

**TOWN of NORTH SMITHFIELD
PLANNING DEPARTMENT**

One Main Street
Slatersville, RI 02876
Phone: 767-2200 Fax: 766-0016

APPENDIX B: APPLICATION FOR SUBDIVISION AND LAND DEVELOPMENT PROJECTS

The undersigned owner of land hereby requests to be placed on the agenda of the North Smithfield Planning Board and state that the required information detailed in the Subdivision Regulations of the Town of North Smithfield have been presented to the Administrative Officer.

Matthew Darling of Palm Coast Capital, LLC
is hereby designated as the person to whom legal process may be served in condition with any proceedings arising out of this application. I/We also certify that the undersigned is the owner of the property designed below:

Name of Project: Proposed Tractor Supply Company **Date:** 07/22/25

Classification

- ☐ Minor
☒ Major

Type of Project

- ☐ Administrative
☐ Subdivision
☒ Land Development Project

Review Stage

- ☐ Pre-Application/Concept
☐ Master Plan
☒ Preliminary Plan
☐ Final Plan

1. Assessor's Plat(s) 1 Assessor's Lot(s) 45 & 46
2. Number of Lots: 2 3. Zoning Designation(s): Business - Neighborhood
4. Street Name: Victory Highway (RI Route 102)
5. Divider/ Developer: Palm Coast Capital, LLC
6. Divider's/ Developer's Name: Matthew Darling / Manager
(Please Print)

Divider's/ Developer's Name: Matthew Darling
(Signature)

7. Names, addresses, and signatures of all persons with 10% or more interest:

Matthew Darling
(Signature)

Matthew Darling (Palm Coast Capital, LLC)
805 Gamewell Avenue Maitland, Florida 32752
(Please Print)

(Signature)

(Please Print)

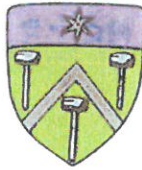
8. Surveyor/ Engineer/ Attorney/ Representative: Solli Engineering, LLC

Name: Sam Malafronte, P.E., Kevin Solli, P.E., PTOE

Address: 11 Vanderbilt Avenue, Suite 240, Norwood, Massachusetts 02062

Daytime Telephone # (781) 352-8491 Facsimile # _____

(The owner hereby grants permission to Planning Board members and other Town officials to enter the designated property for the purpose of inspection after notifying the owner 48 hours in advance of site visit.)



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Office of the Building and Zoning Official

NORTH SMITHFIELD ZONING BOARD OF REVIEW

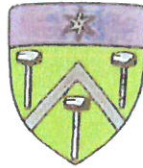
APPLICATION FOR HEARING (REVISED 5/2/19)

APPLICATION FOR VARIANCE AND/OR SPECIAL USE PERMIT INSTRUCTIONS

****Application **MUST** be typed or be legible ****

1. Applications must be signed by the Applicant/Agent and the Owner. An applicant must be a person with a financial interest in the property, not the architect, engineer, draftsman, contractor, or attorney. Examples include a current or potential tenant or purchaser.
2. All applicants for a variance must also complete Appendix A to the application.
3. All applicants for a special use permit must also complete Appendix B to the application.
4. **APPLICATIONS MUST BE COMPLETE AND ACCURATE. BEFORE YOU MAKE THE REQUIRED COPIES, SUBMIT YOUR ORIGINAL APPLICATION AND ATTACHMENTS (SEE BELOW) TO THE OFFICE OF THE ZONING OFFICIAL FOR REVIEW.**

Note that the Board and staff accept no responsibility for correcting or completing any application. Nor is the staff permitted to provide specific advice or recommendations regarding any particular application. However, staff may be able point out deficiencies before the finalized application is submitted, and to assist in explaining the application process, requirements, and general content requirements.



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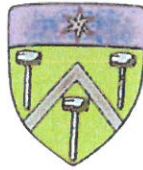
Office of the Building and Zoning Official

5. If your proposal requires review by another board or commission, you must obtain the board or commission's review before submitting an application for a zoning variance or special use permit. A letter from the board or commission shall be submitted to the Zoning Board as evidence of appearance before such board or commission.

6. **Legal counsel and professional representatives.** There is no requirement that applicants be represented by legal counsel either during the application process or when appearing before the Board. While the Zoning Board does not recommend either for or against the hiring of legal counsel, the Board does caution all applicants that zoning law can be complex. Applicants may choose to have an architect, draftsman, traffic engineer, zoning, or real estate professional testify at the hearing before the Board. However, the applicant or authorized representative (see authorization form) must still appear at the hearing and offer the presentation/testimony of the witness. If the applicant or authorized representative is not present and has not contacted the Zoning Official beforehand the board may deny the application without prejudice and the application will have to be resubmitted and all fees shall be paid by the applicant.

Zoning Board members and staff are not permitted to make referrals or recommendations regarding legal or other professionals.

7. Zoning Board approval of an application does not automatically indicate that you will receive a building permit. To shorten the length of the process, it is strongly recommended that you initiate the building permit review process



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by submitting your construction plans to the DIS when you submit your application for a variance or special use permit.

Your plans should detail exactly what you intend to do.



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CHECKLIST OF SUPPORTING DOCUMENTATION REQUIRED FOR APPLICATION

The following documents must be provided WITH your application. An application will not be considered complete or vested until all documents and the filing fee are submitted.

*any plans submitted plans shall have one original stamped and signed by the Rhode Island licensed professional.(if applicable)

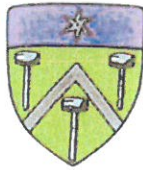
☒ Ten copies of the current recorded deed for the property or properties where the proposed changes would take place from the Town Clerk's Office

☒ Ten (10) complete sets of plans (scaled architectural drawings of the proposed building(s) or alteration(s); site plans; parking plans, landscaping plans, etc.). For height variances include plans to meet increased setback requirements for the appropriate zoning district.

☒ For all proposals that will provide more than four (4) parking spaces, ten (10) sets of on-site parking plans showing parking spaces, proposed landscaping and curb cut(s).

☐ For all proposals for signs/signage: ten (10) colored and scaled representations of the proposed signage, including a drawing representing scaled size in relationship to the appurtenant structure(s).

☒ Ten (10) 200' radius plans drawn to a scale of 1"= 50' from all corners of the lot or lots in question.



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Show all lot numbers, owners' names, street numbers and buildings (if any) on each lot within the radius, present use (example: parking lot, vacant lot, gas station, number of families, etc.) zone boundaries (including overlay districts), tax assessor's plat boundaries and indicate new construction and additions. If the 200' radius line intersects or is close to any lot(s) such lot(s) must be included fully within the radius.

X Two (2) copies of a list containing the following information, consistent with the latest data available in the office of the North Smithfield Tax Assessor:

- a. Each plat and lot number that appears within the 200 foot radius plan
- b. The corresponding names and MAILING addresses, including zip codes, of all property owners of each plat and lot number listed

X Three (3) sets of mailing labels with names and full mailing addresses of each property owner within the 200 foot radius

X Four (4) photographs of the Property taken from different angles, taken within seven (7) calendar days of the filing of the complete application. If there are any changes to the Property between the filing of the application and the date of the hearing, the applicant must submit at the hearing photographs reflecting any such changes. All plans must be signed by the author and must contain the author's full name, address and telephone number.



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APPLICATION FEES (REVISED 9/18)

The application fee consists of advertising, notification and processing fees, and is provided for in Appendix A of the Zoning Ordinance.

A. Any Residential Use Application

1) One and two family dwellings

- a) Special Use Permit/Dimensional Variance/ Use Variance \$450
- *Combination of two of the above \$550

2) Three family and above

- a) Special Use Permit/Dimensional Variance/ Use Variance \$500
- *Combination of two of the above \$650

B. Commercial Applications

- a) Special Use Permit/Dimensional Variance/ Use Variance \$600
- *Combination of two of the above \$700

C. Appeal the decision of the Zoning Official, Historic Commission, Planning Board or their Administrative Officer: \$450

D. Advertising Fee for each application: \$125.00

E. Abutter's Notification \$.50 per abutter

MAKE CHECK PAYABLE TO: TOWN OF NORTH SMITHFIELD



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TOWN OF NORTH SMITHFIELD ZONING BOARD OF REVIEW APPLICATION FOR VARIANCE OR SPECIAL USE PERMIT

Check Each Type Zoning Relief Sought: ___ Variance X Use *

X Variance – Dimensional*

___ Special Use Permit **

* Attach Appendix A to apply for a Use or Dimensional Variances

** Attach Appendix B to apply for a Special Use Permit

Applicant: Palm Coast Capital, LLC (Matthew Darling / Manager)

Address 805 Gamewell Avenue, Maitland, Florida

Zip Code 32752 Phone 860-319-7914 Home/Office/Mobile

E-mail matt@palmcoastcapital.com

Owner: Apple Acquisition, LLC C/O Stop & Shop Supermarket

Address 1385 Hancock Street, Quincy, MA

Zip Code 02169 Phone 207-233-1195 Home/Office/Mobile

E-mail Amy.booth@adusa.com



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Lessee: N/A

Address _____

Zip Code _____ Phone: _____ Home/Office Mobile _____

E-mail _____

Does the proposal require review by any of the following (check each):

☒ Planning Board

☐ Historic District Commission

☐ Other

1. Location of Property: Map 001 Lots 045 & 046

Street Address 0 Victory Hwy & Off Victory Hwy

2. Zoning District(s): Business-Neighborhood (BN)

Special purpose or overlay district(s): N/A

3a. Date owner purchased the Property:

10/24/2002

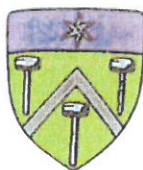
3b. Month/year of lessee's occupancy: N/A

3. Dimensions of each lot:

045 &

Lot # 046 Frontage 215.29 ft depth 916.21 ft Total area 578,588 sq. ft.

Lot # _____ Frontage _____ depth _____ Total area _____ sq. ft.



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Lot # _____ Frontage _____ depth _____ Total area _____ sq. ft.

4. Size of each structure located on the Property:

Principal Structure: Total gross square footage N/A

Footprint N/A Height N/A Floors N/A

Accessory Structure: Total gross square footage N/A

Footprint N/A Height N/A Floors N/A

5. Size of proposed structure(s): Total gross square footage:
21,930 s.f.

Footprint 21,930 s.f. Height 30'-8" Floors 1

6a. Existing Lot coverage: (include all buildings, decks, etc.)

Total: 6,100+/- s.f. [0 s.f. building / 6,100 s.f. impervious (pavement)]

6b. Proposed Lot coverage: (include new construction)

Total: 123,500+/- s.f. [21,930 s.f. building / 101,570 s.f. impervious (pavement, concrete, etc.)]

7a. Present Use of Property (each lot/structure):

Vacant Land

Former apple orchard

7b. Legal Use of Property (each lot/structure) as recorded in the Office of the Building and Zoning Official

State Code 14 - Vacant Land (Commercial / Industrial)



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8. Proposed Use of Property (each lot/structure):

Proposed Tractor Supply Company (Retail).

9. Number of Current Parking Spaces: N/A

10. Describe the proposed construction or alterations (each lot/structure):

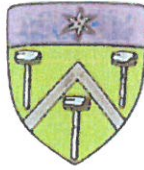
The Applicant, Palm Coast Capital, LLC, is proposing to construct a Tractor Supply Co. (TSC), a commercial development consisting of a new 21,930± square-foot retail store with seventy-four (74) parking spaces, outdoor permanent sidewalk display areas, a fenced outdoor display area, a trailer display area, and an associated live goods center to be located at 0 Victory Highway (RI Route 102) in North Smithfield, Rhode Island (Map 001 Lots 45 & 46). TSC is a rural lifestyle retailer chain that provides customers with basic maintenance products for home, land, pet, and animal owners. The proposed project includes various site improvements including associated parking, drives, drainage, utilities, landscaping, and lighting features to support the proposed use at the currently vacant lot.

11. Are there outstanding violations concerning the Property under any of the following:

___ Zoning Ordinance

___ RI State Building Code

___ North Smithfield Town Ordinance



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12. List all Sections of the Zoning Ordinance from which relief is sought and description of each section:

Sec. 5.4 District Use Regulations (Retail establishment exceeding 3,000 s.f.)

Sec. 4.26 Pylon Sign size and height

13. Explain the changes proposed for the Property.

The Applicant, Palm Coast Capital, LLC, is proposing to construct a Tractor Supply Co. (TSC), a commercial development consisting of a new 21,930± square-foot retail store with seventy-four (74) parking spaces, outdoor permanent sidewalk display areas, a fenced outdoor display area, a trailer display area, and an associated live goods center to be located at 0 Victory Highway (RI Route 102) in North Smithfield, Rhode Island (Map 001 Lots 45 & 46). TSC is a rural lifestyle retailer chain that provides customers with basic maintenance products for home, land, pet, and animal owners. The proposed project includes various site improvements including associated parking, drives, drainage, utilities, landscaping, and lighting features to support the proposed use at the currently vacant lot.



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The undersigned acknowledge(s) and agree(s) that members of the Zoning Board of Review and its staff may enter upon the exterior of the Property in order to view the Property prior to any hearing on the application. The undersigned further acknowledge(s) that the statements herein and in any attachments or appendices are true and accurate, and that providing a false statement in this application may be subject to criminal and/or civil penalties as provided by law, including prosecution under the State and Municipal False Claims Acts. Owner(s)/Applicant(s) are jointly responsible with their attorneys for any false statements.

Owner(s):

Applicant(s):

Matthew Darling / Manager
Palm Coast Capital, LLC

Print Name

Print Name

Signature

Signature

All requirements listed and described in the Instruction Sheet must be met or this application will not be considered complete or vested



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APPENDIX A

APPLICATION FOR VARIANCE(S)

Rhode Island General Laws § 45-24-41(c) requires that the Applicant for a variance demonstrate:

(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 is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in § 45-24-30(16);

(2) 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;

(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 zoning ordinance or the comprehensive plan upon which the ordinance is based;

(4) That the relief to be granted is the least relief necessary; and

(5)

(a) For a use variance: That the land or structure cannot yield any beneficial use if it is required to conform to the provisions of the zoning ordinance;



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(b) For a dimensional variance, 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.

Please provide the following information:

1. What is the specific hardship from which the applicant seeks relief?

The Applicant seeks relief from Section 5.4 of the Zoning Ordinance, which limits retail establishments to a maximum gross leasable area (GLA) of 3,000 square feet. The proposed Tractor Supply development includes a 21,930-square-foot building and associated outdoor display areas, resulting in a total GLA exceeding 40,000 square feet. This restriction prevents the applicant from utilizing the property for a reasonable and economically viable commercial retail use consistent with the site's zoning district and surrounding land uses. Without the requested relief, the proposed development cannot be constructed in accordance with the tenant's operational standards, resulting in a regulatory hardship that effectively prohibits reasonable use of the land. Additionally, the Applicant seeks relief from Section 4.26 to allow a free standing sign with a height of 15 feet and an area of 48 square feet where the BN zone only permits signs 8 feet in height and 12 square feet in area. The signage is needed to ensure visibility and site identification for a regional retail use along Victory Highway, where lower signage would be ineffective due to travel speed, distance, and line of sight.

2. Specify any and all unique characteristics of the land or structure that cause the hardship?

The property is a large, commercially zoned parcel located along a major roadway and is well-suited for a regional retail use. The hardship stems from the proposed tenant's operational model, which requires both indoor and outdoor display areas exceeding the 3,000-square-foot limit. Strict application of this limit restricts reasonable use of the site given its size, location, and surrounding commercial context. The BN zoning's signage limits were developed for smaller-scale neighborhood commercial uses and do not reflect the needs of a larger format commercial property with significant visibility issues to the shape of the existing lot. Without adequate signage, the use would lack necessary visibility for safety and business viability.

3. (a) Is the hardship caused by an economic disability? Yes ____ No X

(b) Is the hardship caused by a physical disability? Yes ____ No X

(c) If the response to subsection (b) is "yes," is the physical disability covered by the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. § 12101 et seq.? Yes ____ No ____



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4. Did the owner/applicant take any prior action with respect to the Property that resulted in the need for the variance requested? (Examples include, but are not limited to, any changes the owner/applicant made to the structure(s), lot lines, or land, or changes in use of the Property)? Yes ____ No X If "yes," describe any and all such prior action(s), and state the month/year taken.

5. State any and all facts to support your position that the applicant is not seeking the variance(s) primarily in order to obtain greater financial gain.

The variance is being requested to accommodate the operational requirements of a national retail tenant whose standard store format exceeds the zoning limitation on gross leasable area. The applicant is not seeking the variance to maximize profit, but rather to allow for reasonable use of a portion of the site. Only approximately 5.75 acres of the 13.2-acre parcel are proposed to be developed, with the remaining land intentionally left undeveloped to respect site constraints, including wetlands, environmental buffer areas, and neighboring residential properties. This demonstrates the applicant's commitment to minimizing site disturbance and requesting only the relief necessary to make beneficial use of the property. Similarly, the signage variance is sought to ensure adequate visibility from Victory Highway for safe and practical site identification, not for marketing excess.

6. State any and all facts that support your position that you are seeking the least relief necessary to lessen or eliminate the hardship (for example, why there are no viable alternatives to your proposed plan).

The proposed plan reflects the least relief necessary to accommodate the operational needs of the tenant while respecting site constraints. Only 5.75 acres of the 13.2-acre parcel are proposed to be developed, this is the minimum area required to support the building, outdoor display, parking, and stormwater management. The remaining land will remain undeveloped, minimizing site disturbance. No viable alternatives exist that would allow the use within the 3,000-square-foot limit and still result in a functional retail development.

The proposed signage dimensions reflect the minimum required for visibility along a state highway at typical vehicle speeds and are consistent with signage at comparable commercial properties. No viable alternatives exist that would allow for a functioning retail use and effective wayfinding under the current dimensional and use restrictions.



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7. If you are seeking a USE VARIANCE, set forth all facts that demonstrate that the Property cannot have any beneficial use if you are required to use it in a manner allowed in the zoning district.

The zoning ordinance allows retail uses by right in the district, but limits gross leasable area to 3,000 square feet, which is not sufficient to accommodate a viable commercial tenant on a parcel of this size and location. Given the property's scale, frontage on a major roadway, and proximity to other large-scale commercial uses, restricting it to such a small retail footprint renders it functionally and economically impractical for modern retail development. There is no reasonable or beneficial use of the property that complies with the 3,000-square-foot limit and supports meaningful redevelopment. The requested use variance is necessary to allow for productive, compatible use consistent with the property's zoning designation and surrounding land uses.

Additionally, inadequate signage under the current dimensional limits would further inhibit the property's commercial viability.

8. If you are seeking a DIMENSIONAL VARIANCE, set forth all facts that indicate that if the variance is not granted, the hardship the owner/applicant will suffer is more than a mere inconvenience.

If the dimensional variance for the proposed signage is not granted, the applicant will be unable to provide adequate site identification along Victory Highway (Route 102), which would significantly impact the visibility and viability of the proposed retail use. The property has an irregular, elongated shape and is subject to environmental constraints, including wetlands, which require the building and primary use areas to be set back significantly from the roadway. As a result, the standard signage limits in the BN zone (12 square feet in area and 8 feet in height) are insufficient to provide visibility to motorists traveling at highway speeds. Without appropriately scaled signage, the site will be difficult to locate and identify, which would compromise safe access, reduce customer traffic, and hinder the site's commercial potential. This hardship is more than a mere inconvenience; it directly impacts the functional and economic use of the property in a way that the zoning ordinance did not intend for a site of this size and context.



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AUTHORIZATION FOR REPRESENTATION

Brian Daley, (authorized agent for Apple Acquisition, LLC & Stop & Shop

I/We Supermarkets) of (company)

Apple Acquisition, LLC Palm Coast Capital, LLC
c/o Stop & Shop Supermarket authorize (Matthew Darling / Manager) to

represent me/us in the matter before the North Smithfield Zoning Board of

Review

regarding(address) 0 Victory Highway Plat 1 Lot 45 & 46.

Owner (Print) Brian Daley (Sign) B-Daley

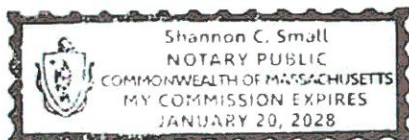
Date 7/21/25

Owner (Print) _____ (Sign) _____

Date _____

Notary Public (Sign): Shannon C. Small

My term expires: January 20, 2028



Date 7/21/25