

# City Planning Department



## Memo

To: Cranston City Plan Commission  
From: Joshua Berry, AICP - Senior Planner / Administrative Officer  
Date: November 30, 2021  
Re: "Elite Drive Subdivision" - Preliminary Plan - Major Subdivision without street extension

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**Owner/app:** David M. Devany and Earl J. Croft III  
**Location:** Elite Drive and Janet Drive, AP 26/4, Lot 50  
**Zone:** A-20 (Single-family dwellings on lots of minimum areas of 20,000 ft<sup>2</sup>)  
**FLU:** Single Family Residential 3.63 to 1 unit per acre

### I. Proposal

The Plan Commission granted Master Plan approval of this subdivision on May 4, 2021, with one condition of obtaining zoning relief for lot width and frontage.

Since the Master Plan approval, the following updates have occurred:

1. The applicant obtained relief for lot width and frontage from the Zoning Board of Review on May 12, 2021;
2. In a letter dated May 5, 2021, the Rhode Island Historical Preservation & Heritage Commission declared that no historical properties will be affected by the proposed subdivision;
3. The Applicants obtained ownership of the property in a deed recorded on September 14, 2021;
4. A combined RIPDES and Freshwater Wetlands Permit was obtained from the Rhode Island Department of Environmental Management dated October 25, 2021;
5. A Soil Erosion and Sediment Control (SESC) Plan has been added to the site plan set;
6. A Class I Preliminary Subdivision Plan has been provided.

Consistent with the approved Master Plan application, the owner/applicant seeks preliminary plan approval to subdivide an existing 7.51-acre lot into four (4) lots for the purpose of creating buildable lots intended for single-family development under A-20 zoning. Extended driveways off of Janet Drive for lots 1 & 2 and off of Elite Drive for lots 3 & 4 are proposed in lieu of extending either Janet Drive and/or Elite Drive.

The property is currently undeveloped, vegetated and has wetlands located in the southeast as well as a portion of a wetlands buffer for a stream that is between the project site and Route 295. The wetland edge has been flagged and verified, and the wetland buffer is on the plans. All proposed disturbance is outside of the wetland buffer.

The new homes would be served by public water and sewer. All four proposed lots far exceed the 20,000 ft<sup>2</sup> minimum with lot areas as follows:

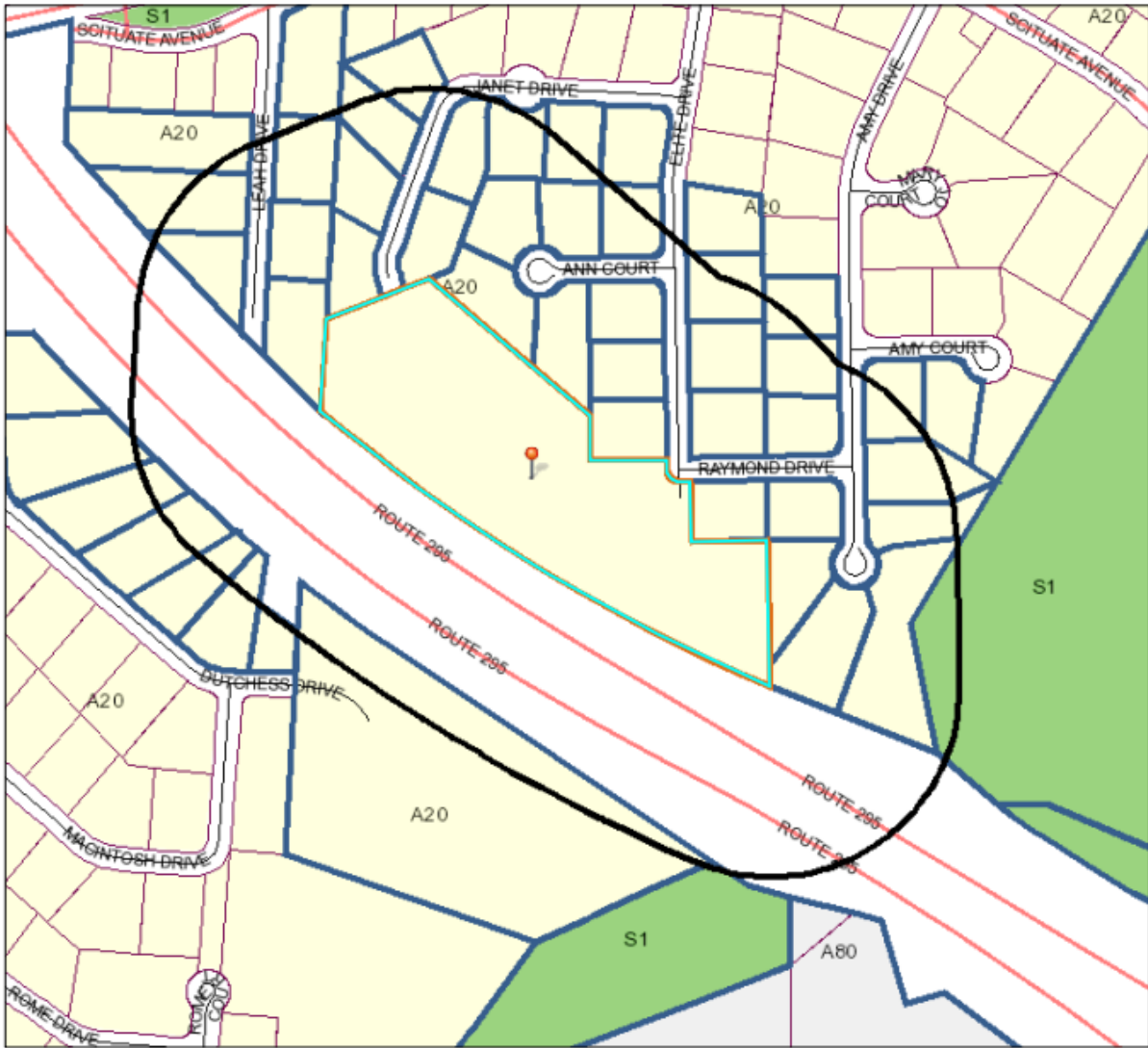
Lot 1 67,044 ft<sup>2</sup>  
Lot 2 50,544 ft<sup>2</sup>  
Lot 3 84,960 ft<sup>2</sup>  
Lot 4 124,627 ft<sup>2</sup>

A four lot subdivision is normally a minor subdivision, but the Subdivision Regulations allow for applications that require zoning relief to be classified as major subdivisions. This allows the applicant to obtain the first level of approval of the application before obtaining zoning relief without having to provide engineering details required for the preliminary plan stage.

## **II. Documents which are part of the application**

1. Preliminary Plan application;
2. Application filing fees;
3. Preliminary subdivision plan set entitled "Elite Drive Subdivision," prepared by Eric M. Prive, PE and survey by Robert G. Babcock PLS of DiPrete Engineering, with a last revised date of 11/4/21;
4. A Subdivision Plan by Robert G. Babcock PLS of DiPrete Engineering dated 11/12/21.
5. A Preliminary Plan checklist;
6. Preliminary Plan narrative;
7. Engineering narrative signed by Eric Prive, PE dated 11/4/21;
8. Drainage statement addressed to Martin Wencek of RIDEM Freshwater Wetlands Program by Eric Prive, PE of DiPrete Engineering, dated 7/27/21;
9. Letter from RIDEM dated 10/25/21 stating that a wetlands permit is not required;
10. 100' radius map, list of abutters and an Affidavit of Notice Compliance signed by Robert D. Murray, dated 11/18/21;
11. Letter regarding sewer availability signed by Edward Tally, Environmental Program Manager of the City of Cranston, dated 3/9/21.
12. Letter regarding water availability from Providence Water dated 2/26/21;
13. Letter from the Rhode Island Historical Preservation & Heritage Commission confirming that no historical properties will be affected, dated May 5, 2021;
14. Certificate of Municipal Leans.

# ZONING MAP

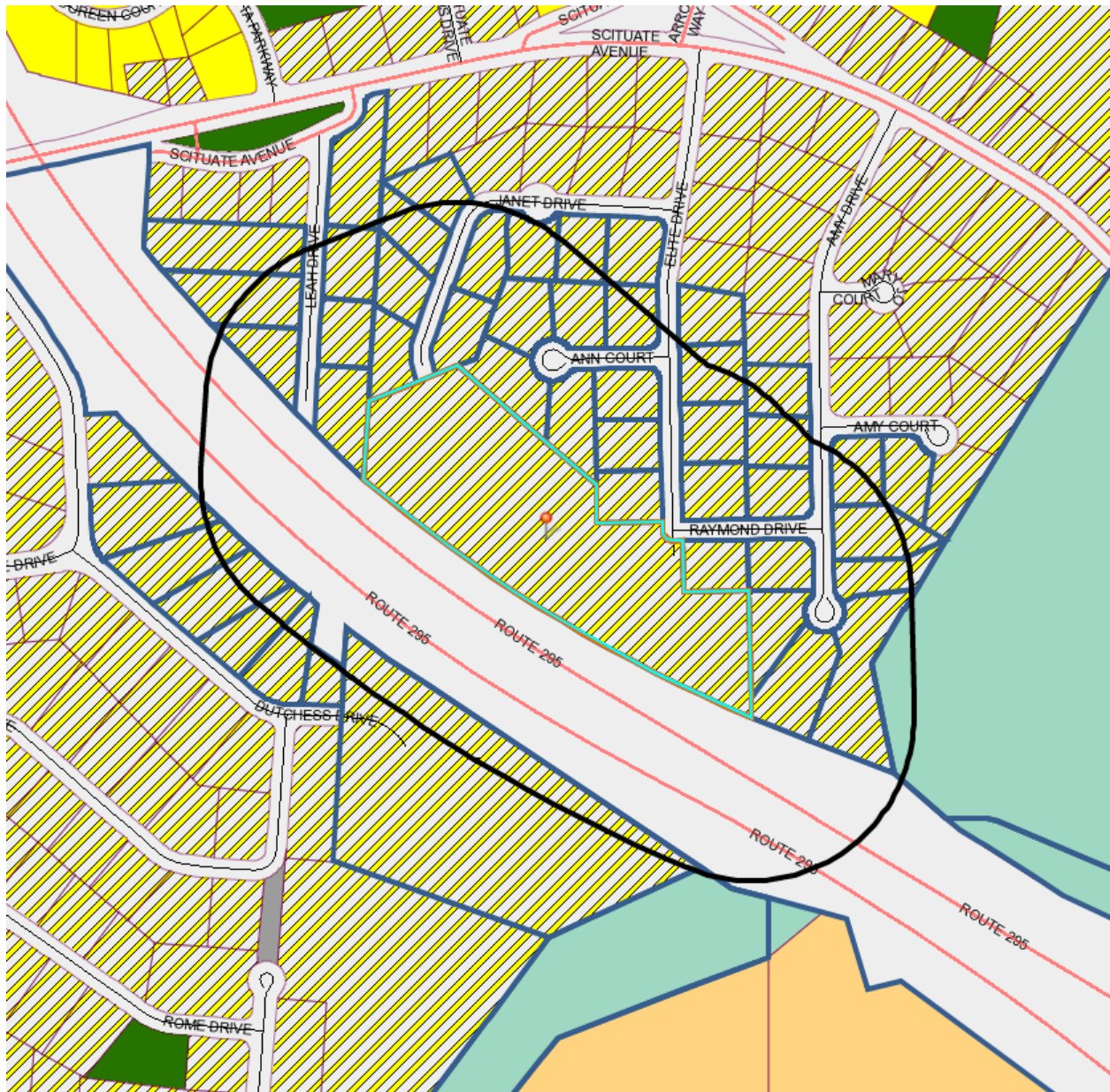


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City of Cranston

# FUTURE LAND USE MAP



<ul style="list-style-type: none"> <li>UserSelected... <span style="color: green;">—</span> Driveway</li> <li>vParcels_Buffer <span style="color: gray;">—</span> OutsideCity</li> <li>ParcelsInBuff... <span style="color: gray;">---</span> Paper</li> <li>Parcels <span style="border: 1px solid black; display: inline-block; width: 10px; height: 10px;"></span> Parcels</li> <li>Streets Names <span style="color: blue;">—</span> Pastore Complex</li> <li><b>Streets</b></li> <li><span style="color: black;">—</span> City</li> <li><span style="color: red;">—</span> State</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: green;">—</span> Driveway</li> <li><span style="color: gray;">—</span> OutsideCity</li> <li><span style="color: gray;">---</span> Paper</li> <li><span style="color: blue;">—</span> Pastore Complex</li> <li><span style="color: orange;">—</span> Private</li> <li><span style="color: black;">+</span> Railroad</li> <li><span style="color: red;">—</span> State</li> </ul>	<b>Future Land Use</b> <ul style="list-style-type: none"> <li><span style="color: lightgreen;">■</span> Governmenta...</li> <li><span style="color: red;">■</span> Highway Commercial/...</li> <li><span style="color: purple;">■</span> Industrial</li> <li><span style="color: orange;">■</span> Mixed Plan Development</li> <li><span style="color: brown;">■</span> Multifamily</li> <li><span style="color: peachpuff;">■</span> Neighborhood Commercial/...</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: green;">■</span> Open Space</li> <li><span style="color: yellow;">■</span> Residential Less Than 10.39 Units Per Acre</li> <li><span style="color: gray;">■</span> Right Of Way</li> <li><span style="color: yellow;">■</span> Single Family Residential 3.83 To 1 Unit Per Acre</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: yellow;">■</span> Single Family Residential 7.26 To 3.64 Unit Per Acre</li> <li><span style="color: orange;">■</span> Single Family Residential Less Than 1 Unit Per Acre</li> <li><span style="color: orange;">■</span> Single/Two Family Residential Less Than 10.89 Units Per Acre</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: purple;">■</span> Special Redevelopm... Area</li> <li><span style="color: blue;">■</span> Water</li> <li>Street Names</li> </ul>
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**AERIAL VIEW**



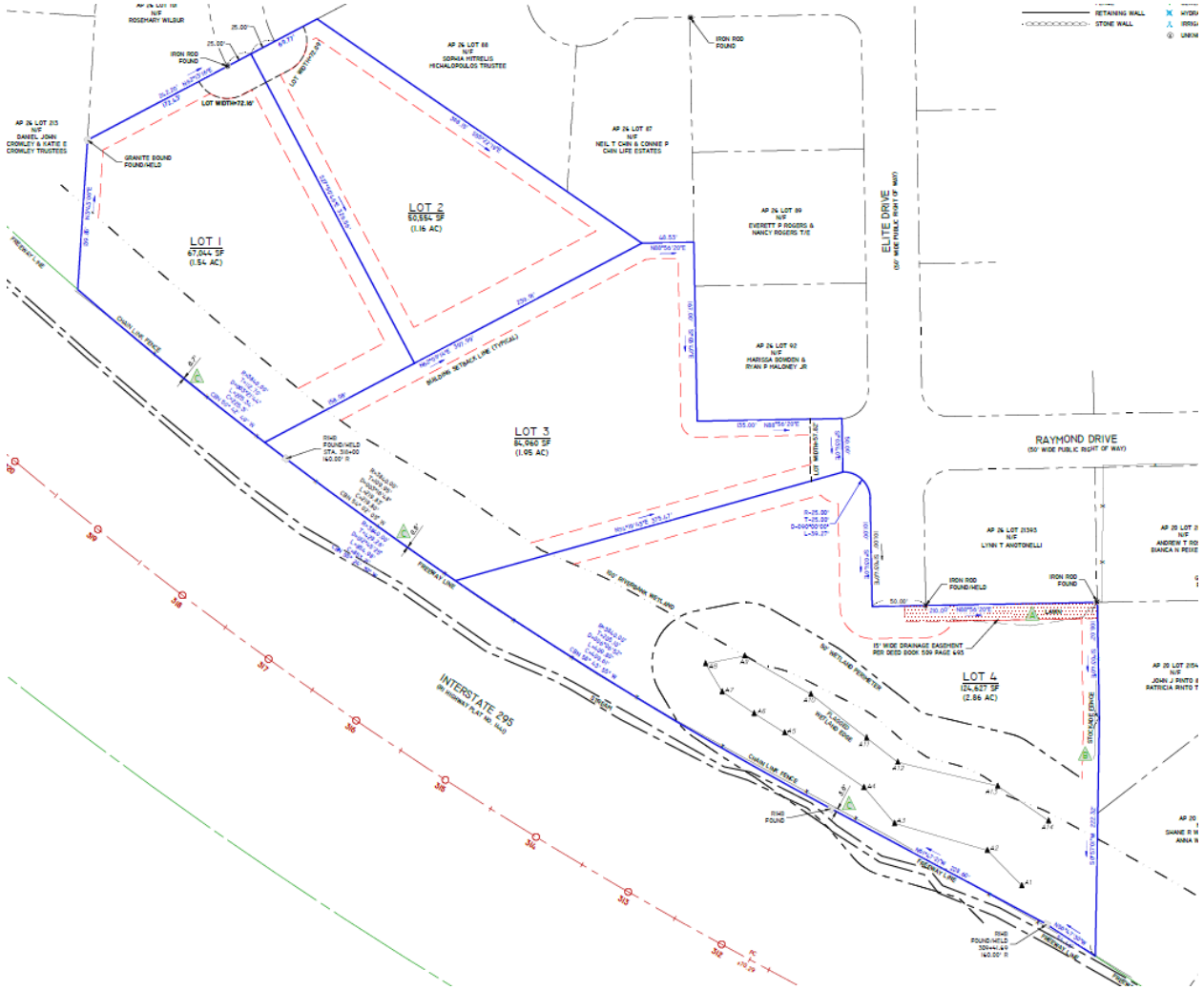
**3-D AERIAL VIEW (facing south)**



# SITE PLAN



# SUBDIVISION PLAN



**STREET VIEW**  
(Elite Drive facing south)



## **STREET VIEW**

**(Janet Drive facing south)**



### **III. Surrounding land use and context**

Analysis using Geographic Information System indicates that:

1. The subject parcel is located in Eastern Cranston (speaking in general terms, but more specifically described as north-central Cranston) in the section of the Stone Hill neighborhood that is enclosed by I-295 to the west, Scituate Avenue to the north and the Providence Water Supply Board Headquarters/office/pump station to the east.
2. The entire abutting neighborhood as described above is zoned A-20 and has been develop and platted for conforming single-family lots. The subject property is the last/only undeveloped parcel in the neighborhood. The site and abutting neighborhood are all designated as Single Family Residential 3.63 to 1 Unit/acre on the Future Land Use Map.
3. There is a wetland area in the southeastern corner of the subject property that has verified by RIDEM. There is also an intermittent stream just off the southern property line which runs along I-295. This stream has a 100' riverbank wetland buffer that runs through the subject site, roughly parallel to the property line. RIDEM has confirmed that the project does not alter the wetlands and a wetlands permit is not required.
4. The site generally slopes downwards towards the wetland area in the southeastern corner of the parcel, with the highest elevated areas in the northwest bear Janet Drive.
5. The project is free of any regulated floodplains or historic/cultural districts.
6. The 2018 Natural Heritage Map does not show any known rare species located on or near the site.

### **IV. Staff / Agency Comments**

Pursuant to RIGL 45-23-41 A3, these plans were distributed for comment to the Public Works Department, Engineering Division, Traffic Division, Building and Inspections Department, Conservation Commission and the Fire Department. DPW has provided a letter regarding public sewer availability.



DPW has also submitted the following comment relating to curbing for the project:

*Curb openings for the two lots off of Janet Drive are acceptable as shown. The existing concrete curb in the cul de sac shall be cut out and appropriate curb returns should be installed at the drive openings.*

*The curbing at the Elite Drive/Raymond Drive intersection is incomplete and should be finished to provide a continuous curb in the intersection. Proper curb returns should be installed at the drive openings. Elite Drive roadway and curbing should be extended 20 feet beyond the southernmost curb opening to allow for snow storage. Engineer to determine if an additional drain catch basin is required at south end of Elite, or if the flow can be directed off the road via a drainage swale.*

Staff recommends that, should the Plan Commission choose to approve the subdivision, that conditions be included to incorporate DPW's comments.

No other comments have been received at this time.

## **V. Interests of Others**

None to report at this time.

## **VI. Waivers**

Waivers are requested for sidewalks. Since there are no sidewalks abutting the subject property in which to connect in the neighborhood, staff supports this request.

## **VII. Planning Analysis**

The proposed four (4) lot subdivision has no substantive changes since the Master Plan approval in May of this year. Staff finds that the updates since the Master Plan satisfy the Preliminary Plan review requirements:

- The applicant has complied with the condition to obtain zoning relief for lot width and frontage;
- A letter from RIDEM confirms that the project will not alter the freshwater wetlands on site and that no wetlands permit is needed because the proposed work is outside of the wetlands buffer;
- The Class I Subdivision Plan satisfied the Preliminary Plan review requirements;
- The SESC Plan has been reviewed by DPW; and
- The letter from RIHPCP confirms there are no historical properties impacted.

All four of the proposed lots far exceed the 20,000 ft<sup>2</sup> minimum in A-20. Single-family residential is a by-right use in A-20 zoning. Due to the size of the proposed lots, the subdivision is less dense than the Comprehensive Plan Future Land Use Map allocation of Single-Family Residential 3.63 To 1 Unit Per Acre with a proposed density of 0.53 units per acre. **The proposed use (single-family residential) and density are both consistent with the Comprehensive Plan.**

There is a 15' wide drainage easement abutting AP 26 Lot 93. The easement does not appear to have any material impact on the proposal.

Although the subject site is East of I-295, the site is in the Western Cranston capital impact and water districts. Conditions are recommended to ensure the applicant pays said fees.

### **VIII. Findings of Fact**

An orderly, thorough and expeditious technical review of this Master Plan has been conducted. Property owners within a 100' radius have been notified via first class mail, a display advertisement was published in the Cranston Herald on 4/21/21 and the meeting agenda has been properly posted.

Staff has reviewed this Master 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 Future Land Use Map (FLUM). The proposed resulting density of approximately 0.53 units per acre is less dense than and thereby consistent with the FLUM's designation of the subject parcel as “Single-Family Residential 3.63 to 1 unit per acre.”
2. The proposal is consistent with the Comprehensive Plan in that the site layout offers attributes that have been identified as desired elements found in conservation subdivisions such as but not limited to more efficient/less sprawling development, minimizing disturbance, and programming public roadways and utilities.
3. Significant cultural, historic or natural features that contribute to the attractiveness of the community have not been identified on site. RIHPHC provided a letter dated 5/5/21 stating that no historic properties will be affected by the project.

*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 Zoning Board of Review granted relief for lot width and frontage specific to this subdivision proposal under A-20 zoning requirements on May 12, 2021.
5. 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)*

6. No significant environmental impacts are anticipated. RIDEM has reviewed the proposal as provided a letter stating that there are no anticipated impacts to the freshwater wetlands and no wetlands permit is required.
7. The project will be subject to all state and local regulations.
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 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.
10. The design and location of building lots, utilities, drainage and other improvements conform to local regulations for mitigation of flooding and soil erosion.

*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.”*

11. The properties in question will have adequate permanent physical access to Janet Drive (Lots 1 & 2) and Elite Drive (Lots 3 & 4) via private driveways.
12. The proposed subdivision provides for safe and adequate local circulation for vehicular traffic.

## **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, with waivers for curbing and sidewalks, subject to the conditions denoted below.

## **X. Condition of approval**

1. Payment of the Western Cranston Capital Facilities impact fee in the amount of \$5,558 (\$1,389.50 per unit) shall be submitted at the time of final plat recording.
2. Payment of the Western Cranston Water District fee in the amount of \$12,284 (\$3,071 per unit) shall be submitted at the time of building permit.

3. The existing concrete curb in the cul-de-sac of Janet Drive shall be cut out for driveway openings and appropriate curb returns shall be installed.
4. The applicant shall complete the curbing at the Elite Drive/Raymond Drive intersection so that the curbing is continuous. Proper curb returns shall be installed at the driveway openings.
5. Elite Drive roadway and curbing shall be extended 20' beyond the southernmost driveway to allow for snow storage. The applicant's engineer shall coordinate with DPW to determine if an additional drain catch basin is required at the south end of Elite Drive, or if the flow can be directed off the road via a drainage swale.