

City Planning Department



DRAFT Memo

To: Cranston City Plan Commission
From: Alexander Berardo – Planning Technician / Administrative Officer
Date: July 29, 2022
Re: **Minor Subdivision with street extension - Preliminary Plan**
“West Gate Estates (Equestrian Estates II)”

Owner/App: Lawrence D. and Elizabeth Moses
Location: 151 Laten Knight Road, AP 28, Lot 11
Zone: A-80 (Single-family dwellings on 80,000 ft² minimum lots)
FLU: Single-Family Residential less than 1 unit per acre

I. Proposal

The applicant proposes to subdivide the 15.85-acre parcel into five lots, which would create four new single-family house lots. The existing home and agricultural complex would be set aside on the remaining 7.8 acres as a fifth lot. The proposed private roadway is allowed by-right within the A-80 zone and the proposed building lots conform to area and frontage requirements as prescribed under the Zoning Code. The lots are planned to be serviced by private wells and public sewer.

II. Documents which are part of the application

1. Application signed by Lawrence and Elizabeth Moses;
2. Filing fees;
3. Subdivision plan entitled “Equestrian Estates” dated 6/27/22 prepared by David A. Russo, P.E. of DiPrete Engineering;
4. 100’ radius map and list of abutters;
5. Certificates of Municipal Liens showing property taxes are in good standing.

ZONING MAP



FUTURE LAND USE MAP



AERIAL VIEW



3-D AERIAL VIEW



III. Surrounding land use and context

An analysis using the City of Cranston Geographic Information System indicates that:

1. The subject parcel is located off Laten Knight Road in Western Cranston, generally between Beechwood Drive and Lauren Court.
2. The surrounding single-family residential neighborhood (400-foot radius) is comprised entirely of A-80 zoned parcels.
3. All but one of the parcels within a 400-foot radius of the subject parcel have a Future Land Use designation of Single-Family Residential less than 1 unit per acre. (The sole exception is a 96-acre, City-owned parcel designated Open Space)
4. The subject parcel is located in FEMA Flood Zone X, which includes small wetland areas at its northern and southern corners.
5. The 2021 Natural Heritage Map shows that the parcel is located in a RIDEM-designated Natural Heritage Area. does not show any known rare species located on or near the site.

IV. Interests of Others

Staff has received no written comments or phone calls from neighbors relating to the proposed subdivision.

V. Staff / Agency Comments

Pursuant to RIGL 45-23-41 A3, these plans were distributed for comment to the Public Works Department / Engineering Division, the Traffic & Safety Bureau, the Building and Inspections Department, the Fire Department and the Conservation Commission.

DPW – Engineering: Chief Engineer Nick Capezza contacted Staff on July 29th and stated that DPW has no issues with the current proposal for the private roadway. He further stated that he defers to the Fire Department for the required width of the cul-de-sac turnaround for emergency vehicles. Lastly, he requested additional information regarding drainage for the upgraded roadway and lots.

DPW – Sewer: Environmental Engineer and Veolia Water liaison Ed Tally contacted Staff on July 28th to report that a low-pressure force main system is available to service the subject lots, but the final design consistent with Annex A – Design of Sewers has not been completed at this time. Staff notes that the final approval of the sewer design can be handled at the Final Plan review stage. Mr. Tally also stated that the appropriate operation and maintenance provisions are required to be reviewed by the City and recorded in Land Evidence at the time of Final Plan recording.

DPW – Staff contacted Director Richard Bernardo on 7-29-22. He stated he has no issues with the width and configuration of the private roadway, however, he requested clarification regarding the applicant's plans for stormwater drainage. He also said a homeowner's association would be responsible for the maintenance and upkeep of the private sewer connection and line on private property and that these documents will need to be reviewed/approved by his office and the Solicitor's office prior to Final Plan recording.

VI. Planning Analysis

This proposal is a by-right five-lot subdivision. All lots conform to the dimensional standards of the A-80 zone, and the proposal is consistent with the Future Land Use Map designation for the parcel. The lots will be accessible via a proposed private roadway, which is allowed by-right within the A-80 zone. The lots would be serviced by private wells, with a private sewer connection available at Laten Knight Road.

Staff has no concerns with the application and the resulting density on the site, which would be approximately 0.32 units/acre. This application provides an opportunity to create new housing in Western Cranston in a manner that fits with the surrounding neighborhood, which is consistent with the Comprehensive Plan's Land Use and Housing policies.

Staff notes that the building marked "Barn" was previously found to be an illegal dwelling unit. Staff is unaware if this condition still exists at present. Prior to Final Plan recording, the applicant will need to either 1) obtain a Zoning Certificate confirming that the barn is no longer being used for residential purposes or 2) obtain the necessary Use Variance to legalize the unauthorized dwelling unit.

VII. Waivers

No waivers have been requested in conjunction with this application.

VIII. Findings of Fact

An orderly, thorough and expeditious technical review of this Preliminary Plan has been conducted. Property owners within a 100' radius have been notified first class mail prior to the public meeting, and the meeting agenda has been properly posted.

Staff has reviewed this Preliminary Plan application for conformance with required standards set forth in RIGL Section 45-23-60, as well as the City of Cranston's Subdivision and Land Development Regulations and finds as follows:

RIGL § 45-23-60. Procedure – Required findings. (a)(1) states, "The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies."

1. The proposal is consistent with all dimensional standards of the A-80 zone as well as with the uses allowed under the parcel's Future Land Use (Single-Family Residential less than 1 unit per acre).
2. This application provides an opportunity for housing development in Western Cranston in a manner that fits with the surrounding neighborhood, which is consistent with the Comprehensive Plan land use and housing policies.
3. The subdivision will not impact significant cultural, historic, or natural features that contribute to the attractiveness of the community.

RIGL § 45-23-60. Procedure – Required findings. (a)(2) states, "The proposed development is in compliance with the standards and provisions of the municipality's zoning ordinance."

4. The proposal will not alter the general character of the surrounding area or impair the intent or purpose of the Cranston Zoning Code.

RIGL § 45-23-60. Procedure – Required findings. (a)(3) states, “There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval.”

5. Although the subject parcel includes small areas of wetlands and is located in a RIDEM-designated Natural Heritage Area, no negative environmental impacts are anticipated as a result of the proposed subdivision.
6. The Rhode Island November 2018 Natural Heritage map shows that there are no known rare species located on the site.
7. There will be no net increase in stormwater runoff as a result of the proposed subdivision.

RIGL § 45-23-60. Procedure – Required findings. (a)(4) states, “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.”

8. The proposed subdivision will not result in the creation of individual lots with such physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable.

RIGL § 45-23-60. Procedure – Required findings. (a)(5) states, “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.”

9. The five proposed lots will have adequate permanent physical access on a private roadway connecting to a public roadway within the City of Cranston. Lot 1 will be a corner lot with frontage on both Laten Knight Road and the future private roadway, while Lots 2-5 will have frontage on the private roadway.

IX. Recommendation

Staff finds this proposal consistent with the standards for required findings of fact set forth in RIGL Section 45-23-60 as well as with the City of Cranston’s Subdivision and Land Development Regulations. Staff therefore recommends that the Planning Commission adopt the documented findings of fact and **approve** the Preliminary Plan application, subject to the conditions denoted below.

X. Conditions of approval

1. The applicant shall provide a letter regarding sewer availability from the City of Cranston’s Department of Public Works at Final Plan submission.

2. Prior to Final Plan recording, the applicant will need to either 1) obtain a Zoning Certificate confirming that the barn is no longer being used for residential purposes or 2) obtain the necessary Use Variance to legalize the unauthorized dwelling unit.
3. The applicant will evidence that the final sewer design is consistent with Annex A.
4. The applicant shall submit a Municipal Lien Certificate prior to final plat recording.
5. Payment of the Western Cranston Capital Facilities impact fee in the amount of \$____.____ (4 new units) must be submitted at the time of final plat recording.