

City Planning Department



Memo

To: Cranston City Plan Commission
From: Joshua Berry, AICP - Senior Planner / Administrative Officer
Date: July 2, 2020
Re: "300 Pippin Orchard Road" Preliminary Plan - Minor Subdivision with street extension

Applicant: Advanced Real Estate Developments, LLC and/or Roberto Pereyra
Location: 300 Pippin Orchard Road, AP 33, Lot 44
Zone: A-80 (Single-family dwellings on lots of minimum areas of 80,000 ft²)
FLU: Single Family Residential less than 1 unit per acre

I. Proposal

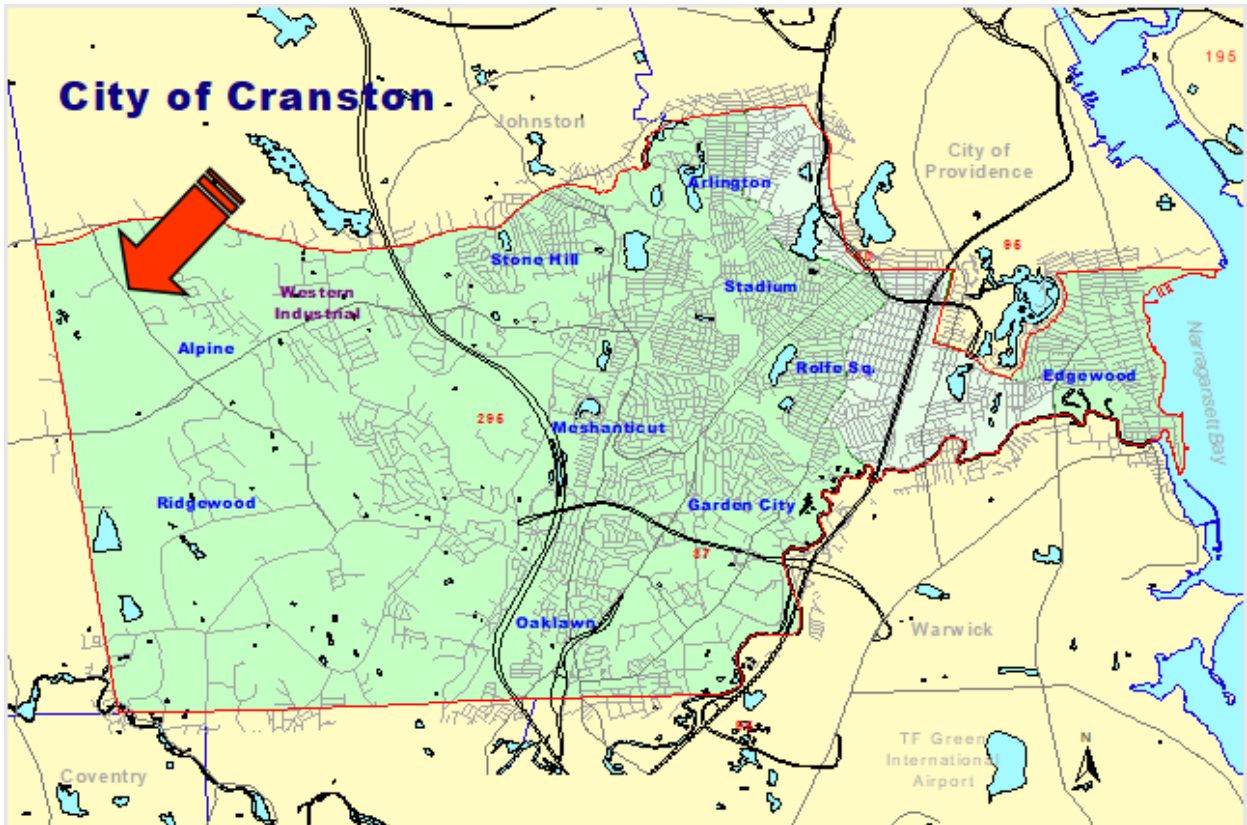
The property owner, Advanced Real Estate Developments, LLC, and/or Roberto Pereyra is proposing to subdivide an existing 7-acre A-80 lot into 3 conforming A-80 lots. There is an existing residence which would remain on the proposed lot with frontage on Pippin Orchard Road. A new public road and cul-de-sac entitled "Lani Lane" is proposed to extend approximately 507 feet to provide frontage and vehicular access to two additional buildable lots intended for single family development. All of the proposed lots will meet or exceed the A-80 zoning requirements. The two new lots will be serviced with public sewer but will have private well systems. A new drainage system is proposed to mitigate the stormwater impacts of the development. The area where the two new houses and drainage system are proposed is currently vegetated and undeveloped, with wetlands on the eastern portion of the property. The proposed project is allowed by-right per City Zoning Ordinance and is consistent with the Comprehensive Plan Future Land Use Map allocation of [Single Family Residential less than 1 units / acre] with a proposed density of 0.46 units / acre.

II. Documents which are part of the application

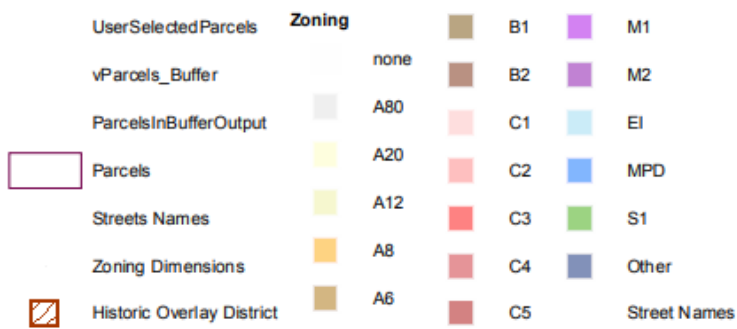
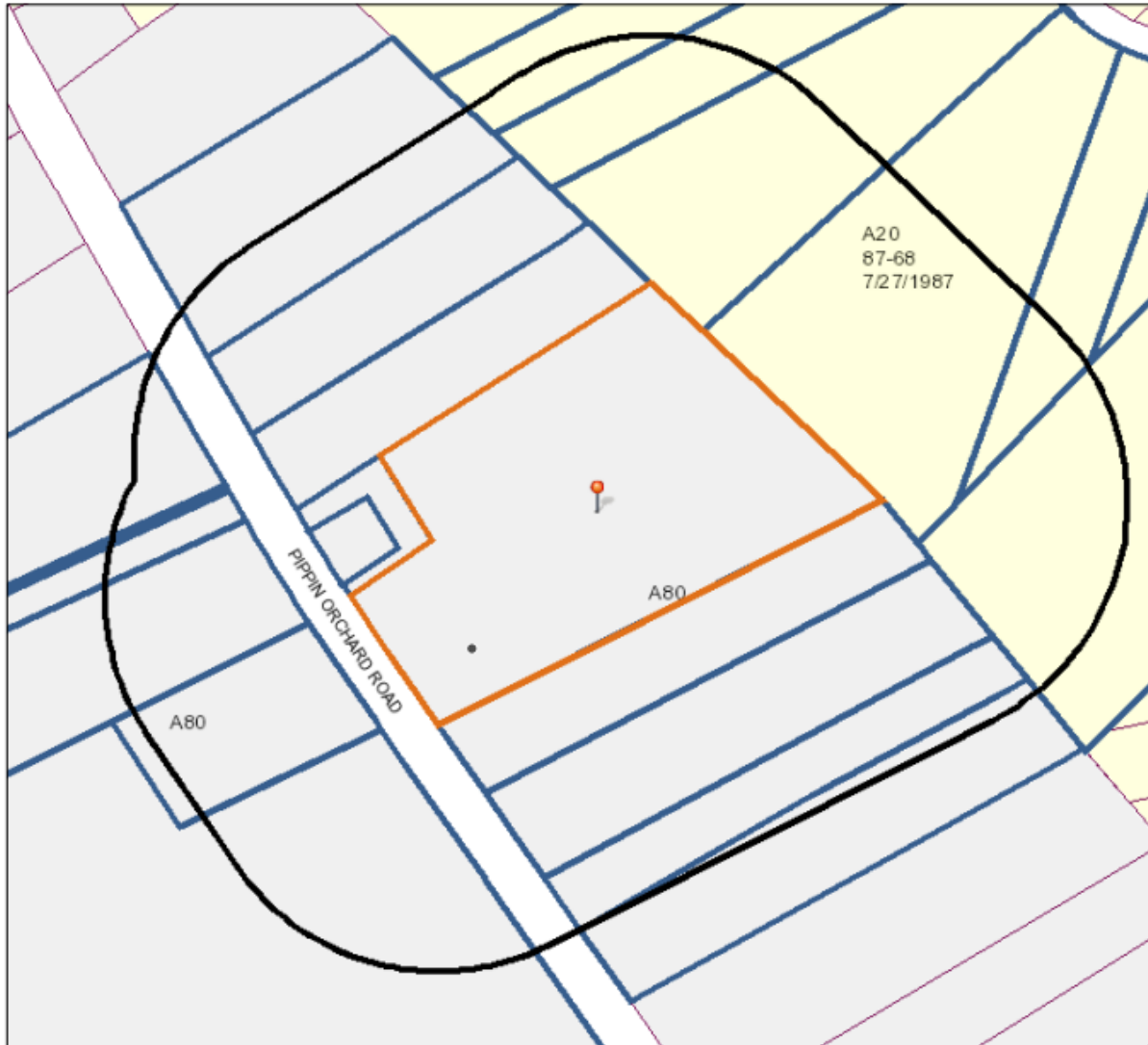
1. Preliminary Plan application signed by Roberto Pereyra, owner of Advanced Real Estate Developments, LLC.
2. Application filing fees.
3. Preliminary subdivision plan set prepared by Northeast Engineers & Consultant's Jeremy J. Rosa, P.E., and John Andrews, PLS, dated 3/11/20 with last revised date of 5/26/20.
4. Preliminary Plat checklist.
5. Soil Erosion and Sediment Control Plan prepared by Northeast Engineers & Consultant's Jeremy J. Rosa, P.E., dated 8/28/2019.
6. Stormwater Runoff Analysis prepared by Northeast Engineers & Consultant's Jeremy J. Rosa, P.E., including existing and proposed watershed plans dated 2/10/2020.

7. Stormwater System Operations and Maintenance Plan Northeast Engineers & Consultant's Jeremy J. Rosa, P.E., dated 2/10/2020.
8. A project narrative written by Northeast Engineers & Consultants, LLC., dated June 2020.
9. Letter signed by Joseph A. Bucci, P.E. from RIDOT regarding the PAP application for Pippin Orchard Road dated 1/22/2020.
10. Letter regarding sewer availability signed by Edward Tally, Environmental Program Manager of the City of Cranston, dated June 10, 2020.
11. Insignificant Alteration Permit signed by Nancy Freeman of RIDEM dated 3/20/2020.
12. RIDEM Stormwater Management Plan Checklist completed by Northeast Engineers & Consultant's Jeremy J. Rosa, P.E.
13. A letter regarding water unavailability signed by Michael A. Di Nobile of the Providence Water Supply Board, dated October 7, 2019.
14. Municipal Lien Certificate showing no outstanding taxes owed.
15. 100' abutters radius map and abutters list.
16. Draft maintenance easements for proposed lots 1 and 2.
17. Correspondence verifying USPS notification dated 6/15/20.
18. Correspondence verifying 911 emergency services notification dated 6/15/20.

LOCATION MAP



ZONING MAP



This map/data/geospatial product is not the product of a Professional Land Survey. It was created for general reference, informational, planning and guidance use and is not a legally authoritative source as to location of natural or manmade features. Proper interpretation of this data may require the assistance of appropriate professional services. The City of Cranston makes no warranty, expressed or implied related to the spatial accuracy, reliability, completeness or currentness of this map/data.

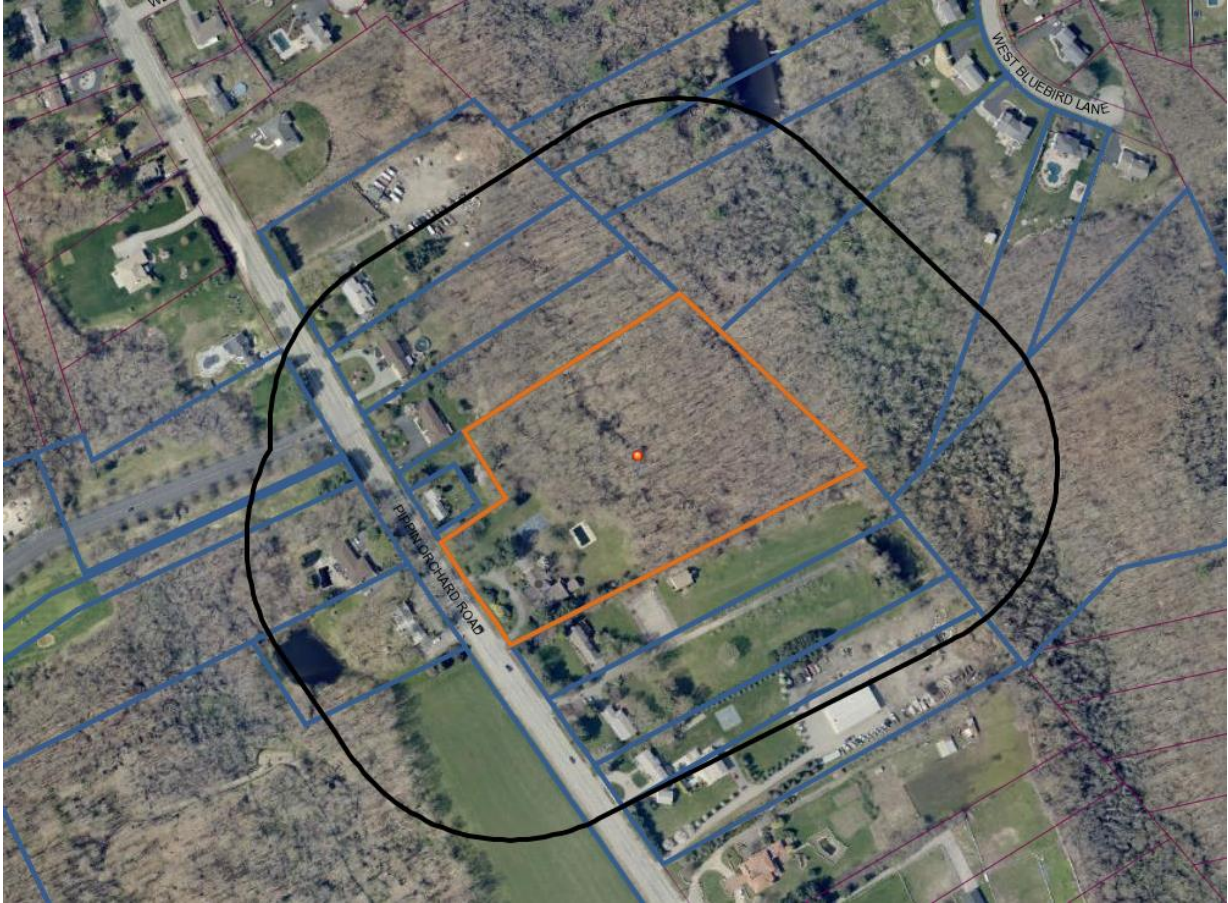


City of Cranston

FUTURE LAND USE MAP



AERIAL VIEW



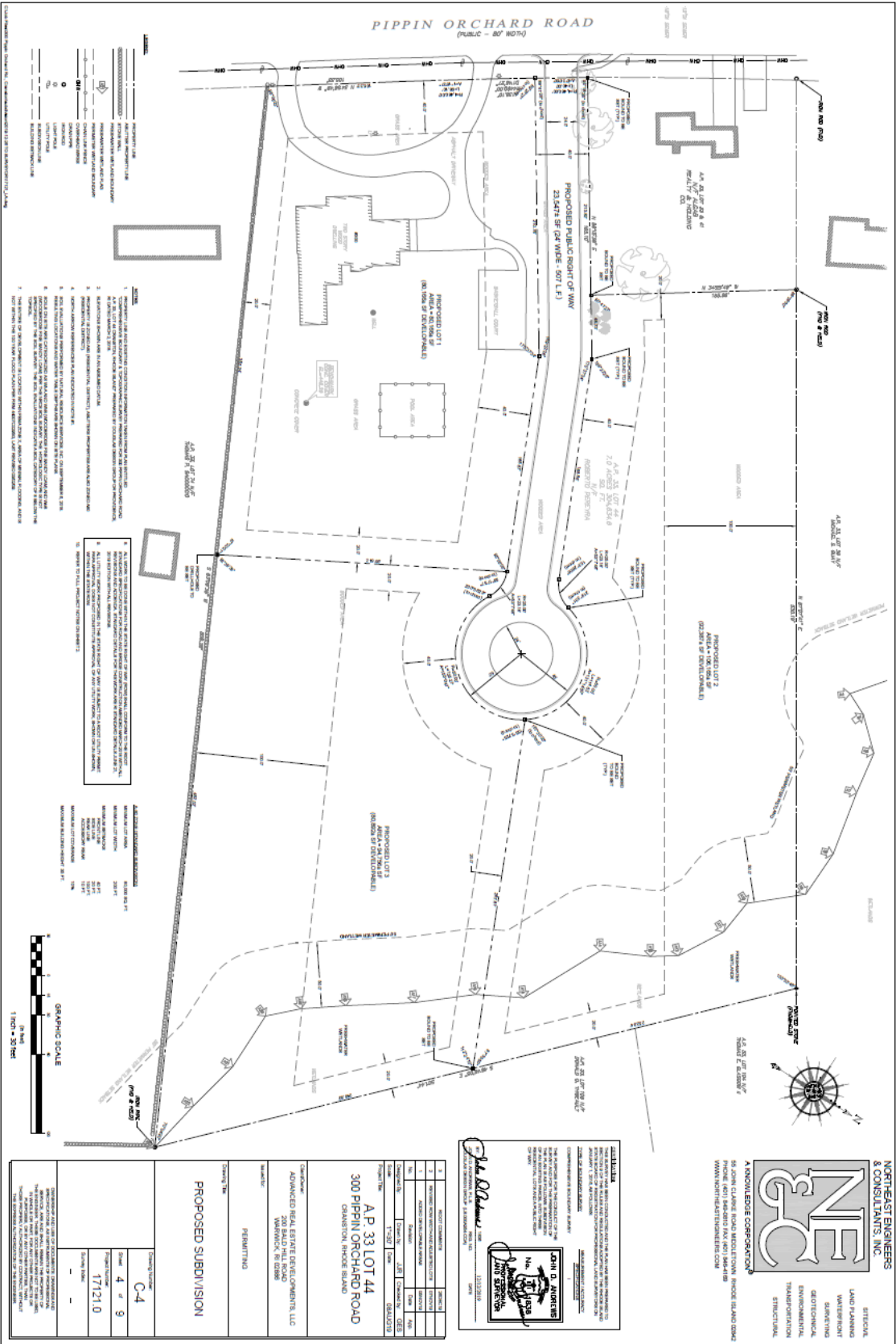
STREET VIEW (facing east, near proposed roadway)



3-D AERIAL VIEW (facing east)



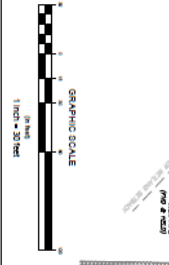
SUBDIVISION SITE PLAN (snippet)



- LEGEND**
- 1. EASEMENT
 - 2. SETBACK
 - 3. UTILITY
 - 4. PROPOSED LOT
 - 5. PROPOSED PUBLIC RIGHT OF WAY
 - 6. PROPOSED LOT 1
 - 7. PROPOSED LOT 2
 - 8. PROPOSED LOT 3
 - 9. PROPOSED LOT 4
 - 10. PROPOSED LOT 5
 - 11. PROPOSED LOT 6

- NOTES**
1. THE PROPOSED SUBDIVISION IS SUBJECT TO THE EXISTING ZONING REGULATIONS AND THE EXISTING EASEMENTS AND SETBACKS SHOWN ON THE RECORD PLANS AND SURVEY MAPS.
 2. THE PROPOSED SUBDIVISION IS SUBJECT TO THE EXISTING EASEMENTS AND SETBACKS SHOWN ON THE RECORD PLANS AND SURVEY MAPS.
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- PROPOSED LOT 1 (IN PART OF DEVELOPABLES)**
- PROPOSED LOT 2 (AREA - 176,196 SF (23,000' x 7,660') OF DEVELOPABLES)**
- PROPOSED LOT 3 (PORTION OF DEVELOPABLES)**
- PROPOSED LOT 4 (PORTION OF DEVELOPABLES)**
- PROPOSED LOT 5 (PORTION OF DEVELOPABLES)**
- PROPOSED LOT 6 (PORTION OF DEVELOPABLES)**



PROJECT NO.	2024-001
DATE	11/21/24
SCALE	1" = 20'
PROJECT NAME	300 PIPPIN ORCHARD ROAD
CLIENT	SEAL ESTATE DEVELOPMENTS, LLC
ADDRESS	208 BALD HILL ROAD, WASHINGTON, IN 47286
PERMITTING	
DATE	
PROJECT NO.	C-4
DATE	4 of 9
SCALE	1/12/10
PROJECT NAME	

PROPOSED SUBDIVISION

300 PIPPIN ORCHARD ROAD

SEAL ESTATE DEVELOPMENTS, LLC

208 BALD HILL ROAD

WASHINGTON, IN 47286

JOHN D. MUMFORD

Professional Engineer

11/21/24

11/21/24

NE

A KNOWLEDGE CORPORATION

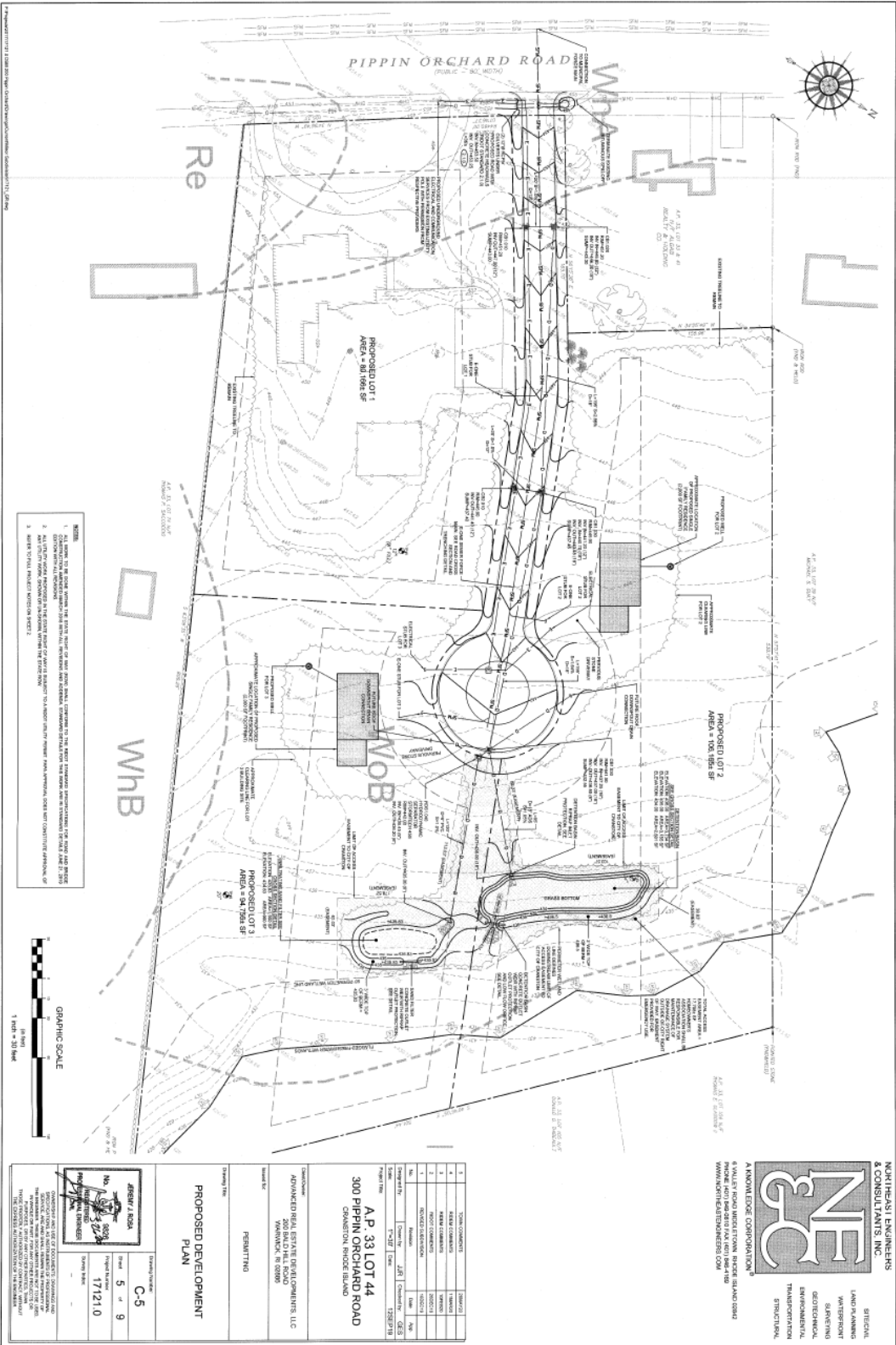
55 JONES CLAYTON ROAD MEDFORD INDIAN ISLAND OHIO

PHONE (419) 526-8100 FAX (419) 526-8101

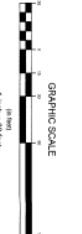
WWW.NEENGINEERS.COM

STRUCTURAL
LAND PLANNING
WATERWORKS
SURVEYING
GEOTECHNICAL
ENVIRONMENTAL
TRANSPORTATION
STRUCTURAL

DEVELOPMENT PLAN (snippet)



- NOTES:**
1. THIS PLAN IS TO BE USED TO OBTAIN THE STATE BOARD OF LAND SURVEYING APPROVAL. THE BOARD HAS THE AUTHORITY TO REJECT OR APPROVE THIS PLAN AND TO REQUIRE CHANGES TO BE MADE TO THE PLAN.
 2. THIS PLAN IS TO BE USED TO OBTAIN THE STATE BOARD OF LAND SURVEYING APPROVAL. THE BOARD HAS THE AUTHORITY TO REJECT OR APPROVE THIS PLAN AND TO REQUIRE CHANGES TO BE MADE TO THE PLAN.
 3. THESE SYMBOLS APPLY TO THE ENTIRE PROJECT.



PROJECT INFORMATION	
PROJECT NO.	C-5
DATE	5 of 9
PROJECT NUMBER	17121.0
PROJECT NAME	

PROPOSED DEVELOPMENT PLAN

PERMITTING

ADVANCED REAL ESTATE DEVELOPERS, LLC
300 BALDWIN ROAD
WARRINGTON, VA 22090

PROJECT TITLE	
A.P. 33 LOT 44 300 PIPPIN ORCHARD ROAD CONVENT ROAD SUBDIVISION	
PROJECT NUMBER	
17121.0	
DATE	
12/28/18	
PROJECT LOCATION	
300 BALDWIN ROAD WARRINGTON, VA 22090	
PROJECT OWNER	
ADVANCED REAL ESTATE DEVELOPERS, LLC	
PROJECT CONTACT	
300 BALDWIN ROAD WARRINGTON, VA 22090	
PROJECT STATUS	
PERMITTING	

NEC

A KNOWN EDGE CORPORATION
4 WALKER ROAD, WALKER TOWN, RICHMOND, VIRGINIA 23290
WWW.NECONSTRUCTION.COM

NEC ENGINEERS & CONSULTANTS, INC.

SPECIALTY:
LAND PLANNING
WATERBENT
SURVEYING
GEO-TECHNICAL
ENVIRONMENTAL
TRANSPORTATION
STRUCTURAL

III. Surrounding land use and context

Analysis using the City of Cranston Geographic Information System indicates that:

1. The subject parcel is located in northwestern Cranston on the east side of Pippin Orchard Road between Westland Court to the north and Claudia Drive to the south.
2. The existing parcel is currently occupied by a single family residence and accessory structures. These improvements are towards the west side of the parcel, near the road. The Western portion of the parcel is vegetated and has wetlands.
3. The surrounding neighborhood abutting Pippin Orchard Road is comprised of A-80, single family residential lots and farms. There are A-20 single family lots to the east (Alpine Estates). There are no two-family or multifamily homes in the vicinity.
4. There is a mild, consistent slope moving downwards toward the northeast roughly 26' across the entire 809' depth of the site.
5. The project is free of any regulated floodplains or historic/cultural districts.

IV. Staff / Agency Comments

Pursuant to RIGL 45-23-41 A3, these plans were distributed for comment to the Providence Water Supply Board, Veolia Water, Public Works Department / Engineering Division, Traffic Division, Building and Inspections Department, Conservation Commission, the Fire Department and the City Arborist. Responses are as follows:

1. The Providence Water Supply Board – Michael A. Di Nobile of the Providence Water Supply Board corresponded a letter dated October 7, 2019 stating that there is **NOT** sufficient reserves to service this project.
2. Veolia Water -
3. Public Works Department / Engineering Division –

Recommends approval of the 300 Pippin Orchard Rd. Subdivision subject to the following:

1. *R.I.D.O.T. Physical Alteration Permit;*
2. *Sewer availability and approval by Veolia Water and DPW;*
3. *Final approval of Cul de Sac design subject to Planning Commission. Typically, this Office avoids recommending approval of landscape islands due to maintenance and vehicle concerns of (DPW-Highway, Emergency Response) agency. We suggest that input of the Fire Department and the Dept. of Public Works be considered by said Commission for this design.*
4. *Detention Pond design and improvements are the responsibility of an Owner's Association.**
5. *Maintenance schedule and O&M manual subject to approval by DPW Environmental Engineer.***
6. *Subject to a performance bond of \$219,000, and a 2 % administrative fee of \$4,380.*

* The applicant has since discussed this matter with the DPW Director and they have decided to include restrictions within the deeds for the new lots in lieu of establishing an HOA for two new lots.

** There was an error on behalf of the Planning Staff regarding the distribution of the O & M plan. It was submitted by the applicant on time, but it was not distributed to DPW/Engineering until 6/30/2020. The O & M plan is still under review at this time.

4. Traffic Division – Confirmed that “Lani Lane” was an acceptable name for the proposed roadway and had no other concerns about the proposal.
5. Fire Department – The Fire Department has not corresponded comments at this time.
6. Building and Inspections Department – The building & Inspections Department has not corresponded comments at this time.
7. Conservation Commission - The Conservation Commission has no comment on the proposal.
8. Arborist – The arborist was contacted by the Planning Department regarding to the trees near the property line directly abutting to the north of the proposed new road, specifically inquiring into the likelihood that the construction of the roadway would have on the existing trees. The City Arborist confirmed that the tree closest to Pippin Orchard Road is very likely to be impacted, and that the 2nd closest tree may or may not be impacted. Planning staff inquired as to what could be done to prevent/mitigate the loss of the tree(s) to which two options were provided:
 - 1. To try to protect the tree(s) by installing a snow fence during construction in such a manner which would keep vehicle traffic off of the tree’s root system or portion thereof;
 - 2. To plant replacement(s) to mitigate the loss of the tree(s).

V. Interests of Others

No public comments have been received at this time.

VI. Planning Analysis

The applicant has proposed a conventional minor subdivision with a street extension required to create frontage and vehicular access to the two new developable lots. The design and layout of the subdivision is generally dictated by the existing residence at 300 Pippin Orchard Road. **The proposal is consistent with the surrounding neighborhood**, which is all zoned A-80 along Pippin Orchard Road.

The proposed project is allowed by-right per City Zoning Ordinance and is consistent with the Comprehensive Plan Future Land Use Map allocation of [Single Family Residential less than 1 units / acre] with a proposed density of 0.46 units / acre.

Staff has recognized that there are several trees located near the point where the north side of the proposed new road (Lani Lane) would meet Pippin Orchard Road. **Staff would like to see these trees preserved if at all possible**, a sentiment which staff shared with the applicant who verbally agreed. Staff reached out to the City Arborist (see section IV of this memo) to discuss the

potential tree loss and to see what was recommended to prevent or mitigate the potential loss. It was the Arborist's opinion that the closest tree to Pippin Orchard Road was at high risk of being impacted, which appears to be just south of the property boundary and is therefore on the project site, but it was unclear whether the other trees would be lost on the neighboring properties. The arborist suggested that the trees could potentially be saved by installing a snow fence with the hopes to minimize damage to the root system during the construction phase. Staff would like to see measures taken to preserve the trees, and in the instance which they cannot be preserved, would like to see the applicant be responsible for replacing any trees that are lost which are on the neighboring property.

Staff acknowledges the comments from the DPW / Engineering Division and has incorporated their recommended conditions of approval. The application has a letter from RIDOT regarding their existing PAP application, which has only financial items outstanding before it can be issued/approved. Staff feels comfortable conditioning preliminary approval to the applicant obtaining a PAP. After discussing the application with City' liaison with Veolia Water, staff is also comfortable with conditioning the preliminary plan to approval of the sewer system design.

VII. Waivers

The proposed subdivision requests a waiver from the requirement for sidewalks based on the justification that there are no existing sidewalks on Pippin Orchard Road to connect to.

Additionally, the applicant requests a waiver from the requirement to build curbing, consistent with existing conditions on Pippin Orchard Road.

No other waivers are required or requested.

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 via certified mail and the meeting agenda has been properly posted. Advertisement for this major subdivision was published in the 6/17/20 edition of the Cranston Herald.

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 proposed subdivision is consistent with the City of Cranston Comprehensive Plan policies and Future Land Use Map (FLUM). The proposed resulting density of approximately 0.46 units per acre is consistent with the FLUM's designation of the subject parcel as “Single Family Residential less than 1 units / acre.”
2. Significant cultural, historic or natural features that contribute to the attractiveness of the community have not been identified on site.

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.”

3. Each of the proposed three (3) lots comply with all of the requirements of A-80 zoning.

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.” (emphasis added)*

5. The project is subject to all local, state and federal standards regarding environmental impacts.
6. The proposed clearing and disturbance is outside of the wetlands area and associated buffer, reviewed and approved by RIDEM.
7. The proposed drainage has been reviewed by the City and meets or exceed the City standards.
8. The Rhode Island November 2018 Natural Heritage map shows that there are no known rare species located on the site.

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.”

9. The site conditions for 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.”

10. Once the new road is complete, the properties in question will have adequate permanent physical access to a public roadway located within the City of Cranston.
11. The proposed subdivision provides for safe and adequate local circulation of pedestrian and vehicular through traffic, for adequate surface water run-off and for a suitable building site.

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 findings of fact in this memo dated 7/1/2020 and **approve** the Preliminary Plan application with waivers for the provision of sidewalks and curbing subject to the conditions denoted below.

X. Conditions of approval

1. Payment of Western Cranston Capital Facilities Impact Fee in the amount of \$2,779 at the time of Final Plan recording.
2. Payment of the public advertisement fee prior to the time of Final Plan recording.
3. Obtain a PAP from RIDOT prior to submitting a Final Plan.
4. Sewer design shall be approved by Veolia Water and DPW prior to submitting a Final Plan.
5. Provide a performance bond in the amount of \$219,000 and a separate 2% administrative fee of \$4,380 at the time of Final Plan recording, unless all public improvements have been constructed.
6. Detention Pond design, construction, and improvements shall be the responsibility of the developer. The maintenance shall be the responsibility of an Owner's Association.
7. Maintenance schedule and O&M manual shall be subject to approval by DPW Environmental Engineer.
8. Deeds for the new lots shall include mutually enforceable restrictive covenants detailing the responsibility to maintain the detention pond, subject to review and approval by the City.***
9. The applicant shall install a snow fence near the northern property along Lani Lane near its intersection with Pippin Orchard Road in an attempt to protect the existing trees from damage during construction.
10. Should any trees on the neighboring property (A/P 34 Lot 41) be lost, the applicant shall mitigate the impact by planting replacement(s) of reasonable equivalence to the tree(s) lost with the consent/permission of the owner of A/P 34 Lot 41.

*** An "Operation and Maintenance Plan and Covenant with the City of Cranston," a quit claim deed, and a Drainage Easement Agreement were submitted on 7/2/2020 and are under review.