



Town of South Kingstown, Rhode Island

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PLANNING DEPARTMENT

Witness: South Kingstown Town Clerk

October 13, 2017

Suffolk Realty LLC
50 South County Commons Way Unit E4
Wakefield, RI 02879

Re: **PRELIMINARY PLAN PUBLIC HEARING, MINOR SUBDIVISION WITH WAIVER REQUEST – South County Commons District 5**, a proposed 100 room, 49,900 square foot hotel and 3,600 square foot pool building, with two additional proposed phases of development with uses to be determined, AP 50-4, Lot 22, located at Hampton Way and Route 1, Suffolk Realty, LLC owner/applicant.

To Whom It May Concern:

At the meeting of the South Kingstown Planning Board held on Thursday, October 12, 2017 the Board voted as follows:

Motion: "The South Kingstown Planning Board hereby grants Preliminary Plan and Development Plan approvals to South County Commons District 5, a 100-room, 49,900 square foot hotel and 3,600 square foot pool building, with two (2) additional proposed phases of development with uses to be determined at a later date, located at Hampton Way and Route 1, AP 50-4, Lot 22. This approval is based on plans entitled:

- 'Preliminary Plan Submission, The Village at South County Commons – District 5,' sheets 1 through 15 of 15, prepared by DiPrete Engineering, Two Stafford Court, Cranston, RI 02920, dated 12-14-2016, with revisions through 9-18-2017
- 'Landscape Plans, The Village at South County Commons – District 5,' sheets 1 through 3 of 3, prepared by John C. Carter & Co., Inc., 960 Boston Neck Rd, Narragansett, RI, dated July 27, 2017, with revisions through 10-3-2017
- 'Pedestrian Circulation & Open Space Use Plan,' sheet 1 of 1, prepared by DiPrete Engineering, Two Stafford Court, Cranston, RI 02920, dated 7/31/2017, with no revisions, and
- 'Phasing Exhibit,' sheet 1 of 1, prepared by DiPrete Engineering, Two Stafford Court, Cranston, RI 02920, revised 8/29/2017.

Findings of Fact

1. The project is consistent with the South Kingstown Comprehensive Community Plan.
2. The project is in compliance with the standards and provisions of the Town of South Kingstown Zoning Ordinance, and specifically Section 605 relative to the Route 1 Special Management District.

3. Pursuant to Section 605.2 of the Zoning Ordinance, the purpose of the Route 1 Special Management District is to provide an area for economic development in the community according to prescribed review and approval procedures, and according to design standards particular to the District.
4. Pursuant to Sections 605.2 and 605.5 of the Zoning Ordinance, the presence of the wetland buffer along Route 1, and the diversity of landscaping provided assists in preserving the scenic roadside view from Route 1 and adjacent properties.
5. The landscaping screening proposed along Hampton Way provides a sufficient buffer for the adjacent residential uses.
6. The architectural design of the hotel building, as presented in Option 1A, located in Phase 1, is consistent with the guidelines provided in Section 605.16 of the Zoning Ordinance, and is visually compatible with the traditional historic character of the Town of South Kingstown and the surrounding area, including building materials, massing, scale, and roof line.
7. Adequate, safe, and attractive pedestrian circulation has been provided throughout the development.
8. With the required Conditions of Approval, there will be no significant negative environmental impacts from the proposed development.
9. The project, as proposed, will not result in the creation of lots or building sites with such physical constraints to development that building on the lots/sites according to pertinent regulations and building standards would be impracticable.
10. The development has adequate and permanent access to a public street, namely Route 1 through an existing, recorded access easement via Hampton Way.
11. The development provides for safe circulation of pedestrian and vehicular traffic, for adequate surface water run-off, for suitable building sites, and for preservation of natural, historical, or cultural features that contribute to the attractiveness of the community.
12. The design and location of streets, building lots, utilities, drainage improvements and other improvements in the development minimize flooding and soil erosion.
13. Orderly, thorough, and expeditious technical review of the development has occurred via meetings with the South Kingstown Technical Review Committee and a public hearing with the South Kingstown Planning Board.
14. With the required Conditions of Approval, the development promotes high quality and appropriate design and construction.
15. With the required Conditions of Approval, the development supports the protection of the existing natural and built environment, and mitigates any potentially significant negative impacts on the existing environment.
16. The development is well-integrated with the surrounding neighborhood in regard to natural and built features, and assists in concentrating new development in areas that can best support intensive use by reason of natural characteristics and existing infrastructure.
17. With the required Conditions of Approval, the development meets the local design and improvement standards found within the Town of South Kingstown Subdivision and Land Development Regulations, which reflect the intent of the comprehensive plan with regard to the physical character of the various neighborhoods and districts of the municipality.
18. With the required Conditions of Approval, the project meets the intent and spirit of the requirements for Development Plan Review as found within the Town of South Kingstown Subdivision and Land Development Regulations.

Findings of Fact, Open Space Incentive

1. Section 605.15 of the South Kingstown Zoning Ordinance authorizes the Planning Board to allow incentives in order to encourage a comprehensive system of open space throughout the District, on adjacent parcels, or on a single parcel.

2. The granting of the requested incentives, namely a reduction in provided parking and an increase in allowable building height, promotes the objectives and purposes of the Comprehensive Community Plan and the Zoning Ordinance.
3. At Conceptual Master Plan approval, District 5 of South County Commons was required to provide a minimum of 4.07 acres of open space, or 27.6% of the district.
4. The project, as proposed, increases the amount of open space provided within District 5 to 7.42 acres, or 50.3% of the district. The 7.42 acres of open space do not include any areas identified as wetlands.
5. The requested reduction in parking spaces from the required 117 spaces to proposed 110 spaces represents a seven (7%) reduction in parking spaces.
6. The requested increase in building height from the allowed 40 feet to proposed 50 feet represents a 25% increase in building height.

Conditions of Approval

1. The use of Phase 1 shall be strictly limited to a 100-room, 49,900 square foot hotel and 3,600 square foot pool building, with associated parking and site improvements, as depicted on the 'Phasing Exhibit.'
2. Subsequent phases shall be strictly limited to office, bank, non-retail, or restaurant uses, associated accessory uses, parking, and site improvements.
3. Approval of the building design, parking layout, landscape materials and design, stormwater management facility details, and utility details is limited to only the buildings and site improvements depicted on the 'Phasing Exhibit.'
4. The granting of the requested incentives applies only to the buildings and parking area depicted on the 'Phasing Exhibit.' The Board shall not be required to allow, nor shall they be precluded from allowing, zoning incentives for future phases based on the total open space provided pursuant to this approval.
5. The signage to be located on the building shall not be internally illuminated.
6. Prior to issuance of building permit(s) for the above grade structures, not including the building foundation(s), in Phase 1, final architectural designs shall be submitted to and approved by the Administrative Officer, who shall ensure such plans are in substantial conformance with the plans presented during the public hearing.
7. Prior to issuance of building permit(s) for the above grade structures, not including the building foundation(s), in Phase 1, the applicant shall receive approval from the Department of Public Services (DPS) for connection to the Town's public wastewater system. In order to obtain such approval, the applicant shall:
 - a. Conduct a comprehensive analysis of the pumps, alarms, and associated equipment at the Bradley School and Village at South County Commons pump stations, confirming good working order of all system components, submit to DPS a report detailing the analysis results and any recommended system repairs, prepared by a RI registered Professional Engineer, and coordinate with DPS to determine which, if any, repairs are to be made and the timeline for completion of said repairs;
 - b. Finalize the odor control and hydrogen sulfide study for both pump stations and associated force mains and coordinate with DPS to determine whether any mitigation is necessary and the timeline for completion of said mitigation; and
 - c. Revise the assessment of the main pump station force main transition point to the Town's gravity system and coordinate with DPS to determine whether any mitigation is necessary and the timeline for completion of said mitigation.
8. A 'No Right Turn' sign shall be installed at the exit to the development onto Hampton Way.
9. For all phases, all areas to be landscaped, whether with grass or other plantings, which are disturbed during construction are to be restored in accordance with the Soil Erosion and Sediment Control Handbook's top soil and top soil preparation standards, to include de-compaction of soils and adequate provision of top soil that meets the organic matter standards. Any future disturbance of plantings located within the required buffer, including but not limited to limbing, pruning, or removal, that impacts the visual nature of said buffer shall be replanted and require approval of the Planning Board as specified in Section VI.B. of the South Kingstown Subdivision and Land Development Regulations.

10. For all phases, an on-site inspector, familiar with the proposed plans, shall be present on-site to conduct inspections during construction and to ensure adherence to the limits of construction and installation of BMPs as necessary.
11. The applicant shall submit a Final Plan set that reflects these Conditions of Approval and meets the physical improvement and construction standards of the Town of South Kingstown Subdivision and Land Development Regulations. The Final Plan set shall include all sheets referenced in this approval, as well as draft Record Plan(s) illustrating the proposed site phasing, and the location of buildings, parking, site infrastructure, and landscaping to be installed as part of Phase 1. The Final Plan and included draft Record Plan(s) shall be subject to the review and approval of the Administrative Officer. Upon receipt of Final Plan approval, the applicant shall submit the Record Plan(s) on polyester film to the Administrative Officer for signature by the Planning Board Chair. Once endorsed, the Record Plan(s) shall be recorded in the Town of South Kingstown Land Evidence Records.
12. The Record Plan(s) for Phase 1 shall include notation of all state permits received relative to the development, as well as Conditions of Approval numbers one (#1), two (#2), three (#3), four (#4), five (#5), seventeen (#17), eighteen (#18), nineteen (#19), twenty (#20), twenty-one (#21), and twenty-two (#22).
13. Each subsequent phase of development shall require Development Plan Review by the Planning Board. In addition to the items required by the Development Plan Review Checklist in effect at the time of submittal, application for Development Plan Review of future phases by the Planning Board shall include architectural renderings, landscape plans, all site improvement and infrastructure details, and all other materials/items required by this approval.
14. The applicant shall submit a cost estimate for all site improvements relative to Phase 1 with the Final Plan submittal. Cost estimates for all site improvements relative to any subsequent phases shall be submitted with application for Development Plan Review. Pursuant to the Town of South Kingstown Subdivision and Land Development Regulations, Article VII, Section C.5, the applicant shall provide a maintenance guarantee for each phase of the development, which shall be equal to five percent (5%) of the total estimated cost of all required site improvements for the applicable phase. For each phase, the maintenance guarantee shall be posted prior to recording the As-Built Record Plans described in Condition number fifteen (#15), below.
15. Prior to application for Development Plan Review for any subsequent phases, the applicant shall request a determination from the Rhode Island Department of Environmental Management (RIDEM) as to whether revised Rhode Island Pollutant Discharge Elimination System (RIPDES), Insignificant Alteration, or other development related permits are required. If revised permits are deemed to be required by RIDEM, the applicant shall submit such with application for Development Plan Review.
16. Prior to application for Development Plan Review for any subsequent phases, the applicant shall initiate discussions with owners of Assessor's Plat 50-4, Lot 23 (currently Emma Bradley Pendleton Hospital) and RIDEM relative to installation of a pedestrian walking path connecting South County Commons District 5 with the existing area of South County Commons. Should the owners of AP 50-4, Lot 23 agree to allow the walking path to cross their property, the applicant shall make application to RIDEM for the same. In the event that RIDEM approves the application, the applicant shall construct the walking path within one (1) year of RIDEM's approval. The applicant shall inform the Administrative Officer of all proceedings related to this condition.
17. Applications for Development Plan Review of any subsequent phases shall include a draft shared maintenance agreement for any shared infrastructure or site improvements, including the stormwater management system. Said maintenance agreements shall be recorded upon receipt of Development Plan approval for each phase.
18. Any Development Plan approval(s) issued for any subsequent phases shall require submittal of draft Record Plan(s) to the Administrative Officer for review and approval. The draft Record Plan(s) shall illustrate the proposed site phasing, and the location of buildings, parking, site infrastructure, and landscaping to be installed as part of the specific phase. Upon approval, the applicant shall submit the Record Plan(s) on polyester film to the Administrative Officer for signature by the Planning Board Chair. Once endorsed, the Record Plan(s) shall be recorded in the Town of South Kingstown Land Evidence Records.
19. For each phase of development, Soil Erosion, Run Off and Sedimentation Control Permits shall be secured from the Town's Department of Public Services prior to applying for a building permit.

20. For each phase of development, upon completion of all physical improvements, as-built drawings meeting the requirements of the Town of South Kingstown Subdivision and Land Development Regulations shall be submitted to the Department of Public Services. Once approved by the Department of Public Services, and upon posting of the maintenance guarantee and receipt of the additional information required by these Conditions, the as-built drawings shall be recorded in the Town's Land Evidence Records (to be known as the As-Built Record Plans).
21. An updated operations and maintenance manual for the stormwater management infrastructure is to be submitted to the Department of Public Services concurrent with the Phase 1 As-Built Record Plan. The updated manual shall identify the entity responsible for maintenance of the system, including identification of and contact information for the person responsible for on-site maintenance.
22. A licensed Landscape Architect shall be on-site for the planting of all landscape materials. For each phase of development, prior to recording the As-Built Record Plans, the same licensed Landscape Architect shall submit certification to the Administrative Officer and the Building Official stating that the installation of the landscape materials associated with the development phase substantially conforms to the approved plan.
23. For each phase of development, prior to recording the As-Built Record Plans, a certified Professional Engineer shall inspect the installation of all site improvements associated with the development phase, including but not limited to the stormwater management system, the drive aisles, and the parking areas, and submit certification to the Administrative Officer, the Department of Public Services, and the Building Official stating that construction substantially conforms to the approved plan.
24. No request for final inspection to obtain a certificate of occupancy or use shall occur prior to recording of the As-Built Record Plans."

Respectfully,



Maria H. Mack, Chair
Planning Board

MHM/GAP

c: DiPrete Engineering
John Kenyon, Esquire
Town Clerk
Director of Public Services
Director of Finance
Building Official