



**SOUTH KINGSTOWN PLANNING DEPARTMENT**  
**PROJECT REVIEW MEMO**  
**Saugatucket Acres**  
**Major Subdivision, Flexible Frontage**  
**October 28, 2025**

Project Type:	<b>Major Subdivision, Flexible Frontage</b>		
Review Stage:	<b>Conceptual Master Plan</b>		
Address:	<b>176 Saugatucket Road</b>		
Plat:	<b>42</b>	Lot:	<b>9</b>
Parcel Size:	<b>9.44 acres</b>	Zoning District:	<b>R40</b>
Applicant:	JAE Mills, LLC c/o Anna Szeto 90 Madison Street, Suite 610 Worcester, MA 01608	Owner:	Same

**Property Characteristics**

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The subject site is located at 176 Saugatucket Road, accessed from the east via Tower Hill Road and from the west via Broad Rock Road. The site is presently improved with a single-family residential structure and outbuildings. Indian Run Brook crosses the southeast corner of the site. The Indian Run Brook is located in the river protection Region 2 and has a 150' buffer zone.

**Project Description**

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The applicant is proposing to raze (demo) the existing 1,962 square foot residential building and to subdivide the parcel using the Flexible Frontage regulation to create a total of five (5) residential lots with associated utilities and stormwater drainage systems. Wastewater from all 5 lots will be managed with OWTS.

**Waivers Required**

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The applicant is requesting the following waivers:

- A. A waiver of the Subdivision Regulations, Article 5 – Supplementary Regulations – Section 502 Supplementary dimensional regulations – 2 Lot Frontage and Width, Flexible Provisions is being requested. In residential zones R-10 to R-200, the Planning Board is authorized to reduce the lot frontage and lot width of newly created lots in a subdivision on any public or approved private street to a minimum of twenty (20) feet. The project is located in zone R-40 with a minimum frontage and lot width of 150'. Due to site constraints (existing wetlands on site), three out of the five proposed lots would require a reduction of frontage to 30', with another requiring under 150' feet.

**Review to Date**

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Pre-Application Concept Plan - Reviewed by the Planning Board on February 7, 2024.  
Conceptual Master Plan

- Technical Review Committee - Reviewed on April 10, 2024, and granted conditional approval provided the following conditions are addressed and the application is determined complete before scheduling with the Planning Board:
  1. That the applicant shall complete a Fire hydrant/flow analysis.
  2. That the applicant shall clearly show how Fire apparatus will access the site.
  3. That the applicant will evaluate effect of seasonal high ground water on any proposed storm water improvements.
  4. Development plans need to include any road infrastructure phasing including underground utilities.
  5. That all proposed grading necessary to fully develop the site is clearly shown on development plans.
- Planning Board – Reviewed and approved on July 23, 2024, subject to 7 conditions as summarized below:
  1. Limited to five (5) lots in total.
  2. All lots serviced by public water and OWTS.
  3. The sole access shall be via a shared driveway using the existing driveway and curb cut. No other curb cuts are permitted. A restrictive easement shall be recorded prohibiting future driveway cuts, which shall be reviewed and approved by the AO in consultation with legal counsel. Any required access easement areas, along with associated draft easement language, shall be delineated on the plans and included with the future Preliminary Plan application submission.
  4. All conditions and recommendations made by the TRC shall be incorporated in the future Preliminary Plan application submission. The applicant shall be allowed to provide a fire apparatus turnaround area within lots 2, 3, and 4 utilizing loadbearing structure such as Grasspave2.
  5. Survey monumentation shall be shown on the Site Plan for each parcel intersection along the street and at any intersection or directional change of parcel boundaries to the satisfaction of the AO. Said monumentation shall be (1) shown on the Preliminary Plan, and (2) shall be installed in the field and identified on the Plan to be submitted with the Final Plan application. The type, number and location of monumentation shall be subject to the approval of the AO as part of the Preliminary Plan approval.
  6. The applicant shall provide detailed easement language associated with the establishment of an HOA in order to ensure the proper installation and maintenance of the shared infrastructure required for the development.
  7. The applicant shall submit a detailed landscape plan to soften the appearance of the development and the look of the driveway and frontage lots.

Preliminary Plan

- Technical Review Committee - Reviewed on August 13, 2025, and advanced to the Planning Board with the following recommended revisions:
  1. Solidify stormwater on plans for all five lots.
  2. Identify easement driveway - no pass.
  3. Identify landscape easement.
  4. Identify land suitable for development and clearly identify on plans.

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## Decision Deadline

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The Preliminary Plan application was Certified Complete on October 22, 2025, following the department's receipt of updated plans. The Planning board has ninety (90) days from the date of Completeness to render a decision, such deadline is **Tuesday, January 20, 2026**.

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## Regulatory Considerations

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### ***Zoning Ordinance – Article 5, Sec. 502.2: Supplemental dimensional regulations***

Section 502.2 of the Zoning Ordinance outlines the flexible frontage provision in creating lots with less than the frontage required per the Dimensional Regulations.

*502.2 Lot frontage and width, flexible provisions.* Upon approval by the Planning Board, through a request for waiver pursuant to the Town's Subdivision and Land Development Regulations, the following lot frontage and lot width variations may be permitted:

- A. In residential zones R-10 to R-200, the Planning Board is authorized to reduce the lot frontage and lot width of newly created lots in a subdivision on any public or approved private street to a minimum of 20 feet.
- B. The Planning Board must, before approving such flexible lot frontage and lot width, make findings of fact that:**
  - (1) Using flexible zoning 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.**
- C. Open space lots, within an approved cluster subdivision, may have zero frontage on a street, as long as the Planning Board approves private access to the open space by easement.
- D. As part of the application to the Planning Board for flexible lot frontage and width, a "yield plan", as defined in Article 12 shall be required. No more buildable lots shall be allowed using flexible frontage and width provisions than are allowed by using the conventional frontage and width provisions.

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## Required Findings

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As a reminder, State law requires **for all administrative, minor, and major subdivision and land development applications**, approving authorities must make positive findings on the following standard 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.

The approving authority must also address each of the following general purposes of zoning:

- (1) Providing for the orderly, thorough and expeditious review and approval of land developments and subdivisions;
- (2) Promoting high quality and appropriate design and construction of land developments and subdivisions;
- (3) Promoting 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) Promoting 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) Encouraging 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) Promoting thorough technical review of all proposed land developments and subdivisions by appropriate local officials;
- (7) Encouraging 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) Encouraging the establishment and consistent application of procedures for local record-keeping on all matters of land development and subdivision review, approval and construction.

With regard to waivers, the Regulations (Article VIII.B.1) require that the Planning Board find that:

- i. The waiver or modification is reasonable and within the general purposes and intents of the Regulations; and,
- ii. Literal enforcement of the regulation is impracticable and will exact undue hardship because of peculiar conditions pertaining to the land in question; or waiver or modification of the regulation is in the best interest of good planning practice or design as evidenced by consistency with the Comprehensive Community Plan and the Zoning Ordinance.

Additionally, with regard to the flexible frontage provision of the Zoning Ordinance (Article 5, Sec. 502.2), the Planning Board must make positive findings that:

- iii. Using *flexible* zoning is in the best interest of good planning design as evidenced by consistency with the Comprehensive Community Plan and the Zoning Ordinance; and,
- iv. Would result in a better use of the land than permitted under conventional zoning.

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**Draft Motion for Consideration**

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“The South Kingstown Planning Board hereby grants Preliminary Plan approval to Saugatucket Acres, a five (5) lot major flexible frontage subdivision for single-family development located at 176 Saugatucket Road, JAE Mills, LLC, owner/*applicant*. This approval is based on the plan titled “*Preliminary Submission, Saugatucket Acres, 176 Saugatucket Road, South Kingstown, Rhode Island, Assessor’s Plat 42 Lot 9,*” Sheets 1 -11, revisions through August 5, 2025, prepared by DiPrete Engineering, Inc., Two Stafford Court, Cranston, RI 02920.

This approval is also based on the following Findings of Fact and Conditions of Approval:

***Findings of Fact***

- A. The subdivision is consistent with the requirements of the South Kingstown Comprehensive Community Plan.
- B. The subdivision conforms to the standards and provisions of the South Kingstown Zoning Ordinance.
- C. There will be no significant negative environmental impacts from the subdivision as depicted on the above referenced plans, with the required Conditions of Approval.
- D. The subdivision, as proposed will not result in the creation of building sites with such physical constraints to development that building on the lots according to pertinent regulations and building standards would be impracticable.
- E. The subdivision has adequate and permanent physical access to a public street, namely, Saugatucket Road.
- F. A thorough technical review of the subdivision has been conducted by the South Kingstown Technical Review Committee.

***Findings of Fact in regard to Waivers***

- G. The use of flexible frontage in the context of this application is in the best interest of good planning design as evidenced by consistency with the Comprehensive Community Plan and the Zoning Ordinance; and,
- H. The use of flexible frontage in the context of this application results in a better use of the land than currently permitted under conventional zoning regulations.

***Conditions of Approval***

- 1. This approval is limited to five (5) lots in total.
- 2. All lots shall be serviced by public water and onsite wastewater treatment systems (OWTS).
- 3. Each lot shall be served by its own, individual water supply line physically contained within the boundaries of the lot.
- 4. Access to the five (5) lots depicted on the plan shall be via a single, shared access driveway using the existing driveway and curb cut to Saugatucket Road. No additional curb cuts or driveways are permitted. The prohibition against additional curb cuts or driveways shall be documented in the land evidence records using both restrictive covenants and notations on the record plan.
- 5. The applicant shall submit draft copies of all relevant legal documents pertaining to the subdivision for review by the AO and legal counsel prior to recording. Such documents shall include, but not necessarily be limited to: Deeds; Easements; HOA documents; Covenants & Restrictions; A stormwater management, operation and maintenance plan ... etc.
- 6. All conditions and recommendations made by the TRC shall be incorporated in the plans and information to be submitted with the future Final Plan application submission.

7. Areas of reinforced turf as shown on the Plans shall be installed using *Grasspave2* or a similar structural reinforcing product.
8. Prior to recording the Final Plan, the site plans shall be revised to show:
  - a. Survey monumentation at ***all*** corners, intersections or directional changes of parcel boundaries to the satisfaction of the AO. The type, number and location of monumentation shall be subject to the approval of the AO as part of the Final Plan approval. All required monumentation shall be set prior to the issuance of the first building permit.
  - b. A clear notation on the record plan expressly prohibiting any curb cuts or driveways to Saugatucket Road other than the curb cut and driveway shown on the approved site plans.
  - c. Clear lines and/or iconography depicting the division of lands suitable and unsuitable for development.