



**SOUTH KINGSTOWN PLANNING DEPARTMENT  
PROJECT REVIEW MEMO**

**Hope Springs Subdivision**

**Minor Subdivision – Preliminary Plan Review**

September 27, 2022

Project Type:	<b>Minor Subdivision</b>		
Review Stage:	<b>Preliminary Plan</b>		
Address:	<b>532 Tuckertown Road</b>		
Plat:	<b>62</b>	Lot:	<b>12</b>
Parcel Size:	<b>41.96 acres</b>	Zoning District:	<b>R200</b>
Applicant:	Hope Springs LLC c/o Trip Kyle/Leigh Kyle 4361 Mt. Herbert Avenue San Diego, CA 92117	Owner:	Same

**Property Characteristics**

The subject property is almost 42 acres in size and currently supports one (1) 4-bedroom single family dwelling located within an R200 Zoning District. The property is located on the southern side of Tuckertown Road approximately ¾ mile west of its intersection with Post Road. Several small deciduous forested wetlands exist on a portion of the property; however, these wetlands are located within an existing conservation easement associated with the South Kingstown Land Trust that is 29.66 acres in size and used for seasonal agricultural purposes.

**Project Description**

The applicant is proposing to subdivide the existing lot into three (3) parcels, two of which (Lots A & B) are proposed for single-family residential development and the other (Lot C) is proposed to be a restricted parcel containing the existing SKLT conservation easement in its entirety.

The resulting lots from this subdivision comply with the Zoning requirements for R200 Zoning Districts.

	Frontage (feet)	Area (square feet)	R200 Required Frontage (feet)	R200 Required Lot Area (square feet)
Lot A	200	200,021.07	200	80,000
Lot B	735.21	319,379.57		
Lot C	359.71	1,291,949.87		

Lot A is proposed to be serviced by an Onsite Wastewater Treatment System (OWTS) and Lot B is currently serviced by an existing OWTS. Both parcels (Lot A & Lot B) will be serviced by public water (Veolia).

**Waivers Requested**

No waivers are being requested by the applicant.

**Review to Date**

***Preliminary Plan Review***

On August 10, 2022, the Technical Review Committee (TRC) discussed the application and rendered a favorable recommendation with the following recommendations:

1. Address easement access associated with Lot C; and
2. Resolve property ownership issue between Lots B & C.

Following the TRC meeting, the applicant has submitted a revised plan that resolves the discrepancies noted by the TRC which were the subject of both recommendations rendered.

### **Required Findings**

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In approving this subdivision request, the Board 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 Board also must 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.

### Staff Comments

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This 3-lot minor subdivision is proposed to result in two (2) lots for development and a third lot that is protected by a Conservation Easement which is intended to be sold/transferred to the South Kingstown Land Trust. This subdivision complies with the requirements of the Subdivision and Land Development Regulations, as well as the Town of South Kingstown Zoning Ordinance.

### Draft Motion for Consideration

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“The South Kingstown Planning Board hereby grants Preliminary Plan approval to the Hope Springs Minor Subdivision, a three (3) lot minor subdivision for single-family development of two parcels (Lot A & Lot B) and a third undevelopable parcel (Lot C) protected by an existing conservation easement under the control of the South Kingstown Land Trust, Assessor’s Plat 2, Lot 12, located at 532 Tuckertown Road, Hope Springs LLC, *applicant/owner*. This approval is based upon plan entitled ‘*Preliminary Hope Springs Minor Subdivision*’, located on Lot 12, Assessor’s Plat 62, owned by Hope Springs, LLC, c/o Leigh Kyle, Sheet 1 of 1, dated May 3, 2022 with revisions through September 8, 2022, prepared by Frisella-Balch & Associates, 33 North Road, Suite C-201, Peace Dale, RI’. This approval is 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 Tuckertown Road.
- F. With the required Conditions of Approval, the subdivision promotes high quality and appropriate design and construction.
- G. With the required Conditions of Approval, the supports the protection of the existing natural and built environment, and the mitigation of all significant negative impacts on the existing environment.
- H. The subdivision is well-integrated with the surrounding neighborhood with regard to natural and built features, and concentrates development in areas which can best support intensive use by reason of natural characteristics and existing infrastructure.
- I. 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 two (2) parcels for residential development (Lot A & Lot B). The third parcel (Lot C) shall remain restricted from development in accordance with the restrictions outlined within the existing conservation easement (Land Evidence Book 1372, Pages 717-732) unless authorized by the Planning Board in amendment of this approval in the future.
2. Both lots for development (Lot A & Lot B) will be serviced by Onsite Wastewater Treatment Systems (OWTS) and public water service (Veiola Water Rhode Island).

3. Survey monumentation shall be installed for each new parcel boundary at any intersection or directional change. Said monumentation shall be shown on the draft Record Plan and installed in the field prior to recording. The type, number and location of the monuments shall be subject to the approval of the Administrative Officer as part of the Final Plan approval.
4. Physical Alteration Permits from the Town of South Kingstown must be received for any new or modified curb cuts prior to installation.
5. Soil Erosion, Run Off and Sedimentation Control (SERSC) Permit's must be issued from the Town's Department of Public Services prior to any improvements and prior to applying for any building permits associated with the subject parcels.
6. The applicant shall submit a Final Plan that meets 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 and shall include notation of Conditions of Approval numbered one (#1) through five (#5), as 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 by the Planning Board Chair and shall record the same in the Town of South Kingstown Land Evidence Records concurrently with executed deeds and other relevant legal documentation.
7. **And any other conditions deemed necessary by the Planning Board in consideration of this application..."**