



SOUTH KINGSTOWN PLANNING DEPARTMENT
PROJECT REVIEW MEMO
HANSON SUBDIVISION
Minor Subdivision – Preliminary Plan
August 22, 2023

Project Type:	Minor Subdivision		
Review Stage:	Preliminary Plan		
Address:	54 Old Post Road		
Plat:	63-1	Lot:	33
Parcel Size:	~3.74 acres	Zoning District:	R20
Applicant:	Dylan Cass 1625 Kingstown Road Wakefield, RI 02879	Owner:	Olwyn McCabe & Eric Hanson

Property Characteristics

The property is approximately 3.74 acres (~163,785 square feet) in total area with a forested wetland in the rear (west side) portion of the Site. Currently one (1) existing single-family residence exists on this parcel with access via a driveway off Old Post Road. This residence had previously been serviced by a cesspool and the South Kingstown Department of Public Services had issued a Notice of Violation on April 19, 2011 in regard to the cesspool (which should have been replaced by May 31, 2010). This violation apparently had not been resolved prior to this subdivision request.

Project Description

The applicant is proposing to subdivide the property into three (3) conforming parcels in accordance with the Zoning Ordinance and Subdivision Regulations. *Proposed Lot "B"* will support the existing development from the original parcel and all resulting parcels will conform to the R20 Zoning District in which they reside as follows:

	Frontage (feet)	Total Area (square feet)	Wetland Area (square feet)	Total Land Suitable for Development (square feet)
Existing	330.67	163,018	53,604	109,414
<i>Required (R20 Zone)</i>	<i>100</i>	<i>20,000</i>	<i>--</i>	<i>20,000</i>
Proposed Lot "A"	117.53	50,394	11,925	38,469
Proposed Lot "B"	113.14	74,597	27,780	46,817
Proposed Lot "C"	100.00	38,026	13,901f	24,125

The applicant has received sign-off from the Rhode Island Department of Transportation (RIDOT) for the curb cut and driveway design. They have also upgraded the cesspool to an Advantex denitrification Onsite Wastewater Treatment System (OWTS) and was issued a Certificate of Conformance (Application No. 2132-1607) for said system by the Rhode Island Department of Environmental Management (RIDEM) dated May 9, 2023. Both of the new parcels being created will be serviced by individual OWTS's and all parcels will be serviced by public water (Suez).

Access to the lots will be from a shared driveway configuration, with an easement on *Proposed Lot "B"* in favor of Lot A and an easement on *Proposed Lot "C"* in favor of Lots A & B. The driveway configuration will utilize the existing curb cut, thereby avoiding an additional curb cut on Old Post Road. This type of access is preferred to help preserve the existing streetscape conditions.

Waivers Requested

The applicant is not requesting any waivers associated with this subdivision.

Review to Date

This application was reviewed with the applicant at the Technical Review Committee meeting on October 12, 2023. Upon review and discussion with the applicant the TRC rendered a favorable advisory on the application with the following conditions subject to confirmation by the Planning Board:

1. Prior to being reviewed by the Planning Board the applicant shall:
 - a. Delineate the driveways within the access easement area
 - b. Confirm emergency vehicle access with the Union Fire Department.
 - c. Locate the existing onsite wastewater treatment system (OWTS) in the field and delineate the OWTS location on the Site Plan.
 - d. Complete a sewer feasibility study and receive confirmation from the Department of Public Services that connection to the municipal sewer system will not be required.

Required Findings

As a reminder, State law requires **for all administrative, minor, and major subdivision and land development applications**, approving authorities must make positive findings on the following standard provisions:

- (1) The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies;
- (2) The proposed development is in compliance with the standards and provisions of the municipality's zoning ordinance;
- (3) There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval;
- (4) The subdivision, as proposed, will not result in the creation of individual lots with any physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable. (See definition of Buildable lot). Lots with physical constraints to development may be created only if identified as permanent open space or permanently reserved for a public purpose on the approved, recorded plans; and
- (5) All proposed land developments and all subdivision lots have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered in compliance with this requirement.

The approving authority must also address each of the following general purposes of zoning:

- (1) Providing for the orderly, thorough and expeditious review and approval of land developments and subdivisions;
- (2) Promoting high quality and appropriate design and construction of land developments and subdivisions;
- (3) Promoting the protection of the existing natural and built environment and the mitigation of all significant negative impacts of any proposed development on the existing environment;

- (4) Promoting design of land developments and subdivisions which are well-integrated with the surrounding neighborhoods with regard to natural and built features, and which concentrate development in areas which can best support intensive use by reason of natural characteristics and existing infrastructure;
- (5) Encouraging local design and improvement standards to reflect the intent of the community comprehensive plans with regard to the physical character of the various neighborhoods and districts of the municipality;
- (6) Promoting thorough technical review of all proposed land developments and subdivisions by appropriate local officials;
- (7) Encouraging local requirements for dedications of public land, impact mitigation, and payment-in-lieu thereof, to be based on clear documentation of needs and to be fairly applied and administered; and
- (8) Encouraging the establishment and consistent application of procedures for local record-keeping on all matters of land development and subdivision review, approval and construction.

Draft Motions for Consideration

Decision

“The South Kingstown Planning Board hereby grants Preliminary Plan approval to the Hanson Subdivision, a three (3) lot minor subdivision for single-family development located at 54 Old Post Road, Dylan Cass, *applicant*, Olwyn McCabe & Eric Hanson, *owners*. This approval is based on the plan titled *Preliminary Hanson Minor Subdivision Proposed Lot Geometry Plan, A.P. 63-1, Lot 33, 54 Old Post Road, Wakefield, Rhode Island, Sheet 2 of 2, dated February 21, 2022 with revisions through June 12, 2023, prepared for Eric S. Hanson & Olwyn McCabe, and prepared by Fontaine Land Surveying, LLC, 593 Green Hill Beach Road, South Kingstown, RI 02879. This approval is also based on the following Findings of Fact and Conditions of Approval:*

Findings of Fact

- A. The subdivision is consistent with the requirements of the South Kingstown Comprehensive Community Plan.
- B. The subdivision conforms to the standards and provisions of the South Kingstown Zoning Ordinance.
- C. There will be no significant negative environmental impacts from the subdivision as depicted on the above referenced plans, with the required Conditions of Approval.
- D. The subdivision, as proposed will not result in the creation of building sites with such physical constraints to development that building on the lots according to pertinent regulations and building standards would be impracticable.
- E. The subdivision has adequate and permanent physical access to a public street, namely, Old Post Road.
- F. Thorough technical review of the subdivision has been conducted by the South Kingstown Technical Review Committee.

Conditions of Approval

1. This approval is limited to three (3) lots in total.
2. All lots shall be serviced by public water and onsite wastewater treatment systems (OWTS).
3. Access to the three (3) lots, as depicted on the plan, shall be provided by a shared access driveway utilizing the existing driveway and curb cut on post Road. No other curb cuts shall be permitted.

4. All conditions and recommendations made by the TRC shall noted on the Final Plan and be completed by the Final Plan submittal, as confirmed by the Administrative Officer upon submittal.
5. The applicant shall submit a Final Plan application and requisite documents that meet the requirements of the 'Final Plan Checklist, Minor Subdivision,' as found in the Regulations. The Final Plan shall contain a draft Record Plan as required by the Checklist. The draft Record Plan shall include notation of Conditions of Approval numbered one (#1) through four (#4) listed above. The Final Plan shall be subject to review and approval by the Administrative Officer. Upon approval, and satisfaction of any applicable Conditions contained within the Final Plan approval, the applicant shall submit the Record Plan on polyester film to the Administrative Officer for endorsement and shall record the same in the Town of South Kingstown Land Evidence Records.
6. Survey monumentation shall be installed for each parcel intersection along the street and at any intersection or directional change of parcel boundaries to the satisfaction of the Administrative Officer. Said monumentation shall be shown on the draft Record Plan and be installed in the field prior to recording. The type, number and location of the monuments shall also be subject to the approval of the Administrative Officer as part of the Final Plan approval.
7. Soil Erosion, Run Off and Sedimentation Control (SERSC) Permit's must be issued from the Town's Department of Public Services prior to applying for any building permits on the lots.