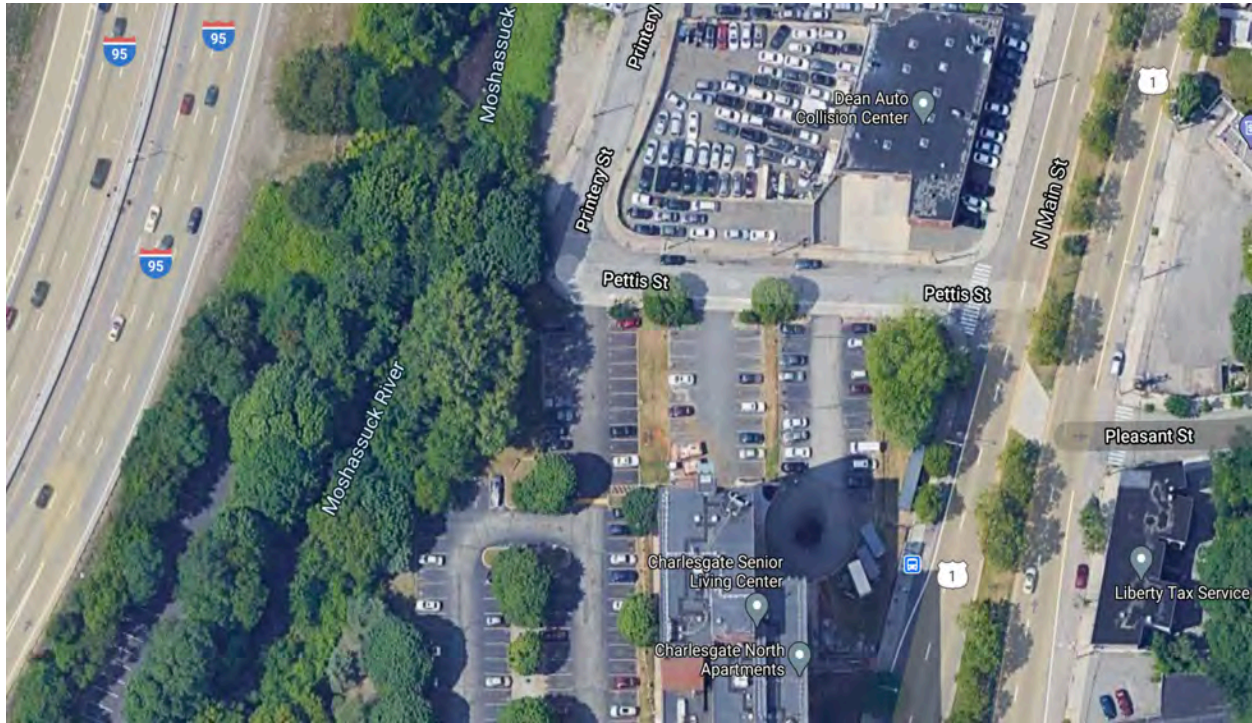
In preparation for the referenced analysis, this Consultant has reviewed all submitted application materials and the following regulatory documents: Providence Tomorrow - City Comprehensive Plan - Adopted 24 November 2014 (“Comprehensive Plan”); City of Providence Zoning Ordinance - Amended through 6 April 2020 (“Ordinance”); and pertinent Statute Statutes; as well as having conducted a thorough analysis of the immediate North Main Street / Printery Street neighborhood. My analysis entails rendering a determination as to the appropriateness of obtaining the requisite zoning relief, in light of the goals and objectives of the Comprehensive and associated Neighborhood Plan.

PRESENT PROPERTY CONDITIONS

The subject property, being addressed 58 Printery Street, otherwise identified as Assessor’s Plat 2, Lot 447, and containing a deminimus 11,598 square feet, is presently unimproved (the “Property”); having historically failed to be used for any viable purpose. The Property is uniquely situated at the curvature of Printery and Pettis Streets. In addition, and more importantly, the Property is sandwiched between Printery Street and Interstate-95; situated at a considerably lower elevation to the referenced interstate. Finally, and perhaps the most constraining site feature, is the presence of the Moshassuck River, which bisects the Property along its approximate mid-point.

The Property is surrounded by a mixture of heavy automotive commercial land uses, inclusive of automotive sales and repair entities, as well as the Charlesgate Senior Living Center to the southeast, across Pettis Street. All of the referenced Property and neighborhood characteristics are illustrated on the following page, as excerpted from the City’s GIS and Google Earth, respectively.

Property Aerial [Credit: Google Earth]



View looking northwest - Interstated-95 being situated to the immediate rear of the Property [Credit: Google Earth]



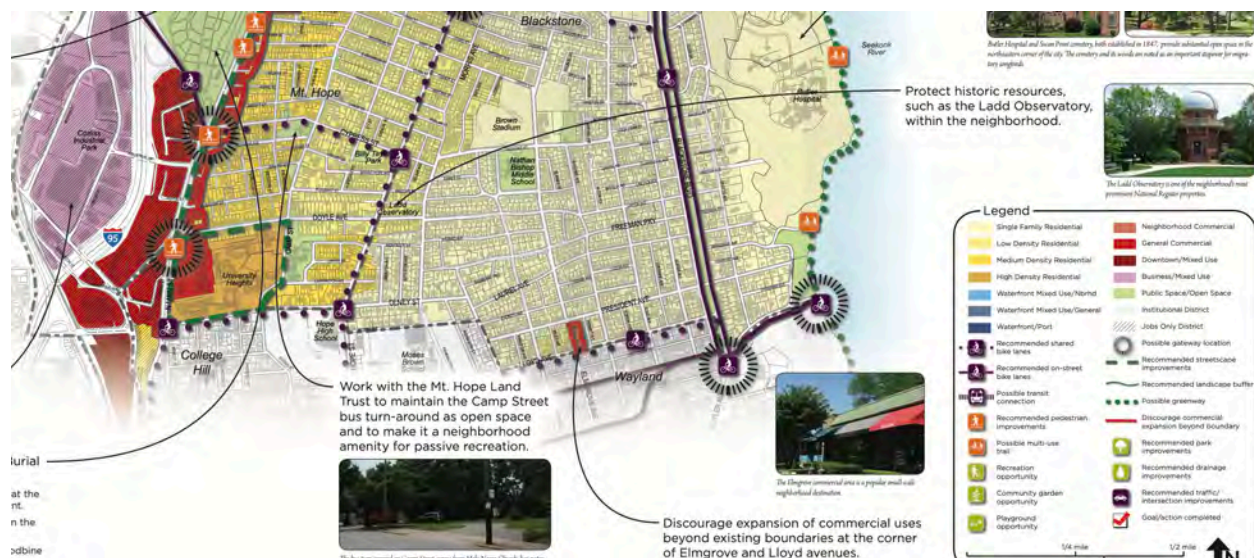
The Property is presently situated within the C-3 Heavy Commercial District ("C-3 District"). The referenced district is defined pursuant to Section 500.C 'Commercial Districts - Purpose Statements', of the Ordinance, as follows:

C-3 Heavy Commercial District. *"The C-3 Heavy Commercial District is intended for areas of more intense commercial use that are generally not appropriate for lower intensity commercial districts, including uses related to motor vehicles and those that may require outdoor storage. Because of the impacts from more intensive commercial uses, the controls of this district ensure that setbacks, buffering and site development controls are in place to mitigate negative impacts on neighboring uses."*

The referenced zoning district is consistent with and supported by the Comprehensive Plan, as evidenced by the 'Future Land Use Map' [Page 112], which illustrates that the subject property is classified 'General Commercial' ("GC"). The referenced land use classifications is defined pursuant to the Comprehensive Plan, as follows:

General Commercial - *"These areas are characterized by commercial uses such as large shopping complexes and plazas that serve citywide needs for retail, services and office establishments. Residential uses are encouraged in these areas. These areas may be located along commercial corridors that accommodate large commercial uses or clustered uses at a higher density to support transit"*. [Page 117]

The referenced zoning district is likewise consistent with and supported by the Neighborhood Plan, specifically the Mount Hope, Hope, and Blackstone Neighborhood Plan, as evidenced by both the respective Neighborhood Plan Map and general Mount Hope neighborhood description pursuant to the Plan. Map and Plan alike, illustrates that the subject property is not only classified 'General Commercial', but also also overlaid with the 'Jobs Only District' ("JO District"), as evidenced below. Furthermore, it is occupied by rather intense commercial entities, evidencing the appropriateness of introducing a billboard sign.



Retail Commercial Areas

"Commercial activity in the Hope, Mount Hope and Blackstone neighborhoods is concentrated along Hope and North Main streets. The two corridors have very different characteristics and scales." [Page 20]

"In contrast to Hope Street, North Main Street is primarily auto-oriented and is far more spread out. *It too, can be divided into sub-areas, one near the Pawtucket line and the other concentrated at the southern end, dominated by the University Heights plaza. Many North Main Street businesses are set back from the street and have ample parking areas. The North Burial Ground interrupts the west side of the commercial stretch; this may have prevented the street from having ever become a full-fledged, thriving automobile-centric commercial strip, though it is still primarily an automobile destination and includes several automotive supply and repair services. North Main Street also serves as a major bus route and is a key connector between Providence and Pawtucket."*

"Upper North Main Street is characterized by mostly auto-oriented business - businesses servicing cars (auto parts, car repair, car wash, gas station) and/or accessible primarily by car. *Buildings along this stretch tend to have low elevations and large footprints, and are often surrounded by a great deal of paved area for parking, circulation and on-site operations. Many commercial buildings are set back from the street while others front directly on the sidewalk. Scattered throughout are businesses located in converted houses. Collectively, the Lower and Upper North Main commercial areas extend almost without interruption from University Heights to the Pawtucket line."*

Although, both the JO and prior C-4 District designations appear to have been eliminated from the Ordinance with recent major zoning revisions, the economic development aspirations remain the same, as evidenced by the Comprehensive Plan.

11.2.3 Business Areas - "It is vital for Providence to provide opportunities for industries and industrial expansion which will employ residents of Providence, while ensuring minimal impact on adjacent residential areas. These areas are designated as Jobs Districts on Map 11.2 'Future Land Use'. *Manufacturing land uses consists of land that is occupied by industries such as jewelry and assembly companies. Manufacturing uses are located throughout the City, with a number of industrial parks such as Huntington Industrial Park, Silver Spring Industrial Park, West River Industrial Park, and the industrial area of Washington Park. There has been a significant reduction in the amount of land occupied by industries in the last few decades. As manufacturing companies of all kinds generally employ large numbers of people and contribute to a diverse economic base, efforts will be made through this plan to encourage manufacturing firms to grow and expand in these areas. **Businesses need areas where they can predictably grow and expand in the future without the concern of conflicts that often arise between manufacturing/ industrial uses and residential uses. Therefore, no residential uses of any kind are permitted in the Jobs Districts.***

Regardless of these well-intentioned and most note-worthy goals and objectives, a parcel of land that contains a mere one-quarter acre of overall land area, has topographical issues and is extensively wet, is simply incapable of accommodating any true physical commercial facility. Considering the land area that would otherwise be required to accommodate the litany of heavy commercial and light industrial land uses permitted within the C-3 District, inclusive of area for

physical facility proper, off-street parking and loading, trash-storage, and an assortment of other accessory requirements, it is abundantly clear that development of the subject property for such purposes is impossible. And yet, the Applicant is legally entitled to some reasonable, economic producing land usage. This distinction is of vital importance, because it speaks directly to the applicant's justification for seeking a use variance, namely to realize some beneficial enjoyment of the property. Equally important is the surrounding heavily laden commercial / light industrial neighborhood character. Such character will fail to be negatively impacted by improvement of the subject property for such low-intensity purposes, namely introduction of a 'billboard.' Furthermore, it will serve as a buffer of sorts, most notably to the proximate Charlesgate Senior Center. Finally, given the rather topographical differences between the Property and immediately abutting Interstate-95, the proposed billboard must be introduced at the requisite height to realize visual, and therefore economic, viability.

DEVELOPMENT PROPOSAL

The present proposal is to introduce a rather appropriate and reasonable land usage, considering the extensive site constraints; namely installation of a billboard for purposes of advertising a variety of media, thereby permitting the Applicant to enjoy some degree of beneficial usage of the property. Furthermore, it will greatly benefit the City of Providence by both affording another viable revenue stream and means of conveying valuable information to the public. Albeit, a 'billboard' is a type of sign, it is distinctively different from the customary sign that serves on-site advertising business needs. It is therefore defined separate and apart from traditional signage; being defined pursuant to Section 201 'Definition of General Terms', of the Ordinance, in the following manner:

Billboard: *"A sign advertising products, goods, services, facilities, events or attractions not made, sold, used, served or available on the lot displaying such sign or a sign owned by a person, corporation, or other entity that engages in the business of selling the advertising space on that sign."*

Although, the type of signage proposed is expressly permitted within the C-3 District, namely an electronic message center, it is the otherwise inappropriate manner in which the signage will function that renders it prohibited.

Section 1607.D 'Electronic Message Signs'

1. *"Electronic message signs are also permitted in the C-3 District."*

Pursuant to Article 16 'Signs' - Section 1605.F 'Prohibited Signs', *'permanent off-premises signs (also known as **billboards**)'*, are expressly prohibited, as evidenced below.

F. "Off-premise signs, both permanent signs (also known as billboards) and temporary off-premise signs. This prohibition does not include signs placed on public transit stations,

bike-sharing stations, or car- share facilities when such signs are placed by the sponsors of such facilities. This prohibition does not include political/noncommercial message signs."

Section 1607.D 'Electronic Message Signs'

5. "Electronic message signs cannot display any off-premises commercial advertising. Electronic display screens are prohibited."

The mere fact that the proposed billboard sign will be displaying 'off-premises' advertisements, results in the need for a use variance to permit its installation. Albeit, the signage will be sought pursuant to a use variance thereby technically addressing any dimensional discrepancy, out of an abundance caution any such deviation will likewise be pursued by addressing the requisite dimensional burdens. The reason for expressing this sentiment, is due to the fact that associated setbacks and height restrictions, as well as overall maximum signage limits, appear to be purely associated with traditional signage.

The referenced signage will have an overall height of approximately 112-feet, and have approximate dimensions of 14-feet by 48-feet, or 672 square feet of total signage. This Consultant has taken a rather conservative approach in determining which dimensional criteria is applicable. Given the rather all inclusive general definition of the term 'structure,' this Consultant has decided out of an abundance of caution to apply all applicable dimensional standards, inclusive of setbacks, height, maximum aggregate limits.

The regulatory setback requirement(s) are as follows:

Front-Yard Setback - None

Side-Yard Setback - None

Side-Yard Setback - None

Rear-Yard Setback - None

Height and maximum aggregate area are the sole dimensional components that cannot be met, as detailed below.

Section 1607.D 'Electronic Message Signs'

4. "Electronic message signs are permitted as part of a freestanding sign, wall sign, or marquee and are subject to the requirements for those sign types. Electronic message signs shall be integrated into the larger sign structure. Electronic message signs are limited to a maximum of 70% of the sign area of a freestanding or wall sign."

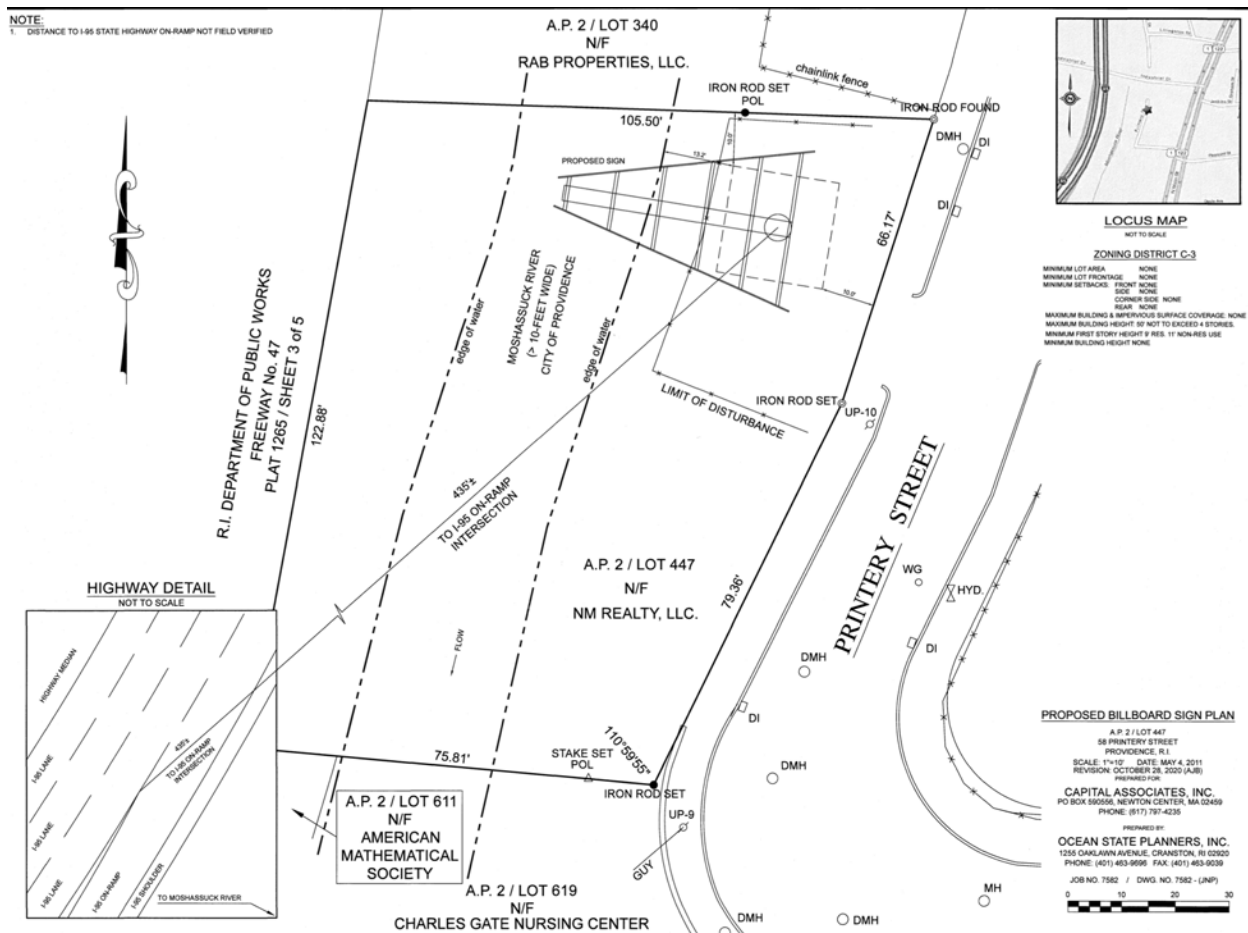
Section 1607.E 'Freestanding Signs'

1. "Freestanding signs are permitted as indicated in Table 16-1: Freestanding Sign Regulations."

Table 16-1: Freestanding Sign Regulations

District C-3: Maximum Sign Area Per Sign: 60 SF Maximum Sign Height: 20-Feet

The proposed billboard has an approximate total area of 672 square feet per side, or a total of 1,344 square feet when considering both sides. This results in an approximate deviation of 612 square feet if solely considering one-side, or a total of 1,284 square feet when considering both sides. In regard to overall height, the resulting height deviation is approximately 92-feet. And finally, the proposed electronic signage face will occupy 100% of the signage, resulting in an approximately 30% deviation. The signage development proposal is illustrated below, as excerpted from the applicant's submission package [Credit: Ocean State Planners, Inc.].



GENERAL NEIGHBORHOOD ANALYSIS

Several site inspections have been conducted, followed by researching Assessment records to determine the general characteristics of the surrounding neighborhood, specifically in regard to existing land uses and the general state of those land uses. Considering the proximity of the

subject property to Interstate 95 (which is a considerable height above the Property given the sloping topography), and surrounding intensive commercial land uses, there will not be any resulting visual impact. For example, Printery Street is improved with a variety of commercial and industrial land uses, to include an office building, automotive repair business, warehousing facility, etc. There is no actual residential neighborhood within blocks of the subject property. Finally, given the number and placement of surrounding buildings that are similarly statured, some even considerably higher, visibility from almost any vantage point will be non-existent.

When considering the surrounding land uses, billboard visibility will be severely, if not entirely, extinguished. Interstate-95 is located directly west of the subject property; the principal reason for situating the proposed billboard signage and at overall height proposed. Due north, are several commercial and industrial businesses as well as Branch Avenue, proceeded by the extensive North Burial Ground. North Main Street and Randall Street, situated to the east and south, are similarly heavily commercially and industrially laden; improved with expansive and well-storied buildings. The referenced buildings commencing at a minimum six-stories and increasing to a vast sixteen-stories. This translates to approximately a range of 50-feet to 150-feet. This is clear evidence that the neighborhoods situated east of North Main Street, will have limited, if any, visibility of the proposed billboard signage. Finally, and perhaps, the most important feature that acknowledges the appropriateness of the proposed signage, is the fact that there are several similar improvements located within the immediate vicinity, situated along both the east and west sides of Interstate-95.

COMPREHENSIVE PLAN CONSISTENCY ANALYSIS

Support for and neighborhood compatibility is not only evidenced by the make-up of the immediate neighborhood and presence of similar improvements, but also by the City's Comprehensive Plan. Although, the entire Comprehensive and Neighborhood Plans were thoroughly reviewed, the principal elements analyzed included the Land Use and Economic Development.

Economic Development

The proposed billboard signage will not generate permanent employment, with the exception of temporary employment during construction and signage maintenance. However, it will nevertheless generate a new tax revenue stream. The Comprehensive Plan acknowledges that the City of Providence is desirous of new revenue streams because of drastic loss of external sources.

Moving Forward: Section 2.2 Challenges - 'Financial Constraints'

"Providence, like all communities in Rhode Island and across the nation, is affected by the decrease in federal and state funding. Smaller funding allocations make it more difficult for the City to provide adequate services to its residents and businesses, placing even more burdens on the already stretched property tax system." [Page 21]

Section 3. 'Sustainability and the Environment'

***"The City of Providence is highly developed, with well-established infrastructure and only a small amount of vacant developable land"** (though the relocation of I-195 has opened up additional land). **Most ongoing and anticipated development activity can be described as infill**, restoration, reuse, or redevelopment. In this context, and within the broader context of climate change, sea level rise and diminishing natural resources, the goal of making Providence a "green" city is both a necessity and a tremendous challenge..."* [Page 25]

Section 5. Business and Jobs:

Goal 3. Grow the Providence Economy: *"The city's economic base is its lifeblood: it provides the framework upon which the city prospers and develops. **Economic growth is critical to the health of Providence**, both to provide jobs for its residents and **to generate taxes to pay for City services**..."* [Page 48]

Section 5. Business and Jobs:

Section 5.1 Challenges - Limited Growth Potential: *"Providence faces many challenges to economic development. The City is mostly built out, and has limited areas for growth, especially areas with large parcels favored by many industries."* [Page 48]

When considering the Property's absolute inability to be developed for any typical commercial and/or industrial purpose, given its somewhat limited size, inaccessibility, and wetlands presence (Moshassuck River bisecting the Property), any tax generating improvement should not only be welcomed, but highly supported. Installation of the proposed billboard signage will neither impact the surrounding neighborhood or proximate wetlands, and yet realize some tax generation, however minor. This is in direct line with the goals and objectives of the Comprehensive Plan.

Section 2. Moving Forward

Section 2.2 Challenges - Limited Area For Growth: *"Providence is a compact city with limited area available for new development...What remains is a small area of available land for new growth and development to generate new revenue for the city...It is imperative that this resource be utilized efficiently and effectively. Growth is essential for the City's economic health and sustainability as the City is dependent on property taxes for income. Land use policy and tax policy are intricately linked, and must both be considered in this plan..."* [Page 22]

The Comprehensive Plan also recommends, in light of State Guide Plan 2025, that development be concentrated in the highly urbanized corridors. Placement of the proposed

billboard signage, sandwiched between Interstate-95 and the subject heavily commercialized neighborhood, fulfills these objectives.

Section 2. Moving Forward

Section 2.3 Opportunities - Land Use 2025 and Smart Growth: *"Providence has the opportunity to benefit from the goals and policies in the Rhode Island state land use plan, Land Use 2025. The plan calls for the concentration of growth in existing urban centers, maximizing state investment in areas with existing infrastructure and promoting efficient development through infill, redevelopment, and higher densities. If state actions and investments are aligned with these goals, Providence, as the state's urban center, will benefit."* [Page 23]

Land Use

Pursuant to the Comprehensive Plan, specifically Map 11.1 'Areas of Stability and Change,' the subject property is located within a 'Growth District'. A 'Growth District' and an 'Area of Change' are defined pursuant to the Comprehensive Plan in the following manner:

Areas of Change

Growth Districts - *"These areas are centered around the downtown core...and in manufacturing areas in the city. They have many different characteristics, but common traits include: close proximity to a commercial arterial street, locations in older industrial areas or large vacant areas. Opportunities for...mixed-use development...can be found in most of these areas. Successfully developing these areas should not come at the expense of displacing existing residents..."* [Page 109]

Areas of Change

"The primary role of land use regulation in these areas is to encourage the redevelopment of these areas with economically rewarding development that enhances the city's character and livability. Although regulations cannot increase the market demand for an area or a specific type of building or industry, they can impose conditions that make redevelopment infeasible without subsidy. Therefore, the strategy for encouraging development is to allow sufficient development intensity and appropriate mixes of uses so that planned land uses will be economically feasible. Design standards will ensure that the quality of design is an asset to the surrounding neighborhood and contributes to the city's character. New development must take into consideration natural and man-made environmental constraints and focus on preserving those aspects of our environment that we hold dear, including views, vistas and corridors and Providence's historic character." [Page 109]

A thoughtful analysis of the preceding 'Area of Change' goals and objectives, evidences the appropriateness of the proposed improvements. Community support comes in many forms, inclusive of incentives, such as height and maximum size allowances as well as permitting appropriate, albeit otherwise prohibitive land uses. This is evidenced by Land Use Objective No. 2 - Strategy A.

Strategy A. Use the neighborhood plans to review the following: *"Design vision for Growth Districts, Growth Corridors and Transitional Areas identified on Map 11.1 'Areas of Stability and Change' that identifies the preferred pattern and character of development*

including mass, scale, building height, design, use, and density, and considers topography, streets, sidewalks and open spaces.” [Page 110]

Finally, the Moshassuck River will in no way be impacted by the proposed improvement and it will be fully screened by existing man-made improvements (storied buildings) as well as natural vegetation.

As previously detailed, the present C-3 District is in agreement with the Comprehensive Plan - Land Use Classification, namely 'General Commercial / Mixed Use', which is identified in the following manner:

Table 11.2 'Land Use Designations'

General Commercial / Mixed Use - *“These areas are characterized by commercial uses such as large shopping complexes and plazas that serve citywide needs for retail, services and office establishments. Residential uses are encouraged in these areas. These areas may be located along commercial corridors that can accommodate large commercial uses or clustered uses at a higher density to support transit.” [Page 117]*

The referenced land use classification is '*...characterized by commercial uses such as large shopping complexes and plazas that serve citywide needs for retail, services and office establishments.*' Although, it likewise encourages residential land uses, the subject neighborhood will never realize such incompatible land uses. Therefore, there is neither a present nor future concern that the proposed billboard signage will ever negatively impact any residence.

ZONING CONSISTENCY ANALYSIS

Zoning Ordinance – Purpose:

The proposed improvement, as this report has concluded, is not only consistent with the goals and objectives of the Comprehensive and Neighborhood Plans, but sets forth the purposes for the Ordinance; those that are most applicable and supportive of the development referenced below for conclusive strength:

Section 101. Purpose - *“The intent of this document is to establish land use regulations to serve the City of Providence, also cited as the “City” in this Ordinance. The districts and regulations set forth in this Ordinance are in compliance with the Comprehensive Plan. The purposes of this Ordinance include:”*

(A) *“Promoting the public health, safety, and general welfare.”*

(B) *“Providing for a range of uses and intensities of use appropriate to the character of the city and reflecting current and expected future needs.”*

(C) *“Providing for orderly growth and development which recognizes:”*

1. *“The goals and patterns of land use contained in the Comprehensive Plan.”*

2. *"The natural characteristics of the land, including its suitability for use based on soil characteristics, topography, and susceptibility to surface or groundwater pollution."*
 5. *"The availability and capacity of existing and planned public and/or private services and facilities."*
 6. *"The need to shape and balance urban and rural development."*
 7. *"The use of innovative development regulations and techniques."*
- (E) *"Providing for the protection of the natural, historic, cultural, and scenic character of the city or areas in the municipality."*
- (L) *"Promoting implementation of the Comprehensive Plan."*

Dimensional and Use Variance Burdens

The proposed billboard signage is expressly prohibited in all districts, inclusive of the C-3 District. Albeit prohibited, as this report has concluded introduction of a billboard sign is not only reasonable in light of the surrounding character and limited visibility, but also appropriate given the limited, if any, development potential of the Property. In addition, several minor dimensional variance(s) will be incurred (as detailed above); being pursued out of an abundance of caution. The referenced variance(s) are required to effectuate reasonable usage of a commercial property, resulting in a new tax revenue stream, however small. A denial will all but extinguish any reusable usage of the Property, and fail to realize another revenue source.

In regard to the variance(s) sought, the applicant must provide evidence to the satisfaction of the Zoning Board of Review confirming the presence of hardship and that failure to obtain the relief requested will ultimately cause the applicant to suffer hardship amounting to loss of all beneficial use. The criteria for determining hardship are clearly outlined in Sections 1902.B.3(a-d) and 1902.B.4(a-b). The stated criteria will be discussed individually in greater specificity below.

- **Section 1902.B.3(a)** *"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 Rhode Island General Laws §45-24-30(16)."*

The Property has limited, if any, viable usage, given the extensive on-site development constraints. The presence of the Moshassuck River, being situated mid-point of the Property, all but limits development for any true permissible principal land usage. Therefore, the relief sought results directly from all of the referenced unique property limitations.

The proposed development is a reasonable proposal in light of the referenced limitations. To deter introduction of the proposed billboard signage will fail to realize any reasonable 'principal' usage of the property, as well as harm the community by extinguishing a new revenue source. It will most assuredly be in contradiction to the goals and objectives of the Comprehensive Plan, specifically the Economic and Land Use Elements.

- **Section 1902.B.3(b)** *"That the 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."*

Although, the relief sought is directly resulting from the act of introducing the referenced improvement, the applicant only seeks permission to develop the property in some reasonable manner that will realize beneficial usage of said property. And, do so in a manner that is in direct conformance with the goals and objectives of the Comprehensive and Neighborhood Plans. Also, although some financial gain will be achieved, it is not the primary intent. Realizing beneficial usage of the property is overall goal for seeking a use and dimensional relief.

- **Section 1902.B.3(c)** *"That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of this Ordinance or the Comprehensive Plan."*

The stated criterion has been comprehensively addressed throughout this report, both in regard to meeting the intended 'Purposes' for the Ordinance, as well as fulfilling the requisite goals and objectives of both the Comprehensive as well as Neighborhood Plans.

It is therefore the professional opinion of this planning consultant that *"The proposed development will not impair the intent or purpose of the zoning ordinance or the comprehensive plan"*.

- **Section 1902.B.3(d)** *"That the relief to be granted is the least relief necessary."*

This report has already concluded that permitting a somewhat greater height and maximum size (overall and electronic face), are reasonable requests. This report has also documented that introducing the proposed billboard signage is a reasonable proposal, given the present limited usage of the subject property. Surrounding neighborhood characteristics, as well as goals and objectives of the plans, corroborate this Consultant's conclusions. All relief sought is directly attributable to the unique characteristics of the subject property, thereby necessitating the requisite relief and evidencing that it is the least relief necessary.

It is abundantly clear that the subject proposal complies with all four (4) criteria, and to deny the requested relief will cause the applicant to suffer hardship amounting to more than a mere inconvenience pursuant to Section 1902.B.4(b), and even more so fail to realize any remote reasonable (beneficial) usage of the property pursuant to Section 1902.B.4(a). Furthermore, to refuse the applicant the right to redevelop the subject property in the manner proposed, will result in severely limiting beneficial use of the property from an economic development perspective.

CONCLUSION

It is this Consultant's professional opinion that introduction of the proposed billboard signage is both consistent with the goals and objectives of the Comprehensive and Neighborhood Plans as well as the General Purposes of the Ordinance. Considering the Property's development limitations, most notably the presence of severe wetlands (Moshassuck River), the applicant's proposal is quite reasonable. A billboard sign, however minute, will realize additional tax revenue, without impairing the on-site wetlands nor the surrounding neighborhood. As previously documented the surrounding neighborhood is not only similar heavily commercial and industrial laden, but also improved with similarly storied buildings that will all but extinguish the sign's visibility. The Zoning Board of Review should therefore not have any reservations in approving the requested use and dimensional relief.