



SOUTH KINGSTOWN PLANNING DEPARTMENT
PROJECT REVIEW MEMO
Alewife Cedar's
Major Subdivision – Flexible Frontage
Pre-Application Concept Review

January 28, 2025

Project Type:	Major Subdivision – Flexible Frontage		
Review Stage:	Pre-Application Concept Plan		
Address:	961 Ministerial Road		
Plat:	67	Lot:	37
Parcel Size:	19.8 acres (8.3 acres upland)	Zoning District:	R80
Applicant:	Paul T. Buonaiuto 95 Prospect Road Wakefield, RI 02879	Owner:	Paul T. Buonaiuto, trustee of the Paul T. Buonaiuto 2017 Trust

Property Characteristics

The subject parcel is delineated as Lot 37 of Assessor's Plat 67 located at 961 Ministerial Road in South Kingstown, RI. The parcel is 19.8 acres in size located southerly of Alewife Brook that flows towards Tucker's Pond and easterly of Ministerial Road a state-owned scenic highway. More than 50% of the parcel is freshwater wetland with only a 8.3 acre peninsula of upland. The subject site is classified in the R-80 zoning district and is currently developed with a 3-bedroom single family home serviced by overhead utilities and onsite wastewater and private well. The parcel also has a pool/patio complex, garage and several smaller outbuildings. Access to the site is over an existing paved driveway from Ministerial Road.

Most of the upland peninsula are historically cleared meadows with stands of cedar trees and with a thick vegetated buffer along the wetland edges. The existing house site sits roughly ten feet above the wetland elevation and the average grade of the meadow areas sits 6 ft. above. The house and pool area is on a summit region that pitches in all directions towards the wetlands. The wetland has been flagged by Ecotones, Inc. and is classified as a swamp greater than 10 acres with a 75 foot buffer zone. An area of the wetland has also been classified as an Evergreen Cedar Swamp that will have a 100 foot buffer zone. Alewife Brook sits far enough north of the upland areas such that the 200 ft. jurisdictional line does not come into the design scenarios.

The soil classes within the upland areas are Deerfield and Windsor type. These soils are considered state important farmland with their sandy loam textures. These soil types are considered moderately to rapidly drained. Soil Evaluations were performed onsite to verify if suitable water tables exist in the meadow areas for residential development. The water tables ranged from 24 to 54 inches and the soil categories were mostly 3 in the upper layers and 6 in the parent material. This data shows suitability for onsite wastewater.

Encroachments from Lot 38 to the north of the parcel have been observed while performing field work. The encroachments consist of a large garden area, several outbuildings and potentially

portions of the leachfield. The existing fence line between the neighbors has been historically recognized as the boundary but this fence does not fit the deed calls for each lot. The applicant wishes to remedy this by moving the property line to surround the encroachment areas. The proposed development will include this administrative subdivision during the review process of the proposed 4 lot flexible frontage major subdivision.

Project Description

The applicant is seeking approval of a four (4) lot residential subdivision consisting of the existing house on one lot and 3 new lots serviced by a common driveway. The expected population growth is to be 7 people with an estimate number of 1 school-aged child per the 2023 census. A yield plan was prepared showing the density is allowed. Due to the significant water resources in the area, the applicant is seeking relief from the subdivision rules under the flexible frontage standards. This type of development is consistent with other subdivisions in the area and with low impact development. The existing house will utilize the existing curb cut on Ministerial Road and the three new lots will seek approval from RI DOT for a new curb cut. Most of the frontage along Ministerial Road is heavily vegetated with cedars, laurel, deciduous shade trees and associated underbrush. By proposing a common driveway instead of a town or private road, it will minimize the amount of vegetation disturbance along the frontage. The location of the curb cut was chosen to minimize grade changes and avoid specimen trees. The common drive has also been shaped in a curvy nature so lines of sight into the houses is restricted from the road.

The house sites were chosen to stagger views from each other and to use existing topography to reduce grade changes. Each site will be serviced by underground utilities, onsite wastewater treatment systems and onsite private wells. Stormwater runoff is expected to be handled within best management practices recognized in the RI DEM guidance document for individual lots. The driveway runoff will discharge to a vegetated swale on the south side of the development to properly treat for water quality and recharge. All proposed developments have been located outside of vegetated wetland buffers within already cleared meadow areas. Therefore, no variances to RI DEM for wetland approval will be required. A RI DEM Wetland a RIPDES permit will be requested for this development along with RI DEM OWTS approval.

The applicant proposes to use the Flexible Frontage provisions of the Zoning Ordinance. (Z.O. § 502.2) to allow for substandard frontage while providing access to the lots via a common driveway rather than a new road. The applicant has submitted a Yield Plan that satisfies the requirements of the ordinance and because use of the Flexible Frontage provisions constitutes a request for a waiver, this application constitutes a major subdivision rather than a minor subdivision

Resulting Parcel Configurations

	Existing	Required R80	Proposed Lot 1	Proposed Lot 2	Proposed Lot 3	Proposed Lot 4
Lot Area	19.78 acres	80,000 ft ²	2.48 acres	5.59 acres	7.43 acres	3.81 acres
Land Suitable	8.3 acres		80,309 sq. ft.	81,286 sq. ft.	99,294 sq. ft.	81,583 sq. ft.
Lot Frontage	432'	200'	233'	20'	57'	81'

Regulatory Considerations

Purpose of the Pre-Application Review

Per the Regulations, Pre-Application meetings shall:

- Aim to encourage information sharing and discussion of project concepts among the participants;
- Include a review of the physical character of the land, any environmental or physical constraints to development; and
- Include a discussion initiated by the Planning Board regarding what form of land development may be appropriate to meet the goals and policies of the Comprehensive Plan with regard to preserving the character of the land, the natural environment and the ability of the Town to provide essential services.

Pre-application discussions are intended for the guidance of the applicant and shall not be considered approval of a project or of any of its elements. No formal action need be taken by the Planning Board at the pre-application meeting.

Required Findings

Flexible Frontage

The Flexible frontage provisions of the Zoning Ordinance (*Z.O. § 502.2*) authorize the Planning Board, through a request for waiver, to allow frontage and lot width variations in the R-10 to R-200 residential zones to be reduced to a minimum of twenty (20) feet after making the following findings of fact:

The use of flexible lot frontage and width:

1. Is in the best interest of good planning design as evidenced by consistency with the comprehensive community plan and the zoning ordinance; and
2. Would result in a better use of the land than permitted under conventional zoning.

The applicant must also submit a "yield plan," demonstrating that the number of buildable lots proposed using the flexible frontage and width provisions do not exceed the number allowed by using conventional frontage and width provisions.

Decision on Major Subdivision

The Planning Board's decision must address the following:

General Purposes of Subdivision & Land Development

1. Does the project provide for the orderly, thorough and expeditious review and approval of land developments and subdivisions;
2. Does the project promote high quality and appropriate design and construction of land developments and subdivisions;
3. Does the project promote 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. Does the project promote 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. Does the project encourage 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. Does the project promote thorough technical review of all proposed land developments and subdivisions by appropriate local officials;

7. Does the project encourage 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. Does the project encourage the establishment and consistent application of procedures for local record-keeping on all matters of land development and subdivision review, approval and construction.

Positive Findings Required to Approve

The Planning Board's decision must also make positive findings, supported by legally competent evidence, on the following provisions:

- (a) The proposed development is consistent with the comprehensive community plan and/or has satisfactorily addressed the issues where there may be inconsistencies;
- (b) The proposed development is in compliance with the standards and provisions of the municipality's zoning ordinance;
- (c) There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval;
- (d) 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; and
- (e) 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.

Draft Motion for Consideration

In conjunction with this Pre-Application Concept application, the applicant has requested to combine the later Conceptual Master Plan & Preliminary Plan Review stages of review. If deemed appropriate, the following motion could be used in support of said request:

Motion: "The South Kingstown Planning Board hereby grants the request of the applicant, Paul T. Buonaiuto, to combine the Conceptual Master Plan and Preliminary Plan stages of review for the proposed major subdivision located at 931 Ministerial Road, Assessor's Plat 67, Lot 37. The applicant shall be required to meet the application requirements for both the Conceptual Master Plan and Preliminary Plan stages of review prior to scheduling the required public hearing."