

# City Planning Department



## Memo - REVISED

To: Cranston City Plan Commission  
From: Gregory Guertin, MA – Senior Planner / Administrative Officer  
Date: July 24, 2023  
Re: “Briarwood Estates” Preliminary Plan - Major Subdivision

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**Owners:** Edward Pelli, Leonard A. Reali and Carol Reali  
**Applicant:** Universal Realty, LLC  
**Location:** 1365/1375 New London Avenue, AP 18, Lots 1023 and 1026  
**Zone:** A-8 (Single-family dwellings on lots of 8,000 sqft)  
**FLU:** Single Family Residential 7.26 to 3.64 Units Per Acre

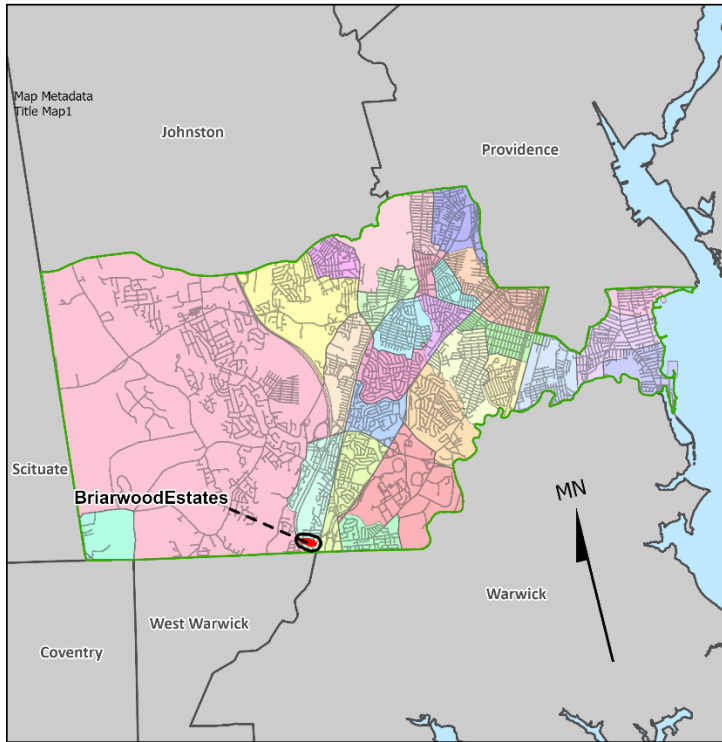
### I. Proposal

The applicant is proposing to subdivide 5.8 acres of land into fourteen (14) individual parcels, twelve (12) of which shall be for the development of new single-family dwellings. There are two (2) existing lots that make up the subject properties, AP 18, Lots 1023 and 1026. Each of the existing lots contains an existing single-family dwelling with addresses of 1365 and 1375 New London Avenue. The proposed subdivision will leave the two (2) existing dwellings on their own conforming lots, and will subdivide the remaining vacant land into twelve (12) new lots as well as creating a public street extension.

The property is zoned A-8. The proposed subdivision is allowed by-right and does not require zoning relief or zone changes. The project site is bound by New London Avenue to the east, Interstate Route 295 to the west, the terminal end of Briarwood Road and residential properties to the north, and residential properties to the south. The subject land does not contain wetlands or flood zones. The proposed new lots will be serviced by public water and public sewer.

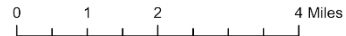
## LOCATION

*THIS MAP IS TO BE USED FOR PLANNING PURPOSES ONLY*



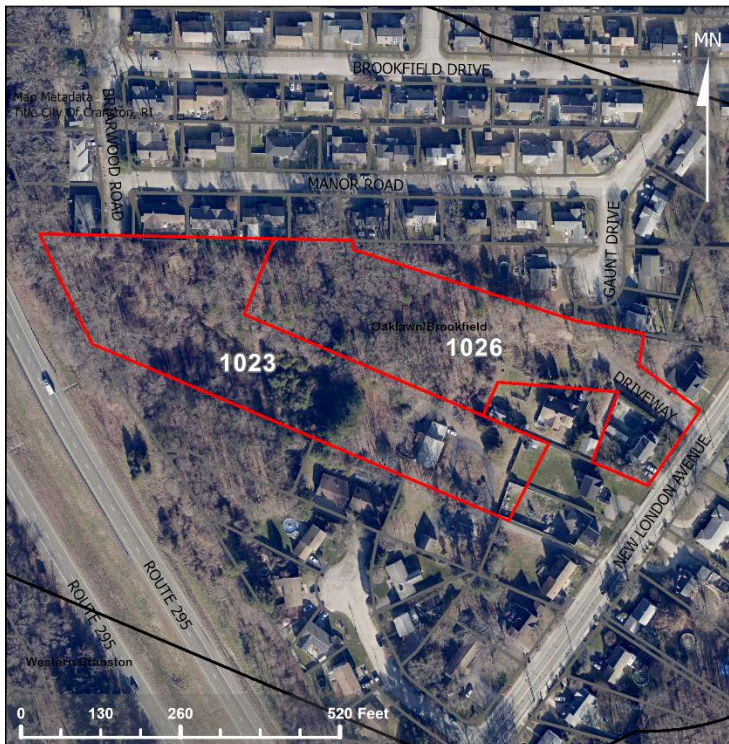
### Legend

- Briarwood Estates
  - 400' Buffer
  - City of Cranston
  - Municipal Boundary's
  - Road Network
- | Neighborhoods  |  |
|--|--|
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ccccff; border: 1px solid black; margin-right: 5px;"></span> Arlington                 |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ccffcc; border: 1px solid black; margin-right: 5px;"></span> Auburn                    |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ffcc99; border: 1px solid black; margin-right: 5px;"></span> Auburn/Friendly Community |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ccffcc; border: 1px solid black; margin-right: 5px;"></span> Budlong                   |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ffcc99; border: 1px solid black; margin-right: 5px;"></span> Dean Estates/Woodridge    |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ccffcc; border: 1px solid black; margin-right: 5px;"></span> Eden Park                 |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ffcc99; border: 1px solid black; margin-right: 5px;"></span> Edgewood                  |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ccffcc; border: 1px solid black; margin-right: 5px;"></span> Fiskeville                |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ffcc99; border: 1px solid black; margin-right: 5px;"></span> Forest Hills              |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ccffcc; border: 1px solid black; margin-right: 5px;"></span> Garden City               |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ffcc99; border: 1px solid black; margin-right: 5px;"></span> Garden Hills              |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ccffcc; border: 1px solid black; margin-right: 5px;"></span> Glen Woods                |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ffcc99; border: 1px solid black; margin-right: 5px;"></span> Howard                    |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ccffcc; border: 1px solid black; margin-right: 5px;"></span> Knightsville              |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ffcc99; border: 1px solid black; margin-right: 5px;"></span> Laurel Hill               |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ccffcc; border: 1px solid black; margin-right: 5px;"></span> Mayfield/Oak Hill         |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ffcc99; border: 1px solid black; margin-right: 5px;"></span> Meshanticut               |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ccffcc; border: 1px solid black; margin-right: 5px;"></span> Northern Edgewood         |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ffcc99; border: 1px solid black; margin-right: 5px;"></span> Oaklawn/Brookfield        |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ccffcc; border: 1px solid black; margin-right: 5px;"></span> Park View/South Elmwood   |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ffcc99; border: 1px solid black; margin-right: 5px;"></span> Pawtuxet                  |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ccffcc; border: 1px solid black; margin-right: 5px;"></span> South Auburn              |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ffcc99; border: 1px solid black; margin-right: 5px;"></span> Spectacle                 |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ccffcc; border: 1px solid black; margin-right: 5px;"></span> Stadium                   |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ffcc99; border: 1px solid black; margin-right: 5px;"></span> Stone Hill                |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ccffcc; border: 1px solid black; margin-right: 5px;"></span> Thornton                  |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ffcc99; border: 1px solid black; margin-right: 5px;"></span> Village                   |  |
| <span style="display: inline-block; width: 10px; height: 10px; background-color: #ccffcc; border: 1px solid black; margin-right: 5px;"></span> Western Cranston          |  |



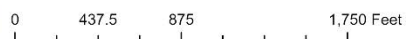
## AERIAL VIEW

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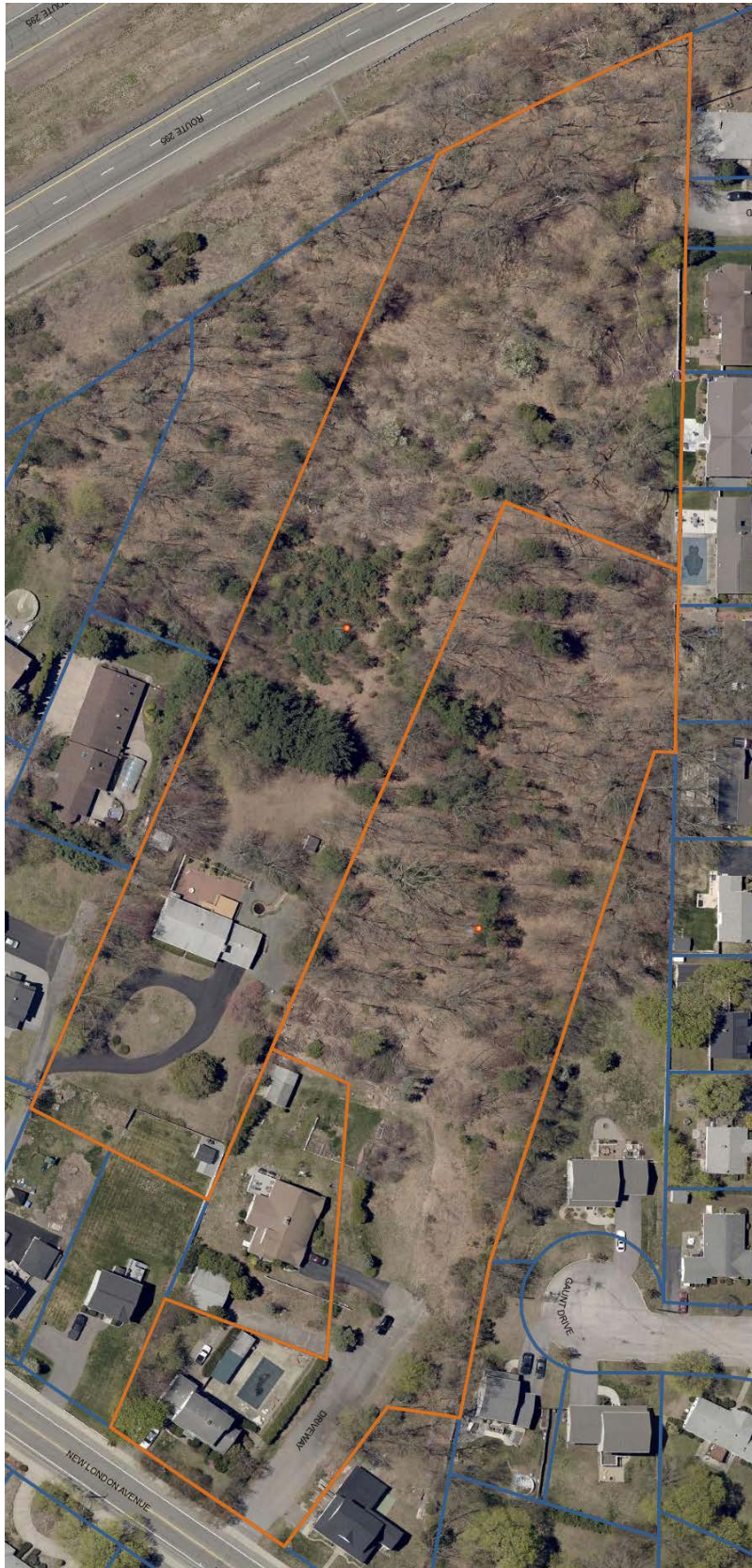
### Legend

- Briarwood Estates
- 400' Buffer



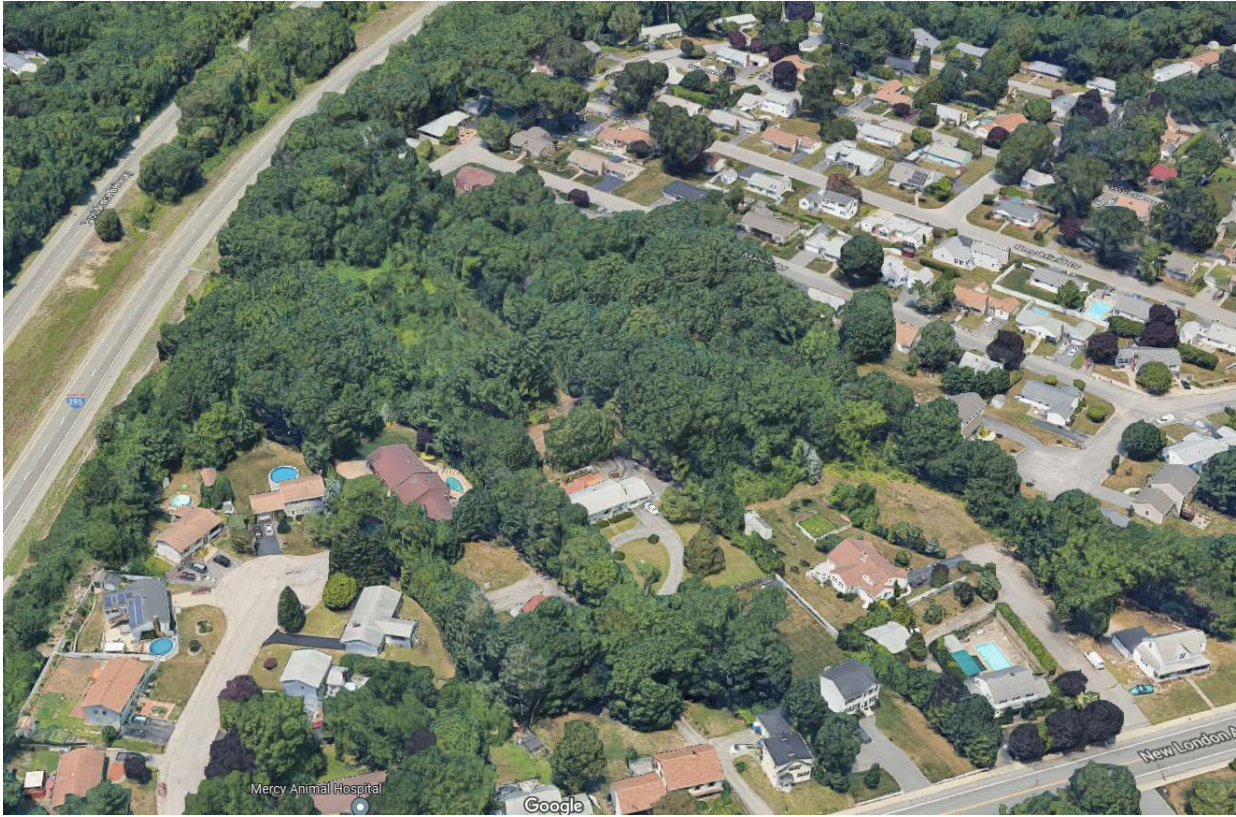


# AERIAL VIEW – CLOSE UP





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

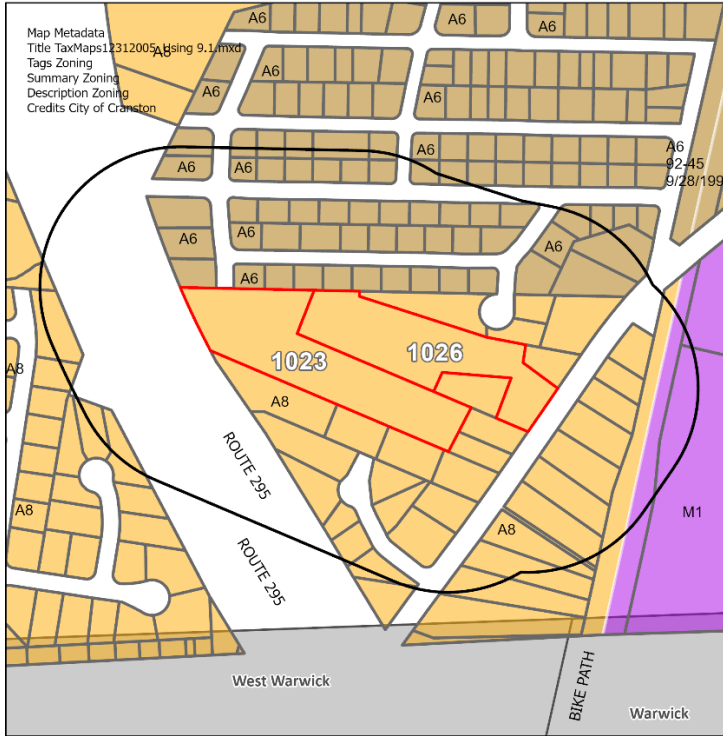


**STREET VIEW**  
(Pippin Orchard Road near the proposed subdivision entry road)



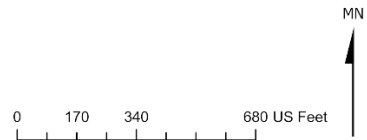
## ZONING

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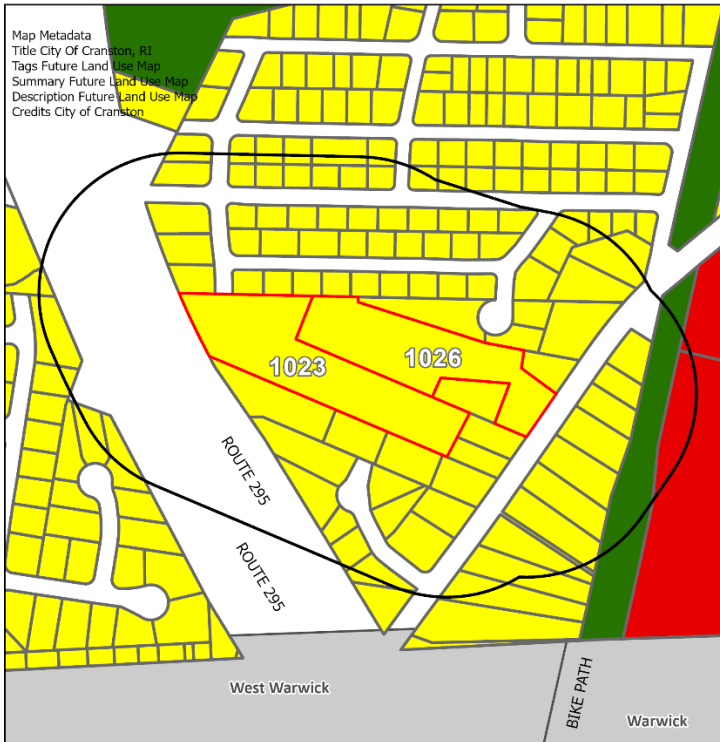
### Legend

- Briarwood Estates
- 400' Buffer
- Zoning**
- A8
- A6
- M1
- Municipal Boundary's



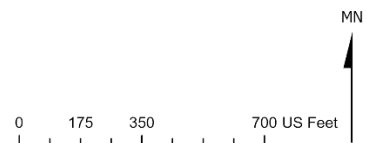
## FUTURE LAND USE

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### Legend

- Briarwood Estates
- 400' Buffer
- Future Land Use**
- Highway Commercial/Services
- Open Space
- Single Family Residential 7.26 To 3.64 Unit Per Acre
- Special Redevelopment Area
- Municipal Boundary's





# SITE PLAN (snippet)



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

1. Preliminary Plan application form and checklist;
2. Application filing fees in the amount of \$1400.00;
3. Subdivision plan set entitled "Briarwood Estates" prepared by Joe Casali Engineering, Inc. with a last revised date of 6/8/2023;
4. Project Narrative prepared by Joe Casali Engineering, Revised June 2023;
5. Stormwater Management Report Prepared by Joe Casali Engineering, Inc. Revised June 2023;
6. 100' radius map and list of abutters;
7. Kent County Water availability letter dated May 17, 2023;
8. Rhode Island Department of Environmental Management Permit dated April 21, 2023;
9. Rhode Island Department of Transportation Physical Alteration Permit letter dated June 19, 2023;
10. Cranston Fire Department hydrant approval letter;
11. Letter requesting waivers from Right-of-way regulations and sidewalk requirements;
12. Municipal Liens Certificates

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

Analysis using Geographic Information System indicates that:

1. The subject parcels are in southern Cranston near the city boundary with Warwick.
2. The subject parcels are zoned A-8. The surrounding properties are zoned either A-8 or A-6 and are all developed as single-family houses.
3. The subject parcels and abutting neighborhood are all designated as Single Family Residential 7.26 to 3.64 Units Per Acre on the Future Land Use Map of the Comprehensive Plan.
4. The subject land does not contain wetlands or flood zones.
5. 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 Zoning Department, and the Fire Department.

Department of Public Works Traffic Division:

- The new roadway must extend to the intersection of Briarwood & Manor...not as currently proposed.

- The current address of 4 Briarwood Rd. would now front on the new street. For E-911 reasons, the property should be re-addressed to the new street name. I don't know if the City can mandate the address change in this case. It seems the responsibility should be on the developer to facilitate and duly compensate the property owner for such. If the address is not changed, 4 Briarwood Rd. would need to be identified in our system as a "problem address".
- The proposed name of Woodbridge Road is not acceptable. It is too close to the name Woodridge Road already in use. Propose an alternative street name.

Department of Public Works Engineering:

- Is there an HOA involved with this? If not, who owns and maintains the retention basin? The City is not accepting maintenance of any privately developed BMP.
  - If the subsurface infiltration systems on the individual lots are not maintained, the retention basin will be impacted. A common body, such as an HOA, should be responsible for all BMP's contributing to the designed drainage network.
  - If the City is responsible for making sure the systems are maintained, we're going to need to adopt an ordinance to legitimize the enforcement.
- The means in which the road is narrowed needs to be more gradual. The proposed 90-degree bend of the curb line into the roadway is not allowable as it creates a drainage and plowing issue.
- A structural sidewalk/driveway apron should be included at the "entrance" to the retention basin for maintenance vehicles.
- What is proposed for gas? Propane? I don't see a gas main extension included in the utility plans.
- Where are the underground electric wires going?
- Are there streetlights proposed? The City is not accepting any additional streetlights at this time so that would need to be expensed and maintained by an HOA.

No other concerns from City staff have been expressed at this time.

#### **V. Interests of Others**

None to report currently.

#### **VI. Planning Analysis**

The proposal is to subdivide 5.8 acres of land into fourteen (14) individual parcels. Two (2) of the new parcels will each retain an existing single-family dwelling on the subject land. The remaining 12 parcels will be for development of new single-family dwellings. The project will extend a public street from New London Avenue to the existing terminus of Briarwood Road. This roadway connection is an important element of neighborhood continuity and will create a logical connection between the new proposed dwellings and the established surrounding



neighborhood. By connecting New London Ave and Briarwood Road with a new public roadway extension, the City anticipates more efficient traffic dispersion and better access for any emergency vehicles to and through the neighborhood.

This is a by-right subdivision and does not require relief at this time. The subject land is zoned A-8 and the proposed lots meet the minimum requirements. The surrounding properties are zoned either A-8 or A-6. The majority of lots in the neighborhood are developed as single-family houses. The proposed new lots will be serviced by public water and public sewer.

The proposed subdivision is allowed by-right and does not require zoning relief or zone changes. The project site is bound by New London Avenue to the east, Interstate Route 295 to the west, the terminal end of Briarwood Road and residential properties to the north, and residential properties to the south. The subject land does not contain wetlands or flood zones.

It should be noted that City staff from multiple departments provided specific review of the plan as it relates to proposed right-of-way widths. It was determined that a 40 foot right-of-way width for the primary new street extension was appropriate in this case. It was also determined that a 32 foot right-of-way width was appropriate for the un-improved extension to the abutting parcel identified as AP 18, Lot 2006. It was also determined that the presence of a sidewalk on the newly developed street would not be necessary, however, where the newly developed street opens onto New London Ave ADA accessible sidewalk ramps would be required to maintain pedestrian access along New London Ave. A sidewalk waiver request has been submitted by the applicant and staff finds that it would be appropriate to waive this requirement given that the surrounding neighborhood, with the exception of New London Avenue, currently has no sidewalks.

With regard to Comprehensive Plan consistency, the subdivision fits within the Comprehensive Plan Future Land Use Map designation of "Single Family Residential 7.26 to 3.64 Units Per Acre". There are additional policies within the Comprehensive Plan that are supportive of infill housing within and around existing neighborhoods in the City, and this project is consistent with those policies.

## **VII. Findings of Fact**

An orderly, thorough, and expeditious technical review of this Major Land Development – Preliminary Plan application 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 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 proposed subdivision is consistent with the City of Cranston Comprehensive Plan Future Land Use Map (FLUM). The proposed density of the subdivision is consistent

with the FLUM's designation of the subject parcel as "Single Family Residential 7.26 to 3.64 Units Per 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. The proposal is in compliance with all zoning standards and 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)*

4. This finding pertains specifically to the final plan, however, no significant environmental impacts are anticipated.
5. The project will be subject to all state and local regulations pertaining to environmental impacts and wetlands.
6. 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."*

7. 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.
8. The design and location of building lots, utilities, drainage and other improvements will conform to local regulations for mitigation of flooding and soil erosion, details of which will be reviewed during the Preliminary Plan phase of the application.

*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 properties in question will have adequate permanent physical access to a public city street through the creation of a new roadway being proposed on the subject property that will connect to both New London Avenue and Briarwood Road.
10. The proposed subdivision provides for safe and adequate local circulation for vehicular traffic.

## VIII. 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 a waiver for the provision of sidewalks, subject to the conditions denoted below.

## IX. Condition of approval

- 1.) Applicant shall provide a performance guarantee in the amount of **\$245,000.00** with a separate 2% administrative fee at the time of Final Plan application.
- 2.) The DPW director shall review the Final Plan and issue their approval for roadway tapering, the detention basin, & sidewalk/driveway apron at the entrance to the detention basin prior to recording.
- 3.) If a Homeowners Association is required for the maintenance of the proposed detention basin, draft documents shall be reviewed and approved by the DPW prior to final plan recording.