



**SOUTH KINGSTOWN PLANNING DEPARTMENT
PROJECT REVIEW MEMO**

The Residences on Holley

Major Land Development – Preliminary Plan Review

March 22, 2022

Project Type:	Major Land Development – Multi-Household Land Development Project		
Review Stage:	Preliminary Plan		
Address:	Holley Street		
Plat:	57-1	Lot:	110
Parcel Size:	~1.3 acres	Zoning District:	CN
Applicant:	Scot Hallberg 17 Arnold Street, Suite 100 Wakefield, RI 02879	Owner:	Southern Rhode Island Professional Center, LLC P.O. Box 817 Charlestown, RI 02813
Current Plan Set:	<i>Preliminary Plan Submission for “The Residences on Holley”, Major Land Development, AP 57-1, Lot 110, Holley Street in South Kingstown, Rhode Island, Sheets 1 through 7, dated October 8, 2021 with revisions through November 17, 2021, completed by Principe Company, Inc., P.O. Box 298, Tiverton, RI 02878.</i>		

Property Characteristics

The subject property is an undeveloped parcel approximately 1.3 acres in size and is located in a Commercial Neighborhood (CN) Zoning District. The parcel is located between School and Main Street and surrounding properties are primarily comprised of residential dwellings with some commercially used properties to south and the east.

Project Description

The applicant is proposing a major multi-household land development project to include one (1) 1,700 square foot duplex and five (5) 1,790 square foot duplex structures with a two (2) 850 & 895 square foot units each, respectively, for a total of twelve (12) units. In accordance with the inclusionary zoning requirements of the zoning ordinance, two (2) of these units (20%) are required to be deed restricted for low to moderate income ownership or occupancy. The applicant has agreed to dedicate three (3) of these units as deed-restricted affordable units.

Access to these units are provided via two (2) single and two (2) shared-access driveways from Holley Street. The applicant proposes four (4) of the six (6) units to have garages and a total of fourteen (14) total parking spaces available. The development is proposed to be serviced by Town water and sewer service. The applicant proposes that best management practices to mitigate stormwater runoff will be provided including roof bioretention areas and driveways constructed with permeable/porous pavement. Landscaping will include plantings along the frontage, building landscaping, and a natural vegetative screen along the rear boundary (west) abutting the residentially zoned properties which is partially delineated by a 3’ high split rail fence.

Open space was formerly proposed on the Conceptual Master Plans approved by the Planning Board on April 13, 2021 via private yard space, a walking path, and common greenspace totaling 6,850 square feet (12.1% of the total lot). The Preliminary Plan Set does not reference or delineate any dedicated open space areas on the parcel and to date Staff has not received a waiver request for this requirement.

Decision Deadline

This application was Certified Complete on December 17, 2021. The Planning Board had until **March 17, 2022** (90 days from date of completion) to render a decision. However, at the February 22nd meeting the applicant agreed to an extension to **March 22, 2022**.

Regulatory Considerations

Purpose of the Preliminary Plan

Pursuant to [RIGL § 45-23-32](#), the Preliminary Plan stage of review is *the required stage of land development and subdivision review which requires detailed engineered drawings and all required state and federal permits. See [RIGL § 45-23-41](#).*

Section 401 (Zoning – Dimensional Requirements)

Section 401 (Schedule of dimensional regulations) provides the maximum density allowed for multi-household land development projects. The allowed density for the subject property is:

15,000 for first two (2) dwelling units plus 5,000 square feet per each additional dwelling unit.

At 56,527 square feet, the maximum density for the subject property is 10.31 dwelling units. The applicant is proposing a total of nine (9) market-rate units and three (3) deed-restricted affordable units (2 of the deed-restricted units are allowed as a density bonus in accordance with the inclusionary zoning ordinance).

Inclusionary Zoning

[Section 502.6 \(Inclusionary Zoning\)](#) of the Zoning Ordinance outlines the Inclusionary Zoning requirements and procedures for major subdivisions or land development projects that consist of six (6) or more parcels or units. Those requirements are listed, in part, below:

- E. *Base density calculation, inclusionary requirements and targeted populations. ...*A minimum of 20 percent of the basic maximum number of lots/units must be affordable to low and/or moderate income households as defined under G.L. 1956, §45-53, Low and Moderate Income Housing Act...To facilitate such targeting and ensure that inclusionary units are well integrated into the subdivision or land development project, the planning board shall have the authority to specify the type and location of unit(s) to be constructed, the size and scale of these units or lots in relation to the market rate units or lots in the development, establish general design parameters for the inclusionary units and determine a construction time table for construction.
- F. *Zoning Incentive.* For all subdivisions, flexible design land development projects and land development projects that are subject to the provisions of this section, a zoning incentive increasing the basic maximum number of lots or dwelling units by a factor of 1.2 shall be required. Units required under the zoning incentive provisions of this section shall count toward the maximum zoning incentive permitted under subsection 502.5.E of this ordinance. The requirement for such inclusionary units shall constitute a municipal government subsidy as defined under the RI Low and Moderate Income Housing Act and this ordinance.
- G. *Inclusionary units, deed restriction requirements.* All inclusionary units required under this section shall meet the definition of "low and moderate income housing" as defined in G.L. 1956, § 45-53-3; provided however that units and/or lots generated under these inclusionary provisions shall remain affordable for a minimum period of 99 years. Further provided that any for-sale lots or units shall be sold or conveyed to persons or households earning up to 80 percent of the area median income (AMI) for South Kingstown as defined by the U.S. Department of Housing and Urban Development.

The developer of inclusionary units must contract with a monitoring agency that will qualify home buyers and/or renters for initial occupancy, determine pricing and resale or transfer of dwelling units in accordance with RI Housing and Mortgage Finance Corporation regulations and standards. Rhode Island Housing and the Town of South Kingstown shall be a party to any such monitoring agreement. Long-term affordability shall be guaranteed through the recording of restrictions on the sale, transfer and ownership of the unit through the appropriate legal documents and monitoring agreement.

- I. Modification of lot requirements for inclusionary units.* To encourage good design and to reduce construction, land and infrastructure costs the planning board shall have the discretion to modify (or require the modification of) minimum dimensional standards for inclusionary dwelling units/lots. Such modifications shall be in accord with the standards and requirements set forth in subsection 502.5.F of this ordinance.

The zoning incentives within the Inclusionary Zoning provisions of the Ordinance allow for the construction of a total of twelve (12) units with two (2) of those units required to be deed-restricted for affordable occupancy. The applicant is proposing a total of twelve (12) units with three (3) deed-restricted affordable units.

Article IV, Section H – Multi-Household Dwellings

Section H(6) requires screening of the development to provide a physical barrier and visual screen from adjacent properties. This also applies to off-street parking areas, as well as refuse and recycling provisions within the development.

Section H(7) requires a minimum front yard setback of 100 feet along public streets with prohibitions on buildings, parking lots and other utility areas from being located within this setback. A 50' landscaped or natural buffer zone is also required to be maintained in this area along said public street.

Section H(9) requires the following:

Pedestrian Walkways - Pedestrian walkways shall be provided where necessary, to provide safe and convenient access to and from the development;

Parking Lots – Shall be setback from buildings, no parking area, driveway or utility area shall be located within 15' of any wall of a principal building (except garage) used for residential purposes along which is located an entrance or exit generally intended for use by residents thereof, or along which are located residential windows less than 10' above ground level.

Distance between buildings on same lot – The minimum distance between two (2) buildings or any two (2) rows of buildings, substantially parallel to each other shall be 50'. The minimum distance between two (2) abutting ends of buildings in the same general plane or row shall be 25' (if such walls contain no windows serving habitable rooms or shall otherwise be 50').

Rubbish Disposal – Each building shall be provided with an enclosed waste pen of sufficient size to accommodate all trash and waste stored on the premises. The waste pen and all utility areas shall be properly screened and buffered from all buildings and property lines.

Floor Area of Accessory Uses – Permitted floor area for allowable accessory uses shall not exceed 2 ½ percent of the floor area for residential use. Accessory uses in multi-household structures shall not exceed 800 square feet in any district where permitted.

Open Space – Open space shall be provided for residents as appropriate to the type of occupant (i.e., elderly, adults, families with children, etc.). At least 10 percent of the developable land area shall be dedicated to open space use, devoted to either (a) private open space (such as private rear yards or semi-private front yards); (b) public open space (such as pedestrian parks, plazas, Town green, village common, etc.); or (c) active recreation

areas, such as playgrounds, play fields, tennis courts, etc.). For dwellings proposed for occupancy by elderly residents only, at least 100 square feet of outdoor area per dwelling unit shall be provided, which shall be suitably designed and landscaped to meet the specific needs of the elderly and/or handicapped residents of the development. The type, location and design of all open spaces areas shall be subject to the approval of the Planning Board.

Exterior lighting – All exterior lights shall be directed toward the interior of the development. Exterior lighting shall be shaded, shielded, directed or maintained at a sufficiently low level of intensity and brightness that it shall not adversely affect neighboring premises. No exterior lighting shall shine on or into residential structures and/or properties to an extent that would adversely affect the neighboring residents.

Article IV, Section I – Design Standards for Inclusionary Dwelling Units in Major Subdivision or Land Development Projects

It is the intent of this Section to establish general design and procedural standards for the siting and construction of affordable dwelling units (inclusionary units) in major land developments and major subdivisions. By the application of these standards and procedural requirements it is intended to create subdivision neighborhoods and land developments projects that have long-term desirability, provide for housing opportunities for a broad range of households with varying incomes and housing needs and are compatible with the surrounding community.

- a) Inclusionary Dwelling Unit Design Considerations - required inclusionary dwelling units per Section 502.6 of the South Kingstown Zoning Ordinance shall be similar in exterior design and construction methodology and materials to other dwellings or units with the subdivision or land development project. The Planning Board *may* permit such units to be smaller in size (bulk or footprint) or contain fewer bedrooms and baths than market rates units within the development. The interior design of required inclusionary dwelling units as well as the materials, finishes and fixtures utilized shall not be subject to the requirements of this Section. For conventional subdivisions or Flexible Design Residential Projects (FDRP's) such units may be designed as single-household units, duplexes, triplexes or in a quadraplex configuration. The Planning Board may also permit accessory apartments per Section 503.2 to be counted as inclusionary units within a development. In addition to the General Requirements set forth in Article III of the Subdivision and Land Development Regulations, in approving the overall design of the subdivision or land development project the Planning Board shall make affirmative Findings of Fact that the design of the units is consistent with the market rate unit in the overall project and that the project design meets the intent of this Section.
- b) Lot Configuration - The Planning Board may permit inclusionary dwelling units to be sited on smaller lots (in a subdivision setting) than the base-zoning district of the development parcel or otherwise modify lot requirements for such inclusionary units/lots in accord with Article IV, A.5 of these Regulations. Such modifications shall be considered a municipal government subsidy under these regulations."

Waivers Requested

During the Conceptual Master Plan stage of review the applicant requested, and was subsequently granted the following two (2) waivers. No additional waivers are being requested as part of the Preliminary Plan submission.

<i>Section</i>	<i>Waiver</i>
Article IV, Section H(7) Front yard setback	Waiver from the minimum 100' front-yard setback from a public street for multi-household land development projects.

Article IV, Section H(9) Building Separation	Waiver from the required 50' building separation requirement between two (2) buildings or any two (2) rows of buildings substantially parallel to each other.
---	---

Review to Date

Pre-Application Concept Review

July 28, 2020 - Planning Board Review

Conceptual Master Plan Review

October 14, 2020 – Technical Review Committee (TRC)

January 26, 2021 – Planning Board Review and continuance to next regularly scheduled meeting.

February 23, 2021 - Planning Board Review and continuance to next regularly scheduled meeting.

March 23, 2021 – Planning Board Review and continuance to next regularly scheduled meeting.

April 13, 2021 – Planning Board Review and decision on Conceptual Master Plan application.

Preliminary Plan Review

November 10, 2021 – Technical Review Committee (TRC). Upon review and discussion with the applicant the TRC rendered a favorable recommendation of the application with the following conditions subject to confirmation by the Planning Board:

1. Sidewalk continued thru driveway
2. Manhole relocated in consultation with DPS
3. Use subdivision regulations specs for planting trees
4. Provide foundation planting plan
5. Fire hydrant analysis and show proposed locations in consultation with the Union Fire District
6. Applicant clarify drainage narrative with regard to increase/decreased flows from the site
7. Basic Traffic analysis that includes AM and PM peak traffic information
8. Clarification on the partial landscape screen in the rear as it relates to proposed fencing and replanting.

Relevant Conditions Included in the Conceptual Master Plan Approval

4. As part of the Preliminary Plan submittal, the applicant shall include architectural renderings/elevations from a licensed/registered architect familiar with Traditional Neighborhoods Design (TND) as well as massing principals for all of the proposed buildings. Such renderings/elevations shall demonstrate conformity with Article IV. H (7) and (9) of the South Kingstown Subdivision and Land Development Regulations to support the applicant's assertion that the development equates to good planning and is therefore subject to dimensional relief under the waiver provisions. The final design of the residential units shall incorporate elements that connect the units to Holly Street and create private and semi-private spaces along with pedestrian-friendly connections to the neighborhood to encourage people to walk and to interact with their neighbors that enhances both the community's identity and value. The design of the building fronting on Holly Street shall incorporate slight variations in architectural style and fenestration to break the monolithic appearance of one particular style or repetitive pattern. The incorporation of well-designed units with simple architectural features such as a heavy emphasis on "front porches" and the creation of larger transitional spaces from indoor to outdoor to encourage community interaction as a component of good planning. In order to incorporate additional architectural elements the

Planning Board recognizes that the developer needs to request a waiver of the front yard setbacks to accommodate design elements at the preliminary plan phase.

5. The applicant shall submit a screening (hardscaping and/or landscaping) to diminish the effects of headlight glare on the residential properties located to the west of the proposed development.
7. This residential land development project shall satisfy its affordable housing component requirement with the dedication of units (within Building 1, Building 4 and Building 5) available for ownership/occupancy by 'low/moderate-income households' as defined under Rhode Island General Laws §45-53 and the South Kingstown Zoning Ordinance.
13. As part of the Preliminary Plan submittal, the applicant shall provide drafts of a 'Monitoring Agreement' and a 'Deed Restriction' that will ensure that affordability guidelines will be met. Such documents shall be subject to the review and approval of the Town's Special Legal Counsel and the Planning Board.
14. As part of the Preliminary submittal, the applicant shall provide a traffic report detailing the anticipated traffic impacts from the proposed development and the adequacy of the existing and proposed roadways to safely accommodate existing and projected traffic.
15. The preliminary project design shall include a detailed erosion and sedimentation control plan including any proposed stockpile containment. The plan shall clearly identify the proposed limits of disturbance and incorporate best management practices as outlined in the Rhode Island Soil Erosion and Sedimentation Control Handbook.
16. Electric, telephone and cable services shall be installed underground.
17. The applicant shall utilize low impact drainage methodologies in conformance with the Rhode Island Stormwater Design and Installation Standards Manual or other best management practices.

Required Findings

In approving this major land development application, 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 development, 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 Motion for Consideration

Motion: “The South Kingstown Planning Board hereby grants Preliminary Plan approval to The Residences on Holley, a twelve (12) unit major multi-household land development project consisting of six (6) duplex structures with twelve (12) total units and three (3) of these units being restricted low- and moderate-income housing units, located at 76 Kelley Way, Scot V. Hallberg, owner/applicant. This approval is based upon plan set entitled: *Preliminary Plan Submission for “The Residences on Holley”*, Major Land Development, AP 57-1, Lot 110, Holley Street in South Kingstown, Rhode Island, Sheets 1 through 7, dated October 8, 2021 with revisions through January 21, 2021, completed by Principe Company, Inc., P.O. Box 298, Tiverton, RI 02878. This approval is based on the following Findings of Fact and Conditions of Approval:

Findings of Fact

- A. This development is consistent with the requirements of the Comprehensive Plan.
- B. This development conforms to the standards and provisions of the South Kingstown Zoning Ordinance.
- C. No lot is designed and located in such a manner as to require relief from Article 5, Section 504.1 of the Zoning Ordinance, as amended.
- D. There will be no significant negative environmental impacts from the proposed development as shown on the plans, with the required conditions of approval.
- E. This development, as proposed, will not result in the creation of individual lots with such physical constraints to development that building on these lots according to pertinent regulations and building standards would be impracticable.
- F. All proposed units have adequate and permanent physical access to a public street, namely Holley Street.
- G. With the required conditions of approval, this development 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.

- H. The design and location of building lots, utilities, drainage improvements, and other improvements in this development minimize flooding and soil erosion.
- I. The applicant has included one (1) additional deed restricted affordable unit in excess of the two (2) units required in accordance with Section 502.6 (Inclusionary Zoning) and proposes to deed restrict this additional unit for ownership or rental up to 120% AMI.

Findings of Fact, Inclusionary Zoning & Affordable Units

- J. Pursuant to Article 5, Section 502.6 E. of the Zoning Ordinance, the Planning Board hereby accepts the plan presented by the applicant which demonstrates the ability of the development parcel to support a ‘basic maximum number’ of ten (10) units. Two (2) additional units are being proposed as the inclusionary (incentive) units in compliance with Section 502.6.E of the Zoning Ordinance.
- K. The applicant has proposed that three (3) of the twelve (12) units will be deed restricted affordable to ‘low and/or moderate income households’ as defined under Rhode Island General Laws §45-53 and the South Kingstown Zoning Ordinance.
- L. The Planning Board finds that the proposed affordable units (located in Building 1, Building 4, and Building 5) are integrated within the development and that the design of these units is consistent with the design of the market rate lots within the development. Based on this finding, the Planning Board has determined that the overall project design meets the intent of Article IV.I of the Town’s Subdivision and Land Development Regulations.
- M. These affordable units shall be built and available for occupancy simultaneously with the construction and availability for occupancy of the market rate units in each of any separate phases of development.
- N. Consistent with Section 502.6.J. of the Zoning Ordinance, the affordable units shall be exempt from the Town’s Pacing and Phasing requirements.
- O. The affordable units shall be eligible for an exemption from the payment of Fair Share Development Fees pursuant to Section 1101.D.1 of the Zoning Ordinance and Section II, Element 5, III of the Town’s Capital Improvement Program.

Conditions of Approval

- 1. The use of the property shall be limited to Use Code 11 (two-household detached structure) for residential development as proposed unless further amended by the South Kingstown Planning Board during the Preliminary Plan stage of review.
- 2. This approval is limited to twelve (12) residential dwelling units in total.
- 3. This approval is further limited to nine (9) market rate units and three (3) affordable units for a total of twelve (12) units which shall be deed restricted in accordance with Section 502.6.G (Inclusionary Zoning – Inclusionary units, deed restriction requirements) of the South Kingstown Zoning Ordinance.
- 4. The proposed residential structures shall be constructed in substantial conformance with the following architectural renderings/elevations submitted as part of this Preliminary Plan application:
 - i. *Holley Street Residences – Exterior Elevations*, Wakefield, RI, A.P. 57-1, Lot 110, Sheets A3.1 & A3.2, dated 5/21/2021 with revisions through 10/19/2021, completed by Stephen Rogers, Architect, 16 Elm Street, Wakefield, RI 02879.

This condition is being imposed as the renderings/elevations demonstrate conformity with Article IV. H (7) and (9) of the South Kingstown Subdivision and Land Development Regulations and support the applicant’s assertion that the development equates to good

- planning in justification in the granting of the waivers previously requested and approved by the Planning Board. The final design of these residential units shall incorporate the elements that are depicted in the applicant's architectural renderings/design which create private and semi-private spaces along with pedestrian-friendly connections to the neighborhood to encourage people to walk and to interact with their neighbors that enhances both the community's identity and value.
5. Fair Share Development Fees as required in the Zoning Ordinance and as amended annually in the Capital Improvement Program shall be required for each of the nine (9) market rate units.
 6. This residential land development project shall satisfy its affordable housing component requirement with the dedication of units (within Building 1, Building 4 and Building 5) available for ownership/occupancy by 'low/moderate-income households' as defined under Rhode Island General Laws §45-53 and the South Kingstown Zoning Ordinance. The lease, sale or transfer of the three (3) deed-restricted units shall remain affordable to low or moderate income households for a period of ninety-nine (99) years.
 7. As part of the Final Plan submittal, the applicant shall provide drafts of a 'Monitoring Agreement' and 'Deed Restrictions' that will ensure that affordability guidelines will be met. Such documents shall be subject to the review and approval of the Town's Special Legal Counsel. The monitoring agent for the project shall be certified and qualified by the Rhode Island Housing and Mortgage Finance Corporation.
 8. As part of the Final Plan submittal, the applicant shall propose a specific construction schedule in which the LMI Housing units will be constructed. Said schedule shall not exceed the construction of three (3) market-rate units for every one (1) LMI Housing unit.
 9. Electric, telephone and cable services shall be installed underground.
 10. The applicant shall secure a Soil Erosion, Run Off and Sedimentation Control Permit from the Town's Department of Public Services encompassing the overall limits of construction prior to commencing construction and/or grading activities.
 11. The applicant shall secure a Physical Alteration Permit, and if necessary, a Tree Permit from the Department of Public Services prior to the commencement of work within the public right-of-way of Holley Street.
 12. The applicant shall provide a detailed construction cost estimate on forms provided by the Department of Public Services. The purpose of the estimate is to allow the Town to establish a project inspection fee and any required performance bond.
 13. Prior to the initiation of site disturbance activities, the applicant shall attend a pre-construction conference and shall pay the project inspection fee as determined by the Planning Board.
 14. The proposed street trees along Holly Street shall be relocated westerly (internal to the site), no more than 10 feet from the easterly property line. The final location shall be reviewed and approved by the Administrative officer (Planning Director) in consultation with the Director of Public Service. The Home Owners Association (HOA) shall provide language within its provisions that clarifies that the street trees were required by the Planning Board as part of the site plan improvements associated with the development and shall be maintained as street trees that are typical located within the Town's public way. The trees shall be maintained in their natural state and shall not be artificially shaped or trimmed in a manner inconsistent with their normal growth patterns with the exception of utility and/or infrastructure conflicts.
 15. Excavation below and grading above and below existing grade on site that effects the root zone of any existing canopy and/or evergreen vegetation located along the westerly

- property line of the development shall be supervised an appropriate professional (licensed arborist, registered landscape architect) to determine the extent of the root zone that may be effected by excavation and/or grading in the area. Necessary root pruning shall be conducted by hand and supervised by above professionals in a manner to eliminate harm to existing vegetation (tree, shrub, etc.) that is on or immediately adjacent the westerly property line.
16. Prior to construction, the applicant shall located existing deciduous trees in the northern and north western portions of the site. If excavation and/or grading effects any mature trees in this area on the applicants property, the applicant shall replace any existing tree (above 12" caliper) with two deciduous specimen trees (minimum 2.5" caliper diameter breast height/DBH) which shall be located on site as part of the developments landscape. The final location of any replacement trees shall be completed in consultation with the Administrative officer (Planning Director) in consultation with the Director of Public Service.
 17. The development's HOA shall incorporate maintenance and inspection provisions associated with sites porous pavement and storm water management structures/infrastructure. The documents shall also clearly state the HOA's responsibilities to maintain all drainage infrastructure including any porous and/or pervious structures. The maintenance and inspection schedule shall be incorporated into documents to be recorded on the Land Records of the Town of South Kingstown. The maintenance and inspection schedule shall be prepared by a Rhode Island registered engineer and shall be signed and sealed. Prior to recording the proposed schedule shall be reviewed and approved by the Administrative officer (Planning Director) in consultation with the Director of Public Service.
 18. **And any other conditions deemed necessary by the Planning Board in consideration of this application..."**