


## PLANNING DEPARTMENT MEMORANDUM

TO: PLANNING BOARD  
FROM: Vincent Murray, Principal Planner   
DATE: April 3, 2003  
RE: Review of Agenda Items, April 8, 2003 Planning Board Meeting

File  
267-059  
Dist. G. ...  
Main Plan  
AH

**D. CONCEPTUAL MASTER PLAN DECISION:**

1. Condominiums of the Village at South County Commons, District 6, Section 2, Proposed 64 Unit, condominium development, AP 42, lot 22, South County Commons, Ltd., applicant.

Per the direction of the Planning Board staff has prepared the following draft motion of approval for the master plan above captioned project. The decision language is based upon the various TRC reviews of the project and the discussion of the project before the Planning Board as part of the Conceptual Master Plan Public Informational Meeting. Please also note that the statutory timeframe for rendering a decision on this application extends to April 17, 2003.

**Motion:** "The South Kingstown Planning Board hereby grants Conceptual Master Plan approval to the Condominiums of the Village at South County Commons, District 6, Section 2, Proposed 64-unit condominium development, AP 42, lot 22, as depicted on plans entitled; 'The Village at South County Commons, District 6, Section 2, Assessor's Plat 42, lot 22, Residential Condominiums, Master Plan Submission, Sheets 1 through 9, Prepared by: DiPrete Engineering Associates, Inc., Engineering, Surveying and Planning Consultants, Two Stafford Court, Cranston, RI 02920, Prepared for: South County Commons, Ltd., c/o Alex Petrucci, 27 Kristen Court, Warwick, RI 02886, Scales: as noted, Plan date: August 2002, as revised through November 11, 2002', based upon the following findings of fact and conditions of approval:

**Findings of Fact:**

1. The land development project is consistent with the requirements of the Comprehensive Plan;
2. The land development project conforms to the standards and provisions of the South Kingstown zoning ordinance;
3. As public sewers will be provided no building site is designed and located in such a manner as to require relief from Article 5, Section 504.1 of the Zoning Ordinance, as amended;
4. There will be no significant negative environmental impacts from the proposed development as shown on the plans, with the required conditions of approval;
5. The land development project, as proposed, will not result in the creation of individual building sites with such physical constraints to development that building on these lots according to pertinent regulations and building standards would be impracticable;
6. The land development project will have adequate and permanent physical access to a public street, namely Route 1;
7. With the required conditions of approval the subdivision will provide for adequate surface water runoff, for suitable building sites and for the preservation of natural,

historical, or cultural features that contribute to the attractiveness of the community;  
and,

8. The design and location of building lots, utilities, drainage improvements, and other improvements in the subdivision minimize flooding and soil erosion;

**Conditions of Approval:**

1. Conceptual Master Plan approval is limited to a maximum of 64 two-bedroom condominiums as per the project plans.
2. Current Fair Share Development Fees, as provided in the Zoning Ordinance and/or Capital Improvement Program and as amended annually, for school facilities only shall be required to be paid for each of the 64 multi-household units in this project phase. This requirement shall not prevent the applicant from applying for an adjustment to such fees by the Town Council as provided in the zoning ordinance. Pursuant to Section 1101.D of the zoning ordinance, the applicant shall be exempt from paying Fair Share Development Fees for open space; provided that an open space covenant is recorded in the Land Evidence Records of the Town by the applicant, which covenant shall allow, in perpetuity, public access to those parcels or tracts of land designated as open space on the approved plans for the land development project, and which public access shall be for park and passive recreation uses consistent with the conservation of said open space.
3. The design of the sewer line shall be modified to maintain the line within the road surface and not pass through the landscaped island at the end of the cul-de-sac.
4. The preliminary plans shall include notes and/or specifications regarding ledge removal, re-use and disposal as well as radon abatement for the housing units to be constructed.
5. The preliminary project plans shall reduce impervious surfaces to the greatest degree feasible to lessen drainage impacts and provide a softer project imprint on the land.
6. The preliminary project submittal shall strictly define the limits of disturbance (LOD) on the site for road and infrastructure installation and construction of individual housing units. The limits of disturbance for the project shall be staked in the field before any site disturbing activities commence. In addition, the erosion control plan for the project shall include details regarding containment and stabilization of any stockpiling areas. All stockpiling of materials shall be confined to be within the limit of disturbance on the site.
7. The applicant shall provide a photometric plan of the site as part of the preliminary submittal. This plan shall be prepared and stamped by an electrical engineer and shall detail all street and building lighting proposed and document that the project phase will contain lighting within the confines of the parcel and not spill off into wetlands in proximity to the development.
8. Stonewalls that are disturbed to accommodate project construction shall be reused on the site. The preliminary submittal shall include plans and specifications for such reuse or reconstruction.
9. Sewer hook-up fees of \$1800/unit and inspection fees will apply to each residential condominium unit proposed within the development.
10. The preliminary submittal shall provide a greater buffer and separation of Buildings 1, 2 and 3 from the entrance road into the apartments at District 6, Section 1. The plans shall include plantings to enhance the adequacy of this buffer. The project design shall also be revised to increase the buffer between Building 17 and the small wetland area to the south.

11. The preliminary submittal shall contain a comprehensive signage plan, such plan shall also include temporary construction signage, in addition to general project signage and directional, public safety and convenience signs within the condominium development. In addition if temporary structures are planned during project construction the size and location of such buildings shall be depicted on the project plans.
12. The recommendations of the Conservation Commission, as outlined in their correspondence dated February 6, 2003 and March 10, 2003 are incorporated into this Conceptual Master Plan decision by reference.
13. The road design shall conform to the following dimensional standards: for the main roadway into the project, 20' travel lanes with 1' cap cod berms on each side, for the side (spur) road 18' travel lanes with 1' berms on each side. The width of the travel lanes at the cul-de-sac shall not exceed 18' and the project engineer shall explore the feasibility of modifying the cul-de-sac to a more 'tear-drop' shape. Reshaping this feature may permit a modest reduction in grading, cut and fill for the housing units off the end of the cul-de-sac.
14. The use of cobblestone curbing or sloped faced curbing, (concrete or granite) shall be considered for the cul-de-sac island. A hard curb treatment shall also be specified for fillet curves within the development as well. The preliminary project design shall provide a specification in this regard.
15. All retaining walls constructed within the project site that will be visible from the project right of way or individual units shall be constructed utilizing natural stone facing. Specifications in this regard shall be contained within the project preliminary submittal.
16. To the greatest degree feasible the drainage-handling plan for the project shall separate roof runoff from roadway storm flow. In addition, the use of natural swales as part of the drainage system is advocated. The project drainage design and construction shall conform to RIDEM's Phase II Stormwater Management Plan's criteria and standards.
17. The preliminary plans shall detail a strategy to preserve as feasible or remove, stockpile and re-use existing, significant trees.
18. As part of the preliminary project submittal the applicant shall prepare legal documents that define the organization, rights and responsibilities of the condominium association. Such documents shall also address easements as necessary and covenants on open space areas. All legal documents shall be subject to review and approval by the Town's Special Legal Counsel for Planning and Zoning."

#### **E. PRELIMINARY PUBLIC HEARING:**

1. "Grande Ville at the Commons", Proposed 100 Unit, 1 and 2 Bedroom Apartment Development, AP 42, lot 20, Village at South County Commons, District 6, Section 1, South County Commons, Ltd., applicant.

#### **Overview:**

This preliminary plan proposal by South County Commons, LTD., consists of construction of 100, 1 and 2 bedroom apartments on a 6.5-acre parcel in the northern portion of the Route 1 Special Management District. This area is referred to as District 6, Section 1. In the preliminary approval of the Village at South County Commons this district was restricted for residential use. The proposal was before the Board last spring and received Conceptual Master Plan approval at the April 9, 2002 meeting (please find enclosed a copy of the CMP approval).

The site is comprised of 6.5 acres of land area, a small wetland is found at the westerly end of the site. It is referred to as AP 42, lot 20. A small amount of the proposed development parcel is comprised of wetlands (approximately .06 acres, 2613 +/- square feet). Larger wetland areas associated with the Indian Run are present just to the west of the site, a second wetland area and stream channel is found off the east boundary of the proposed apartment site. Abutting to the north of the site is land of the Audubon Society, the Town of South Kingstown owns land northwest of the development parcel.

The proposal depicts five apartment buildings containing 64 two-bed units and 36 one-bed units. The four larger buildings contain 23 units each with the smaller building containing 8 units. Unit sizes range between 790 square feet and 1304 square feet. Twenty-eight of the units are handicapped accessible; the plans note that all of the first floor units are handicapped adaptable. The exterior elevations of the buildings contain similar design features, materials and treatments that were approved for the 134 apartments currently under construction to the east of this development phase.

The buildings are situated on the perimeter of a central parking area. The plan depicts a total of 200 parking spaces, 20 of these parking spaces are contained in 3 garage structures located in the central portion of the site, 19 are below unit spaces and the balance are located in front of the garages or within the parking field. A detention basin is depicted at the west end of the site abutting the small wetland area. The buildings on the north side of the site are set back about 55' from the abutting land owned by the Audubon Society. As per the Master Plan approval a buffer area, 30' in width is shown along the northerly boundary of the development parcel abutting the Audubon property. The plans depict a pedestrian path (existing farm road) linking these apartments to the main body of the South County Commons project. Wetlands issues are involved with this pedestrian path as well as the main vehicular access to this district. The applicant has secured a RIDEM permit for wetland issues relative to the preliminary project plans, crossings for pedestrian connection, drainage and utility service, including sewer connection to the existing pumping station. Public water, (United Water) and TSK sewer service are proposed, (sewer service within the Commons development is privately owned and maintained).

This office received the preliminary plans on February 11, 2003, with additional materials received on February 21<sup>st</sup> and 26<sup>th</sup>. Based upon the additional materials we have been able to certify the application as complete as of February 28, 2003. This certification date defines a time frame for rendering a decision on this application on or before June 28, 2003.

**TRC Review of February 26, 2003:**

The TRC conducted our initial review of the preliminary plans for this project at our meeting in February. The application was represented by developer Alex Petrucci; engineer Dennis DiPrete and John Kenyon, Esq.

Mr. DiPrete and Mr. Kenyon provided materials aimed at addressing completeness issues cited in notes prepared by staff (dated February 21, 2003, copy attached). These consisted of the following:

- "Draft" legal documents, 1. Utility and Right of Access Easement; 2. Conservation Easement, (these have been forwarded to the Special Legal Counsel for review).
- Apartment Lease Contract and Pet Agreement, these documents have been provided to illustrate provisions about the control of free ranging pets in proximity to the Audubon Society property to the north.
- Correspondence dated February 25, 2003 from project engineer Kevin Morin, P.E. to Vincent Murray discussing water quality issues relative to the drainage design. This correspondence was submitted to address water quality concerns cited by the Audubon Society during the Conceptual Master Plan review and approval process.
- A photometric plan of the site was submitted on February 21, 2003. This plan depicts the lumen footprint of the proposed parking area lights. We have asked for an addendum to said plan providing data on the building lighting, this is of particular interest for the buildings on the north side of the site, #'s 1, 2 and 3 that abut the conservation easement and the Audubon property. We expect this information to be in place prior to the Board meeting on the 11<sup>th</sup>.

The TRC also discussed a number of other items relating to these preliminary plans, these are summarized below:

1. The Conservation Commission will review the plan at their meeting of March 3, 2003 and provide advisory recommendations to the Planning Board for use during the public hearing process.
2. It is the staff opinion that the design of the proposed detention basin will require a waiver of the subdivision regulation design requirements (Article XIII, D. 8.) to proceed. This section requires that side slopes of such basins not exceed 20% (5:1). The proposed basin utilizes a retaining wall feature on its east and south east side rather than a sloping grade. The retaining wall is proposed as being capped with a 6' high "chain link fence". The chain link fence was not favored by the TRC members, although if the design of the basin goes forward as designed a barrier of some type is needed for safety purposes at the top of the retaining wall. The TRC members discussed use of a natural material barrier at the top of the retaining wall.
3. The drainage basin also contains a "median barrier diversion structure" (Jersey Barrier) in the bottom as a water quality feature. The TRC members would recommend using a stonewall feature to accomplish this diversion. The TRC members also discussed trying to find an alternative to the "rip-rap" overflow design feature of the basin. The use of fabric type treatments was suggested perhaps coupled with vegetative materials.
4. The pond cross section on page 13 should be revised to depict the detention pond accurately.
5. A rustic guardrail should be installed at the curve on the access road southwesterly of Building #1, TRC members suggested a railing system similar to that utilized in Jamestown for the cross-island approach to the Newport Bridge.
6. The amount of parking was discussed in the context of impervious surfaces by TRC members, Mr. DiPrete noted that the 200 spaces included below unit spaces and the garage units. The Zoning Ordinance mandates 2 spaces per unit and as such 200 spaces is the minimum requirement.

7. The TRC members recommended that the retaining wall proposed for the southeastern side of the development be constructed of native stone.
8. The Conceptual Master Plan approved plans depicted pedestrian walkways around the perimeter of the site. These are missing from the preliminary plans. TRC members expressed concerns about this deletion and strongly recommend adding such pathways back into the plan. Because of the sloping nature of the site a bituminous base for the paths is likely necessary. TRC members suggested that this base could be "softened" by using a stone seal treatment or rolling in some type of natural stone into the surface.
9. TRC members indicated that additional review of the landscaping plan was necessary before the public hearing takes place to best advise the Planning Board. It is recommended that the project landscape architect attend the March 26<sup>th</sup> TRC meeting to discuss the plan with the committee.
10. TRC members also noted that additional review of the engineering details needed to take place to best advise the Planning Board at the preliminary public hearing.

#### **TRC Review of March 26, 2003:**

Engineer Dennis DiPrete and landscape architect Michael Weinmeyr represented the application before the Technical Review Committee. The TRC review focused upon the engineering plans and landscaping plans for the project, specific items discussed consisted of the following:

1. The stonewalls proposed to flank the entryway into the project site should be a minimum of 3' (instead of the 2' proposed in the plans).
2. The landscape architect indicated that transplanted trees would be incorporated into the project design in addition to the specified new plantings. Transplanted trees would be targeted to the more informal areas of the parcel. Mr. Weinmeyr also stated that they were in the process of identifying trees that could be maintained on the site and incorporated into the design. This included trees along the main entryway into the parcel which he felt may be able to be retained and may necessitate field relocation of planned lighting to coordinate same with the retained vegetation.
3. The landscape architect also provided a sketch specification for natural stone retaining walls planned for portions of the site. This feature was planned for walls that would be visible from the public areas or apartment units within the parcel.
4. The TRC suggested a meandering type of sidewalk along the entryway road with a grass strip feature incorporated between the sidewalk and pavement surface.
5. The TRC recommended that additional screening for the A/C heat pumps be added to fully screen these units on all of the buildings.
6. It was also suggested that additional cedars or other evergreens be added to the sloped area on the north side of the site and within the detention basin.
7. The TRC discussed the type of fencing planned for the top of the retaining wall. Mr. DiPrete submitted a fencing specification in this regard. The specification depicts a steel fence with 1" baluster spacing and three horizontal rails with a permanent epoxy type coating (see attached specification sheets). A black coating was suggested by the developer. Mr. Brown noted that a minimum fence height of 4' would be required. Other TRC members noted that the fence should only top the wall where the Building Code would require this feature based upon the "drop" in grade at the wall. In this regard it was noted that the east end of the retaining wall running parallel to Building #1 might not require a fence.

8. The applicant should submit a comprehensive signage plan for the project (plan to include general project and directional signage, public safety signage and temporary signage).
9. Mr. DiPrete informed the TRC that a revised photometric plan had been prepared and would be stamped by an electrical engineer. He indicated that the plan would also address building lighting, as per the request by the TRC, (information attached).
10. The TRC would reiterate the recommendation that the pedestrian pathway system be re-incorporated into the preliminary plans. The project engineer added that he agreed with this suggestion and the use of a "stone seal" treatment for the pathway for a softer look than concrete or smooth bituminous asphalt.
11. Mr. DiPrete noted that per the TRC recommendation a guardrail was being added at the turn of the access laneway to the southwest of Building #1. This was a recommendation of the Town Engineer.
12. The TRC members discussed using an alternative fabric treatment for the spillway and flare end within the detention basin. The proposed "rip-rap" stone was felt to convey a hard, engineered look that would benefit from softening. Staff noted that the preliminary design plans for the Usquepaugh Hills subdivision utilize a "Tensar TM 3000 Mat Permanent Erosion Control" fabric in place of rip-rap. Mr. DiPrete stated that at a minimum they would propose placement of a fabric over the stone with loam and grass planting on top of the filter fabric.
13. The Building Official suggested that the applicant coordinate with the Union Fire District regarding the design of the sprinkler system.
14. The Conservation Commission's recommendations on this project are contained in the attached letter dated March 11, 2003.

As is noted above the time frame for rendering a decision on this application extends to **June 28, 2003**. This will enable detailed review as part of the public hearing and additional TRC and staff analysis and recommendations as necessary.

#### **F. COMBINED CONCEPTUAL MASTER PLAN AND PRELIMINARY PUBLIC HEARING:**

1. "Mooresfield Woods", Proposed 3-lot minor subdivision, (1 existing home) with frontage waivers sought, 41 Old Rose Hill Road, AP 25, lot 45, Forge Construction Management, Inc., owner and applicant.

##### **Overview:**

Forge Construction Management, Inc. proposes to subdivide this 3.87 acre parcel at 41 Old Rose Hill Road into three residential building lots. An existing 5-bedroom home and garage is situated in the northeast quadrant of the parcel. The parcel lies within the R40 zoning district. The proposed subdivision would create 2 new lots; Parcel B and C would be comprised of 53,993 square feet and 55,008 square feet respectively. Parcel A is intended to accommodate the existing home, garage, well and septic system and is depicted as containing 59,494 square feet. Parcel A would retain the existing driveway to Old Rose Hill Road. The proposed parcels B and C would share a common driveway sited within a 35' wide access and utility easement.

The applicant is seeking a waiver to allow the application of the flexible frontage provisions contained within Article 5, Section 502.2 of the Zoning Ordinance. Such a waiver would allow Parcel B to have a 35.01' of frontage as shown and Parcel C to have

41.75' as shown, (the normal minimum requirement for frontage in the R40 zone is 150'). The waiver request (see attached correspondence) reclassifies this application as a major subdivision and as such it would be subject to a review process consisting of Conceptual Master Plan, Preliminary Review and Final Review. As noted in the correspondence requesting the waiver the applicant is also asking the Planning Board to combine the review stages of CMP and Preliminary into one public hearing. Staff would also point out that the applicant submitted a 'yield plan' depicting a standard subdivision of the parcel as a prerequisite to seeking the flexible frontage provisions of Article 5 of the zoning ordinance. Parcel A is fully conforming to the basic requirements of the R40 zoning district.

This area is not serviced by public water or sewer service. Each of the proposed lots would be supported by a septic system and private well. The existing home has a new septic system installed within the last year. The two new 3 bedroom homes would be serviced by "Advantex" septic system technology over a bottomless sand filter drain field. The applicant has secured RIDEM subdivision suitability determinations (#S32-178, dated 1/2/03) for the each new lot.

#### TRC Review:

At the TRC meeting of February 26<sup>th</sup> the Mooresfield Woods application was represented by Riley Lampson of Forge Construction Management, Inc. and Dan Cotta of American Engineering.

The Technical Review Committee discussion focused upon the following issues:

1. TRC members were supportive of a combined CMP and Preliminary Public Hearing for the application due to the waiver sought to allow the use of the flexible frontage provisions contained in the zoning ordinance (Article 5, Section 502).
2. In response to a TRC inquiry about the condition of the septic system servicing the existing home Mr. Lampson noted that the prior owner installed a new system just before selling the property. The new system is a conventional design according to Mr. Cotta.
3. TRC members recommended that the common drive be held to a 12' width and incorporate a "bubble turn-out" along the first leg of the driveway, (approximately 150' in length). The bubble turnout would allow pass and re-pass of vehicles along the common driveway without undue expansion of the pavement. The TRC members also suggested that the common drive incorporate a "serpentine" feature to avoid a "bowling alley" type effect. This design may also allow for better preservation of trees along the path of the driveway (there is an 18" pine tree within the path of the driveway as designed).
4. The location of the driveway at Old Rose Hill Road also would impact two town trees within the Old Rose Hill Road right of way. It was noted that any proposed removal of Town trees would have to follow Chapter 21 of the Town Code. This process is administered through the Department of Public Services and the Tree Warden. The TRC also recommends review of the driveway location by the Town Tree Board (Conservation Commission).
5. The TRC discussed the proposed limits of disturbance to accommodate the new home construction. The engineer's drawings in this regard were seen as reasonable.