

**TOWN OF WEST GREENWICH
RHODE ISLAND**

**LAND DEVELOPMENT &
SUBDIVISION REGULATIONS**

**ADOPTED BY:
THE WEST GREENWICH PLANNING BOARD
DECEMBER 19, 1995**

Amended:

November 6, 2000

March 12, 2001

November 5, 2001

June 2, 2003

February 7, 2005

October 3, 2005

May 19, 2008

September 13, 2010 (effective 12/8/2010)

May 18, 2015

**Town of West Greenwich, Rhode Island
Land Development and Subdivision Regulations**

TABLE OF CONTENTS

I.	AUTHORITY AND INTENT	
	A. Authority	1
	B. Purpose	1
	C. Construction and Intent	2
	D. Effective Date	2
	E. Vested Rights- Continuation of Prior Regulations	3
II.	DEFINITIONS	5
III.	GENERAL REQUIREMENTS	
	A. General Requirements	15
	B. Land Unsuitable for Development	16
	C. Dedication of Land for Public Purposes	16
	D. Developer Must Provide Fire Suppression	18
	E. Development Impact Statement	20
	F. Affordable Housing Requirements	21
IV.	SPECIAL REQUIREMENTS	
	A. Phasing of Major Land Developments & Major Subdivisions	23
	B. Land Development Projects	24
	C. Development Plan Review	24
	D. Conservation Design Development	25
V.	PROCEDURE FOR REVIEW AND APPROVAL OF PLATS AND PLANS	
	A. General Requirements	29
	B. Certification of a Complete Application	29
	C. Procedure for Approval	30
	1. Pre-application Meetings and Concept Review	30
	2. Administrative Subdivisions	31
	3. Minor Land Development, Minor Subdivision, and Development Plan ..	32
	4. Major Land Development and Major Subdivision	33
	D. Reinstatement of Applications	38
	E. Precedence of Approvals between Planning Board and Other Permitting Authorities	38
	F. Comprehensive Permit Procedures.....	39
	G. Conservation Design Development	43
VI.	RECORDING OF PLATS AND PLANS	
	A. Signing and Recording of Plats and Plans	51
	B. Changes to Recorded Plats and Plans	52

VII. GUARANTEES OF PUBLIC IMPROVEMENTS

A. Definition and Purpose	55
B. General Procedures	55
C. Procedures for Financial Guarantees	56
D. Maintenance Guarantees	57
E. Acceptance of Improvements	58

VIII. WAIVERS AND MODIFICATIONS

A. Waiver of Development Plan Review	61
B. Waiver or Modification of Regulations	61
C. Decision on Waivers and Modifications	62

IX. ENFORCEMENT AND PENALTIES

A. Violations	63
B. Penalties for Violations	63
C. Injunctive Relief	63

X. ADOPTION AND AMENDMENT OF REGULATIONS65

XI. ADMINISTRATION OF THE REGULATIONS AND AMENDMENTS

A. The Administrative Officer	67
B. Technical Review Committee	67
C. The Platting Board of Appeal	68
D. Administrative Fees	69
E. Project Review Fees	69
F. Meetings, Votes, Decisions, and Records	72

XII. APPEALS

A. Procedure for Appeals to the Board of Appeal	73
B. Public Hearings on Appeals to the Board of Appeal	73
C. Appeals to the Superior Court	74

XIII. PHYSICAL DESIGN REQUIREMENTS AND PUBLIC IMPROVEMENT STANDARDS

A. General	77
B. Street Design Standards	78
C. Lot Design Standards	85
D. Landscaping Standards.....	87
E. Reserved.....	89
F. Utilities and Easements.....	89
G. Buffer Areas.....	90
H. Stormwater Management.....	91
I. Site Design.....	100
J. Off-site Improvements.....	111
K. Areas of Special Flood Hazard.....	111
L. Professional Services - Engineering, Land Surveying, Landscape Architecture, and Architecture	112

M. Topographic Mapping Standards and Calculation Method for Steep Slopes.....	112
N. Conservation Development	112

XIV. CONSTRUCTION METHODS AND SPECIFICATIONS

A. Specifications	117
B. Soil Erosion and Sediment control	117
C. General Construction Procedures and Requirements	117
D. Street Construction.	120
E. Curbs	123
F. Sidewalks	124
G. Drainage Structures & Facilities	124
H. Installation of Water Mains	125
I. Permanent Monuments	125
J. Special Grading Provision	126
K. Repaving of Road Due to Disturbance	126

XV. CHECKLISTS127

A. Administrative Subdivisions	
B. Preliminary Plan Checklist – Minor Land Developments, Minor Subdivisions, and Development Plans	
C. Final Plan Checklist - Minor Land Developments, Minor Subdivisions, and Development Plans	
D. Pre-application Meetings and Concept Review (all projects)	
E. Master Plan Checklist - Major Land Developments and Major Subdivisions	
F. Preliminary Plan Checklist - Major Land Developments and Major Subdivisions	
G. Final Plan Checklist - Major Land Developments and Major Subdivisions	
H. Administrative Requirements for Inclusionary Zoning	
I. Application for Waivers and Modifications	
J. Stormwater Management Design Checklist	

APPENDIX A. LOW IMPACT DEVELOPMENT RESOURCES

APPENDIX B. LIST OF FIGURES

Figure 1.	Typical Cross Section – Local Public Street
Figure 2.	Roadway Design Table
Figure 3.	Cistern Detail- (Standard for all 3 Fire Companies)
Figure 4.	Cul-de-sac Design

APPENDIX C. CONSERVATION DESIGN DEVELOPMENT RESOURCES

ARTICLE I. - AUTHORITY AND INTENT

A. Authority

These Subdivision and Land Development Regulations are adopted pursuant to the authority contained in Title 45, Chapter 23, Sections 25 through 74 of the Rhode Island General Laws, known as the Rhode Island Land Development and Subdivision Review Enabling Act of 1992, and Ordinance # 64 of the Town of West Greenwich, adopted October 11, 1995.

B. Purpose

The purpose of these regulations is to establish procedural and substantive provisions for the subdivision and/ or development of land that will, consistent with the provisions of the West Greenwich Comprehensive Community Plan and the West Greenwich Zoning Ordinance, accomplish the following:

1. Protect the public health, safety and welfare of the community;
2. Provide for the orderly, thorough and expeditious review and approval of land developments and subdivisions;
3. Promote high quality, and appropriate design and construction of land developments and subdivisions;
4. Protect existing natural and built environments and mitigate the significant negative impacts of proposed development on those environments;
5. Promote subdivision and land development designs that are well-integrated into surrounding neighborhoods with regard to natural and built features, and concentrate development in areas that can best support intensive use because of natural characteristics and existing infrastructure.
6. Provide for design and construction standards that are appropriate to the community;
7. Require the dedication of public land, measures for mitigating the impact of new development on the community, and payment-in-lieu thereof, that are based on clear documentation of needs and are fairly applied and administered;
8. Direct the development of land consistent with state of the art practices that promote and foster growth in a manner that protects the Town's distinctive character while at the same time accommodating economic growth;
9. Guide land development with an emphasis on siting subdivision and development improvements so as to allow for the maximum preservation of existing natural features;
10. Insure that proposed designs institute best management practices that acknowledge existing site constraints and the natural setting.

11. Encourage the establishment and consistent application of procedures for local record-keeping on all matters of land development and subdivision review, approval and construction.

12. Provide suitable safeguard and consideration for land use and site and architectural design that is compatible with adjacent districts and uses

13. Permit development to an extent commensurate with the availability and capacity of public facilities and services and promote safe circulation of traffic

14. Facilitate orderly and harmonious site development including safe and convenient provision and design of egress and ingress, off-street parking, truck loading, internal circulation, emergency access, refuse disposal, outdoor storage, signage, and lighting, and in compliance with the requirements of the West Greenwich Zoning Ordinance;

15. Protect appropriate vistas and environmental qualities of the Town

C. Construction and Intent

1. These regulations are not intended to supersede, abrogate, or interfere with any provision of any ordinance of the Town of West Greenwich.

2. Sections I-III and V-XIV of these regulations are intended to provide general requirements applicable to all subdivisions and development projects. Section IV of these regulations, governing certain Minor Subdivisions, and Land Development Projects, are intended to provide regulations that are supplementary to the general requirements. In the event of a conflict between a general regulations and a regulation applicable to a specific type of subdivision or development, the more specific regulation shall be controlling.

3. These regulations are intended to be interpreted so as to be consistent with, and further the implementation of, the Comprehensive Community Plan, the Rhode Island Zoning Enabling Act of 1991, and the Rhode Island Land Development and Subdivision Review Enabling Act of 1992. Consistency with the Comprehensive Plan means in accordance with the goals, policies, procedures, maps and other policy statements in the plan.

4. If any section, or subsection, of these regulations is held invalid by a court of competent jurisdiction, such invalidity shall not affect the validity of the remainder of these regulations.

D. Effective Date

These amended regulations shall take effect on May 18, 2015, and shall supersede all other land development and subdivision regulations in effect at the time of such adoption.

E. Vested Rights-Continuation of Prior Regulations

Subdivisions or land development plans submitted to the Planning Board for approval under the provisions of the Regulations in effect prior to December 19, 1995, and as subsequently amended, may be continued to be reviewed by the Planning Board and approved under those Regulations in accordance with the following:

1. Final Approvals - Any project which at the time of adoption of these amendments, has received final approval, or final approval with conditions, from the Planning Board, may initiate or construct any part of the development, or record said plans in accordance with the Land Development and Subdivision Regulations in effect at the time final approval was granted. The Planning Board, may, in its discretion, grant extensions to any such final approval in accordance with the procedure for such extensions as set forth in the Regulations in effect at the time of final approval.

In the event that a project approved under prior Regulations is not recorded and construction initiated within one (1) year from the effective date of these Regulations, a one (1) year extension, with one (1) additional extension, may be granted by the Planning Board.

2. Preliminary Approvals - Any project which, at the time of adoption of these amendments, has received preliminary approval, or preliminary approval with conditions, from the Planning Board, may continue to be reviewed by the Planning Board in accordance with the Land Development and Subdivision Regulations in effect at the time preliminary approval was granted provided any one of the following conditions have been met:

- a. The final plat, including all the material required in the Final Plat Checklist, is filed with the Planning Department within one (1) year from the date of preliminary approval; or,
- b. Reserved
- c. The subdivision or land development is located within an area and is of a nature to be within the jurisdiction of the Rhode Island Department of Environmental Management (RIDEM) and the preliminary plan, as approved by the Planning Board, has been filed with RIDEM for approval as required by the Freshwater Wetlands Act; or,
- d. The applicant has expended significant monies in the preparation of preliminary subdivision or land development plans in an amount that, if preliminary approval were to become void and re-application under the revised regulations were to be required, a significant economic hardship would result. The Planning Board shall determine what constitutes "significant economic hardship".

3. Other Status - Any project which, at the time of adoption of these Regulations, has not received final or preliminary approval; or has been reviewed by the Planning Board for preliminary review but no approval therefore has been granted; or has received preliminary approval more than one year prior to the date of adoption of these regulations; or for which only pre-application conference(s) has (have) been conducted shall be required to be reviewed under the revisions to the Land Development and Subdivision Regulations adopted on December 19, 1995, and as subsequently amended, pursuant to the Rhode Island Land Development and Subdivision Review Enabling Act of 1992.

The Planning Board shall determine vested rights for subdivisions or land developments submitted for approval prior to December 19, 1995, and the effective date of subsequent amendments. Appeals from a decision regarding the application status and vested rights of any subdivision or land development shall be made to the Planning Board of Appeal as herein provided.

ARTICLE II - DEFINITIONS

The following words or phrases, when used in these regulations, shall have the following meaning, unless otherwise specifically provided:

Administrative Officer - The municipal official to administer the land development and subdivision regulations and to coordinate with local boards and commissions, municipal staff, and state agencies. For the Town of West Greenwich it shall be the Town Planner.

Administrative subdivision - Re-subdivision of existing lots that yields no additional lots for development, and involves no creation or extension of streets. Such re-subdivision shall only involve divisions, mergers, mergers and division or adjustments of boundaries of existing lots.

Affordable Housing- (Refer to RIGL's 42-128-8.1 (d) (1)) residential housing that has a sales price or rental amount that is within the means of a household that is moderate income or less. In the case of dwelling units for sale, housing that is affordable means housing in which principal, interest, taxes, which may be adjusted by state and local programs for property tax relief, and insurance constitute no more than thirty percent (30%) of the gross household income for a household with less than one hundred and twenty percent (120%) of area median income, adjusted for family size. In the case of dwelling units for rent, housing that is affordable means housing for which the rent, heat, and utilities other than telephone constitute no more than thirty percent (30%) of the gross annual household income for a household with eighty percent (80%) or less of area median income, adjusted for family size. Affordable housing shall include all types of year-round housing, including, but not limited to, manufactured housing, housing originally constructed for workers and their families, accessory dwelling units, housing accepting rental vouchers and/or tenant-based certificates under Section 8 of the United States Housing Act of 1937, as amended, and assisted living housing, where the sales or rental amount of such housing, adjusted for any federal, state, or municipal government subsidy, is less than or equal to thirty percent (30%) of the gross household income of the low and/or moderate income occupants of the housing.

Affordable Housing Plan – the component of the Housing Element of the Comprehensive Plan that is designed to meet the housing needs of the community. The West Greenwich Affordable Housing Plan has been approved by the State as meeting the guidelines for the local Comprehensive Plan as promulgated by the State Planning Council.

Agricultural land - Land suitable for agriculture by reason of suitability of soil or other natural characteristics or past use for agricultural purposes. Agricultural land includes that defined as prime farm land or additional farm land of statewide importance for Rhode Island by the soil conservation service of the United States department of agriculture.

Applicant - A person who applies to the Planning Board for subdivision or development approval.

Area of Special Flood Hazard - Areas designated on the Town's official Flood Insurance Rate Maps as being located within zones V1-V30, and zone A.

Board of appeal – The local review authority for appeals of actions of the Administrative Officer and the Planning Board on matters of land development or subdivision, which shall be the Zoning Board of Review constituted as the Board of Appeal.

Bond - A type of improvement guarantee.

Buffer – An area within a property or site, generally adjacent to and parallel with the property line, either consisting of natural existing vegetation or created by the use of trees, shrubs, fences, and/or berms, designed to limit continuously the view of and/or sound from the site to adjacent sites or properties.

Buildable lot - A lot where construction for the use(s) permitted on the site under the Zoning Ordinance is considered practical by the Planning Board, considering the physical constraints to development of the site as well as the requirements of pertinent federal, state and local regulations.

Certificate of Completeness - A notice issued by the Administrative Officer informing the applicant that the application is complete and meets the requirements of these regulations, and that the applicant may proceed with the approval process.

Cluster - A site planning technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and/or preservation of environmentally, historically, culturally, or other sensitive features and/or structures. The techniques used to concentrate buildings shall be specified in the Zoning Ordinance and may include, but are not limited to, reduction in lot areas, setback requirements, and/or bulk requirements, with the resultant open land being devoted by deed restrictions for one or more uses. Under cluster development there is no increase in the number of lots that would be permitted under conventional development.

Comprehensive Plan – The Town of West Greenwich Comprehensive Plan, adopted and approved by the Town of West Greenwich pursuant to Rhode Island General Laws Title 45, Chapter 22.2

Concept plan - A drawing with accompanying information showing the basic elements of a proposed subdivision or land development plan, as used for pre-application meetings and early discussions, and classification of the project within the approval process.

Concrete Cistern - A pre-cast concrete structure, minimum 3,000 psig, used for the underground storage of water for the purpose of fire suppression. All vent piping, suction piping and fill piping shall be ASTM Schedule 40 galvanized steel pipe. Cisterns shall be installed at least forty-eight (48) inches below grade to prevent freezing.

Conservation Restriction - A right to prohibit or require a limitation upon or an obligation to perform acts on or with respect to or uses of a land or water area, whether stated in the form of a restriction, easement, covenant, or condition, in any deed, will, or other instrument executed by or on behalf of the owner of the area or in any order of taking, which right, limitation, or obligation is appropriate to retain or maintain the land or water area, or is appropriate to provide the public the benefit of the unique features of the land or water area, including improvements thereon predominantly in its natural, scenic, or open condition, or in agricultural, farming, open space, wildlife, or forest use, or in other use or condition consistent with the protection of environmental quality.

Consistency with the Comprehensive Plan – A requirement of all local land use regulations which means that all these regulations and subsequent actions are in accordance with the public policies arrived at through detailed study and analysis and adopted by the municipality as the comprehensive community plan as specified in RIGL 45-22.2-3.

Construction – Any disturbance of an existing or newly approved parcel of land.

Cul-de-sac - The terminus of a street that has only one outlet, laid out to provide a circular or other type of turn-around for vehicles at the closed end. See Article XIII.

Dedication, fee in-lieu-of - Payments of cash which are authorized in the local regulations when requirements for mandatory dedication of land are not met because of physical conditions of the site or other reasons. The conditions under which such payments will be allowed and all formulas for calculating the amount shall be specified in advance in the local regulations.

Development Impact Statement (DIS) – A written analysis describing the potential impact and proposed mitigation measures a development proposal may have on significant environmental, social, and fiscal resources that directly affect municipal facilities and services. See Article III. E. for details.

Development Plan Review – the process whereby authorized local officials review the site plans, maps, and other documentation of a development to determine the compliance with the stated purposes and standards of the Zoning Ordinance, and the Land Development and Subdivision Regulations.

Development regulation - Zoning, subdivision, land development plan, development plan review, historic district, official map, flood plain regulation, soil erosion control or any other governmental regulation of the use and development of land.

Division of land - A subdivision.

Easement - The right of a party to use all or part of the property of another for a specific purpose.

Endorsement - The signature of the Administrative Officer or Planning Board Chairperson on an approved plat, permitting recording of the plat, or as further provided in Article VI.

Environmental constraints - Natural features, resources, or land characteristics that are sensitive to change and may require conservation measures or the application of special development techniques to prevent degradation of the site, or may require limited development, or in certain instances, may preclude development. See also physical constraints to development.

Final As-Built Drawings: Verification of all development and/or improvements in an approved subdivision or development; including, but not limited to: drainage structures and systems, streets and right-of ways, landscaping, granite bounds, rim elevations, utilities and other related site improvements.

Final plan - The final stage of subdivision or land development review.

Final plat - The final drawing(s) of all or a portion of a subdivision or land development project, and any accompanying materials, to be recorded in the Land Evidence Records after approval by the Planning Board.

Fire Suppression: The ability to adequately protect present and future persons and property from the threat of fire hazards. Rural techniques include, but are not limited to, concrete cisterns and dry hydrants.

Fiscal Impact Analysis- A current economic projection of the direct public costs and revenues associated with a residential or nonresidential development proposal.

Floodplain or flood hazard area - An area that has a one percent (1%) or greater chance of inundation in any given year, as delineated by the Federal Emergency Management Agency (FEMA) pursuant to the National Flood Insurance Act of 1968, as amended (P.L. 90-448) [42 U.S.C. 4011 et. seq.].

Hammerhead - The terminus of a street, laid out to provide a turn-around area for vehicles.

Homeowners' Association (HOA) – A community association, other than a condominium association, that often holds title to common property and is organized in a development in which individual owners share common interests in open space, access, recreation, or other incidental facilities.

Homestead Lot - A minimum 10 acre lot created as part of a Conservation Design Development, primarily used for a private residence, with a secondary use contributing towards one or more purposes of Conservation Design Development. (An applicant may wish to include a minimum of 11 acres for a Homestead Lot so that it may qualify for the Farm, Forest, and Open Space tax program.)

Improvement - Any natural or built site, that becomes part of, is placed upon, or is affixed to real estate.

Improvement guarantee - A security instrument accepted by the Town Treasurer after consultation with the Town Solicitor to ensure that all improvements, facilities, or work required by these regulations, or as a condition of approval, will be completed in compliance with the approved plans and specifications.

Inclusionary Housing Unit- A Low or Moderate Income Housing Unit which meets the affordability level, unit type, and other requirements of the West Greenwich Zoning Ordinance.

Inclusionary Zoning- A provision of the West Greenwich Zoning Ordinance (Article VII, Section 19 D) requiring the inclusion of affordable housing (as defined by R.I. General Laws 42-128-8.1 (d) as part of a development. Inclusionary Zoning is applicable to all projects of four (4) or more housing units or lots, and requires that a minimum of twenty percent (20%) or more of the lots or units qualify as Low or Moderate Income Housing, as defined by Rhode Island General Laws 45-55-3 (5).

Land Development Project - A project in which one or more lots, tracts, or parcels of land are to be developed or redeveloped as a coordinated site for a complex of uses, units, or structures, including, but not limited to, subdivisions with public improvements, planned development and/or cluster development for residential, commercial, institutional, recreational, open space, and/or mixed uses as may be provided for in the zoning ordinance.

Land disturbing activity - Any physical land development activity which includes such actions as clearance of vegetation, moving or filling of land, removal or excavation of soil or mineral resources or similar activities.

Land suitable for development - The total land area, less land unsuitable for development.

Land unsuitable for development - See Article III. Section B.

Lot - Either: 1) The basic development unit for determination of lot area, depth, and other dimensional regulations; or 2) A parcel of land whose boundaries have been established by some legal instrument such as a recorded deed or recorded map and which is recognized as a separate legal entity for purposes of transfer of title.

Low or Moderate Income Housing- any housing whether built or operated by any public agency or any nonprofit organization or by any limited equity housing cooperative or any private developer, that is subsidized by a federal, state, or municipal government subsidy under any program to assist the construction or rehabilitation of housing affordable to low or moderate income households, as defined in the applicable federal or state statute, or local ordinance and that will remain affordable through a land lease and/or deed restriction for ninety-nine (99) years or such other period that is either agreed to by the applicant and town or prescribed by the federal, state, or municipal government subsidy program but that is not less than thirty (30) years from initial occupancy.

Maintenance guarantee - A security instrument accepted by the Town Treasurer after consultation with the Town Solicitor to ensure that all improvements, facilities, or work required by these regulations, or as a condition of approval, will function as required for a specified period of time.

Major land development plan - Any subdivision or land development project not classified as a minor land development plan.

Major subdivision - Any subdivision not classified as either an administrative subdivision or a minor subdivision.

Master plan - An overall plan for a proposed project site outlining general, rather than detailed, development intentions. It describes the basic parameters of a major development proposal, rather than giving full engineering details. It is required for review of major land development projects and major subdivisions.

Minor land development plan - A development plan for a residential project as defined in local regulations, provided that such development does not require waivers or modifications as specified in this act. All non-residential land development projects shall be considered as major land development plans.

Minor subdivision - A plan for subdivision of land into buildable lots, does not propose more than five (5) lots or dwelling units, and does not require any waivers from, or modifications to, these regulations. Any further subdivision of any lot(s) at any time after the effective date of adoption of these Regulations (December 19, 1995), whether immediate or future, so as to create of total of 6 lots or more from the original lot, shall be considered to be a major subdivision and shall be reviewed under the provision of Article V, Section C.4

Multi Family Dwelling – A building consisting of three (3) or more separate dwelling units and/or townhouses, row houses, apartments and/or condominiums to be owned, leased or rented by individuals and/or families. A multi family dwelling includes low-moderate income housing pursuant to R.I. Gen. Laws § 45-53-1 et seq. A multi family dwelling proposing more than twenty (20) bedrooms shall be considered as major land development plans.

Non-buildable lot - A parcel of land recorded in the Land Evidence Records that is created or reserved for a purpose other than present or future construction of buildings or structures.

Nonprofit Conservation Organization - Any charitable corporation, charitable association or charitable trust (such as a land trust), the purposes or powers of which include retaining or protecting the natural, scenic or open space values of real property, assuring the availability of real property for agricultural, forest, recreational or open space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological or cultural aspects of real property.

Open Space – Any parcel or area of land or water set aside, dedicated, designated, or reserved for public or private use or enjoyment or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space; provided that the area may be improved with only those buildings, structures, streets, and off-street parking, and other improvements that are designed to be incidental to the natural openness of the land.

Parcel - A lot, or contiguous group of lots in single ownership or under single control, and usually considered a unit for purposes of development. Also referred to as a tract.

Parking area or lot - All that portion of land development project that is used by vehicles, the total area used for vehicular access, circulation, parking, loading and unloading.

Phase - A portion of a subdivision or land development to be developed, or sold as lots, at a particular time, as part of an effort to coordinate population growth with the availability of facilities and services.

Phased development - Development, usually for large-scale projects, where construction of public and/or private improvements proceeds by section(s) subsequent to approval of a master plan for the entire site.

Physical constraints to development - Characteristics of a site or area, either natural or man-made, which present significant difficulties to construction of the uses permitted on that site, or would require extraordinary construction methods. See also environmental constraints.

Planning Board - The official planning agency of the Town of West Greenwich.

Plat - A drawing or drawings of a land development project or subdivision showing the location, boundaries, and lot lines of individual properties, as well as other necessary information as specified in these regulations.

Pre-application conference - An initial meeting between developers and municipal representatives that affords developers the opportunity to present their proposals informally and to receive comments and directions from the municipal officials and others.

Pre-application meeting - A meeting with the Planning Board, either required or requested, to allow developers the opportunity to present their proposals in order to receive comments and direction.

Preliminary plan - The stage of land development or subdivision review that requires detailed engineered drawings and all required state and federal permits.

Prime farmlands and farmlands of statewide importance - Those lands which meet the applicable criteria, as established by the U.S.D.A. Soil Conservation Service. Specific map units are listed in the Soil Conservation Service fact sheet "Identification of Important Farmlands," issued 1980, as amended. See "Agricultural Land."

Public improvement - Any street or other roadway, sidewalk, pedestrian way, tree, lawn, off-street parking area, drainage feature, or other facility for which the Town of West Greenwich or other governmental entity is presently responsible, or will ultimately assume responsibility for maintenance and operation upon municipal acceptance.

Public informational meeting - A meeting of the Planning Board, preceded by notice, open to the public and at which the public shall be heard.

Residential Compound – A minor subdivision with a shared private right-of-way that serves up to a maximum of five (5) building lots. Each subdivided lot requires having an average density of no greater than one dwelling unit per four (4) acres of land, and is subject to specific regulations in the Zoning Ordinance.

Residential development - Development consisting entirely of single-family or multiple-family dwelling units. A dwelling unit is a structure or portion thereof providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation and containing a separate means of ingress and egress.

Re-subdivision - Any change of an approved or recorded subdivision plat or in a lot recorded in the Land Evidence Records, or that affects the lot lines of any areas reserved for public use, or that affects any map or plan legally recorded prior to the adoption of these regulations.

Right-of-way - An easement for the purpose of passing through, or crossing, property belonging to another.

Roadway/Subgrade As-Built Drawings: Verification of all development and/or improvements in an approved subdivision or development; including, but not limited to: drainage structures and systems, streets and right-of ways, rim elevations, utilities and other related site improvements. Required prior to paving of binder course on any street in an approved subdivision.

Storm water detention - A provision for storage of storm water runoff and the controlled release of such runoff during and after a flood or storm.

Storm water retention - A provision for storage of storm water runoff.

Street - A public or private thoroughfare used, or intended to be used, for passage or travel by motor vehicles.

Street, access to - An adequate and permanent way of entering a lot. All lots of record shall have access to a public street for all vehicles normally associated with the uses permitted for that lot.

Street, limited access highway - A freeway or expressway providing for through traffic. Owners or occupants of abutting property on lands and other persons have no legal right to access, except at such points and in such manner as may be determined by the public authority having jurisdiction over the highway.

Street, private - A thoroughfare established as a separate tract for the benefit of multiple, adjacent properties and meeting specific municipal improvement standards. Driveways are excluded from this definition.

Street, public - All public property reserved or dedicated for street traffic.

Street right-of-way - The entire area to be dedicated for street use, including the pavement or travel surface, and the areas on both sides of the pavement or travel surface that may be reserved for installation of sidewalks, utilities, drainage improvements or other purposes.

Street, stub - A portion of a street reserved to provide access to future development, which may provide for utility connections.

Street classification - A method of roadway organization which identifies a street hierarchy according to function within a road system, that is, types of vehicles served and anticipated volume, for the purposes of promoting safety, efficient land use and the design character of neighborhoods and districts. Local classifications shall use the following as major categories:

a. **Arterial**. A major street that serves as an avenue for the circulation of traffic into, out of, or around the municipality and carries high volume of traffic.

b. **Collector**. A street whose principal function is to carry traffic between local streets and arterial streets but that may also provide direct access to abutting properties.

c. **Local**. Streets whose primary function is to provide access to abutting properties.

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

d. Minimum maintenance road. Refers to a town road that does not provide physical access to dwellings and is deemed unsuitable for development by the planning board, but may provide access for emergency vehicles. A minimum access road shall be reclassified to an accepted town road upon the initiation of improvements to service said dwellings.

e. Town road (accepted). Refers to public roads that meet minimum town or subdivision standards and are maintained by the town.

f. Private road. Refers to those privately owned and maintained roads that do not meet current town or subdivision standards. Approved subdivision roads with work in progress shall be considered a private road until acceptance by the town.

g. Paper street. Refers to those roads shown on proposed subdivision plans or Tax Assessor Plat Maps that do not physically exist.

h. Access or Service Road/ Private Common Driveway- A common private driveway used to access residential lots where access from the frontage on a collector or arterial road has been restricted or limited by the Planning Board in order to reduce curb cuts on collector and arterial streets.

Subdivider - A person who:

a. having an interest in land, causes it, directly or indirectly, to be divided into a subdivision, or who:

b. directly or indirectly, sells, leases or develops or offers to sell, lease or develop, or advertises to sell, lease or develop any interest, lot, parcel, site, unit, or plat in a subdivision, or who:

c. engages directly or through an agent in the business of selling, leasing, developing, or offering for sale, lease, or development a subdivision of any interest, lot parcel, site, unit, or plat in a subdivision.

Subdivision - The division or re-division of a lot, tract, or parcel of land into two or more lots, tracts or parcels. Any adjustments to existing lot lines of a recorded lot by any means shall be considered a subdivision. All re-subdivision activity shall be considered a subdivision. The division of property for purposes of financing or to create, cause or perpetuate a leasehold interest in a parcel, shall constitute a subdivision.

Technical Review Committee – A committee appointed by the Planning Board for the purpose of reviewing, commenting, and making recommendations to the Planning Board with respect to approval of land development and subdivision applications.

Vested rights - The right to initiate or continue the development of an approved project for a specified period of time, under the regulations that were in effect at the time of approval, even if, after the approval, the regulations change prior to completion of the project.

Water jetting – The use of standard construction practices to remove debris from remaining areas of ledge or rock within a roadbed, after blasting, but before installing street sub-base material.

Yield Plan - A plan of a conventional subdivision or land development project that depicts the maximum number of single family building lots or units that can reasonably be built on a parcel of land under the current zoning and land development and subdivision requirements. A conventional yield plan is required for all Residential Compound and Conservation Development applications.

ARTICLE III - GENERAL REQUIREMENTS

A. General Requirements

The requirements listed below shall be applicable to all subdivisions, developments, and land development projects submitted for approval. Prior to approval of any subdivision or land development project, (if Planning Board approval is required) the Board shall make positive findings on all of the standards listed below, as part of the proposed project's record. If a negative finding for any of these standards is made, the Planning Board shall have grounds for denial of the project design.

1. Each subdivision and/or development shall be consistent with the requirements of the West Greenwich Comprehensive Community Plan and/or shall satisfactorily address the issues where there may be inconsistencies;

2. Each lot in the subdivision shall conform to the standards and provisions of the West Greenwich Zoning Ordinance. Provided, however, that lots not being created for the purpose of present or future development need not meet the area and other dimensional requirements of the Zoning Ordinance provided that:

- a. A notation is shown on the recorded plat that the lot being created is not a buildable lot; and,
- b. A conservation or preservation easement pursuant to Title 34, Chapter 39 of the Rhode Island General Laws, as amended, is granted to the Town of West Greenwich prohibiting any such present or future development.

3. There will be no significant negative environmental impacts from the proposed development as shown on the final plan, with all required conditions for approval;

4. Subdivision, as proposed, 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. See definition of "*buildable lot*". Lots with such 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;

5. All proposed land developments and all subdivision lots shall have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered compliance with this requirement

6. Each subdivision and development shall provide for safe circulation of pedestrian and vehicular traffic, for surface water run-off control, for suitable building sites, and for preservation of natural, historical, or cultural features that contribute to the attractiveness of the community; and,

7. The design and location of streets, building lots, utilities, drainage improvements and other improvements in each subdivision or development shall minimize flooding and soil erosion.

B. Land Unsuitable for Development/ Minimum Buildable Area

1. When designing the layout of buildable lots or units permitted on any parcel, the minimum lot areas specified for that property in the Zoning Ordinance must be provided for each lot or unit and be free of any of the constraints identified in subsections a., b., c., and d., below. Land included in all of the following categories shall be considered unsuitable for development.

- a. Fresh water wetlands, not including areas subject to storm flowage (ASSF), but, including that area of perimeter wetland within fifty (50) feet of the edge of any bog, marsh, swamp or pond; and any applicable 100-foot or 200-foot riverbank wetlands, as defined by Rhode Island General Laws Section 2-1-20 (1987), as amended; and drainage facilities.
- b. Areas within a 100 year flood zone, as defined by FEMA
- c. Land within any existing and proposed easement areas for utility use, access, or drainage
- d. Historical cemeteries

2. Land described in subsection 1(a), 1(b), 1(c), & 1 (d), above, may be included as part of any lot in any subdivision or land development project; provided, however, that it shall not necessitate a waiver, modification or variance of any dimensional requirement specified in Article II of the Zoning Ordinance or of any state or federal regulatory requirement.

3. In addition to the minimum buildable area requirement, each lot shall contain a minimum amount of contiguous suitable land for development. A minimum of seventy percent (70 %) of the minimum lot size in each zoning district shall be contiguous suitable land and shall be accessible from the lot's frontage for the development site.

4. The purpose of this requirement is to ensure that all proposed lots are minimally suited to the uses allowed under the Town of West Greenwich Zoning Ordinance, and that all lots should contain building envelopes that are not constrained to such uses. The concept of the minimum buildable area is intended to ensure that each lot created through the subdivision review process will possess a suitable area for full use and enjoyment of its subsequent owner.

C. Dedication of Land for Public Purposes

1. Developer Must Provide Open Space (Fee in-lieu-of)

The Planning Board shall require all land developments and subdivisions subject to the provisions of Section 2 below, to dedicate a portion of the buildable land being subdivided for the purpose of providing open space, conservation, park and recreational facilities to serve present and future residents of the proposed land development or subdivision. The Planning Board may, in its discretion, require the payment of a fee in-lieu-of land dedication, or a combination of land dedication and payment of a fee, as an alternative to the dedication of land.

2. Relationship to Comprehensive Plan

No dedication of land to the public or payments-in-lieu of such dedications shall be required unless the need for such is documented in the adopted West Greenwich Comprehensive Community Plan, the West Greenwich Recreation, Conservation and Open Space Plan, or the Capital Improvement Program (CIP). The requirement for dedication of land for open space, conservation, park and recreation facilities shall be based upon the policies and standards set forth in the above plans or in the CIP and shall reflect the character defined for the neighborhood or district in which the subdivision is located by the Comprehensive Community Plan. The nature of the land dedication must reflect the character of the land being subdivided and must be suitable for the intended use. If payments in lieu of land dedication are required, they must be kept in a restricted account and shall only be spent for the intended purpose of providing open space, conservation, park and recreational facilities.

3. Park, Playground, and Open Space Reservations.

a. Payment in lieu of Dedication

1) A payment in lieu of dedication of land **shall** be imposed on the applicant by the Planning Board in an amount equal to the current market value of the land to be dedicated within the subdivision property, with all improvements in place. If, in the opinion of the Planning Board, the dedication of land, (or a combination of payment in-lieu-of and land dedication) is superior to the fee in-lieu-of only, then the Planning Board shall determine the amount of land for dedication in accordance with section b. below.

2) Current Market Value- Current market value of the land which would otherwise be dedicated shall be determined by the Tax Assessor at the time of filing the Final Plan, in accordance with recent land sales.

b. Recreation Standards

1) The Planning Board may require that land be reserved for parks and playgrounds, open space or other recreation purpose within the proposed subdivision or in locations designated on the Recreation, Conservation and Open Space Plan, or otherwise where such reservations would be appropriate. Each reservation shall be of suitable size, dimension, topography, and general character and shall have adequate road access for the particular purposes envisioned by the Planning Board. The Planning Board shall determine the number of acres to be reserved from the following formula:

$$\text{Amount of land to be dedicated} = 2,000 \text{ square feet per lot}$$

2) Multi-family Residential. The Planning Board shall determine the acreage for reservation based on the number of dwelling units per acre to occupy the site, as well as other relevant factors, including without limitation topography and expected use and utilization of the site, but in no case shall the acreage for reservation be less than 2,000 square feet per dwelling unit.

3) Ownership of Open Space. The required open space may be conveyed to the Town, to the State of Rhode Island, to a private Homeowner's Association (HOA), or a private non-profit conservation or recreation group. The final plan shall be accompanied by a detailed statement, including covenants, agreements and other

documents showing the proposed ownership and methods of maintenance and utilization of the open space.

c. Recreation Sites

Land reserved for recreation purposes shall be of a size, character and location suitable for use as a playground, playfield, or other recreation purposes, and shall be relatively level and dry.

d. Other Recreation Reservation

The provisions of this section are minimum standards. None of the paragraphs above shall be construed as prohibiting a developer from reserving other land for recreation purposes in addition to the requirements of this section.

e. Exemptions

1) Affordable Housing- Those lots or dwellings created for the purpose of Low or Moderate Income Housing, as that term is defined in the West Greenwich Zoning Ordinance Article I, Section 3, shall be exempt from the requirement to dedicate land, or pay a fee in-lieu-of land dedication for Open Space and Recreation purposes. This exemption shall apply solely to the affordable lots (or units if multifamily). This exemption shall be considered a direct municipal government subsidy program for the production of affordable housing in Town.

2) Town Residents - Any Town of West Greenwich resident, who has resided in the Town for a period of ten (10) years or greater, shall be exempt from the requirement to dedicate land for Open Space and Recreation, or pay a fee in-lieu-of, for a maximum of 2 dwelling units, provided that satisfactory evidence shall be submitted to the Town as part of the Final Plan application, demonstrating that the said lots and/or dwelling units are being conveyed to a relative of the 10 year resident, as a primary residency. A "relative" for purposes of this section is a grandparent, parent, child, grandchild, brother, or sister. In the event that the home or lot is sold or rented to a non-family member within five (5) years of the recording of the lot, an Open Space and Recreation fee shall be assessed at the then current rate. To this effect, at the time of recording of the lot, a lien will be placed on the property for a period of 5 years.

D. Subdivider/ Developer Must Provide Fire Suppression

The Planning Board shall require all developments and subdivisions to deed the appropriate West Greenwich Fire Department an easement(s) for a portion of the land being subdivided or developed, and, to require the installation of a concrete cistern(s) on that portion(s) of land, for the purpose of providing fire suppression to serve present and future residents or patrons of the proposed development or subdivision. The Planning Board may, in its discretion, with input from the appropriate Fire Chief, or his designee, require the payment of a fee in-lieu-of a deeded easement(s) and installation of a cistern(s), or a combination of deeded easement(s) and payment of a fee(s), as an alternative to the deeded easement(s) and installation of a concrete cistern(s).

1. Determination of Need

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

No deed of easement(s) and installation of a concrete cistern(s), or the payment-in-lieu of such dedications shall be required unless the appropriate Fire Chief has stated in writing that a need exists. The written determination of the appropriate Fire Chief shall not be appealable.

2. Authority

Pursuant to Article I, Section 1(9) of the Town of West Greenwich, Rhode Island Zoning Ordinance it is the purpose of the zoning ordinance to provide for orderly growth and development which: "[P]romotes safety from fire, flood, and other natural or man-made disasters." Additionally, it is the findings of the adopted Strategy for Reducing Risks from Natural Hazards , West Greenwich, Rhode Island, November 2000, that a fire suppression ordinance is vital for the protection of persons and property.

This act is in conformance with the Rhode Island Development Impact Fee Act of 2000 as stated in R.I. Gen. Laws § 45-24.4-1.

3. Standards

The Planning Board shall require that a deeded easement(s) and installation of a concrete cistern(s) be located within the proposed subdivision or development. Each deeded easement shall be of an appropriate size, shape and location as determined by the Planning Board. Preference shall be given to access points and cul-de-sacs. The size and quantity of concrete cisterns shall be determined by the following formula:

One Parcel, or Unit:	Not Applicable
Two Parcels, or Units:	\$1,500.00
Three Parcels, or Units:	\$3,000.00
Four Parcels, or Units:	\$4,500.00
Five Parcels, or Units:	\$6,000.00
Six to Twelve Parcels, or Units:	One Nine-Thousand Gallon Concrete Cistern
Thirteen to Twenty-Four Parcels, or Units:	Two Nine-Thousand Gallon Concrete Cisterns
Greater than Twenty-Five Parcels, or Units:	One Nine-Thousand Gallon Concrete Cistern per twelve parcels (rounded up to the next increment of 9,000).

The above standards shall not be applicable for the original parcel of any residential subdivision. The original parcel shall count as a parcel for the purposes of this Section. This Section shall apply to all residential and non-residential developments and subdivisions.

4. Payment in lieu of Deeded Easement(s) and/or Installation of Concrete Cistern(s):

A payment in lieu of deeded easement(s) and/or the installation of concrete cistern(s) may be imposed on the applicant by the Planning Board in the amount of One Thousand-Five Hundred Dollars (\$1,500) per parcel, under the following circumstances:

a. The Planning Board and/or the appropriate Fire Chief determine that the installation of a concrete cistern(s) would not serve the best interest of the Town. Considered factors shall be, but not limited to, the proximity of other concrete cisterns within 2,200 linear feet of the proposed land development or subdivision, accessibility by emergency vehicles and density of surrounding developments.

b. The applicant deeds an easement(s), and requests a payment in lieu of installation of concrete cistern(s).

If payments in lieu of deeded easement(s) and/or installation of concrete cistern(s) are required, the funds must be kept in a restricted account and shall be spent for the intended purpose of providing fire suppression capabilities.

E. Development Impact Statement

1. The Planning Board shall require the applicant to prepare a Development Impact Statement (DIS) prior to the Preliminary Plan, to assess the potential short and long term effects of the proposed major subdivision, major land development project, minor subdivision with road creation, minor land development project, or development plan to address the impact on natural systems located on the property that is the subject of the application, or upon nearby properties or natural systems; or upon municipal services, facilities, or infrastructure.

2. A DIS required under this Section shall include research and documentation describing and assessing short and long term environmental and/or municipal impacts which may include but not be limited to impacts upon the following topics:

- | | | |
|---------------------------------|--------------------------------------|------------------------------------|
| • freshwater wetlands | • noise and air quality | • traffic/roads |
| • natural heritage sites | • solid waste generation | • police/fire/public safety |
| • soils | • historic/archaeologic areas | • lighting |
| • vegetation | • groundwater/ hydrology | • schools |
| • wildlife | • stormwater runoff | • Fiscal Impact Analysis |

3. The applicant shall be so informed at the pre-application meeting for a minor subdivision, minor land development, or development plan; or at the Master Plan stage for a major subdivision or major land development as to the specific topics that the DIS must contain. The Planning Board reserves the right to require DIS studies at the Preliminary or Final review stage for any application,

4. For any subdivision or land development project for which an DIS is required, the Board shall have the authority to impose conditions on approval that, based on the findings and analysis of the DIS, are reasonably necessary to minimize adverse impacts that the development may have on the natural or manmade environment.

5. All Development Impact Statements may be referred to the Conservation Commission for their review and comment.

6. In the event the Planning Board requires additional studies or analysis (e.g. Traffic, water quality, drainage, etc.), the applicant shall be responsible for the fees associated with any independent studies deemed necessary by the board.

F. Affordable Housing Requirements

The Town of West Greenwich Affordable Housing Plan, adopted December 2004, recommends certain land use strategies, which may be adopted as part of the Zoning Ordinance and these Land Development and Subdivision Regulations, to enable the Town to reach the low- and moderate-income housing goals as stated in the Affordable Housing Plan. Refer to the ordinances, as may be adopted, pertaining to affordable housing for additional requirements of subdivisions and land development projects.

ARTICLE IV - SPECIAL REQUIREMENTS

A. Phasing of Major Land Developments and Major Subdivisions

1. When a Major Land Development and Major Subdivisions is submitted for Master Plan approval as provided in Section C.4.c. of Article V, the Planning Board shall review the adequacy of existing and projected future public improvements, services and facilities which may be impacted by the proposed development in its entirety. If the Planning Board determines that such improvements, services and facilities, including but not limited to water supply, sewerage, streets and associated drainage facilities, schools, recreational facilities, and fire and police protection will not be adequate to serve the residents of the subdivision or development at the time of recording of the plat, the Planning Board shall have the authority to establish a rate of development of the entire subdivision or development by requiring it to be built in phases.

2. When an application is submitted for Master Plan approval, the applicant shall submit to the applicable municipal, state or private agency as provided in the Master Plan Checklist for Major Land Developments and Major Subdivisions, a copy of the Master Plan narrative report for their review and comment. Each agency so notified by the applicant, proof of which shall be presented to the Administrative Officer, shall be requested to provide its comments in writing to the Planning Board. Comments shall be received from each agency prior to the date of the informational meeting. If comments are not received by the Administrative Officer by that date, it shall be assumed that the agency does not wish to comment.

If the public informational meeting on the master plan and the public hearing on the preliminary plan are combined as provided in Article V, Section C.4.f.), all comments from reviewing agencies shall be received prior to the date of the public hearing.

3. Each department or agency to which such a request for comments is made shall deliver to the Administrative Officer in addition to the written correspondence, any supplementary material, which shall describe:

a. An estimate of the impact of the subdivision or development on the facilities and/or services provided by the department or agency;

b. Whether existing facilities and/or services are adequate to serve the subdivision or development's residents;

c. Whether plans for the necessary improvements to existing facilities and/or services are included in the town's Capital Improvement Program or are otherwise planned; and,

d. An estimate of how long it would take to provide any necessary improvements to existing facilities and/or services.

4. Based on the responses received from the various departments and agencies, the Planning Board shall establish, at the time of master plan approval, a rate of development of the entire subdivision or development that will permit residential construction only when improvements, services and facilities will be adequate to serve the residents of the subdivision or development. As part of such a growth rate plan, the

Planning Board may require that improvements be installed, or lots sold, in two or more phases.

5. If phasing is required, the Planning Board shall approve the entire master plan first. Thereafter, the applicant shall be required to submit plans for preliminary and/or final review and/or approval indicating the development of the entire site in two or more phases as required by the Planning Board in Section A.4. of this Article, above. In such review and approval, the Board may, in its discretion, impose conditions for determining the physical limits of phases, for allowing progression to additional phases, for allowing two (2) or more phases to proceed in review or construction simultaneously, for interim public improvements or construction conditions, for changes to master or preliminary plans, and may include other provisions as necessitated by special conditions.

6. The master plan documents may contain information on the physical limits of the phases, the schedule and sequence of public improvement installation, improvement guarantees, and the work and completion schedules for approvals and construction of the phases.

B. Land Development Projects

Minor Land Development Projects and Major Land Development Projects are provided for by the Zoning Ordinance and are herein included. Approval of a Land Development Project shall be in accordance with the procedures established by these Land Development and Subdivision Regulations, including those for appeal and judicial review. Regulations governing the Zoning requirements for Land Development Projects are included in the Zoning Ordinance.

C. Development Plan Review (formerly "Site Plan Review")

1. Development Plan Review (DPR), as provided in the Zoning Ordinance under Article IX and formerly referred to as Site Plan Approval, shall be conducted in accordance with these regulations, and are herein incorporated under RIGL 45-23-50. Subdivision or land development projects that are also subject to DPR may combine the Preliminary review requirements and hold one Preliminary Plan review and Public Hearing, if required, in accordance with the procedure for Land Development and Subdivision review.

a. Applicable fees are as noted in Article XI Sections D and E, and in the checklists in Article XV.

b. Submission requirements are noted on the checklists in Article XV.

2. No Building Permit may be issued for any building except in conformance with an approved Development Plan. No Certificate of Occupancy may be issued for any building or use of land within the purview of the Zoning Ordinance unless the building is constructed or used, or the land is developed or used in conformity with an approved development plan. Every application for development plan approval shall be accompanied by a certification by the West Greenwich Planning Board to the effect that the said plan meets all the specific applicable requirements of the Zoning Ordinance, and the Land Development and Subdivision Regulations.

3. Development Plan Review by the Planning Board shall be required in all zoning districts for:

a. The erection, enlargement or change of use of any building or other structure, other than single-family dwellings. Any variance, Special Use Permit, or re-zoning for a use other than single-family residential shall be referred by the Zoning Board of Review or the Town Council to the Planning Board for the Planning Board's review and recommendation as to the adequacy of the development plans;

b. All uses of open land for which a Certificate of Occupancy is required;
and

c. Any amendment of a previously approved development plan.

4. General Criteria and Standards- refer to Article XIII – Physical Design Requirements and Public Improvement Standards

D. Conservation Design Development

1. Definition - Conservation Design Development is a type of residential Cluster Land Development Project, as authorized by RIGL 45-24-47, which preserves at least 50% of a property as meaningful open space, while developing the most appropriate areas within the parcel on reduced sized lots such that density remains neutral. It is an alternative to conventional residential subdivision.

2. Conservation Design Development, as provided for in the Zoning Ordinance under Article VII, Section 19, shall be reviewed and approved by the Planning Board in accordance with the procedures and requirements contained in these regulations. Additional submission requirements are noted in Article V, Section G, and have been included on the checklists.

3. The Planning Board shall have the authority to require that a major or minor subdivision which is being proposed for conventional subdivision be developed as a Conservation Design Development. The Board shall notify the applicant of such no later than the Master Plan review stage for a major subdivision, and no later than the Preliminary Plan review stage for a minor subdivision, and shall make findings of fact in writing supporting the requirement.

4. General Criteria and Standards- refer to Article XIII – Physical Design Requirements and Public Improvement Standards

5. Procedure for Review and Approval- refer to Article V- Procedure for Review and Approval of Plats and Plans.

6. Open Space Use- See the Zoning Ordinance, Article VII Section 19, for uses allowed within the open space/conservation land. The Planning Board shall approve of the individual uses proposed for each open space/conservation land parcel as part of the plan review process. A specific land management plan may be required by the Zoning Ordinance or the Planning Board for the intended use. The approved uses shall be described in the required Open Space Use, Maintenance, and Operations Plan, which may incorporate any specific land management plan.

7. Restrictions and Required Conditions of Approval- (Cross-referenced from the Zoning Ordinance Article VII Section 19)

- a. Further subdivision of all house lots and common open space created as part of a Conservation Design Development, including Homestead Lots, shall be prohibited in perpetuity.
- b. The required open space shall be restricted in perpetuity from future development, except in accordance with an approved Open Space Use, Maintenance, and Operation Plan.
- c. Changes in the use of the open space shall be in accordance with those uses allowable within the open space in a Conservation Design Development, as governed by the Zoning Ordinance, and shall be approved by the Planning Board as an amendment to the plan.
- d. No disturbance to the open space shall be made to the natural contours of the land nor shall any existing natural vegetation be removed or any natural or man-made features altered in any way. Clearing and excavation of open space areas shall be permitted only for the installation of stormwater drainage facilities, or for permitted disturbance associated with implementing an approved Open Space Use, Maintenance, and Operation Plan.
- e. Open space land shall not be eligible for transfer to another party except for transfer to another method of ownership permitted under Subsection 8, below.
- f. A Conservation Restriction in the form of a conservation easement is required for all open space, whether privately, publicly, or commonly owned, and regardless of any other conservation easement, and shall incorporate the following requirements:

1) All open space shall be protected against further development and unauthorized alteration in perpetuity by appropriate deed restrictions through the grant of a Conservation Restriction to the Town of West Greenwich, the West Greenwich Land Trust, or other non-profit conservation group, pursuant to Title 34, Chapter 39 of the Rhode Island General Laws, as amended.

2) In addition, the perpetual maintenance of all open space shall be guaranteed by appropriate deed restrictions. The Planning Board (Legal Counsel) shall approve the form and content of all deed restrictions at the time of final approval of the subdivision. Every deed restriction providing a perpetual maintenance guarantee shall contain the following provision:

“If the owners, or their successors or assigns fail to maintain the open space, the Restriction holder may perform any necessary maintenance and enforce the payment for such costs, including reasonable attorney’s fees, by an action at law or in equity against the owners or their successors or assigns.”

3) The permanent Conservation Restriction shall be duly recorded in the Land Evidence Records, and shall define the range of permitted activities, as approved by the Planning Board, and include all restrictions as noted in this Subsection 7., entitled, "Restrictions."

4) In the event that the Town of West Greenwich is the proposed owner of the open space, the conservation restriction shall be held by both the Town and either the West Greenwich Land Trust, or other non-profit conservation organization.

8. Open Space Ownership (cross-referenced here from the Zoning Ordinance, Article VII, Section 19, see Zoning Ordinance for ownership requirements) Conservation land within a Conservation Development subdivision shall be doubly protected through fee simple ownership and a Conservation Restriction in the form of a Conservation Easement, at the discretion of the Planning Board. The Planning Board may require two or more conservation easement holders. Open space land shall not be transferred to another entity except for transfer to another method of ownership permitted under this Subsection.

a. Open space shall be owned in fee simple by any one or more of the following entities, as further described in Article VII, Section 19, of the Zoning Ordinance :

- 1) Homeowner's Association
- 2) Town of West Greenwich
- 3) A land trust or other non-profit conservation or recreation group
- 4) Individual owners of homestead lots, or other private individual who will use the land for open space purposes as provided by a conservation easement and conservation restriction.
- 5) Condominium Association

b. A Conservation Easement shall also be held by the Town of West Greenwich, the West Greenwich Land Trust, or other non-profit conservation group, as further described in Article VII, Section 19, of the Zoning Ordinance. Conservation Easement holders may also include a Homeowners' Association, or any governmental body, or a charitable corporation, association, trust, or other entity whose purposes include conservation of land or water areas or of a particular area.

9. Open Space Maintenance and Management

a. The Planning Board shall specifically authorize Property Management plans for the use, management, and maintenance of all open space areas and facilities, in perpetuity, within any Conservation Development. No grading or clearing of vegetation shall be permitted within the open space land, provided however, the Planning Board may permit disturbance for installation of landscaping, parks, trails, or recreation areas; or for activities germane to agriculture, conservation, forestry, or wildlife habitat areas, as specifically authorized or required in the Property Management Plan. The applicant shall, at the time of preliminary plan submission, provide a draft Property Management Plan containing the following requirements:

- 1) The plan shall define ownership
- 2) The plan shall state the purpose of the conservation easement(s) and either include or refer to the Baseline Documentation Report.
- 3) The plan shall include a description of the property
- 4) The plan shall establish long-term management goals, along with the necessary regular and periodic operation and maintenance responsibilities, and responsible parties, for the various uses of

open space (i.e. lawns, buildings, playing fields, landscaped areas, meadows, pastures, croplands, woodlands, wildlife habitat, etc.) to implement those goals.

- 5) The plan shall include provisions for inspections and a description of how the property will be monitored
- 6) The plan shall estimate staffing needs, insurance requirements, and associated costs and define the means for funding the maintenance of the open space land and operation of any common facilities on an ongoing basis. Such funding plan shall include the means for funding long-term capital improvements as well as regular yearly operation and maintenance costs;
- 7) The plan shall include an amendment procedure. Any changes to the plan at any point in time shall be approved by the West Greenwich Planning Board.

b. The plan shall be approved by the Planning Board prior to Final Plan approval

c. The cost and responsibility of maintaining the open space land shall be borne by the property owner, condominium association, homeowner association, conservation easement holder(s), or conservation organization.

d. In the event that the organization established to manage the open space lands and the common facilities, or any successor organization thereto, fails to maintain all or any portion of the open space or common facilities in reasonable order and condition, the Town restriction holder may assume responsibility for maintenance, in which case any escrow funds may be forfeited and any permits may be revoked or suspended. The Town restriction holder shall first serve written notice upon the responsible party noting the specific failures to maintain the open space, and shall include corrective actions and a timeline. Upon failure to comply within the time specified, the owner shall be in violation. The Town restriction holder may enter the premises and take corrective action, including extended maintenance. The costs of such corrective action may be charged to the property owner, condominium association, homeowner association, conservation organization, or individual property owners who make up a condominium or homeowner association and may include administrative costs and penalties. Such costs shall become a lien on said properties. Notice of such lien shall be filed by the Town restriction holder in the Land Evidence Records.

10. Resources – see Appendix C.

ARTICLE V - PROCEDURE FOR REVIEW AND APPROVAL OF PLATS AND PLANS

A. General Requirements

1. The Planning Board shall consider each application for subdivision or development according to the procedure set forth in this section, unless otherwise specifically provided.

2. An applicant for subdivision or development who wishes the Planning Board to take some official action on his or her application shall submit all of the materials required by the applicable section of Article XV of these Regulations (Checklists) to the Administrative Officer. If the requested action is not applicable under any of the Checklists provided in Article XV, such as a request for an extension of an approval, the applicant shall submit a written request to the Administrative Officer describing the requested action to be taken by the Planning Board. The matter will be placed on the next available agenda of the Planning Board only if the Administrative Officer determines that all of the required material has been submitted and only after a Certificate of Completeness has been issued in accordance with the applicable provisions of these Regulations.

3. Any submission of materials to the Administrative Officer shall be accompanied by a cover letter or letter of transmittal indicating the date, the materials being submitted and the requested action. No materials shall be accepted by the Administrative Officer without said cover letter. Upon receipt of any materials, the Administrative Officer shall stamp the date of receipt upon them.

4. If an application is made by someone other than the owner of the land being developed, the applicant shall submit a written statement from the owner authorizing such application.

B. Certification of a Complete Application

An application shall be complete for purposes of commencing the applicable time period for action when so certified by the Administrative Officer. Certification of a complete application shall be made in writing by the Administrative Officer upon a form entitled Certificate of Completeness. A copy of said Certificate shall be provided to the applicant. In the event such certification of the application is not made within the time specified in these Regulations for the type of plan being proposed, the application shall be deemed complete for purposes of commencing the review period unless the application lacks information required for such applications as specified in Article XV (Checklists), and the Administrative Officer has notified the applicant, in writing, of the deficiencies in the application.

Notwithstanding the paragraph above, the Planning Board may subsequently require the applicant to correct any information found to be in error and/or to submit additional information specified in the Regulations but not required by the Administrative Officer prior to certification, as is necessary to make an informed decision.

Where review is postponed with the consent of the applicant, pending further information or revision of information, the time period for review shall be stayed and shall

resume when the Planning Board determines that the required application information is complete.

For the purposes of calculating mandatory review periods as provided in these Regulations, all days shall be considered to be calendar days.

C. Procedure for Approval

The Planning Board shall consider applications for subdivision and/or development according to the following procedures:

1. Pre-Application Meetings and Concept Review

a. An applicant requesting subdivision or development review shall first contact the Administrative Officer to arrange a meeting with the Planning Department and other Town staff. At the staff meeting, the applicant and planning staff shall determine if a pre-application meeting with the Planning Board is required by these regulations or is desired by either the applicant or the Town.

b. If a pre-application meeting is required or requested, the applicant shall submit all the information required by the Checklist for Pre-application Meetings and Concept Review in Article XV. The planning staff will review and comment on the checklist information and, if determined to be complete, will schedule the application to appear before the Planning Board.

c. If no pre-application meeting is required or requested, the applicant will be advised by the Administrative Officer as to the requirements of the Land Development and Subdivision Regulations and the procedure to be followed by the applicant for review.

d. One or more pre-application meetings shall be held before the Planning Board for all major land development or subdivision applications, all minor land developments, all minor subdivision with road creation applications, all Residential Compound applications, and all development plan applications. Pre-application meetings may be held for administrative subdivisions and frontage lot minor subdivision applications, upon request of either the Town, acting through the Planning Department, or the applicant. Pre-application meetings shall allow the applicant to meet with the Planning Board for advice as to the required steps in the approval process. Where appropriate, town officials, boards and/or commission, planning staff and state agencies shall be notified of the pre-application meetings and invited to provide comments on the proposed subdivision or land development plan.

e. At the pre-application stage, the applicant may request an informal concept plan review for a development. The purpose of the concept plan review is also to provide the applicant with Planning Board input in the formative stages of subdivision or development concept design.

f. Pre-application meetings shall aim to encourage information sharing and discussion of project concepts among the participants. Pre-application meetings should include a review of the physical character of the land, and any environmental or physical constraints to development. Meetings should 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.

g. Provided that at least one (1) Pre-application meeting has been held for the development or subdivision application or sixty (60) days has elapsed from the filing of the pre-application submission and no pre-application meeting has been scheduled to occur within said sixty (60) days, nothing shall be deemed to preclude applicant from thereafter filing and proceeding with an application for a development or subdivision project in accordance with Section 4 of this Article.

2. Administrative Subdivision

a. Any applicant requesting approval of a proposed administrative subdivision as herein defined shall submit to the Administrative Officer the items required by the Checklist for Administrative Subdivisions in Article XV.

b. The application shall be certified as complete or incomplete by the Administrative Officer within a fifteen (15) day period from the date of its submission according to the provisions of Section B. of this Article.

c. Within fifteen (15) days of certification of completeness the Administrative Officer, or, shall review the application and approve, deny, or refer it to the Planning Board with recommendations. The Officer or Committee shall report its actions to the Planning Board at its next regular meeting, to be made part of the record.

If no action is taken by the Administrative Officer within the fifteen (15) day mandatory review period, the application shall be placed on the agenda of the next regular Planning Board meeting.

d. If referred to the Planning Board, the Board shall consider the application and the recommendations of the Administrative Officer and, shall either approve, approve with conditions, or deny the application within sixty-five (65) days of the certification of completeness. Failure of the Planning Board to act within the period prescribed shall constitute approval of the administrative subdivision plan and a certificate of the Administrative Officer as to the failure of the Planning Board to act within the required time and the resulting approval shall be issued on request of the applicant.

e. Denial of an application by the Administrative Officer shall not be appealable and shall require the plan to be submitted as a minor subdivision application.

f. Any approval of an administrative subdivision shall be evidenced by a written decision which shall be filed in the Office of the Town Clerk.

g. Approval of an administrative subdivision shall expire ninety (90) days from the date of approval unless within such period of time a plat in conformity with such approval is submitted for signature and recording as provided in Article VI.

3. Minor Land Development, Minor Subdivision, and Development Plan

a. Review Stages - Plan review shall consist of at least two stages: (1) preliminary; and (2) final. A pre-application meeting is also required for Development Plans and for Minor Subdivisions with road creation. A pre-application meeting may also be held for Minor Subdivisions without road creation, as provided in Section C.1. of this Article. The Planning Board may vote to combine the approval stages, provided that requirements for all stages so combined have been met by the applicant to the satisfaction of the Planning Board.

b. Submission Requirements - Any applicant requesting approval of a proposed minor subdivision, minor land development, or development plan as defined in these Regulations, shall submit to the Administrative Officer the plans and supporting materials provided in the Preliminary Plat Checklist for Minor Land Development, Minor Subdivision, and Development Plan as provided in Article XV.

c. Certification of Preliminary Plat - The application shall be certified complete or incomplete by the Administrative Officer within twenty-five (25) days or within fifteen (15) days if no street is required, according to the provisions of Section B. of this Article. The running of the time period set forth herein shall be deemed stopped upon the issuance of a certificate of incompleteness of the application by the Administrative Officer and shall recommence upon the resubmission of a corrected application by the applicant. However, in no event shall the Administrative Officer be required to certify a corrected submission as complete or incomplete less than fourteen (14) days after its resubmission.

d. Site Visit - Before the Preliminary Plan is approved, the Planning Board may request a site visit of the property. In order to facilitate the site visit, temporary staking of all proposed roadways, improvements and site features may be required by the Planning Board based on the level of information available at that stage of review.

e. Re-assignment to Major Review - The Planning Board may re-assign a proposed minor land development, minor subdivision, or development plan to major review only when the Planning Board is unable to make the positive findings required in Article III, Section A.

f. Reserved

g. Decision - If no street creation or extension is required, the Planning Board shall approve, deny, or approve with conditions, the preliminary plan within sixty-five (65) days of certification of completeness, or within such further time as is agreed to by the applicant and the Board. If a street creation or extension is required, the Planning Board shall hold a public hearing prior to taking any action according to the requirements set forth in Section C.4.r. and s. of this Article. The Planning Board shall approve, deny, or approve with conditions, the preliminary plan for a minor subdivision with street creation, a minor land development project, or a development plan within ninety-five (95) days of the issuance of the Certificate of Completeness by the Administrative Officer as provided in Subsection c. of this Section, above. Provided, however, that if an extension of time is agreed to by the applicant and the Board as provided in Section B. of this Article, this time period shall be stayed.

h. Failure to Act - Failure of the Planning Board to act within the period prescribed in subsection f. or g. of this Section shall constitute approval of the preliminary plan and a certificate of the Administrative Officer as to the failure of the Planning Board to act within the required time and the resulting approval shall be issued on request of the applicant.

i. Final Plan/ As-Built review - The Planning Board may delegate final plan review and approval to either the Administrative Officer or the Technical Review Committee, otherwise the Board shall review the final plan itself. When the review and approval of the final plan is delegated to the Administrative Officer or TRC, the Administrative Officer shall report its actions to the Planning Board at its next regular meeting, to be made part of the record.

j. Expiration of Approval - Approval of a minor land development or subdivision plan shall expire ninety (90) days from the date of approval unless within such period a plat or plan in conformity with such approval, and as defined in Article II is submitted for signature and recording as specified in Article VI. For minor subdivision or land development projects with street creation or extension, approval shall expire one (1) year from the date of approval unless within such period final As-Built plans are submitted to the Board. For Development plans, approval shall expire one (1) year from the date of approval unless within such period a Building Permit is issued. Validity may be extended for a longer period for cause shown, if requested by the applicant in writing, and approved by the Planning Board.

4. Major Land Development and Major Subdivision

a. Review Stages - Major Plan review shall consist of four stages of review: (1) pre-application meeting(s); (2) master plan; (3) preliminary plan; and (4) final plan. Also required is a public informational meeting and a public hearing. The Planning Board may vote to combine review stages and to modify and/or waive requirements as specified in Article VIII. Review stages may be combined only after the Planning Board determines that all necessary requirements for all stages so combined have been met by the applicant.

b. Submission Requirements—Pre-application - Any applicant requesting approval of a proposed major subdivision or major land development, as defined in these Regulations, shall first submit to the Administrative Officer the plans and supporting materials provided in the Pre-application Checklist for Major Land Development and Major Subdivision as provided in Article XV. The procedure and criteria for pre-application meetings and concept review as provided in Section C.1. of this Article shall apply.

At the conclusion of the pre-application meeting(s) the applicant may proceed to the master plan stage of review.

c. Submission Requirements--Master Plan - Any applicant requesting approval of a proposed major subdivision or major land development, as defined in these Regulations, shall first submit to the Administrative Officer the plans and supporting materials provided in the Master Plan Checklist for Major Land Development and Major Subdivision as provided in Article XV.

The purpose of the master plan stage of review is to provide the applicant with the opportunity to present an overall plan for a proposed project site outlining general,

rather than detailed, development intentions. The master plan describes the basic parameters of a major development proposal, rather than giving full engineering details. Initial comments on the master plan shall be solicited from local agencies, adjacent communities, state agencies, and federal agencies, as required in the Master Plan Checklist. The Administrative Officer shall coordinate review and comments by participating agencies.

d. Certification of Master Plan Application - The application shall be certified complete or incomplete by the Administrative Officer within sixty (60) days of its receipt according to the provisions of Section B. of this Article. The running of the time period set forth herein shall be deemed stopped upon the issuance of a certificate of incompleteness of the application by the Administrative Officer and shall recommence upon the resubmission of a corrected application by the applicant. However, in no event shall the Administrative Officer be required to certify a corrected submission as complete or incomplete less than fourteen (14) days after its resubmission.

e. Site Visit - Before the Master Plan is approved, the Planning Board may request a site visit of the property. In order to facilitate the site visit, temporary staking of all proposed roadways, improvements and site features may be required by the Planning Board based on the level of information available at that stage of review.

f. Informational Meeting - A public informational meeting shall be held prior to the Planning Board decision on the master plan, unless the master plan and preliminary plan approvals are being combined, in which case the public informational meeting shall be optional, based on Planning Board determination. In such case, review stages may be combined only after the Planning Board determines that all necessary requirements for all stages so combined have been met by the applicant.

1) Public notice for the informational meeting is required and shall be given at least seven (7) days prior to the date of the meeting in a newspaper of general circulation within the Town. Postcard notice shall be mailed by the applicant to all property owners within the notice area. The notice area for informational meetings shall be as specified in subsections r. and s. of this Section, below.

2) At the public informational meeting the applicant, or his or her representative(s), shall present the proposed development project for the benefit of the Planning Board and the public. The Planning Board shall allow oral and written comments from the general public. All public comments shall be made part of the public record of the project application.

g. Decision - The Planning Board shall, within one hundred and twenty (120) days of certification of completeness of the master plan application as provided in Section C.4.d. of this Article, or within such further time as may be consented to by the applicant as provided in Section B. of this Article, approve of the master plan as submitted, approve with changes and/or conditions, or deny the application according to the requirements of Section F. of Article XI.

h. Failure to Act - Failure of the Planning Board to act within the period prescribed in subsection 4.g. of this Section shall constitute approval of the master plan and a certificate of the Administrative Officer as to the failure of the Planning Board to act within the required time and the resulting approval shall be issued on request of the applicant.

i. Expiration of Master Plan Approval - Approval of a major land development or major subdivision master plan shall expire one (1) year from the date of final approval. Vesting may be extended for a period of one (1) additional year for good cause shown, if requested by the applicant in writing, and approved by the Planning Board. The applicant, or his or her representative(s) shall appear before the Planning Board for the annual review. Master plan vesting shall include any applicable provisions of the zoning ordinance that were in place at the time of approval, conceptual layout and all conditions shown on the approved master plan drawings and supporting materials. The initial two year vesting for the approved master plan shall constitute the vested rights for the development as required in Section 45-24-44 of the Rhode Island Zoning Enabling Act of 1991.

j. Submission Requirements--Preliminary Plan - Any applicant requesting approval of a proposed major subdivision or major land development, as defined in these Regulations, shall first submit to the Administrative Officer the plans and supporting materials provided in the Preliminary Plat Checklist for Major Land Developments and Major Subdivisions as provided in Article XV.

k. Certification of Preliminary Plan Application - The application shall be certified complete or incomplete by the Administrative Officer within sixty (60) days of its receipt according to the provisions of Section B. of this Article. The running of the time period set forth herein shall be deemed stopped upon the issuance of a certificate of incompleteness of the application by the Administrative Officer and shall recommence upon the resubmission of a corrected application by the applicant. However, in no event shall the Administrative Officer be required to certify a corrected submission as complete or incomplete less than fourteen (14) days after its resubmission.

l. Reserved

m. Public Hearing - Prior to a Planning Board decision on the preliminary plan, a public hearing, which adheres to the requirements for notice described in Section 4.r. and s. of this Article must be held.

n. Public Improvement Guarantees - Proposed arrangements for completion of the required public improvements, including construction schedule and/or financial guarantees shall be reviewed and approved by the Planning Board at the time of preliminary plan approval.

o. Decision - The Planning Board shall, within one hundred and twenty (120) days of certification of completeness of the preliminary plan application as provided in Section C.4.k. of this Article, or within such further time as may be consented to by the applicant as provided in Section B of this Article, approve of the preliminary plan as submitted, approve with changes and/or conditions, or deny the application according to the requirements of Section F. of Article XI.

p. Failure to Act - Failure of the Planning Board to act within the period prescribed in Section C.4.o. of this Article shall constitute approval of the preliminary plan and a certificate of the Administrative Officer as to the failure of the Planning Board to act within the required time and the resulting approval shall be issued on request of the applicant.

q. Expiration of Preliminary Approval - The approved preliminary plan shall be vested for a period of one (1) year and vesting may be extended for a longer period for good cause shown, if requested in writing by the applicant and approved by the Planning Board. The vesting for the preliminary plan approval shall include all general and specific conditions as shown on the approved preliminary plan drawings and supporting material.

r. Public Hearing and Notice Requirements - A public hearing on the preliminary plan shall be required for a major land development project or a major subdivision, or where a street extension or creation requires a public hearing for a minor land development project or minor subdivision. Public notice of the hearing shall be given at least fourteen (14) days prior to the date of the hearing in a newspaper of general circulation in the Town. Newspaper advertisements shall be printed in the legal section of the classifieds using a type size at least as large as the normal type size used by the newspaper in its news articles and shall contain the information specified below. Written notice shall also be sent by the applicant, upon forms to be provided to the applicant by the Town, to each owner of property within the notice areas as specified in subsection s. of this Section, below. The applicant shall receive a copy of the notice from the Planning Department. Notice shall be mailed by certified mail, return receipt requested, not less than ten (10) days prior to the date of the hearing. As proof of such mailing, a copy of all return receipts shall be provided to the Planning Department by the applicant prior to or at the time of the public hearing.

All mail and newspaper notices required by this subsection shall specify (1) the date, time and place of public hearing; (2) the assessor's plat and lot number of the subject property; (3) the street address of the subject property, or if no street address is available, the name of the street(s) on which or near which the subject property is located and the distance and direction from the nearest existing street intersection in tenths (1/10's) of a mile; (4) advise interested parties where and when a copy of the plans of the proposed major subdivision or major land development project may be examined; and (5) contain a statement that the proposed major subdivision or major land development project may be revised by the Planning Board as a result of further study or because of the views expressed at the public hearing.

s. Notice Area - The distance for notice of the public hearing shall be five hundred (500) feet from the perimeter of the parcel being subdivided in all zoning districts . The applicant is responsible for determining the correct names and addresses of all property owners required to be notified, and shall at a minimum, be as accurate as the most current names and addresses listed by the Tax Assessor.

Additional mail notice for notice areas which fall within watersheds shall also be sent as required in the R. I. General Laws Section 45-23-53 (B) and (C).

Notice of the public hearing shall be sent by the Administrative Officer to the Administrative Officer of an adjacent municipality if (1) the notice area extends into the adjacent municipality, or (2) the development site extends into the adjacent municipality, or (3) in the opinion of the Planning Board, there is a potential for significant negative impact on the adjacent municipality. The cost of all such mail notice and legal advertising shall be borne by the applicant.

t. Submission Requirements--Final Plan - Any applicant requesting final approval of a proposed major subdivision or major land development, as defined in these Regulations, shall first submit to the Administrative Officer the plans and supporting materials required by the Final Plat Checklist for Major Land Development and Major Subdivision as provided in Article XV, in addition to any material required by the Planning Board when the application was given preliminary approval.

u. Certification of Final Plat - The application for final plan approval shall be certified complete or incomplete by the Administrative Officer within twenty-five (25) days of its receipt according to the provisions of Section B. of this Article. The running of the time period set forth herein shall be deemed stopped upon the issuance of a certificate of incompleteness of the application by the Administrative Officer and shall recommence upon the resubmission of a corrected application by the applicant. However, in no event shall the Administrative Officer be required to certify a corrected submission as complete or incomplete less than fourteen (14) days after its resubmission. If the Administrative Officer certifies the application as complete and does not require submission to the Planning Board as per subsection v. of this Section below, the final plan shall be considered approved.

v. Referral to the Planning Board - If the Administrative Officer determines that an application for final approval requires a final review by the Planning Board, the Administrative Officer shall transmit the final plans and a Certificate of Completeness to the Planning Board for review. The Planning Board shall, within forty-five (45) days after the issuance of the Certificate of Completeness of the application for final plan approval by the Administrative Officer in subsection u. of this Section, or within such further time as may be consented to by the applicant, approve or deny the final plan as submitted.

w. Failure to Act - Failure of the Planning Board to act within the period prescribed in subsection v. of this Section shall constitute approval of the final plan and a certificate of the Administrative Officer as to the failure of the Planning Board to act within the required time and the resulting approval shall be issued on request of the applicant.

x. Recording - The final plan of a major subdivision or land development project shall expire one (1) year from the date of approval by the Planning Board in subsection v. or by the Administrative Officer in subsections u. or w. of this Section unless, within that period, the plat or plan shall have been submitted for signature and recording as specified in Article VI. The Planning Board may, for good cause shown, extend the period for recording for an additional period, if requested by the applicant in writing.

y. Acceptance of Public Improvements – Signature and recording as specified in Article VI of these regulations shall not constitute the acceptance of ownership by the municipality of any street or other public improvement or other land intended for dedication. Final plan approval and recording shall not impose any duty upon the municipality to maintain or improve those dedicated areas until the developer has fulfilled his/her obligations to complete said improvements in accordance with the approved construction plans, and until the Town Council accepts the completed public improvements as constructed in compliance with the final construction plans. The Planning Board shall require maintenance guarantees to be provided for a one (1) year period subsequent to completion, inspection and acceptance of the improvements, as required under Article VII of these regulations.

D. Reinstatement of Applications

1. When an applicant has exceeded a deadline established by these regulations for (a.) submission of material for a subdivision or development project; or (b.) recording an approved final plat or plan, thereby rendering a previously-granted approval invalid; or, (c) has requested an extension of an approval previously granted by the Planning Board or Administrative Officer prior to the actual expiration date, the application may be reinstated by the Planning Board under the following conditions:

- a. the subdivision or development is consistent with the Comprehensive Community Plan;
- b. the Land Development and Subdivision Regulations are substantially the same as they were at the time of original approval;
- c. the zoning of the parcel is substantially the same as it was at the time of original approval;
- d. physical conditions on the parcel are substantially the same as they were at the time of original approval;
- e. any applicable State or federal regulations are substantially the same as they were at the time of original approval; and
- f. any required fee, or fee in-lieu-of is the same as it was at the time of the original approval. The Board shall, in approving such request, condition its approval on the payment of the current fees in effect at the time of the granting of said extension.

2. Application for reinstatement of a previously-approved subdivision or development plan shall be made to the Planning Board in writing by the applicant. The Planning Board, in approving or denying the request for an extension, shall make findings of fact which shall be made part of the record. (see Article XI, Section D for applicable application fees)

E. Precedence of Approvals between Planning Board and Other Local Permitting Authorities

1. Zoning Board

a. Where an applicant requires both a variance (as defined in the zoning ordinance) from the zoning ordinance and Planning Board approval, the applicant shall first obtain an advisory recommendation from the Planning Board, as well as conditional Planning Board approval for the first approval stage for the proposed project, which may be simultaneous, then obtain conditional Zoning Board relief, and then return to the Planning Board for subsequent required approval(s).

b. Where an applicant requires both a special-use permit (as defined in the zoning ordinance) under the zoning ordinance and Planning Board approval, the applicant shall first obtain an advisory recommendation from the Planning Board as well as conditional Planning Board approval for the first approval stage for the proposed project,

which may be simultaneous, then obtain a conditional special-use permit from the Zoning Board, and then return to the Planning Board for subsequent required approval(s).

2. Town Council

Where an applicant requires both Planning Board approval and Town Council approval for a zoning ordinance or zoning map change, the applicant shall first obtain an advisory recommendation on the zoning change from the Planning Board as well as conditional Planning Board approval for the first approval stage for the proposed project, which may be simultaneous, then obtain a conditional zoning change from the Town Council, and then return to the Planning Board for subsequent required approval(s).

F. Comprehensive Permit Procedures

1. Authority to Grant Comprehensive Permit

In accordance with Title 45, Chapter 53 of the Rhode Island General Laws, the Low and Moderate Income Housing Act (as amended), and the Town of West Greenwich Zoning Ordinance, the Planning Board has been designated as “the local review board” and shall have the power to issue a comprehensive permit for a qualifying low or moderate income housing project, which relief shall include all approvals or permits from any local board or official who would otherwise act with respect to such application including, but not limited to, the power to attach to the approval or permit, any conditions and requirements with respect to setbacks, height, site plan, size, shape, building materials, landscaping, and parking consistent with the terms of the Act.

2. Application Procedure

a. Form of application- Applications for a comprehensive permit shall be made on the form or forms provided by the Administrative Officer.

b. General submission requirements- All applications shall include the following submission requirements.

1) a letter of eligibility issued by the Rhode Island Housing Mortgage Finance Corporation in accordance with 42-55-5.3(a), or, in the case of projects primarily funded by the U.S. Department of Housing and Urban Development or other state or federal agency, an award letter indicating the subsidy, or, an application in such form as may be prescribed for a municipal government subsidy; and,

2) a written request to the local review board to submit a single application to build or rehabilitate low or moderate income housing in lieu of separate applications to the applicable local boards. The written request shall identify the specific sections and provisions of applicable local ordinances and regulations from which the applicant is seeking relief; and,

3) a proposed timetable for the commencement of construction and completion of the project; and,

4) a sample land lease or deed restriction with affordability liens that

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

will restrict use as low and moderate income housing in conformance with the guidelines of the agency providing the subsidy for the low and moderate income housing, but for a period of not less than thirty (30) years; and,

5) identification of an approved entity that will monitor the long-term affordability of the low and moderate income units; and,

6) a financial *pro-forma* for the proposed development.

c. Submission requirements specific to applications based upon their classification- In addition to the items in (a) and (b) above, submission requirements shall include the following items based on the classification of the application as determined by the Administrative Officer.

1) For applications seeking relief from specific provisions of the zoning ordinance or other ordinances and regulations and not involving a subdivision, those items ordinarily required by those ordinances or regulations, including but not limited to, those items on a checklist for either Development Plan Review, with the exception of evidence of state or federal permits. The applicant shall provide proof of application for all required state and federal permits at the time of submission. All required state and federal permits must be obtained prior to recording of the approved plan and/or the issuance of a building permit.

2) For applications which include an Administrative Subdivision, those items on the checklist for an Administrative Subdivision, with the exception of evidence of state or federal permits. The applicant shall provide proof of application for all required state and federal permits at the time of submission. All required state and federal permits must be obtained prior to recording of the approved plan.

3) For applications which include a Minor Land Development or Minor Subdivision, those items on the Preliminary Plan checklist, with the exception of evidence of state or federal permits. Subsequent to Preliminary Plan approval, the applicant must submit, as part of an application, those items included in the checklist for a Final Plan, with the exception of evidence of state or federal permits. The applicant shall provide proof of application for all required state and federal permits at the time of each application submission. All required state and federal permits must be obtained prior to the Final Plan approval.

4) An application involving a Major Land Development or Major Subdivision, shall include those items on the checklist for a Master Plan submission. Subsequent to Master Plan approval, the applicant must submit, as part of an application, those items included in the checklist for a Preliminary Plan, with the exception of evidence of state or federal permits. The applicant shall provide proof of application for all required state and federal permits at the time of each application submission. All required state and federal permits must be obtained prior to the Final Plan approval.

5) Notwithstanding the submission requirements set forth above, the local review board may request additional, reasonable documentation throughout the public hearing, including, but not limited to, opinions of experts, credible evidence of application for necessary federal and/or state permits, statements and advice from other local boards and officials.

d. Certification of completeness- The application must be certified complete or incomplete by the Administrative Officer according to the provisions of R.I.G.L. 45-23-36 based on the classification of the application.

1) For an application seeking relief from provisions of the zoning ordinance or other ordinances and regulations and/or classified as an Administrative Subdivision the application shall be certified as complete or incomplete by the Administrative Officer within a fifteen (15) day period from the date of its submission.

2) For an application classified as a Minor Land Development or Minor Subdivision the Preliminary Plan application and Final application shall be certified complete or incomplete by the Administrative Officer within twenty-five (25) days or within fifteen (15) days if no street creation or extension is required.

3) For a Major Land Development or Major Subdivision the application for Master Plan shall be certified complete or incomplete by the Administrative Officer within thirty (30) days and for a Preliminary Plan within forty-five (45) days. The application for Final Plan approval shall be certified complete or incomplete by the Administrative Officer within twenty-five (25) days. The time period for Final Plan may be extended to forty-five (45) days by written notice from the Administrative Officer to the applicant where the Final Plans contain changes to or elements not included in the Preliminary Plan approval.

4) The running of the time periods set forth herein will be deemed stopped upon the issuance of a certificate of incompleteness of the application by the Administrative Officer and will recommence upon the resubmission of a corrected application by the applicant. However, in no event will the Administrative Officer be required to certify a corrected submission as complete or incomplete less than fourteen (14) days after its resubmission. If the Administrative Officer certifies the application as incomplete, the officer shall set forth in writing with specificity the missing or incomplete items.

e. Pre-application conference- Where the comprehensive permit application includes a Major Land Development project or a Major Subdivision an applicant shall schedule with the Administrative Officer a pre-application conference before either the local review board or the Technical Review Committee. All other applicants are also encouraged to schedule a pre-application conference, but such a conference is not mandatory under State law or these regulations. The purpose of the pre-application conference shall be to review the concept plan of the proposed development and facilitate a complete application for the subsequent Master Plan and/or Preliminary Plan submission.

To request a pre-application conference, the applicant shall submit a short written description of the project including the present and proposed use of the property, the number of units, type of housing, proposed subsidy, and a location map, together with a concept plan. Upon receipt of a request by an applicant for a pre-application conference, the municipality has thirty (30) days to schedule and hold the pre-application conference. If thirty (30) days has elapsed from the filing of the pre-application submission and no pre-application conference has taken place, nothing shall be deemed to preclude an applicant from thereafter filing and proceeding with an application for a comprehensive permit.

f. Application Fees- The fee for an application shall be based on its classification.

1) For an application seeking relief from provisions of the zoning ordinance or other ordinances and regulations and/or classified as an Administrative Subdivision the application fee shall be the same as for an Administrative Subdivision.

2) For an application classified as a Minor Land Development or Minor Subdivision the Preliminary Plan application and Final Plan application fee shall be the same as for a conventional application.

3) For a Major Land Development or Major Subdivision the Master Plan, Preliminary Plan and Final Plan application fee shall be the same as for a conventional application.

g. Project Review Fees- The Project Review Fee shall apply to Comprehensive Permits, and the fee for project review shall be as stated in Article XI, Section E. of these regulations.

3. Review Procedures

An application for a comprehensive permit shall be reviewed by the local review board at a public hearing in accordance with the following provisions:

a. Notification- Upon issuance of a certificate of completeness for a comprehensive permit, the local review board shall immediately notify each local board, as applicable, of the filing of the application, by sending a copy to the local boards and to other parties or agencies entitled to notice of hearings on applications under the zoning ordinance and/or land development and subdivision regulations as applicable. Notification shall include a request that any comments on the application shall be received prior to the commencement of the public hearing on the application.

b. Public Notice- Public notice for all public hearings will be the same notice required under local regulations for a public hearing for a Preliminary Plan for a Major Land Development Project or Major Subdivision. The cost of notice shall be paid by the applicant at the time of invoice.

c. Review of Applications- The public hearing on an application for a comprehensive permit shall be recorded by a stenographer.

1) For an application seeking relief from provisions of the zoning ordinance or other ordinances and regulations and/or classified as an Administrative Subdivision the review shall be conducted following the procedures set forth in the Zoning Ordinance for a special use permit or variance together with any provisions for Site Plan Review when applicable.

2) For an application classified as a Minor Land Development or Minor Subdivision the review shall be conducted following the procedures for review of a Preliminary Plan as set forth in the Subdivision Regulations, with the exception that the local review board shall render a decision within ninety-five (95) days of issuance of the certificate of completeness, or within such further time as is agreed to by the applicant and

the local review board. Final Plan review shall be conducted according to the procedures set forth in the Subdivision Regulations.

3) For a Major Land Development or Major Subdivision the review shall be conducted following the procedures for review of a Master Plan as set forth in the Subdivision Regulations, with the exception that the local review board shall render a decision within one hundred and twenty (120) days of issuance of the certification of completeness, or within such further amount of time as may be agreed to by the local review board and the applicant. Preliminary and Final Plan review shall be conducted according to the procedures set forth in the Subdivision Regulations.

4) If the public hearing is not convened or a decision is not rendered within the time allowed, the application is deemed to have been allowed and the relevant approval shall issue immediately.

4. Criteria for Approval or Denial

In approving an application for a comprehensive permit, the local review board shall make findings supported by legally competent evidence on the record which meets the criteria set forth in Article VII, Sections 15F and 15G of the Zoning Ordinance as applicable.

5. Voting and Appeal

All decisions on comprehensive permits shall be by majority vote of the membership of the local review board and may be appealed by the applicant to the State Housing Appeals Board. Any person aggrieved by the issuance of an approval may appeal to the R.I. Supreme Court.

6. Expiration of Approval and Construction

A comprehensive permit shall expire unless construction is started within twelve (12) months and completed within sixty (60) months of Final Plan approval unless a longer and/or phased period for development is agreed to by the local review board and the applicant. Low and moderate income housing units shall be built and occupied prior to, or simultaneous with the construction and occupancy of market rate units.

G. Conservation Design Development

Conservation Design Development applications shall follow the review procedure for a Minor or Major Subdivision or Land Development Project. In addition to the requirements and procedures of this Article and the applicable checklists contained in Article XV, a Conservation Design Development application shall also include the required information and follow the design and review processes of this section.

The employment of a qualified design professional is required. Note that design and review of a Conservation Design Development is an analytical process that relies on a knowledge and understanding of the site and its resources, and the interaction of the built environment in relation to the landscape and its elements. Also, there will be cases where the benefit of private ownership and use of the property exceeds the benefit of common open space resources for the community. Therefore, evaluation and input by experts in particular

resource fields (forestry, agriculture, wildlife, etc.), and by the West Greenwich Conservation Commission and Land Trust, is critical to the decision making process. Each stage of review may require two or more meetings with the Planning Board as the design and purpose of the development is further refined.

1. Application

a. Pre-application submission materials- A Pre-application meeting and review is required for all major and minor Conservation Design Development proposals, and shall include the following materials and requirements, in addition to the items required for a conventional subdivision:

- 1) An Existing Conditions and Site Resources map * See checklist for requirements. (Design Process items 1, 5,)
- 2) A Context Map of the Site and its Surrounding Area * See checklist for requirements (Design Process items 2, 5,)
- 3) A Potential Conservation Areas sketch plan to designate potential conservation areas, differentiating all of the land unsuitable for development as "Primary Conservation lands," (or, "Constraints to Development") and a minimum of 50% of the remaining lands as the "Secondary Conservation" lands (or, "Resources"), in accordance with the Design Process noted in 2. 3. below. (Design Process items 3, 5,)

The Planning Board shall review these maps to assess accuracy, conformance with checklist requirements, and likely impact upon the natural and cultural resources on the property. The Planning Board will also conduct an initial site visit during the Pre-application stage of review.

- 4) A Site Visit. The purpose of the site visit is to understand the property's existing conditions and special features, and to identify potential conservation areas, developable areas, site design issues, and areas for further study. The site walk shall be conducted during the Pre-application stage of review, after the Planning Board members have received the existing conditions maps and the site context map. A follow-up site visit may be required by the Board during the Master Plan stage of review to verify the feasibility of the yield plan and to explore the proposed development area and/or open space land in greater detail.

b. Master Plan submission materials- In addition to the items required for a conventional subdivision, the Master Plan application shall include the following materials:

- 1) Yield Plan. The applicant shall submit a realistic conventional subdivision Master Plan to determine the maximum number of lots or units permitted in the development. This "yield plan" shall meet the conventional subdivision and zoning requirements (and shall not assume that waivers will be granted). The subdivision design shall consider all available information as required from the Pre-application and Master Plan checklists. Proposed house sites shall

meet the minimum suitable land requirements and proposed road locations shall be in areas that do not pose any physical or environmental limitations. The Planning Board may require test pits in areas the Board considers to be marginal. Lots shall not be considered if an OWTS would require a variance from RIDEM. If a formal wetlands application is necessary for the proposed yield plan, the Board shall assume it will not be granted by RIDEM, unless the applicant can demonstrate otherwise with written confirmation by RIDEM. (Design Process item 4)

- 2) Conceptual Layout Plans. Due to the flexibility of a conservation design subdivision, a number of layouts may be possible. Therefore, the Conservation Design Development application process requires that two or more layout options be presented to the Planning Board for the various required map submissions. During the process, a favored layout may become evident based on the goals of the design and the particular features of the site. (Design Process 3, 5, 6, and 7) (Composite Map)
- 3) All plans as required during Pre-application are also required again at Master Plan, in greater detail, as necessary.
- 4) A report or study by qualified professionals including an inventory of the conservation values of the property and stating the purpose(s) of the conservation lands (draft Baseline Documentation Report).

The Planning Board shall solicit comments from the West Greenwich Land Trust, Town Council, and/or Conservation Commission as part of the Master Plan review requirements regarding the potential open space.

c. Preliminary Plan submission materials- In accordance with the procedure of this article and the Preliminary Plan checklist. Details for the use, ownership, and maintenance of the open space conservation land are also due at this stage of review (draft Conservation Easement document and draft Property Management document- see Checklists for minimum requirements). The program for the open space may require supporting submission materials such as a Forest Management Plan, Wildlife Habitat Management Plan, trail design, etc. (Design Process items 8, 9, and 10)

d. Final Plan submission materials- Final Plan submission materials and requirements for a Conservation Design Development include the following documents which shall be reviewed by the Town Solicitor as part of Final review:

- 1) Final Open Space Property Management Plan, including the precise boundaries, exact acreage, and proposed ownership of all open space and conservation areas (see checklist ** for requirements).
- 2) Final Baseline Documentation Report (see checklist ** for requirements).

- 3) Final Conservation Easement document, including a legal description of the parcel subject to the encumbrance (see checklist ** for requirements).
- 4) All offers of dedication of realty or structures and all declarations, easements, and covenants governing the preservation and maintenance of undedicated open space.
- 5) A copy of such deed restrictions, easements, covenants, and declarations that are to be imposed upon the property to comply with the final Plan as approved by the Board.
- 6) The legal instruments detailing the ownership and maintenance of the common open space.
- 7) Homeowner's Association Bylaws (if applicable) see Zoning Ordinance Article VII Section 19 for requirements.
- 8) Any other legal document as required by either the Zoning Ordinance or the Land Development and Subdivision Regulations.
- 9) The developer shall submit with the final plat a statement, in writing, duly executed and acknowledged, and binding upon the developer and the developer's heirs, devisees, executors, administrators, successors and assigns, which statement shall be approved by the Planning Board and be thereafter recorded simultaneously with the recording of the approved final plat in the Town Clerk's office, and which shall contain the following:
 - (1) That the land lies within the approved Conservation Design Development.
 - (2) That development of the land is permitted only in accordance with the land use approved by the Planning Board of the Town of West Greenwich.
 - (3) That no further development or subdivision of the tract or lots therein shall be permitted, with the exception of an administrative subdivision. –

The documents shall be recorded simultaneously with the Final Plat in the Town of West Greenwich Land Evidence Records. In addition, the Developer shall give each original purchaser of a lot in the Conservation Design Development a copy of all such documents.

e. Record Plan

The Record Plan shall contain the following statements:

- a. "These premises are subject to restrictions, conditions, covenants, and easements that are contained in instrument(s) recorded simultaneously

with this Final Plat in Book _____ and Page(s) _____ of the Town of West Greenwich Land Evidence Records, and are incorporated herein by reference.”

- b. “Further subdivision of any lot as depicted on this plan, approved by the Planning Board as a Conservation Design Development, is prohibited in perpetuity, in accordance with the restrictions of the Zoning Ordinance and the Land Development and Subdivision Regulations.”

2. Design Process

The design of a Conservation Development shall be created in accordance with the following 10 steps, as noted in the Rhode Island Conservation Development Manual. The Planning Board may require the applicant to submit separate plans indicating the findings of each step in the design process, if not otherwise required by a checklist.

1. Analyze the Site- review the existing site conditions and features, taking care to identify sensitive and noteworthy natural, scenic, and cultural resources on the site, including stone walls and significant trees. (Base Map and Existing Conditions and Site Resources Map) (Pre-application submission, refine for Master Plan)
2. Evaluate Site Context- Identify natural and cultural resource systems that surround the site, including the character of the neighborhood. Identify connections to surrounding land uses and activities, including transportation networks, (roadway, bicycle, and pedestrian), protected open space and recreational areas, and water resources (streams, wetlands, groundwater aquifer and recharge areas, etc.) (Context Map of Site in its Surrounding Area) (Pre-application submission, refine for Master Plan)
3. Designate Potential Conservation Areas- Proposed conservation lands shall be designated using the results of the above two steps. All of the Land Unsuitable for Development (as defined in Article III, Section B) shall be designated as “Primary Conservation areas.” “Secondary Conservation Areas” shall consist of a minimum of 50% of the suitable land, including the natural, cultural, and visual resources identified as noteworthy during the above two steps. Secondary Conservation Areas shall be prioritized in terms of their highest to least potential for inclusion within the open space lands, in consultation with the Planning Board, and considering the parcel's configuration, overlapping of multiple resources, and context in relation to adjoining resource areas. The total conservation area requirements are the sum of Primary and Secondary Conservation Areas, which may total more than 50% of the land in the development. Conservation areas shall be delineated in a manner clearly indicating their boundaries as well as the types of resources included within them. (Pre-application submission, refine for Master Plan) (Potential Conservation Areas sketch plan, Report including inventory of the conservation values of the property.)

During this step, a conservation theme or themes shall be identified. This theme shall be identified at the time of the initial application. Conservation themes may include, but are not limited to, forest stewardship, water quality preservation, farmland preservation, natural habitat preservation or restoration, viewshed preservation, or archaeological and historic properties preservation. The Planning Board shall have the ability to specify which areas shall be preserved. Advisory comments from the Conservation Commission and Land Trust shall be considered during the selection of the open space areas.

4. Determine the Maximum Number of Units- the maximum number of units permitted in a conservation development shall be no greater than the number of units permitted on the same parcel as would be developed as a conventional subdivision. A yield plan shall be submitted at the Master Plan stage, based on a reasonable development scheme given the suitability of the property. The Planning Board may require testing on individual lots, and other requirements, to prove (demonstrate) feasibility of the Master Plan. (Conventional Subdivision/ Yield Plan) (Master Plan)
5. Locate Development Areas and Explore Conceptual Alternatives-Once the Board has approved the number of units, determine the areas most appropriate on which to locate/develop those units by combining the Existing Conditions and Site Resources Map and the Potential Conservation Areas sketch plan into a Composite Map. Several scenarios should be generated in order for the Planning Board to evaluate the best alternative. The Board and the applicant should consider optimum soils, water availability, the visual character of the open space, the experience of visiting or living in the community, and the Context Map of the Site in Its Surrounding Area. (Composite Map, Conceptual Layout Plans) (Master Plan)
6. Locate House Sites- Potential house sites shall be tentatively located using the Composite Map, or the "chosen" Conceptual Layout Plan. House sites should take advantage of locations providing attractive views, privacy, and yard space, while accommodating adequate access, drainage, and suitable locations for a well and septic system. (Additional house siting requirements are noted in the Design Requirements Section.) (Master Plan, refine at Preliminary Plan)
7. Layout Streets, Trails, and Other Infrastructure-After designating the house sites, design a street plan to provide vehicular and pedestrian access to each house, complying with the standards in Articles XIII, and bearing a logical relationship to topographic conditions. Care should be taken to avoid negative affects to the open space, particularly with respect to crossing environmentally sensitive areas such as wetlands and traversing slopes exceeding 15 percent. Pedestrian walkways should be used to connect the neighborhood especially through areas where streets do not connect. Show conceptual drainage locations and strategy for Low Impact Development drainage design. If applicable, a tentative network of trails shall also be shown, connecting streets with various natural and cultural features in the conservation land, and potential trail connections to adjacent parcels in areas where a connected trail network is envisioned. (Master Plan, refine at Preliminary Plan)
8. Design and Program Open Space- (Preliminary Plan) Proposed uses and design for the open space areas should be carefully planned to take advantage of existing natural, cultural, and historical features, and the potential for active agriculture and forestry, and active or passive recreation. Conservation areas shall be delineated in a manner clearly indicating their boundaries as well as the types of resources included within them. Potential owners and/or easement holders for the Open Space, if known, shall be involved in this step.
9. Draw in the Lot Lines- after designating the open space conservation areas and the roadway and drainage infrastructure locations, lot lines can be drawn to delineate the boundaries of individual residential lots within the areas designated for development. Each lot shall conform to the dimensional requirements of the Zoning Ordinance for a Conservation Development, and the Lot Design Standards of Article XIII Section C of these regulations. (Preliminary Plan)

10. Establish Ownership and Management of Open Space and Other Shared Amenities
(Preliminary Plan, refine at Final Plan)- Proposed ownership shall be determined for the various aspects of the open space, and initial comments shall be submitted to the Planning Board regarding the desirability of the land to the potential owner(s). An Open Space Use, Maintenance, and Operations Plan detailing the entities responsible for maintaining various elements of the property and describing management objectives and techniques for each part of the property shall be drafted for the Preliminary review stage, and finalized for the Final Plan. Such management plans shall be consistent with the requirements of Article XIII, Section N.

ARTICLE VI - RECORDING OF PLATS AND PLANS

A. Signing and Recording of Plats and Plans

1. Endorsement

Signature and recording as specified herein shall constitute the acceptance by the Town of only the layout of lots and streets, other public improvement(s) or other land intended for dedication. Final plan approval and recording shall not impose any duty upon the Town to maintain or improve those dedicated areas until the Town Council accepts the completed public improvements as constructed in compliance with the final plans and regulations.

All approved final plans and plats for land development and subdivision projects shall be endorsed (signed) by the Administrative Officer; should the Administrative Officer be unable to fulfill his/her duties due to termination, resignation or incapacitation, the Chairman of the Planning Board shall endorse as the Administrative Officer until such time as the Administrative Officer is able to resume said duties, or, a new Administrative Officer is appointed. All endorsements shall include the date of such endorsement.

No endorsement of plans and plats shall be made until (a) the Administrative Officer has certified in writing that all of the required improvements have been made, or (b) the Town Clerk has certified in writing that acceptable improvement guarantees have been received in accordance with the provisions of Article VII.

2. Recording

Upon endorsement, all plans and plats shall be submitted to the Administrative Officer prior to recording and filing in the land evidence records of the Town. The material to be recorded shall include all plat drawings and other pertinent information as indicated on the appropriate Final Plat Checklist in Article XV. A copy of the written decision of the Board, signed by the appropriate Planning Board or Town official, shall also be recorded. No plans, plats or supporting materials shall be recorded until the Administrative Officer has certified, in writing, that all required fees have been paid.

Other parts of the application's record for subdivisions and land development projects, including all meeting records, approved master plan and preliminary plans, site analyses, impact analyses, Impact Statements, all legal agreements, records of the public hearing and the entire final approval set of drawings shall be kept permanently by the Town departments responsible for implementation and enforcement. One copy shall be kept on file by the Planning Department.

Construction drawings need not be recorded. However, a complete blueline or photocopy set of construction drawings, including street plans and profiles, cross sections, grading plans, drainage plans, landscaping plans, soil erosion and sediment control plans, utility plans and any other construction plans, details and specifications required as a condition of approval shall be filed with the Administrative Officer prior to recording of the plat. One copy of all construction drawings shall be kept by the Department of Public Works.

The Administrative Officer shall notify the town 911 coordinator, who shall in turn notify the statewide "911" emergency authority and the local police and fire authorities servicing the new plat with the information required by each of the authorities.

B. Changes to Recorded Plats and Plans

1. General

For all changes to the approved plans of land development projects or subdivisions subject to these Regulations, an amendment of the final development plans shall be required prior to the issuance of any building permits for construction upon the subject property. Any changes approved to the final plan shall be recorded as amendments to the final plan in accordance with the procedure established for recording of plats and plans as provided in Section A. of this Article, above.

2. Minor Changes

Minor changes to a land development or subdivision plan shall be approved administratively by the Administrative Officer. The Administrative Officer may, at his/her discretion, authorize such changes without review and approval of the Planning Board and without a public hearing thereon. All such changes shall be made a part of the permanent record of the project application. This provision shall not prohibit the administrative Officer from requesting a recommendation from the Planning Board. Denial of the proposed change(s) by the Administrative Officer shall be referred to the Planning Board for review as a major change according to the procedure provided in Section VI(B)(3), below. Upon written authorization of the approval of a minor change by the Administrative Officer, the Building Official may issue a building permit for any proposed construction upon the subject property.

For the purpose of these Regulations, the term "minor changes" shall mean any change which, in the opinion of the Administrative Officer, is consistent with the intent of the original approval. Such minor changes shall include, but are not necessarily limited to the following:

- a. Amendments to utility plans which are acceptable to the Director of Public Works or Highway Supervisor or to the appropriate utility company;
- b. Lot line revisions which can be reviewed and approved as an administrative subdivision according to the provisions of Article V., Section C.2.
- c. Amendments to grading plans or drainage plans which acceptable to the Director of Public Works or Highway Supervisor and which do not require approval of any state or federal reviewing authorities;
- d. Amendments to construction plans which are required because of unforeseen physical conditions on the parcel being subdivided;
- e. Modifications to any construction plans for off-site improvements which are acceptable to the Director of Public Works or Highway Supervisor; or,

f. Modifications which are required by outside permitting agencies such as, but not limited to the Department of Environmental Management, and the Department of Transportation.

3. Major Changes

Major changes to a land development or subdivision plan may be approved only by the Planning Board. The procedure for approval of any such major changes shall follow the same review and public hearing process as required for preliminary approval to a major land development and major subdivision as provided in Article V., Section C.4.(j. through m.).

For the purpose of these Regulations, the term "major changes" shall mean changes which, in the opinion of the Administrative Officer, are clearly contrary to the intent of the original approval. Such major changes shall include, but are not necessarily limited to the following:

- a. Changes which would have the effect of creating additional lots or dwelling units for development;
- b. Changes which would be contrary to any applicable provision of the Zoning Ordinance or which require a variance or special use permit from the Zoning Board of Review; or,
- c. Changes which may have significant negative impacts on abutting property or property in the vicinity of the proposed subdivision or land development project.

ARTICLE VII - GUARANTEES OF PUBLIC IMPROVEMENTS

A. Definition and Purpose

An *improvement guarantee* is a **cash bond** accepted by the Town to ensure that all improvements, facilities, or work required by these Regulations or as a condition of approval of the Planning Board shall be completed in compliance with the approved plans and specifications.

Improvement guarantees shall be provided to ensure the proper installation and maintenance of required street, utility and other physical improvements and to ensure compliance with other conditions of Preliminary Plan approval.

B. General Procedures

Before any land development or subdivision plan is endorsed by the Planning Board, and before the recording of any subdivision plats, the Planning Board shall be required to approve agreements for the completion of all required improvements. Such agreements may, at the option of the developer, take the form of (1) completion of actual construction of all improvements; (2) completion of actual construction of all improvements with the exception of those improvements provided in VII.C.1 below which shall require improvement guarantees; or (3) a combination thereof.

At the Preliminary Plan review stage, the developer shall submit a cost estimate for all required improvements and either of the following: (1) a letter to the Planning Board indicating his/her intent to complete the required improvements prior to the Planning Board's endorsement of the final plat; or (2) a letter to the Board indicating his/her intent to complete the required improvements prior to the Planning Board's endorsement of the final plat with cash security sufficient to cover the cost of required improvements provided in Article VII, Section C, Item 1 at an amount established by the Board.

Should the applicant request, in writing, to change or alter the method of guarantee after Preliminary Plan approval, then a public hearing, at the applicant's expense, shall be held to amend the approval and modify or add any applicable conditions of approval. Any and all work shall cease and desist until the Board has rendered a decision on the amendment request.

1. If all improvements are to be constructed without a financial guarantee, all work, including mylar As-Built record drawings certified by the appropriate design professional licensed by the State of Rhode Island, shall be completed prior to endorsement and recording. Inspections shall be made by the Town Engineer, or his/her designee, at all required stages of construction as specified in Article XIV. All construction shall be inspected and approved under the direction of the Administrative Officer in accordance with the procedures set forth in Article XIV. Upon completion of all required improvements, the Administrative Officer shall certify in writing of such completion, and a copy shall be provided to the developer upon request. The final plat shall be endorsed by the appropriate Planning Board or Town official and the plan shall be recorded, at which time the lots within the subdivision may be transferred or sold, or the non-residential buildings may receive Certificates of Occupancy.

2. If improvements are to be guaranteed, the provisions of Section C. of this Article, below, shall apply.

C. Procedures for Financial Guarantees

1. Amount- Improvement guarantees shall be considered for the following subdivision or development improvements only:

- a. final asphalt or other approved paving surface;
- b. sidewalks;
- c. right-of-way plantings, or other required landscaping, where applicable;
- d. As-Built record drawings; and,
- e. off-site improvements required by the Planning Board as a condition of preliminary approval.

All other subdivision or development improvements shall be constructed in accordance with these Regulations and Planning Board approval. Improvement guarantees for Items C.1. a, b, c, d and e above shall be in an amount and with all necessary conditions (including but not limited to construction specifications, drawings, engineering, requests for proposals and permitting) to secure for the Town the actual construction and complete installation of said required improvements, and the satisfactory completion of all conditions of final approval within the time periods required for completion. The amount shall be based upon actual cost estimates which would be required for the Town to complete all improvements required as a condition of final approval. These estimates shall be initially prepared by the applicant and submitted to the Administrative Officer, who shall review the estimates in consultation with the Town's engineer. The Planning Board shall review the amount of the improvement guarantee and approve the final amount. The Board may set the guarantee in a reasonable amount in excess of the estimated costs in order to anticipate for increases in economic or construction conditions, administrative and enforcement costs. However, the amount of such increase shall not exceed 150 percent of the estimated cost of improvements.

All work, with the exception of Items C.1. a, b, c, d and e above shall be completed prior to endorsement and recording of the final plat. Progress mylar As-Built record drawings certified by a the appropriate design professional licensed by the State of Rhode Island and depicting all improvements with the exception of final asphalt paving surface, sidewalks, and right-of-way plantings, where applicable, shall also be completed prior to endorsement and recording. Inspections shall be made by the Town at all required stages of construction as specified in Article XIV. All construction shall be inspected and approved under the direction of the Administrative Officer and according to the procedures in Article XIV. Upon completion of all required improvements, the Administrative Officer shall certify in writing of such completion, and a copy shall be provided to the developer upon request. The final plat shall be endorsed by the appropriate Planning Board or Town official and the plan shall be recorded, at which time the lots within the subdivision may be transferred or sold, or the non-residential buildings may receive Certificates of Occupancy.

At the expiration of Preliminary Plan approval period, if all required improvements are not complete, the Planning Board shall review the status of improvements and may (1) require the developer to extend the duration of the entire improvement guarantee; or (2) authorize the Administrative Officer to take the steps necessary to ensure completion of the

remaining work by using improvement guarantee funds and/or enforce Preliminary Plan approval.

If at any time during the guarantee period the procedures, implementation measures, methods, materials, and/or schedules of construction are determined by the Planning Board not to be in compliance with the approved plans, the Board may, after proper notification to the developer, authorize the use of improvement guarantee funds to insure proper compliance.

2. Required Form- The security shall be in the form of a cash deposit in an escrow account with a bank in the name of the "Town of West Greenwich". No other forms of security shall be authorized.

3. Releases- When all required improvements are complete, the improvement guarantee shall be returned to the developer. A written request for release of any improvement guarantee shall be made to the Administrative Officer, who shall refer such request to the Planning Board. After inspection of all required improvements, the Planning Board shall (a) authorize the return of all improvement guarantees to the developer, or, (b) order that no releases be made. Partial releases or reductions in the guarantee amount shall not be authorized.

4. Phased Subdivisions- In the case of land development projects or subdivisions which are approved and constructed in phases, the Planning Board shall specify improvement guarantees related to each particular phase. If any off-site improvements or other improvements or conditions which are not directly related to a particular phase are required as a condition of approval, the Board shall, in setting the guarantee amount for each phase, clearly specify when such guarantees are to be provided.

D. Maintenance Guarantees (for public and private improvements)-

The Planning Board shall require that a cash maintenance guarantee be provided by the developer for all improvements which will be dedicated to the Town for public acceptance and maintenance at the time of recording the final plat. For multi-family and non-residential developments, the Planning Board shall require a 2-year maintenance bond for all drainage infrastructure, required landscaping, and erosion control measures upon issuance of a Certificate of Occupancy. The amount of the maintenance guarantee shall be fifteen percent (15%) of the total cost of construction for all work completed with the exception of those items listed in C. 1, above that have not yet been completed and which shall be financially guaranteed in accordance with section C above. If all work is to be completed prior to recording, the amount of the maintenance guarantee shall be fifteen percent the total cost of construction for all work completed with the exception of those items listed in C.1, above, plus twenty-five percent of the total cost of construction for the items completed listed in C.1., above.

The initial period for such maintenance guarantee shall be one (1) year and shall commence upon completion of all development improvements whether or not bonded; and receipt of mylar As-Built record drawings certified by the appropriate design professional licensed by the State of Rhode Island. At the end of the one year maintenance period, the Town Engineer, or his/her designee, shall inspect all improvements proposed for dedication to the Town subject to the guarantee and shall certify in writing to the Administrative Officer as to their condition. If public improvements are in good condition and have not been

damaged, the maintenance guarantee shall be returned to the developer when the improvements are accepted by the Town. The Town's consulting engineer or his/her designee shall inspect all multi-family and non-residential improvements. If such privately-owned public improvements are in good condition, the maintenance guarantee shall be returned to the developer.

During the maintenance period, the applicant shall remain responsible for all maintenance to the public improvements.

If upon inspection by the Town Engineer, or his/her designee, improvements subject to a maintenance guarantee are found to be unacceptable, the Administrative Officer shall refer the matter to the Planning Board. The Planning Board shall review the condition of the improvements and may (1) require the developer to extend the duration of the maintenance guarantee; or (2) authorize the Administrative Officer to take the steps necessary to ensure completion of the remaining work by using maintenance guarantee funds and/or bring appropriate action to ensure the acceptable completion and/or repairs of the improvements. During house construction, the developer shall take all steps necessary to ensure that the upkeep and performance of the public improvements are maintained in good condition.

In cases where the Planning Board finds there are extenuating circumstances, the initial maintenance period may be established for a period longer than one year. The reasons for establishing a longer maintenance period and the nature of the extenuating circumstances shall be made a part of the record.

E. Acceptance of Improvements-

Upon completion of all required improvements and following the release of the maintenance bond for the public improvements, the developer shall convey all public improvements to the Town for ownership and maintenance. Private facilities, such as private roads, open space and privately maintained drainage systems shall not be conveyed to the Town. The applicant shall first request a final inspection as provided in Article XIV. The Town's engineer, or his/her designee, shall certify to the Administrative Officer in writing that all required improvements have been satisfactorily completed.

The applicant shall also request, in writing to the Administrative Officer, that public improvements, streets, land, easements or other facilities be accepted by the Town. This request shall contain a description of all facilities to be accepted and shall be accompanied by an accurate description of all streets, easements, land or other facilities by metes and bounds and by reference to the final plat drawing(s) and by a warranty deed transferring ownership to the Town and describing any special conditions or other requirements. The Planning Board shall require these signed documents to be submitted as part of the Final Plan application, for recording after acceptance by the Town Council.

Upon certification of completion of all required improvements, and upon receipt of all required information from the applicant, the Administrative Officer shall place the request for acceptance upon the next available agenda of the Planning Board. If all requirements of these Regulations have been met by the applicant, the Planning Board shall recommend acceptance by the Town Council of all such improvements and shall transmit such recommendation to the Town Council in writing.

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

Upon their acceptance by the Town Council, and following the required one-year maintenance guarantee period, all improvements shall be permanently owned and maintained by the Town as part of the municipal system and the developer shall be no longer responsible for their care, repair, or maintenance.

ARTICLE VIII. WAIVERS AND MODIFICATIONS

A. Waiver of Development Plan Review

1. The Planning Board may waive requirements for development plan review where there is a change in use or occupancy and no extensive construction of improvements is sought. The waiver may be granted only by a decision by the Planning Board finding that the use will not affect existing drainage, circulation, relationship of buildings to each other, landscaping, buffering, lighting and other considerations of development plan review, and that the existing facilities do not require upgraded or additional site improvements.

2. The application for a waiver of development plan review shall include documentation, as required by the Planning Board, on prior use of the site, the proposed use, and its impact, in accordance with the waiver application and checklist requirements provided in Article XV.

B. Waiver or Modification of Regulations

1. The Planning Board shall have the authority to grant such waivers and/or modifications from one or more of the requirements for subdivision or land development approval contained in these regulations, as may be reasonable and within the general purposes and intents of the provisions of these regulations, if the Planning Board finds that:

a. the literal enforcement of one (1) or more provisions of the regulations is impracticable and will exact undue hardship because of peculiar conditions pertaining to the land in question, or;

b. where such waiver and/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.

2. Waiver or modification of design and public improvement standards or construction methods and specifications: The applicant shall demonstrate to the Planning Board, in an application for a waiver to be heard at a Public Hearing prior to the filing of any Preliminary Plan, the following:

a. The applicant for a waiver shall demonstrate hardship based on environmental constraints of the land

b. That the hardship is not the result of any prior action of the applicant and does not result primarily for the desire of the applicant to realize greater financial gain;

c. That granting of the requested waiver will not alter the general character of the surrounding area or impair the intent or purpose of the Land Development and Subdivision Regulations or the Comprehensive Plan;

d. That the relief to be granted is the least relief necessary.

3. Waiver or modification of a checklist or administrative requirement: The applicant shall make a request, in writing, to the Planning Board during the Pre-application stage of review for a waiver of any checklist or administrative requirement for the project approval process.

C. Decisions on Waivers and Modifications

1. The Planning Board shall approve, approve with conditions, or deny a request for a waiver or modification as described in subsection A or B above, according to the requirements of Article XI Section F.

ARTICLE IX. ENFORCEMENT AND PENALTIES

A. Violations

1. Any person who fails or refuses to adhere to all of the terms and conditions of any subdivision of land or development plan that has been approved by the Planning Board or the Administrative Officer shall be in violation of these regulations.

2. Any owner, or agent of the owner, who transfers, sells, or negotiates to sell any land by reference to or exhibition of, or by other use, a plat of the subdivision before the plat has been approved by the Planning Board and recorded in the Land Evidence Records shall be in violation of these regulations.

3. Any person who, having submitted an application for subdivision or development approval, begins construction of the subdivision or development, or constructs any structure or improvement on the parcel, without having first received approval from the Planning Board or the Administrative Officer, shall be in violation of these Regulations.

B. Penalties for Violations

1. Any person adjudged in violation of these regulations shall be liable for penalties not to exceed Five Hundred Dollars (\$500) per day, and each day of existence of a violation shall be deemed a separate offense. Certificate of Occupancies shall not be issued to any property within a subdivision or development deemed in violation of these regulations.

C. Injunctive Relief

1. The Town of West Greenwich shall have the authority to bring suit in Kent County Superior Court to restrain the violation of, or compel compliance with, the provisions of these regulations.

2. An action for injunctive relief brought by the Town of West Greenwich in the Superior Court may be consolidated with an action seeking penalties for violations of these regulations.

ARTICLE X. ADOPTION AND AMENDMENT OF REGULATIONS

A. The Planning Board shall adopt and amend these Subdivision and Land Development Regulations according to the following procedure:

1. Notice of a public hearing on any proposed adoption or amendment shall be published in a newspaper of general circulation within the town at least once each week for three (3) successive weeks prior to the date of the hearing, which may include the week in which the hearing is to be held. The newspaper notice shall be published as a display advertisement, using a type size at least as large as the normal type size used by the newspaper in its news articles. The advertisement shall:

- a. specify the date, time and place of the public hearing;
- b. indicate that adoption, amendment or repeal of the West Greenwich Subdivision and Land Development Regulations is under consideration;
- c. contain a statement of the proposed amendment that may be printed once in its entirety, or may summarize or describe the matter under consideration;
- d. advise those interested where and when a copy of the matter under consideration may be obtained or examined and copied; and
- e. state that the proposed amendment may be altered or amended prior to the close of the public hearing without further advertising, as a result of further study or because of the views expressed at the public hearing, provided that any such alteration or amendment must be presented for comment in the course of the public hearing.

2. Notice of the public hearing shall be sent to the following:

- a. The Associate Director of the Division of Planning of the Rhode Island Department of Administration. Said notice, which may be a copy of the newspaper advertisement, shall be sent at least two (2) weeks prior to the public hearing.
- b. The city or town planning board of any municipality where there is a public or quasi-public water source, or private water source that is used or is suitable for use as a public water source, located within two thousand (2,000) feet of West Greenwich's boundaries. Said notice shall be sent by first class mail.
- c. The governing body of any state or municipal water department or agency, special water district, or private water company that has riparian rights to a surface water resource and/or a surface watershed that is used or is suitable for use as a public water source located within West Greenwich or within two thousand (2,000) feet of West Greenwich's boundaries, provided that the governing body of the state or municipal water department or agency, special water district, or private water company has filed with the West Greenwich building inspector a map survey showing the areas of surface water resources and/or watersheds, and parcels of land within two thousand (2,000) feet of the areas of surface water resources and/or watersheds, pursuant to R.I. Gen. Laws Sec. 45-24-53(E).

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

3. The Planning Board shall conduct a public hearing at the date, time and place specified in the newspaper advertisement and notices. At the hearing, opportunity shall be given to all persons interested to be heard upon the matter of the proposed regulations.

B. Printed copies of these regulations, including all appendices, shall be available to the general public and shall be revised to include all amendments. A reasonable charge may be made for copies. Upon publication of any adoption or amendment, copies shall be sent to the planning division of the Rhode Island Department of Administration, and to the State Law Library.

ARTICLE XI - ADMINISTRATION OF THE REGULATIONS AND AMENDMENTS

A. The Administrative Officer

1. Administration

Administration of these Subdivision and Land Development Regulations shall be under the direction of the Administrative Officer, who shall report to the Planning Board. The Town Planner of the Town of West Greenwich is hereby designated as the Administrative Officer. Should the Town Planner be unable to fulfill his/her duties due to termination, resignation or incapacitation, the Chairman of the Planning Board is hereby designated as the Administrative Officer until such time as the Town Planner is able to resume said duties, or, a new Town Planner is appointed.

2. Appointment

Appointment of the Town Planner shall be the responsibility of the Town Council.

3. Duties and Responsibilities

The duties and responsibilities of the Administrative Officer shall include, but shall not be limited to:

a. Coordination of the review, approval, recording, and enforcement provisions of these Regulations;

b. Coordination of the review and approval procedures for subdivisions, development plans, and land development projects with adjacent municipalities as is necessary to be consistent with applicable federal, state, and local laws and as directed by the Planning Board;

c. Enforcement of these Regulations as provided in Article IX of these regulations; and,

4. Qualifications

The qualifications of the Administrative Officer shall be determined by the Town Council as provided in the official job description for the Town Planner.

B. The Technical Review Committee.

1. There is hereby established a committee appointed by the Planning Board, to be known as the Technical Review Committee (TRC), which is established in accordance with R.I. General Law 45-23-56, to conduct technical reviews of all applications for subdivisions and land development projects and other matters subject to Planning Board jurisdiction. In no case shall the recommendations of the TRC be binding on the Planning Board in its activities or decisions.

2. Procedures used by the TRC shall be in accordance with these provisions. Reports of the TRC to the Planning Board shall be in writing and shall be kept as part of the permanent documentation of the development application. The TRC shall meet as needed. The TRC shall forward its comments and recommendations, along with all other essential project information to the Planning Board at least seven (7) days prior to the Planning Board meeting at which the application is scheduled.

3. Voting membership in the TRC shall consist of the Administrative Officer who shall act as the chair in accordance with state law, the Zoning Official, the Director of Public Works, and one member of the Planning Board. The town's consulting engineer, the town solicitor and the appropriate fire chief shall advise the TRC and attend on an as needed basis. The member of the Planning Board shall be assigned by the Planning Board Chairman either to a particular subdivision or development project or monthly for all projects being heard on the agenda of the TRC.

4. The application types listed below shall be reviewed by the TRC subject to the confirmation by the Planning Board.

- Development Plan review
- Pre-application review
- Minor land development or subdivision involving no street creation or extension
- Setting, reducing or releasing of improvement or remediation guarantees
- Requests for reinstatement or extension of applications, and requests for changes to recording plats or plans
- Recommendations to the Town Council or the Zoning Board

For all such items the TRC shall conduct the full review. If an application is approved by a majority of the committee members, the TRC will provide written comments and make recommendations to the planning board for vote by Consent Agenda of the Planning Board. If an item is not approved by a majority vote of the committee members, the item shall be referred to the Planning Board for continued proceedings.

The following application types require a public hearing and shall be reviewed by the TRC and be advisory to the planning board.

- Major land development and/or major subdivision
- Minor land development project or subdivision involving street creation
- Comprehensive Plan Amendments

For these items the TRC shall conduct a full review and reach a consensus. The TRC will provide written comments and make recommendations to the planning board and refer the matter to the planning board for a public hearing.

C. The Board of Appeal

Appeals of decisions of the Planning Board or the Administrative Officer on matters of review and approval of land development and subdivision projects shall be made to the Board of Appeal in accordance with the provisions of Title 45, Chapter 23 of the General Laws of RI, and with Article XII of these regulations.

D. Administrative Fees

The following administrative fees are required to be paid by an applicant for approval of any subdivision or land development project, for the adequate review and hearing of applications, issuance of permits and the recording of the decisions thereon:

1. Administrative Subdivision: \$100
2. Minor Land Development, Minor Subdivision, and Development Plan
 - a. Pre-application Meeting and Concept Review: \$150
 - b. Preliminary: \$300 + \$50 per lot or unit, or, if a multi family dwelling, \$300 + \$10 per bedroom; plus required mailing and advertising expenses
 - c. Final: \$150 + \$50 per lot or unit, or, if a multi family dwelling, \$150 + \$10 per bedroom.
3. Major Land Development and Major Subdivision
 - a. Pre-application Meeting and Concept Review: \$150
 - b. Master Plan: \$300 + \$50 per lot or unit, or, if a multi family dwelling, \$300 + \$10 per bedroom; plus required mailing and advertising expenses
 - c. Preliminary: \$500 + \$100 per lot or unit, or, if a multi family dwelling, \$500 + \$20 per bedroom; plus required mailing and advertising expenses.
 - d. Final: \$150 + \$50 per lot or unit, or, if a multi family dwelling, \$150 + \$10 per bedroom.
4. Recording of Subdivision or Development Plan: As provided in Title 34, Chapter 13 of the General Laws of Rhode Island.
5. Inspection and Engineering Review Fees: see section E. Project Review Fees, below.
6. Extension Fees: \$200
7. Appeals to Board of Appeal: As established by the Zoning Ordinance for Appeals
8. Re-Instatement Fee: \$200+ \$20 per lot or unit, or, if a multi-family dwelling, \$200 + \$20 per bedroom; plus required mailing and advertising expenses

E. Project Review Fees

1. Applicability: In addition to the administrative fees required in Article XI.D. above, the Planning Board shall impose a project review fee on all applications except applications for an administrative subdivision. The project review fee shall be in an amount sufficient to cover the actual cost or costs of the analysis, review, and inspection by outside consultants of a project's potential impacts, and/or the provision of technical or professional assistance, which, in the judgment of the Planning Board, is necessary to the review, analysis or inspection of work related to any subdivision or land development.

2. Hiring Outside Consultants: The Planning Board may engage engineers, planners, lawyers, landscape architects, architects, geo-technical experts, hydrology experts, or other appropriate firms, persons, or professionals to assist the Planning Board

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

in the review of an application and to ensure compliance with all relevant ordinances and regulations, as well as with the formulation of reasonable measures to assess and/or mitigate identified impacts.

3. Schedule of Project Review Fees: Each applicant shall submit a deposit towards the project review fee, in accordance with the following schedule. Any application filed without this fee shall be deemed incomplete.

a. Pre-application Plan- the Planning Board may require the establishment of a Project Review Fee account at the pre-application stage, if consultant review at this level is deemed necessary by the Board: \$1,000.00.

b. Master Plan application for a Major subdivision or land development project or a Minor subdivision with waivers: \$1,000.00 for the creation of one or two units or lots; \$3,000.00 for three to six units or lots; plus \$100.00 per unit or lot, after the first six.

c. Preliminary Plan application for a Minor subdivision or land development project: \$3,000.00.

d. Preliminary plan application for a Major subdivision or land development project: \$1,000.00 for the first six units or lots, plus \$100.00 per unit or lot, after the first six.

e. Development plan review(formerly Site Plan review): \$3,000.00

f. Amendment of approved plans: \$1,000.00 for the first six units or lots, plus \$100.00 per unit or lot, after the first six.

4. Replenishment: When the balance in an applicant's account falls below 25 percent of the required deposit the Planning Board may require that the account be replenished as necessary to cover any further costs.

5. Inspection Phase: In addition to the project review fee required under paragraph 3 above, the Planning Board shall require an additional inspection fee be paid into the account for the inspection of all public improvements in accordance with Article XI.D.5. above. This account will continue to be replenished until maintenance bond for the project is released.

6. Handling of Project Review Fees: The project review fee is to be deposited into an account as established by the Town Treasurer.

a. Project review fees shall be turned over to the Town Treasurer by the Administrative Officer for deposit into an account.

b. Outside consultants retained by the Planning Board to assist in the review of an application shall be paid from this account.

c. A copy of a monthly or quarterly statement from the banking institution handling the account shall be forwarded to the Administrative Officer as soon as it is received by the Town Treasurer for timely and accurate accounting.

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

d. A report on activity in the account shall be submitted to the Planning Board and Town Council on an annual basis.

e. An accounting of an applicant's funds held in the account may be requested by the applicant at any time provided the request is made in writing to the Administrative Officer.

- 1) The Administrative Officer shall respond to the request in a timely fashion.
- 2) This accounting may include the following information:
 - i) The latest statement from the Town Treasurer's records.
 - ii) A report of all checks authorized for issuance since the last statement.
 - iii) An estimate of bills pending for work complete or work in progress.

f. Excess fees in the account shall be returned to the applicant or the applicant's successor in interest, at the conclusion of the review process, as defined below. For the purpose of this section, any person or entity claiming to be an applicant's successor in interest shall provide the Town with documentation establishing such succession in interest. All accumulated interest if any shall accrue to the Town to cover costs associated with the management and processing of the account. The conclusion of the review process shall mean one of the following:

- 1) The disapproval of an application.
- 2) The expiration of an approval.
- 3) The release of a performance or maintenance bond.
- 4) A final inspection.

7. Appeal. The choice of a consultant by the Planning Board may be appealed in writing to the Board of Appeal in accordance with Article XII of these regulations and the zoning ordinance and all proceedings before the Planning Board shall be stayed until a final determination is reached by the Board of Appeal or the Superior Court.

8. Delinquent accounts. The following rules apply to fees owed to the Planning Board by applicants.

a. Monthly interest charge. All fees past due by one month from the date of invoice shall be subject to a monthly interest charge based upon an annual interest rate of 12 percent

b. Costs of collection. All costs of collection, including, but not limited to, reasonable attorneys fees, associated with past due accounts shall be charged to the applicant.

F. Meetings, Votes, Decisions, and Records

1. All records of the Planning Board proceedings and decisions shall be written and kept permanently available for public review. Completed applications for proposed land development or subdivision projects under review by the Planning Board shall also be available for public review.

2. Participation in a Planning Board meeting or other proceedings by any party shall not be a cause for civil action or liability except for acts not in good faith, intentional misconduct, knowing violation of law, transactions where there is an improper personal benefit, or malicious, wanton, or willful misconduct.

3. All final written comments to the Planning Board from the Administrative Officer, municipal departments, state and federal agencies, and local boards of commissions shall be part of the permanent record of the development application.

4. All votes of the Planning Board shall be made part of the permanent record and shall show the members present and their votes. A decision by the Planning Board to approve any land development or subdivision application shall require a vote for approval by a majority of the current Planning Board membership.

5. Consent Agenda items are considered to be routine by the Planning Board and will be enacted by one (1) motion. The Consent Agenda may include items for general discussion in addition to those items which have been reviewed by the TRC. There will be no separate discussion of these items unless any member of the Planning Board, town official or the applicant, at the time of the consideration of the Consent Agenda items, requests that an item be removed from the Consent Agenda. In this event the item shall be discussed and voted on by the Planning Board in the normal course of the agenda.

ARTICLE XII. APPEALS

A. Procedure for Appeals to the Board of Appeal

1. Any party aggrieved by a decision of the Planning Board or the Administrative Officer shall have the right to appeal that decision to the Board of Appeal by the following procedure:

a. The appeal must be taken within twenty (20) days of the day the decision is filed and posted in the Town Clerk's Office. Appeals from a decision granting or denying approval of a final plan shall be limited to elements of such approval or disapproval not contained in the decision reached by the Planning Board at the preliminary stage, providing that a public hearing has been held on the plan pursuant to Section 4 of this Article.

b. The appeal shall be in writing, on a form provided by the clerk of the board, and shall state clearly and unambiguously the issue or decision that is being appealed, the reason for the appeal, and the relief sought.

c. The appeal shall either be sent by certified mail, with a return receipt requested, or shall be hand-delivered, to the office of the clerk of the Board of Appeals.

d. Upon receipt of an appeal, the clerk of the board of appeal shall require the Planning Board or the Administrative Officer to transmit forthwith to the Board of Appeal all papers, documents and plans, or a certified copy thereof, constituting the record of the action that is being appealed.

2. An appeal shall stay all proceedings in furtherance of the action being appealed.

B. Public Hearings on Appeals to the Board of Appeal

1. The Board of Appeal shall conduct a public hearing on each appeal within forty-five (45) days of receipt of the appeal by the board's clerk. The public hearing shall be conducted at a meeting called and advertised especially for that purpose, and shall be conducted separately from any Zoning Board of Review meeting that may be advertised for the same date and place. The Board of Appeal shall maintain a complete record of all its proceedings, including minutes of meetings and records of votes taken, which shall be separate from the minutes and records of the Zoning Board of Review and shall maintain a complete record of all its proceedings, including minutes of meetings and records of votes taken.

2. Notice of the public hearing shall be published in a newspaper of general circulation within the town at least fourteen (14) days prior to the date of the public hearing. Notice shall be sent by first class mail to the parties to the appeal and to those persons required to be notified by Article V Section C of these regulations. The party who filed the appeal shall bear the cost of advertising and notice.

3. At the hearing, any party may appear in person, or may be represented by an agent or attorney.

4. The board shall render a decision on the appeal in the following manner:

a. The board shall not substitute its own judgment for that of the Planning Board or Administrative Officer, but shall consider the issue upon the findings and record of the Planning Board or Administrative Officer. The board shall not reverse a decision of the Planning Board or Administrative Officer except on a finding of prejudicial procedural error, clear error, or lack of support by the weight of the evidence in the record.

b. The concurring votes of three (3) of the five (5) members of the board sitting at the hearing shall be necessary to reverse any decision of the Planning Board or Administrative Officer.

c. In the instance where the board overturns a decision of the Planning Board or Administrative Officer, the proposed project application shall be remanded to the Planning Board or Administrative Officer, at the stage of processing from which the appeal was taken, for further proceedings before the Planning Board or Administrative Officer and/or for final disposition, which shall be consistent with the board's decision.

d. The board shall render a decision within ten (10) days of the close of the public hearing. The decision shall be in writing and shall include reasons for the decision.

C. Appeals to the Superior Court

1. Appeals of decisions of the Board of Appeal

a. An aggrieved party may appeal a decision of the West Greenwich Board of Appeal to the Kent County Superior Court by filing a complaint setting forth the reasons of appeal within twenty (20) days after the decision has been recorded and posted in the Town Clerk's Office. When the complaint is filed by someone other than the original applicant or appellant, the original applicant or appellant and the members of the Planning Board shall be made parties to the proceedings.

b. Within thirty (30) days after being served with a copy of the complaint, the board shall file the original documents acted upon by it and constituting the record of the case appealed from, or certified copies thereof, together with such other facts as may be pertinent, with the clerk of the court.

c. The appeal shall not stay proceedings upon the decision appealed from, but the court may, in its discretion, grant a stay on appropriate terms and make such other appropriate orders as it deems necessary for an equitable disposition of the appeal.

d. The court shall review the appeal pursuant to R.I. Gen. Laws Section 45-23-71.

2. Appeals of Enactment or Amendment of Regulations

a. Any legal resident or landowner of West Greenwich, or any association of residents or landowners of West Greenwich, may appeal an enactment or amendment of these Subdivision and Land Development Regulations by the Planning Board by filing a complaint in the Kent County Superior Court within thirty (30) days after such enactment or amendment has become effective.

b. The complaint shall set forth with specificity the area or areas in which the enactment or amendment is not consistent with:

- 1) Title 45, Chapter 22.2 of the Rhode Island General Laws, known as the Comprehensive Planning and Land Use Regulation Act;
- 2) Title 45, Chapter 24, Section 27 et. seq. of the Rhode Island General Laws, known as the Zoning Enabling Act of 1991;
- 3) The West Greenwich Comprehensive Community Plan of 1995;
or
- 4) The West Greenwich Zoning Ordinance

c. The appeal shall not stay the enforcement of the regulations, as enacted or amended, but the court may, in its discretion, grant a stay on appropriate terms, which may include the filing of a bond, and make such other orders as it deems necessary for an equitable disposition of the appeal.

d. The court shall conduct the review without a jury. If the court finds that the enactment or amendment is not consistent with the statutory, ordinance, or regulatory provisions enumerated in Section XII(C)(2)(b) above, the court shall invalidate the enactment or the amendment, or those parts of such enactment or amendment that are not consistent. The court shall not revise the regulations to be consistent, but may suggest appropriate language as part of the court decision.

e. The court may in its discretion, upon motion of the parties or on its own motion, award reasonable attorney's fees to any party to an appeal, as set forth herein, including a municipality.

**ARTICLE XIII – PHYSICAL DESIGN REQUIREMENTS AND PUBLIC
IMPROVEMENT STANDARDS**

A. General

1. Conformance to Applicable Rules and Regulations- In addition to the requirements established herein all subdivision and development plans shall comply with the following laws, rules and regulations:

a. The Town of West Greenwich Zoning Ordinance and all other applicable laws.

b. The Town Comprehensive Community Plan, and The Recreation, Conservation, and Open Space Plan, and other accepted planning studies and reports.

c. The special requirements of these regulations and any rules of the Department of Environmental Management and/or appropriate state agencies.

d. The rules of the State Department of Transportation if the development, subdivision, or any lot contained therein abuts a state highway or connecting street.

e. The applicable standards of care and consistency with professional standards, recognized by a professional organization including, but not limited to: surveying and engineering.

f. Plan approval may be withheld if a subdivision or development is not in conformity with the above guides or purposes of these regulations established in Section I of these regulations.

2. Self Imposed Restrictions

If the owner places restrictions on any of the land contained in the subdivision or development greater than those required by the Zoning Ordinance or these regulations, such restrictions or reference thereto may be required to be indicated on the Recorded plan, or the Planning Board may require that restrictive covenants be recorded with the Town Clerk.

3. Suitability of Land

a. Land deemed unsuitable for development purposes by the Planning Board following consultation with the Rhode Island Department of Environmental Management, and following a determination by the Planning Board that the proposed subdivision or use of the land would result in a violation of federal, state or local environmental, land use or other applicable laws, will not be approved for subdivision or development.

b. No fresh water wetlands as defined in Chapter 213 of the Public Laws of 1971 relating to Fresh Water Wetlands, shall be excavated, drained or filled, nor shall any extraneous materials be placed into these wetlands. Water flow shall not be diverted nor shall any change be made to the natural condition of the wetland without the prior approval of the Director of the State Department of Environmental Management and the West

Greenwich Town Council in accordance with the provisions of said chapter, specifically Sections 2-1-21(a) and 2-1-22.

c. No subdivision or development plan shall be approved by the Planning Board if the Stormwater Management Plan (Sedimentation and Erosion Control and Stormwater Mitigation) submitted by the applicant does not contain information sufficient in detail and extent to meet the requirements of these regulations, nor shall any Stormwater Management Plan be approved which does not adhere to the Design Standards specified in these regulations. Land which cannot be developed without substantial adverse effects to the water quality and natural functions of the proposed development site and surrounding area shall not be approved for development or subdivision.

B. Street Design Standards

The following design standards shall be followed where applicable in the design and construction of any subdivision or development:

1. Frontage on Improved Streets

With the exception of Residential Compound projects, the area to be subdivided shall have a minimum of (50) fifty feet frontage on and access from an existing improved public street. If such an existing street has not been improved to the standards and specifications as required in these Regulations, the Board may require the subdivider to make certain improvements along the street abutting the property or leading to the property being subdivided where necessary for drainage, safety, traffic or other reasons as deemed proper by the Board. See Section J (Off-Site Improvements) of this Article.

For purposes of these Regulations, streets platted but not improved or accepted for maintenance by the Town, shall not be considered existing improved public streets. Where these streets are incorporated within the subdivision, they shall be improved by the developer to meet the Subdivision Regulation standards.

2. Street Classification

Street design within a proposed subdivision or development shall conform to a street hierarchy system as established herein. Requirements for right-of-way and pavement width, on-street parking, drainage and other utilities, sidewalks, bicycle path and other design standards shall be tailored to street function.

The following major categories of street classification are established:

a. Arterial - A major public street that serves as an avenue for the circulation of traffic into, out of, or around the Town and carries high volume of traffic and provides for high levels of mobility.

b. Collector - A public street whose principal function is to carry traffic between local streets and arterial streets but that may also provide direct access to abutting properties. These streets provide a balance between land access and mobility.

c. Local Public - Public streets whose primary function is to provide access to abutting properties.

d. Minimum maintenance road. Refers to a town road that does not provide physical access to dwellings and is deemed unsuitable for development by the planning board, but may provide access for emergency vehicles. A minimum access road shall be reclassified to an accepted town road upon the initiation of improvements to service said dwellings.

e. Town road (accepted). Refers to public roads that meet minimum town or subdivision standards and are maintained by the town.

f. Private road. Refers to those privately owned and maintained roads that do not meet current town or subdivision standards. Approved subdivision roads with work in progress shall be considered a private road until acceptance by the town. The creation of new private roads or private right-of-ways in the Town shall not be permitted, except as allowed in Residential Compounds, as regulated in the Zoning Ordinance; or as allowed in commercial or multifamily land development projects. As a condition of final approval, the subdivider shall be required to record a covenant, binding on his successors and assigns, that the Town of West Greenwich shall not be asked or required to accept or maintain the private streets and minimum maintenance roads within the parcel that do not meet the engineering and design requirements for town-accepted streets (See Article XIII - B.11).

g. Paper street. Refers to those roads shown on proposed subdivision plans or Tax Assessor Plat Maps that do not physically exist.

h. Access or Service Road/ Private Common Driveway- A common private driveway used to access residential lots where access from the frontage on a collector or arterial road has been restricted or limited by the Planning Board in order to reduce curb cuts on collector and arterial streets.

3. Access to Subdivision/ Development

Wherever the area to be subdivided or developed is to obtain access or have frontage on Town maintained roads which are inadequate in improvement and width to handle the volume of traffic which will be generated by the subdivision or development, the applicant, at his or her own expense, shall be required to improve such access roads to the extent that they are capable of providing safe access to the subdivision or development as determined by the Planning Board. The Planning Board may require that a performance bond be secured, or require that approval of the final plan be conditional upon completion of improvements to access roads (See Article VII of these regulations).

4. Topography and Arrangement

a. Street layout shall be considered in relation to the existing street system and shall conform to the West Greenwich Comprehensive Community Plan. Limited access to major highways may be required for safety purposes.

b. Streets shall be related appropriately to the topography. Local roads shall be curved wherever possible to avoid conformity of lot appearance. Street alignment shall follow natural terrain and no unnecessary cuts or fills shall be allowed in order to create additional lots or building sites. Combination of steep grades and curves shall be avoided.

c. The use of gridiron street patterns or similar designs will not be permitted. The use of curvilinear streets, cul-de-sacs, P- or U-shaped streets (loop roads) shall be encouraged where such use will result in a more desirable layout. P- or U-shaped roads facilitate the design for through circulation patterns that eliminate the need for excess cul-de-sac or dead end street layouts.

d. All thoroughfares shall be properly related to special traffic generators such as industries, business districts, schools, churches, and shopping centers to population densities, and to the pattern of existing and proposed land uses.

e. New subdivision roads shall be laid out to encourage connectivity; to discourage cul-de-sacs, isolated neighborhoods, and use by through traffic; to permit efficient drainage and utility systems; and to require the minimum number of streets necessary to provide convenient circulation and safe access to property.

f. If connection to adjacent undeveloped property is desired, the Planning Board may require the applicant to show a future connection to the property line as part of the right-of-way dedicated to the Town. The Board's intent in residential districts is to provide street access for any abutting "landlocked" parcels.

g. Major Subdivisions or Land Development Projects may be required to provide an emergency access as determined by the Planning Board with input from the local Fire Chief.

h. Neighborhood streets may take the form of a two-way street, or a one-way loop street around a small neighborhood green.

5. Dead End Streets (Cul-de-sacs) and Blocks

a. In residential subdivisions, blocks and cul-de-sac streets (or, dead ends) shall not be longer than 1200 feet.

b. Dead end streets which cannot be extended, or connected to form a looped road, in the judgment of the Planning Board shall have at their closed end a turn around with a minimum outside curb radius of sixty (60') feet, and an intersection approach radii of thirty (30) feet. Modifications to the design shall be subject to the review and recommendation of the Highway Supervisor on a case-by-case basis.

c. Where a dead end street is to provide access to adjacent property, the Planning Board may require provision for a temporary turn around or "Tee" until such time as the adjacent tract is developed and the street extended. Temporary "Tee's" or cul-de-sacs shall be conveyed with a defeasible easement for the portion of the right-of-way and pavement to be removed when the street is extended.

d. For greater convenience to traffic and more effective police and fire protection, permanent and temporary dead end streets shall be limited in length as determined by the Planning Board, not to exceed 1200 feet.

6. Access to Arterial Streets

a. The Planning Board may require additional right of way and pavement width for arterial streets subject to heavy traffic.

b. Where a subdivision or development borders on or contains an existing or proposed arterial road no access shall be provided to individual lots or units from the arterial road and screening shall be provided in a strip of land along the rear property line of such lots. The width of such buffers shall be determined by the Planning Board.

7. Street Names

An extension of an existing street or road shall have the same name as the existing street or road. Names of other proposed streets shall be substantially different from any existing street name in the Town of West Greenwich, and approved by the Planning Board. Preference shall be given to street names incorporating references to West Greenwich's history and persons within that history.

8. Street Regulatory Signs

The developer or Highway Supervisor shall install all required and approved road signs, at the expense of the developer and approved by the Director of Public Works or Highway Supervisor. Street name signs with sufficient supports and of a type acceptable to the Director of Public Works or Highway Supervisor, are to be placed at all intersections within or abutting the subdivision. Dead end streets shall be clearly indicated as such at their entrance. The developer shall deposit with the Town of West Greenwich at the time of final application the sum of fifty dollars (\$50.00) for each road sign as part of the subdivision approval.

9. Shade Trees

Shade trees shall be required along both sides of the street; consideration to proximity to utilities shall be given. Where feasible, existing trees shall be conserved. The developer is to present the Planning Board with a Landscape plan, as required in Section D of this Article, including but not limited to, drawings which indicate the method to be used to safeguard existing trees, within the fifty (50) foot right of way, during construction of the street. The intent of this plan is to prevent premature death to existing trees caused by scarring, backfilling, root cutting, changing of grades and any other damaging act. Additional trees shall be planted out at intervals no nearer than thirty (30) feet nor farther than fifty (50) feet, measured between trunks, except that trees shall not be located within thirty (30') feet of intersecting rights-of-way lines. The species and size of such trees must be approved by the Planning Board as part of the approval for Preliminary Plan. The developer shall plant street trees appropriate for the terrain, soil, and climactic conditions encountered in the subdivision or development. Native species are preferred.

10. Design Standards

a. General

In order to provide for roads of suitable location, width, and improvement to accommodate prospective traffic and afford satisfactory access to police, fire fighting, snow removal, and road maintenance equipment, and to coordinate roads so as to compose a convenient system and avoid undue hardships to adjoining properties, the following design standards for roads are hereby required.

b. Street Surfacing and Improvements

Streets shall be graded, graveled and paved at the expense of the developer in accordance with the requirements of this Section and the Construction Specifications indicated in Figure 1.

c. Intersections

- 1) Street center lines shall coincide precisely at intersections or shall be offset at least 150 feet.
- 2) Street center lines shall intersect as nearly at right angles as practicable. No intersections shall contain an angle of less than 60 degrees.
- 3) Corners at intersections shall be rounded to provide curb radii of not less than twenty-five (25') feet.
- 4) Intersections shall be designed on a flat grade wherever possible.
- 5) All street intersections shall be designed to provide proper sight distance as set forth by AASHTO: "Policy on Geometric Design of Highways and Streets, latest revisions."

d. Street Surfacing and Improvements

1) Streets, rights-of-way, both existing and proposed, shall be continued with at least the same width through the subdivision.

2) Street rights-of-way may not be less than fifty (50') feet in width. Street pavements may not be less than (24-26') feet in width, measured between curbs and centered between street lines. The Planning Board may permit a Local Street to have a street pavement of not less than twenty (20) feet in width, measured between curbs and centered between street lines. (Residential Compound road standards are contained in the Zoning Ordinance.)

3) The Planning Board shall take into account drainage requirements to determine the location and extent of cape cod berm placement and/or curbing to be utilized in a proposed subdivision.

4) Grades of local streets shall not be less than 0.5% nor more than 8%. Collector streets shall not exceed 7% in grade nor be less than 0.5% in grade.

5) Where a deflection angle of 10 degrees or more occurs along a center line of a street, a horizontal curve with a radius of not less than 150 feet shall be introduced.

6) Where changes in grade are encountered in the street center line profile, vertical curves shall be introduced which provide proper sight distance, as determined by AASHTO: "Policy on Geometric Design of Highways and Streets, latest revision"

11. Existing Minimum Maintenance Roads

Existing minimum maintenance roads shall be permitted under the following:

a. Existing Minimum Maintenance Roads, as defined herein, shall have a minimum right-of-way of forty (40) feet in width, and a minimum twenty (20) foot "Travel Way"

b. Any subdivision of property occurring along existing minimum maintenance roads or unpaved town owned roads, shall require improvements that meet the satisfaction of the Director of Public Works or Highway Supervisor and the Planning Board while adhering to the following minimum design standards: fifty (50) foot right-of-way, twenty four (24) foot roadway widths (gravel or paved -- based on surrounding land use evaluation), and a minimum twelve (12) inch gravel base.

12. Access to Adjoining Property

When considered desirable by the Planning Board to provide access to adjoining property, proposed streets shall be continued and improved to the property line (and street) only if an adjoining street already exists. The reservation of strips of land preventing such access shall not be permitted. The Planning Board may require provision of a temporary turnaround or the dedication of the right-of-way to the abutting property line as a stub, until such time as the adjacent tract is developed. An improvement guarantee may be required to insure completion of the street or construction of a permanent cul-de-sac within a reasonable period of time. Access to adjoining property for pedestrian and/or bicycle circulation shall be required wherever the Planning Board determines that such connection will increase accessibility between adjoining subdivisions, to existing or proposed sidewalks or bicycle paths, from subdivisions to major public or private schools, recreation areas or other facilities or where the public safety will be significantly enhanced by such pedestrian and/or bicycle connections.

13. Street Lighting

In all new subdivisions where utilities are being installed, provisions shall be made for street lighting connections only where required by the Director of Public Works, Highway Supervisor, or the Planning Board, and must be shown on final "As-Built" plans.

14. Monuments

Monuments (granite only bounds, 4" x 4" x 30" long) shall be paid for by the developer and placed by a Professional Land Surveyor, or their charge, on the street line at the beginning and end of all horizontal curves on both sides of each subdivision (public) street and shall not be more than five hundred feet apart. Monuments shall be set four inches above finished grade of the center of the street.

15. Sidewalks

Sidewalks may be required to be installed along new streets at intersections or other areas of new subdivisions and land development projects including multifamily development proposals, at the discretion of the Planning Board.

Sidewalks may also be required to be installed as off-site improvements in accordance with the provisions of Article XIV. Trails or footpaths may be required in any proposed development in addition to required sidewalks to provide pedestrian access on-site as well as off-site to ensure access to adjoining or nearby neighborhoods, open spaces, or major recreational facilities.

Sidewalks may be required to be installed along new streets and as an off-site improvement if the Planning Board finds any of the following:

- a. The subdivision or land development project is located within an area that is within one mile of a public or private school; or
- b. The subdivision or land development project is located in reasonable proximity to major public or private facilities such as churches, shopping areas, playgrounds, state parks, and the like, where there is a reasonable likelihood that pedestrian traffic to/from/within the proposed development would result; or,
- c. The subdivision or land development project is located within an area with high vehicular traffic volumes and where there would be a likelihood of significant danger to pedestrians; or,
- d. A sidewalk is necessary to provide pedestrian access between groupings of dwellings or commercial establishments within the subdivision or land development project, or to provide access between dwellings, commercial establishments, and recreational facilities.
- e. An existing sidewalk abuts the proposed subdivision or land development project
- f. A sidewalk will encourage pedestrian circulation and promote public safety and health.

Sidewalks may be required by the Board to be installed as off-site improvements in accordance with the provisions of Section J. (Off-Site Improvements) of this Article.

16. Bicycle Paths

Bicycle paths may be incorporated into the proposed subdivision or development where necessary to extend an existing bicycle path; to intersect with proposed State bicycle facilities; to connect adjacent developments where vehicular connections would be impractical; or where adjacent or nearby public or private school, recreation areas or other similar facilities would be likely to generate significant bicycle traffic

17. Curbing at Intersection Fillet Curves

Curbing may be required to be installed along new streets at intersections or other areas of new subdivisions at the discretion of the Planning Board, in accordance with the provisions of Article XIV.

18. Mailboxes

The use of common mailbox locations may be required on public cul-de-sacs, at the discretion of the Highway Superintendent. Mailboxes for private roads and ways shall be located at the entrance to the private road for access from a public street.

C. Lot Design Standards

1. Lot Dimensions

a. All lots shall conform to the dimensional requirements of the West Greenwich Zoning Ordinance established for the district within which the subdivision is located.

b. The minimum lot dimensions established by the West Greenwich Zoning Ordinance may be increased by the Planning Board if the report of the Chief, Rhode Island Division of Groundwater and ISDS, Rhode Island Department of Environmental Management indicates that larger lot dimensions are needed for the safe and effective operation of individual sewage disposal systems, or to comply with the local 200 foot ISDS setback from a water body. Lots in areas where public water is not available shall be of such area, shape, and dimensions as will allow the operation of individual sewage disposal systems in such a manner that the water supplies of said lots and all surrounding lots are adequately safeguarded.

2. Lot Configurations and Setbacks

a. Shape/Configuration- Lots shall be generally rectangular in their configuration. Long or narrow strips of land shall be avoided. Irregularly or odd shaped lots such as "flag lots," "hockey sticks" or any lot whose building envelope is isolated from its frontage shall not be permitted.

b. Side lot lines shall be within fifteen (15) degrees of perpendicular with street lines or radial to curved street lines unless the Planning Board determines that a variation from this rule will provide a better street or lot plan.

c. Minimum Lot Width- Lots shall maintain a minimum width of 150 feet for a distance of 200 feet from the front property line, and a minimum width of 100 feet to the rear property line. The minimum width shall be measured parallel to the frontage line if tangent, or the chord, if on a curve.

d. Except on those sides bordering a street, lots shall have no interior angles of more than 200 degrees, unless otherwise allowed by the Planning Board.

e. Building set-back lines shall be established for all lots, as required by the West Greenwich Zoning Ordinance, and such lines shall run parallel to the street right-of-way, all lot lines, front, rear, and side

3. Lot Frontage and Access

a. All lots shall abut an existing or a proposed public street.

b. Each proposed lot shall have frontage on a public street that meets or exceeds the minimum requirements of the Zoning Ordinance for the zone in which it is located.

c. Frontage shall be useable for physical access to the lot from the street. Frontage that cannot function as an access point to the buildable envelope of the lot shall not be permitted.

d. The lot must be accessible by the fire department, police department and other agencies charged with protection of the public peace, safety and welfare.

e. Other than at corners, lots shall abut only one existing or proposed street.

f. Corner lot street lines shall be of sufficient length to accommodate required front building set-back lines.

g. Lots shall not, in general, derive access exclusively from an arterial or collector street, as defined herein.

h. The Planning Board may modify or relocate the location of the proposed access driveway along the road frontage, and may modify or limit the proposed number of access driveways onto any street from any lot or group of lots.

i. Provisions may be made for ensuring adequate sight distances from the proposed access driveway along adjacent public streets in order to alleviate any potentially hazardous situation.

j. Internal Access Streets- for lots proposed along existing collector or arterial roads, the Planning Board may require the applicant to submit appropriate alternative plans to demonstrate the feasibility of creating an internal access street, or a conventional subdivision. If the Planning Board determines that such an alternative development is feasible, practical and preferable, the creation of frontage lots shall be prohibited, and the applicant shall be required to develop the property in an approved alternative fashion.

k. Easements may be required to be granted to the Town to prohibit individual driveway access from lots onto frontage streets if adequate provision is made for access from individual lots to service roads or internal access streets.

l. Provisions may be made for incorporating proposed frontage lots into future subdivision of contiguous land, if such future subdivision is determined to be feasible by the Planning Board. Temporary driveways and easements may be required to provide for access to future streets in subdivisions of contiguous land. The Planning Board may require a concept plan to indicate future access to and development of residual land contiguous to frontage lots.

4. Minimum Buildable Area

a. All lots shall be designed so as to contain the minimum land area required by the Zoning Ordinance exclusive of Land Unsuitable for Development as defined in Article III.B

b. The lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits on all lots in compliance with the Zoning Ordinance and Regulations of the Department of Environmental Management, and in providing the necessary frontage and access to such lots from an existing or proposed street.

5. Potential for Further Subdivision / Development- The Planning Board shall consider whether the parcel being subdivided or developed has the potential for further subdivision or development under current applicable zoning regulations. If it has such potential, the Planning Board shall consider the impacts from such future development in their review of the proposed subdivision or development and may impose any or all of the Site Design standards provided in Section I. below, as necessary to mitigate such impacts.

D. Landscaping Standards

1. Landscaping shall be provided as part of all development and subdivision designs. See Sections I. 5 b. 10, and Section I. 7, below of this Article (Site Design) for additional landscape design requirements. It shall be conceived in a total pattern throughout the site, integrating the various elements of site design, preserving and enhancing the particular identity of the site and creating a pleasing site character. The type and amount of landscaping required shall be allowed to vary with the type of development, as reasonably determined by the Planning Board, or as otherwise required by these Land Development and Subdivision Regulations or the Zoning Ordinance. Water efficient landscaping and drought-resistant native species are strongly encouraged.

2. Landscaping may include plant materials such as trees, shrubs, ground covers, grass, flowers, etc. but may also include other materials such as rocks, wetlands, stone walls, paving materials, planters, signage, and street furniture. Areas which may be required to provide landscaping shall include, but are not necessarily limited to the following:

a. Drainage facilities, such as retention/detention basins, or drainage swales

- b. Entrance features, considering visibility and sight lines
- c. Open space areas
- d. Proposed recreation facilities
- e. Buffer areas (refer to Section G. Buffer Areas, below, and Section I. Site Design, subsection 5 b. 9, On-Site Parking and Circulation, and subsection 8, c under Architecture and Building Context, below.)
- f. Streetscape (refer to Section B. Street Design Standards, subsection 9. Shade Trees, above; and Section I. Site Design, subsection 8. c. under Architecture and Building Context, below)
- g. Lot areas which are disturbed during the construction process or where extensive grading removes a significant amount of natural vegetation
- h. Areas subject to regrading or stabilization for soil erosion and sediment control purposes
- i. Around buildings (refer to Section I. Site Design, subsection 5 b. 9. On-Site Parking and Circulation)
- j. Parking lots (refer to Section I. Site Design, subsection 5 b. 9 On-Site Parking and Circulation)

3. Landscape Plan - A landscape plan prepared by a Registered Landscape Architect shall be submitted to the Planning Board unless the Board determines that existing landscaping is sufficient or not necessary. The plan shall identify existing and proposed trees, shrubs and ground covers; natural features such as stone walls and rock outcroppings; man-made elements such as retaining walls, fences, signs, planters, etc; proposed grading at two-foot contour intervals; lighting; specifications for loaming, fertilizing and seeding; and other proposed landscaping elements. The plan shall indicate the location of all proposed landscaping and shall include construction details as necessary.

A planting schedule shall be included to indicate proposed planting by species, size at time of planting, and maintenance requirements. Where existing plantings are to be retained, the plan shall indicate proposed methods of protecting them during construction.

4. Specifications- The following specifications shall apply for minimum plant measurements, variety, installation techniques and maintenance:

- a. Minimum branching height for all shade trees shall be six (6) feet.
- b. Minimum size for shade trees shall be between 2 ½ and 3 inches in caliper measured one foot from ground level in place [OR 2 inches in caliper measured at breast height (dbh)], and 12 to 14 feet in height.
- c. Minimum size for evergreen trees shall be between 6 to 8 feet in height
- d. Bare-root stock shall not be permitted.
- e. A professional horticulturist/ nurseryman shall be consulted to determine the proper time to move and install plant material so that stress to the plant is minimized. Planting of deciduous material may be continued during winter months provided there is no frost in the ground and frost-free topsoil planting mixtures are used.
- f. A landscape contractor shall be employed to perform all landscaping, and shall excavate all plant pits, vine pits, hedge trenches, and shrub beds in accordance with the details in the approved Landscaping Plan.
- g. Each tree, shrub, or vine shall be pruned in an appropriate manner, in accordance with accepted standard practice.
- h. Landscape plans shall provide for a mix of evergreen, ornamental, shade trees, and shrubs to provide adequate visual and noise buffers.

- i. Shrubs used for buffers shall form a continuous visual screen of at least 3 feet in height at time of planting.
- j. Every 35 linear feet of landscaping shall contain 1 shade tree and 5 shrubs. Two ornamental or two evergreen trees may substitute for one shade tree.
- k. Required landscaped buffers and parking lot landscaping shall use drought-tolerant and salt-tolerant vegetation varieties. The use of native species is encouraged.
- l. No more than ten percent (10%) of the coverage of the landscaped areas shall be mulch or non-living material. [or, a minimum of 70% of each landscaped area, at time of planting, shall be planted with grass, ground cover, shrubs, or other living vegetation with the balance in mulch or other approved media.]
- m. Mulches shall be limited to bark mulch. After cultivation, all plant materials shall be mulched with a layer between 2 and 3 inches deep of bark mulch over the entire area of the bed.
- n. Trees and shrubs shall be properly mulched (i.e. leaving the trunk flare exposed with a donut shaped dressing; 'volcano' dressing, or other smothering of the base of the plant is not permitted.)
- o. New plant materials shall be guaranteed for a period of 2 years. If any required tree or shrub dies within this period of time, it shall be replaced.
- p. Landscaping shall be bonded for a two year period, in accordance with the maintenance bond requirements in Article VII Section C. 5, upon issuance of a Certificate of Occupancy.
- q. Low Impact Development (see Appendix A. for resources) techniques for stormwater management are encouraged to be integrated into the landscaping.

E. Reserved

F. Utilities and Easements

1. Water Lines

Water lines shall be installed in the street area where connection to a public system is feasible. Installation shall precede road construction.

2. Sanitary Sewers

Sanitary sewers shall be installed where connection to a public system is feasible. The sanitary sewer system shall be separate and independent of any storm water drainage system.

3. Gas Lines

Natural gas lines may be installed in any subdivision or land development project at the discretion of the developer, if available. If proposed, gas lines shall be located on the northerly or easterly side of the street wherever possible or as required by the Planning Board.

4. Communication and Electric Lines (Electric, Telephone, and Cable TV)

Except in Residential Compounds or Minor Subdivisions where no street creation is required, all electric, communication (telephone, fire alarm and cable TV) and street lighting lines shall be installed underground. In cases where underground installation may not be practical due to physical conditions of the site or other limitations particular to the surrounding area, the Planning Board may approve an alternative location for these utility lines.

5. Fire Hydrants and Other Fire Suppression Techniques

Fire hydrants shall be installed in all subdivisions or developments where public water supply systems are installed. Where a public water supply system is not available, Article III of this code shall apply to all subdivisions or developments. Hydrant type, location, and spacing shall meet the minimum requirements of the National Fire Protection Assn. or as directed by the appropriate Fire District or water utility.

6. Easements

The Planning Board may require the provision of easements for installation and maintenance of utilities or for streams, or other drainage ways and structures, or for site distance purposes on private land. Easements shall be identified on the plat by metes and bounds description, tied in to the road monumentation, and shall be duly recorded as such in the office of the Town Clerk as part of the recording process. The Board may, at its discretion, require dedication of land to the Town of West Greenwich in lieu of easements if such dedication would provide greater control over and access to the intended use, and meets a stated public purpose. Any such easement shall have a width in accordance with the following standards:

<u>TYPE OF EASEMENT</u>		<u>MINIMUM EASEMENT WIDTH</u>
1.	Sewers, storm drains and subdrainage	20 feet
2.	Water and gas mains	20 feet
3.	Underground conduits and cables	20 feet
4.	For all other purposes	as necessary

G. Buffer Areas

1. Buffer Strips- The Planning Board may require a vegetated buffer between new development and existing streets, neighborhoods, active farmland, adjacent park or conservation land, or other surrounding uses or areas. Buffer areas shall be planted in accordance with the landscaping standards in Section D of this Article, above. In cases where quality woodland exists, preserve it to provide the minimum buffers in c. below, and provide additional shrubs, if needed.

a. Where a proposed Residential Subdivision or Land Development Project, or any non-residential development directly impacts abutting residential lots that are developed, or when existing structures are located within 100 feet of the perimeter of the proposed development area, the Planning Board may require a permanent buffer strip providing for the preservation of existing trees or other vegetation, or for the planting of

new vegetation having adequate density, height and type of vegetation, in order to provide an all-season visual and audio screen, or to block light or other nuisances, between the proposed development and adjacent land uses. Structures and off-street parking and loading and storage areas shall not be permitted in any buffer area.

b. This buffer may be provided in the form of a no-cut easement on the proposed property and the Planning Board may require additional plantings and/or berms or fencing. Where such easements are located on privately owned lots, they shall not be counted toward the minimum required open space area.

c. The width of the required buffer shall be as follows:

- 1) at least fifty (50) feet between residential land uses;
- 2) at least one-hundred (100) feet between industrial or commercial land development projects and residential zone boundaries;
- 3) at least fifty (50) feet between industrial or commercial developments and existing residential uses;
- 4) at least fifty (50) feet between industrial and commercial zone boundaries.

2. Setback Buffers from Water Bodies-

a. Sewage disposal facilities that are designed to leach wastes into the soil shall be located not less than two hundred (200) feet from the edge of any pond or stream within the Town.

b. The Planning Board may require a 100-foot conservation easement buffer for streams and vernal pools in order to protect the Town's natural resources and to enhance greenway corridors.

H. Stormwater Management

1. GENERAL – Stormwater Management shall be defined as the identification, analysis and management of potential short and long-term impacts (adverse or otherwise) to stormwater patterns resulting from any proposed land development activity. Stormwater Management shall consist of the following two subsections:

- a. **Sedimentation and Erosion Control** – This section shall generally deal with short-term stormwater issues prevalent during the active construction phase of a land development project.
- b. **Stormwater Mitigation** – This section shall generally deal with long-term stormwater issues resulting from and occurring after the completion of a land development project.

2. PLANNING BOARD AUTHORITY – The Planning Board shall have the authority to require the preparation of a Stormwater Management Plan for any and all proposed land development activity, and shall review and assess any stormwater management plans submitted for compliance with these regulations. Furthermore, the Planning Board may require modifications to Stormwater Management Plans not meeting the requirements of these regulations.

3. SMP PLAN PREPARERS – All plans and reports related to Stormwater Management shall be prepared by a Rhode Island licensed Professional Engineer. SEC items on plans need not be prepared or certified by a licensed professional engineer.
4. **SEDIMENTATION AND EROSION CONTROL (SEC)**
 - a. Sedimentation and erosion control (SEC) shall focus on the short-term impacts of a land development project on stormwater runoff during construction. Elements of SEC shall be incorporated into the overall land development plans; *preparation of a separate SEC plan or report shall not be required for land development projects, provided that the required SEC elements are present in the overall land development plans. Developers may submit a separate SEC plan and report if they so choose.*
 - b. Land development plans shall address the following SEC items, at a minimum:
 - 1) Existing Conditions plans shall clearly identify any and all of the following items within the land development project area:
 - i. Natural waterways and water bodies, particularly those which could be susceptible to sedimentation or erosion (e.g. lakes, ponds, rivers, streams, wetlands, etc.);
 - ii. Man-made waterways and water bodies, including detention basins, retention basins, catch basins and other drainage system inlets, etc.);
 - iii. Areas particularly susceptible to erosion due to soil type, ground cover, topography, or any combination of the three.
 - 2) Proposed Conditions Plans shall address the following SEC items, at a minimum:
 - i. Proposed Limits of Disturbance (L.O.D.) in all areas of the land development project;
 - ii. Location and type of all proposed SEC measures to be installed prior to the start of construction and maintained throughout the duration of the project;
 - iii. Standard material and installation details for all proposed SEC measures to be installed during the course of the project;
 - iv. A detailed construction sequence, including the installation, maintenance, and removal of SEC measures as individually identified steps in the construction sequence;

- v. A detailed maintenance plan for all SEC measures, including frequency of inspections, maintenance and repair requirements, and information on final removal and disposal.

c. SEC Design Standards

1) Structural SEC Measures – Shall consist of physical barriers, obstructions or diversions designed to prevent or minimize the occurrence of erosion and/or sedimentation during construction.

- i. Structural SEC measures shall generally be in accordance with the standards and specifications of the most current edition of the *Rhode Island Sedimentation and Erosion Control Handbook* (RISECH), prepared by the USDA Soil Conservation Service in cooperation with the Southern Rhode Island Conservation District. The RISECH is on file and available for viewing in the West Greenwich Town Clerk's office during normal office hours.

- ii. Proposed structural SEC measures may include, but not be limited to, any combination of the following:

- (a) Staked straw bales
- (b) Staked silt fence
- (c) Stilling basins
- (d) Check dams

- iii. The land development design consultant shall be responsible for specifying the most appropriate structural measure or measures to be used in a particular area, depending on the specific and unique nature of the area to be protected.

- iv. The land development contractor shall be responsible for properly installing and maintaining the specified structural SEC measure or measures throughout the course of the project.

2) Non-Structural SEC Measures – Shall include design and/or construction methods and methodologies which shall prevent or minimize the occurrence of erosion and/or sedimentation during construction.

- i. Non-structural SEC measures shall generally be in accordance with the standards and specifications of the most current edition of the *Rhode Island Sedimentation and Erosion Control Handbook* (RISECH), prepared by the USDA Soil Conservation Service in cooperation with the Southern Rhode Island Conservation District. The RISECH is on file and available for viewing in the West Greenwich Town Clerk's office during normal office hours.

- ii. Proposed non-structural SEC measures may include, but not be limited to, any combination of the following:

- (a) Minimization of land-clearing activities and preservation of existing vegetative ground cover;
- (b) Avoidance of excessive earthwork (cutting, filling or both) which would result in the presence of large volumes of loose soil on the site;
- (c) Appropriate scheduling and sequencing of construction so as to minimize the size of the disturbed area at any given time;
- (d) Use of temporary seeding and/or mulching of disturbed areas;
- (e) Prompt establishment of vegetative cover upon completion of the work in a given area.

iii. The land development design consultant shall be responsible for designating the most appropriate non-structural SEC measure or measures to be used on a land development project, depending on the unique nature of the area to be protected.

iv. The land development contractor shall be responsible for employing the designated non-structural SEC measure or measures throughout the course of the project.

d. Responsibility for SEC Measures

1) The owner/developer of a land development project shall be ultimately and solely responsible for the implementation and appropriate maintenance of all SEC measures throughout the duration of a land development project.

2) In the event of a failure for any reason of any SEC measures which results in the erosion of land and/or sedimentation of an area, the owner/developer shall be responsible for promptly undertaking any and all measures necessary to correct, repair, or otherwise remedy the results of the failure, at his sole expense.

3) The Town of West Greenwich, and specifically the Planning Board and its agents, shall not assume any liability or responsibility for damages resulting from the failure of an SEC measure, regardless of its role as the authorizing entity for the SEC components of a land development project.

e. Final Site Stabilization and SEC Measure Removal

1) Upon substantial completion of all proposed site construction work, the Town and/or its agent shall perform a final SEC inspection in order to verify that the site has been sufficiently stabilized to allow for the removal of SEC measures.

2) The following shall be the minimum criteria to have been met in order for a project to be considered sufficiently stabilized for SEC removal:

- i. All utilities and infrastructure installed, tested and accepted or approved by jurisdictional agencies;

- ii. All major earthwork completed;
- iii. All proposed landscaping installed;
- iv. Presence of adequate establishment of vegetative growth in all disturbed areas.

3) Upon verification by the Planning Board and/or its duly authorized agents that the following items have been completed, the Town shall notify the developer that the site has been sufficiently stabilized, and the structural SEC measures may be removed and properly disposed of by the developer or his contractor. Care shall be taken during the removal of SEC measures not to disturb or damage any of the site work previously completed.

4) The issuance of said notification and the subsequent removal of SEC measures shall not release the developer of his warranty obligations; the developer shall be solely responsible for repairing and/or correcting any and all erosion or sedimentation problems on the site arising during the remainder of the warranty period.

5. STORMWATER MITIGATION PLAN (SMP)

- a. The Stormwater Mitigation Plan (SMP) shall focus on the long-term impacts of a land development project on stormwater runoff after the construction of a land development project is complete. Elements of the SMP shall be incorporated into the overall land development plans; in addition, a separate SMP report shall be required for land development projects which includes all items listed in the SWMB checklist.
- b. Land development plans and the SMP shall address the following items, at a minimum:
 - 1) Pre-Development (Existing) Conditions Analysis
 - i. Peak Runoff Flow Rates
 - ii. Peak Runoff Volumes
 - 2) Post-Development (Proposed) Conditions Analysis
 - i. Peak Runoff Flow Rates
 - ii. Peak Runoff Volumes
 - iii. Water Quality Volumes
 - 3) Stormwater Mitigation Measure Design(s)
 - i. Mitigation of increases in Peak Runoff Flow Rates (required)

- ii. Mitigation of increases in Peak Runoff Volumes (recommended)
 - iii. Provision of Water Quality Treatment (required for projects which include roadway creation)
 - iv. Detailed operation and maintenance (O&M) plans for all proposed components of the stormwater mitigation system
 - v. Language for any and all easements to be granted to the Town for future maintenance of stormwater mitigation features (as needed for Town-maintained stormwater features located on or accessed through private property)
 - vi. Language for maintenance agreements between the Town and developer, his heirs and assigns (e.g. homeowners' associations) establishing maintenance responsibility for stormwater mitigation features (required only for stormwater features which will not be maintained by the Town)
- c. SMP Analysis Standards – The following analysis standards shall be met for all SMP's:
- 1) Watershed Maps – All land development project SMP's shall include detailed pre and post-development watershed maps of the entire *project* area of a land development project, which shall depict the following:
 - i. Pre-Development Maps
 - (a) Existing topography (minimum two (2) foot contour intervals);
 - (b) Existing physical features, including ground cover, structures, roads, driveways, natural or manmade waterways and water bodies, utilities, and other natural features;
 - (c) Clearly delineated watershed perimeters for all pre-development analysis watersheds;
 - (d) Assumed time to concentration (Tc) flow paths;
 - (e) Watershed annotations providing relevant information on each pre-development analysis watershed, including (at a minimum) watershed area, impervious area, soil type and hydrologic group (TR-55 only), CN or C coefficient, Tc, peak 100-year runoff flow rate and runoff volume.
 - ii. Post-Development Maps
 - (a) Proposed topography (minimum two (2) foot contour intervals);

- (b) Proposed physical features, including ground cover, structures, roads, driveways, natural or manmade waterways and water bodies, utilities, and other natural features;
- (c) Clearly delineated watershed perimeters for all post-development analysis watersheds;
- (d) Assumed time to concentration (T_c) flow paths;
- (e) Watershed annotations providing relevant information on each post-development analysis watershed, including (at a minimum) watershed area, impervious area, soil type and hydrologic group (TR-55 only), CN or C coefficient, T_c, peak 100-year runoff flow rate and runoff volume.

Pre and post-development watershed maps may be included as individual sheets in the overall land development plans, or may be provided separately within the SMP. Watershed maps shall be depicted at a scale no smaller than 1" = 100'.

2) Pre and Post-Development Analysis Methods: USDA NRCS TR-55 Methodology (preferred) or the Rational Method.

- i. If TR-55 is used, a soils map of the land development area, including soil types and hydrologic soil groups, shall be included in the SMP.
- ii. If the Rational Method is used, the designer shall reference and provide the IDF Curve used in the analysis.

3) Design Storms: The SMP shall analyze the 2, 10, 25 and 100-year storm events.

d. SMP Design Standards

1) Structural SMP Measures – Shall consist of a combination of physical structures designed to collect, convey and mitigate the increases in peak flow rates and volumes of stormwater runoff generated by a land development project.

- i. Structural SMP measures shall generally be in accordance with the standards and specifications of the most current edition of the *Rhode Island Stormwater Design and Installation Standards Manual* (RISDIS) and the *Town of West Greenwich Stormwater Management Plan* (WGSMP).
- ii. Proposed structural SMP measures may include, but not be limited to, any combination of the following:

- (a) Collection and Conveyance Systems

- (1) Catch basins, drop inlets and underground drainage piping;
- (2) Vegetated or rip-rap swales or open channels.

Proposed SMP collection and conveyance components shall be adequately sized to collect and convey the full magnitude of post-development stormwater runoff generated by the one-hundred (100) year storm event. In addition, all collection system piping (regardless of pipe diameter) shall be designed to maintain a minimum flow velocity of two (2) feet per second.

(b) Stormwater Mitigation Structures

- (1) Detention, retention and/or infiltration basins;

The Town strongly encourages the use of multiple smaller ponds, as site conditions permit, to distribute the drainage more closely to the natural drainage pattern, rather than one large basin.

- (2) Infiltration trenches;
- (3) Subsurface infiltration chambers.

Proposed SMP mitigation structures shall be designed to completely mitigate any increases in the peak flow rates resulting from the proposed land development, such that the post-development runoff peak flow rate generated by the land development is less than or equal to the pre-development peak flow rate, for all analyzed storms up to and including the one-hundred (100) year event.

iii. Developers are strongly encouraged to use structural SMP measures which promote volumetric mitigation in addition to peak flow rate mitigation, specifically by means of stormwater infiltration, where practicable (based on soil types and depth to groundwater table).

iv. In areas where stormwater mitigation structures are proposed, and specifically for infiltration structures, designers shall provide sufficient empirical data (e.g. soil evaluation logs) in the SMP on subsurface conditions in the vicinity of the proposed mitigation structures, demonstrating that there is adequate vertical clearance to the groundwater table for said structures to work properly at all times, and demonstrating that the soil types surrounding the structure are suitable for the use of infiltration. The Planning Board may, at its sole discretion, require additional subsurface investigations from the designer.

v. Stormwater mitigation features for projects involving roadway creation shall also be required to provide water quality treatment. The standard for water quality treatment shall be the removal of 80% of the total suspended solids contained in the stormwater runoff, and the required water quality treatment volume shall be equal to one (1) inch of runoff over all impervious areas.

2) Non-Structural SMP Measures – Shall consist of general design approaches and methodologies which shall help to maintain, as closely as possible, the pre-development stormwater runoff patterns while minimizing the need for structural SMP measures.

i. Non-structural SMP measures shall generally be in accordance with the standards and specifications of the most current edition of the *Rhode Island Stormwater Design and Installation Standards Manual* (RISDIS) and the *Town of West Greenwich Stormwater Management Plan* (WGSMP).

ii. Proposed non-structural SMP measures may include, but not be limited to, any combination of the following:

- (a) Reduction of impervious areas to the maximum extent practicable;
- (b) Reduction of land-disturbing activities and the preservation of existing natural ground cover to the maximum extent practicable;
- (c) Minimization of proposed slopes throughout the land development, so as to increase the time to concentration and reduce the peak flow rate;
- (d) Use of “natural” or vegetative conveyance structures such as grassed swales in lieu of “artificial” conveyance structures such as pipes and catch basins;
- (e) Use of infiltration to the maximum extent allowable as determined by water table depths and soil characteristics.

iii. The Planning Board, at its sole discretion, may require developers to fully investigate the feasibility of employing some or all of these non-structural measures prior to granting approval of a land development project. (see Appendix A for resources)

I Site Design

1. Purpose – The purpose of site design is to create a functional and attractive development, to minimize adverse impacts, and to ensure that a project will be an asset to the community. To promote this purpose, land development projects, development plans, and subdivisions shall conform to the following standards which are designed to result in a well-planned community without adding unnecessarily to development costs.

In reviewing any plan, the Planning Board shall take into consideration the West Greenwich Comprehensive Community Plan, the public health, safety and general welfare, the comfort and convenience of the public in general and of the residents of the immediate neighborhood in particular, and shall set any appropriate conditions and safeguards in harmony with the general purpose and intent of the Zoning Ordinance and these regulations, and according to the general criteria and standards set forth herein.

The Planning Board shall consider whether the parcel being subdivided or developed has the potential for further subdivision or development under current applicable zoning regulations. If it has such potential, the Planning Board shall consider the impacts from such future development in their review of the proposed subdivision or development and may impose any or all of the Site Design standards provided in this Section as necessary to mitigate such impacts.

If the Planning Board finds a project to be unusually large, or if it is likely to become a Town landmark, or if it is in a visually prominent area, or if it is located so as to become part of the Town gateway, the design must acknowledge the special impact the project would have on the entire community by addressing the design solution in an exemplary manner.

2. Site Analysis – An analysis of the site and nearby areas shall be required by the Planning Board for all major subdivisions, minor subdivisions with road creation, and all land development projects and development plans. The scope and content of the site analysis shall be discussed during the pre-application meeting and shall be presented by the applicant during the Master Plan stage of review for major projects, and at the Preliminary stage of review for all other projects. Such an analysis may be required by the Planning Board for minor frontage lot subdivisions if the Board finds that the proposed development may have a negative impact on the existing natural and built environment or would be inappropriate for the character of the surrounding neighborhood. Such a site analysis shall include written (Master or Preliminary) Plan Narrative and a graphic analysis of the following characteristics of the development site: site context; geology and soil; agricultural lands; wetlands; topography; climate; ecology; existing vegetation, structures, and road networks; visual features; historic features; rare or endangered plant or animal species; vernal pools; and past and present use of the site.

3. Subdivision and Site Development Design

a. Design of the development shall take into consideration all existing Town and regional plans for the surrounding community.

b. Development of the site shall be based on the characteristics of the site and upon the site analysis. To the maximum extent practicable, development shall be

located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alteration of natural features, historic and cultural resources, and areas of scenic value which contribute to the character of the town.

c. The following specific areas shall be preserved as undeveloped open space or lot area, to the extent consistent with the reasonable utilization of land, and in accordance with applicable state or Town regulations:

- 1) Unique and/or fragile areas, including freshwater wetlands;
- 2) Significant trees or stands of trees, or other vegetative species that are rare, threatened, or endangered to the area or are of particular horticultural or landscape value;
- 3) Lands in the floodplain, as defined in Article II;
- 4) Steep slopes in excess of 15 percent, unless appropriate engineering measures concerning slope stability, erosion, and resident safety are taken;
- 5) Habitats of rare, threatened, or endangered wildlife flora and fauna, as identified on applicable federal or state lists;
- 6) Historically significant structures and sites, as listed on federal or state lists of historic places;
- 7) Agricultural lands, as defined herein; and,
- 8) Scenic vistas and features

d. The development should be laid out to: avoid adversely affecting ground water and aquifer recharge; to reduce cut and fill; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to lots and sites; and to mitigate adverse effects of shadow, traffic, drainage, and utilities on neighboring properties. Consideration shall be made of existing geological and topographical features so that the most appropriate use of land is encouraged.

e. Development should take advantage of natural solar irradiation through southern exposure and design features in order to reduce energy usage and increase connections to the surrounding environment. Vegetation, berms, and shade structures should be used to provide warmer areas during winter and cooler areas during summer. Consider utilizing the space between buildings as viable "outdoor rooms" which can function as pedestrian transition areas, provide building connections and overall project cohesiveness. Building envelopes should be located so that character-defining site features such as stone walls, open fields, stands of mature trees, rolling topography (especially slopes in excess of 15%), ridgelines and outcrops, wetlands, streams, rivers, ponds and lakes, and listed historic and natural resources are preserved whenever possible. Avoid placement of structures on ridgelines or hillcrests. These areas are potentially erosive, exposed to the wind, and highly visible, making the potential for negative impacts greater.

f. Preservation of Natural Features and Amenities. Existing features which would add value to residential development or to the Town as a whole such as woodlands, wetlands, wildflower sites and other sites of unique botanical interest, areas of historic and cultural value, sites listed on the R.I. Heritage Program, rare and endangered species, and historic cemeteries, stone walls, and similar irreplaceable assets, shall be preserved in the design of the subdivision or development. Scenic, historical, archaeological landmark sites, and features that are located on or adjacent to the proposed development shall be preserved and protected. In proposed developments where such sites have been identified, advisory opinions shall be sought from appropriate State and local agencies.

g. The landscape shall be preserved in its natural state, insofar as environmentally desirable, by minimizing tree and soil removal. If development of the site necessitates the removal of established trees, special attention shall be given to the planting of replacements or to other landscape treatment. Any grade changes shall be in keeping with the general appearance of neighboring developed areas.

h. A proposed development shall be designed so as to provide for proper surface water management through a system of controlled drainage that preserves existing natural drainage patterns and wetlands; enhances groundwater recharge areas; and protects other properties and existing natural and artificial drainage features from the adverse effects of flooding, erosion and the depositing of silt, gravel or stone.

i. Pedestrian and bicycle circulation shall be separated from motor vehicle circulation. Safe and convenient pedestrian circulation, including sidewalks, where appropriate, shall be provided on the site and its approaches. The pedestrian circulation plan shall be designed to minimize potential conflicts between vehicles, bicycles and pedestrians. When adjacent residential and non-residential uses can mutually benefit from connection rather than separation, applicable connective elements such as walkways, common landscape areas, building orientation, and unfenced property lines shall be employed.

j. Electric, telephone, other wire-served utility lines and service connections shall be underground insofar as feasible and subject to State public utilities regulations. Any utility installations remaining above ground shall be located so as to have a harmonious relationship to neighboring properties and to the site.

k. Architectural style shall be in harmony with the prevailing character and scale of buildings in the neighborhood and the Town through the use of appropriate building materials, screening, breaks in roof and wall lines and other architectural techniques. Variation in detail, form and siting shall be used to provide visual interest and to avoid monotony. Proposed buildings shall relate harmoniously to each other with adequate light, air, circulation, and separation between buildings.

l. The development shall be served with adequate water supply and waste disposal systems.

m. The development shall not place excessive demands on Town services and infrastructure.

n. The development shall comply with all zoning requirements.

4. Residential Development Design

a. The Planning Board may vary street locations, lot shapes and dimensions, yards, and setbacks for the purpose of encouraging and promoting flexibility, economy, and environmental soundness in layout and design, provided they conform to the minimum dimensional requirements of the Zoning Ordinance and the lot design standards of the Land Development and Subdivision Regulations.

b. Residential lots shall front on local streets wherever possible.

c. Every lot shall have sufficient access to it for emergency vehicles as well as for those needing access to the property in its intended use.

d. The placement of dwelling units in residential developments shall take into consideration topography, privacy, building height, orientation, drainage, and scenic values.

e. Lots shall be designed so that proposed buildings have adequate privacy from adjacent streets.

f. Vegetated buffer areas may be required by the Planning Board, where necessary, to avoid adverse impacts from adjacent uses.

g. The Planning Board may require construction of a private service road or common driveways to eliminate curb cuts on main arterial and collector streets, where practicable. Provisions may be made for construction of a common driveway to provide vehicular access to multiple frontage lots from a common access point (or points) on to the public street on which the lots front, or from a local side road. Minimum standards for the design and construction of such service roads may be imposed by the Planning Board in order to provide safe vehicular access.

h. Easements or other assurances may be required to be granted to the Town to prohibit individual driveway access from lots onto frontage streets if adequate provision is made for access from individual lots to service roads required in g. above.

i. Provisions shall be made for ensuring adequate site distances from proposed driveways or common driveways onto adjacent public streets in order to alleviate any potentially hazardous situations.

j. Improvements to the street on which the proposed lot(s) fronts may be required in order to provide safe vehicular access.

k. Screening/buffering/landscaping of the lot and/or driveway from adjacent public streets may be required;

l. Preservation of any existing unique natural and/or historic features such as trees or stone walls may be required.

m. The Planning Board requires site plans for individual lots in order to obtain a building permit. House location, driveway location and slope, lot grading, roof runoff infiltration, site drainage design, septic location, Sedimentation and Erosion Controls including protected limits of disturbance (at a minimum, the SEC requirements of the

approved project), may be required to be reviewed by the Town, at the applicant's expense.

5. Multifamily, Commercial, Industrial, and Manufacturing Development Design

a. General

A multifamily or non-residential subdivision or development shall also be subject to all the requirements set forth in the Zoning Ordinance, the requirements of these regulations, as well as such additional standards required by the Planning Board, and shall conform to the proposed land use and standards established in the Comprehensive Community Plan and other accepted planning studies and reports.

If a proposed subdivision or development includes land that is zoned for commercial or industrial purposes, the layout of the subdivision and/or site with respect to such land shall make such provisions as the Planning Board may require.

b. Standards

In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions and developments, the applicant shall demonstrate to the satisfaction of the Planning Board that the land itself and design and layout of the proposed subdivision and/or site is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed.

1) Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.

2) Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.

3) Special requirements may be imposed by the Planning Board with respect to the installation of public utilities, including water, sewer, and storm drainage.

4) Stormwater management systems shall be designed for maintenance to be conducted on-site by the owners at regular intervals. A schedule for maintenance shall be submitted with the final plans.

5) Special requirements may be imposed by the Planning Board with respect to street, curb, gutter, and sidewalk design and construction.

6) Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed multifamily, commercial or industrial subdivision or development, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.

7) Streets carrying non-residential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

8) Relationship of Proposed Structures to Environment – Proposed structures shall be related harmoniously to each other, the terrain, existing buildings, and roads in the vicinity that have a visual relationship to the proposed structures.

Proposed structures shall be so sited as to minimize adverse impact upon the surrounding area, and particularly upon any nearby residences, or visual impact to the streetscape, by reason of:

- i) Building location, height, bulk and shadows
- ii) Building architecture, landscaping, and/or vegetative screening
- iii) Location, intensity, direction and times of use of outdoor lighting:
- iv) Traffic generation, noise generation and pollution;
- v) Alteration of natural drainage patterns
- vi) Likelihood of nuisances; and
- vii) Other similar considerations.

Appropriate natural or artificial screening may be required to minimize any such adverse impact.

9) On-Site Parking and Circulation – The location, width and layout of interior drives shall be appropriate for the proposed interior circulation. Location and layout of accessory off-street parking and loading spaces shall provide for efficient circulation and the safety of pedestrians and vehicles.

The location of parking areas shall not detract from the design of proposed buildings and structures or from the appearance of the existing neighboring buildings, structures and landscape. Provision shall be made for access by police, fire and emergency vehicles.

Internal connectivity between abutting sites is encouraged and may be required by the Planning Board.

A landscaped buffer strip at least 10 feet wide, continuous except for approved curb cuts, and not including any sidewalk, shall be established adjacent to any public road, between the parking lot and the property line. The buffer strip shall be landscaped with grass, shrubs, and ornamental or shade trees (minimum 2 ½ inch caliper diameter at breast height, that will have when fully mature a trunk of at least 12 inches in diameter, planted at least every 30 feet along the road frontage), and may include fences, berms, or other landscape features at the discretion of the Board. In cases where quality woodland exists, preserve existing trees between the parking lot and the right-of-way. Provide additional evergreen trees and shrubs, if needed, to achieve an effective visual buffer. Required perimeter landscaped buffers shall not be applied to the required parking lot landscaping area.

Landscaped areas within parking lots shall occupy a minimum of ten percent (10%) of the total parking area with fifty percent (50%) of the landscaping distributed throughout the parking area itself. Trees, shrubbery and other landscaping features shall be of a species and size necessary to provide for shade and for screening of unsightly or highly trafficked areas from public rights-of-way or adjacent uses. The interior of the parking area shall incorporate landscaped areas in appropriate locations in order to prevent long, uninterrupted rows of parking spaces. Additional perimeter screening and other buffer areas may be required. A minimum of ten (10) square feet of landscaping for each parking space shall be provided within any off-street parking area. Each row of parking spaces shall be terminated by landscaped islands which measure not less than five (5) feet in width and not less than eighteen (18) feet in length.

The following alternatives may be considered:

- i. Provide a continuous landscape strip between every 4 rows of parking. This strip shall be a minimum of 8 feet in width.
- ii. Create large planting islands (over six hundred (600) square feet) to be located throughout the lot and planted with shade trees and low shrubs and/or groundcover.
- iii. Provide planting islands (a minimum of 9 feet wide) between every ten to fifteen spaces to avoid long rows of parked cars. Each island should provide at least 1 shade tree.
- iv. Divide large parking lots into a series of smaller connected lots using raised landscape strips at least 5 feet wide (preferably more) with one shade tree for every 5 spaces.

Perimeter parking lot landscaping between similar uses shall also be provided. A landscape strip minimum width of four (4) feet around the perimeter of the paved area of the lot abutting other lots shall be provided, except for any curb cuts to abutting properties. This perimeter strip shall be planted with shade trees and low shrubs, and shall contain a minimum of 1 shade tree per every 40 feet of lot perimeter. Additional shade trees may be necessary to effectively shade/screen the parking lot. In cases where quality woodland exists, preserve it to provide the minimum buffer, and provide additional shrubs, if needed.

Parking areas should be separated from buildings by a raised walkway or planting strip at least 5 (preferably more) feet wide. Where the proposed building is surrounded on all four sides by public parking serving the building, all four sides shall require a landscaped planting area. Parking areas directly abutting the building shall not be considered acceptable.

Loading areas shall not be in front of buildings. Locate loading areas at the rear or sides of buildings and screen as appropriate. Areas adjacent to residential properties should be free of service circulation.

10) Landscaping- General Requirements

Landscaping shall be provided as part of the development design, and shall constitute a minimum of fifteen percent (15%) of the entire site. All

areas of the site not occupied by buildings and required improvements shall be either left in its natural wooded state, or shall be landscaped by the planting of grass or other vegetative ground cover, shrubs, and trees as part of the approved landscape plan. See Section D of this Article for requirements of a Landscaping Plan. A minimum of 70% of each landscaped area, at time of planting, shall be planted with grass, ground cover, shrubs, or other living vegetation with the balance in mulch or other approved media.

11) Operating and performance standards for industrial construction and operations shall be in accordance with the provisions of the Zoning Ordinance Article III, Sections 2. and 3.

12) Performance Bond. The Planning Board may require an improvement guarantee to be provided by the applicant to ensure that the project will be completed in accordance with the approved plans and conditions imposed by the Board. No Certificate of Occupancy shall be issued until all site improvements have been completed, or otherwise guaranteed. There shall be a two (2) year guarantee on all new plant material, and the Board may require a maintenance bond to ensure the implementation and long-term maintenance of landscaping requirements. If any required tree or shrub dies within the two year period, it shall be replaced.

6. Circulation System Design

a. The design of any road system shall be designed to permit the safe, efficient, and orderly movement of traffic; to meet, but not exceed the needs of the present and future population served; to have a simple and logical pattern; to respect natural features and topography; and to present an attractive streetscape.

b. In a residential subdivision, the road system shall be designed to serve the needs of the neighborhood in which it is located, including the connection to vacant and/or developed adjacent properties.

c. The development proposal generally shall minimize adverse traffic effects on the road networks serving the area in question. A traffic study may be required to document the existing conditions and the potential impacts of the proposed development.

d. Driveway Connection to Public Streets – All entrance and exit driveways to, or proposed intersections with, public streets shall be located with due consideration for traffic flow and so as to afford maximum safety to traffic on the public streets. Roadway design shall conform to Town and State of Rhode Island Department of Transportation standards (Standard Specifications for Road and Bridge Construction), as appropriate. All such entrances and exits and intersections shall be located and designed to:

1) Conform with municipal sight distance requirements at corner lots while in accordance with the Rhode Island Department of Transportation, standards;

- 2) Achieve maximum practicable distance from street intersections, from existing and proposed access connections and from adjacent properties;
- 3) Minimize left-hand turns and other turning movements;
- 4) Discourage the routing of vehicular traffic to and through local residential streets; and
- 5) Driveways on State and local Town roads shall conform with Control Dimensions for commercial and residential driveways in accordance with RIDOT standards. (refer to the RI DOT Rules and Regulations Concerning Permission for Use of State Highway Rights-of-Way)

7. Landscape Design

a. Reasonable landscaping shall be provided at site entrances, and in public areas. Refer to the Zoning Ordinance for non-residential landscaping requirements. The landscaping regulations in the Zoning Ordinance are the minimum requirements, and the Planning Board may require additional landscaping.

b. The plant or other landscaping material that best serves the intended function shall be selected. Landscaping materials shall be appropriate for the local environment, soil conditions, and availability of water. The use of grasses that require minimal watering and fertilization is encouraged, particularly in areas that are ecologically sensitive. Native species are preferred, and invasive species are prohibited. "Water Efficient" and "Low Impact Landscaping" shall be incorporated in the design. Disturbance shall be minimized for individual home sites. Lawn areas that are limited to areas needed for practical uses are encouraged. A list of prohibited species is available from the Town Planner's Office (list of species to avoid generated from RI Wild Plant Society).

8. Architecture and Building Context

a. General- Exterior elevation drawings, prepared by a Registered Architect, are required for all commercial, industrial, mixed use, and multifamily residential buildings. Exterior elevations shall identify proposed wall materials and depict proposed colors for the project. Building elevations shall indicate window locations, door locations, screening of mechanical equipment and loading dock areas. Building elevations shall be dimensioned to indicate building length and building height in addition to notating the building roof pitch. A minimum of four building elevations, one indicating each side of the building, shall be provided.

The height and scale of a new building or structure and any addition to an existing building shall be compatible and harmonious within its site and with existing surrounding buildings. Architecture and building materials shall be compatible with the character and scale of buildings in the specific neighborhood in which the proposal is sought, through the use of appropriate buildings, screenings, breaks in the roof and wall lines and other architectural techniques as demonstrated by existing rural architecture in the area. The Town of West Greenwich has few examples to model because of the rural history of the Town, and the existing low-density development pattern. The immediate 'surrounding area' may not have any examples to study, however, the larger region offers

examples of other small New England towns. The Town of West Greenwich has an expectation that new development will be of high quality in design and will lend a pleasing visual element to our built environment.

b. Commercial/Retail/Office/Restaurants- These types of businesses are the most visible to the community and tend to have the greatest visual impact to the public streetscape, and also the greatest public use and interaction; therefore, their design should be inviting, well-designed, and add to the established personality of the community. Building elevations shall be designed to fit into the surrounding neighborhood. Building forms shall be designed to create and define visually attractive exterior and functional spaces. Architectural gimmicks, such as roof lights, distinctive roof shapes, large false cornices and parapets that sacrifice the integrity of a streetscape to promote a single structure should be avoided. Buildings which demand visual attention through the use of bold colors and materials which are not found to be consistent with maintaining the rural character shall be avoided. The look of Big Box design with excessive bulk and lack of detail shall be avoided.

Facades shall be articulated to reduce massive scale and uniform, impersonal appearances of large buildings, and provide visual interest that will be consistent with the community's identity, character, and scale. Facades greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 3% of the length of the façade and extending at least 20 percent of the length of the façade. No uninterrupted length of any façade shall exceed 100 horizontal feet. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 60 percent of their horizontal length.

Roofs shall be an integral part of the building design and overall form of the structure and should respond to the general design and nature of other roofs along the street. Roofs shall have no less than two of the following features:

- 1) Parapets concealing flat roofs and rooftop equipment such as HVAC units from public view. The average height of such parapets shall not exceed 15% of the height of the supporting wall and such parapets shall not at any point exceed one-third of the height of the supporting wall. Such parapets shall feature three dimensional cornice treatments;
- 2) Overhanging eaves, extending no less than 3 feet past the supporting walls;
- 3) Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to 1 foot of vertical rise for every 3 feet of horizontal run and less than or equal to 1 foot of vertical rise for every 1 foot of horizontal run;
- 4) Three or more roof slope planes.

Exterior building materials shall be aesthetically pleasing and compatible with materials and colors used in traditional New England architecture. Predominant exterior building materials shall be high quality materials, such as: brick, wood, sandstone, other native stone, tinted, textured, concrete masonry units. Stucco or other materials not typical to traditional New England architecture shall not be allowed.

Auxiliary structures should be architecturally consistent with primary structures on site.

c. **Industrial/Manufacturing-** This type of development tends to be recessed off main roads without high visibility. It is recognized that due to the use and functionality of the buildings needed for industrial uses, they tend to not be designed for visual interest. However, should an industrial use/building need to locate at a highly visible area, attention to the visual impact is critical to the community. Commercial or industrial structures consisting of large metal or cement block buildings which lack design details shall be adequately screened from the main road. For buildings with visibility from the main road, concrete block, steel, or metal shall not be used as the principle exterior surface and shall not be used on the front building surface except for architectural treatments. Principle exterior surface shall mean 50% or more of the exterior wall surface. The Planning Board may require the building design to comply with the commercial standards above, or may require additional landscaping around the building, throughout the parking lot, and along the street from which the building is visible to frame and/or screen the building and to soften the appearance from the main road.

d. **Multifamily Residential-** multi-family dwellings shall conform to the predominant character of the surrounding neighborhood. Buildings shall be designed with traditional roof forms and building scales that are compatible with the character of the Town and other small New England towns. Architectural elements such as dormers should be in proportion with the overall building and should also be in keeping with the surrounding building context. The Planning Board shall require traditional New England style architectural drawings of the exteriors of proposed units to be submitted as part of development review.

e. All building should be handicapped accessible in accordance with State and Federal laws. Provide hand railings in accordance with applicable regulations. Stairs should combine visual attractiveness with safety considerations and provide landings every 10 stairs for visual variation and pedestrian rest. Sloping paths are preferable to ramps or lifts.

9. **Lighting** - Lighting shall be designed so as not to disturb adjacent properties or traffic. Lights should be directed down and the height of light standards appropriate to the site.

10. **Site Furnishings and Amenities**- the applicant may wish to include site furnishings and amenities, such as gazebos, benches, trash containers, fencing, etc., which should be shown on the plans. Site furnishings shall be placed leaving adequate space for the stockpiling and removal of snow. Exterior vending machines such as soft drink and cigarette dispensers are discouraged, unless they are screened such that they do not constitute another outdoor sign or advertising.

11. **On-site Storage and Use of Materials**- Open storage areas, exposed machinery, refuse and waste removal areas, service yards and exterior work areas, and parking lots shall be screened from roads and adjacent residential areas through fencing and landscaping and shall be made part of the landscape view.

Commercial vehicles shall be screened from public view to the greatest extent possible.

J Off-Site Improvements

1. Purpose – This section is intended to ensure that the developer provide off-site infrastructure improvements in order to mitigate the impacts which are directly or indirectly attributable to new development. Such improvements may be required by the Planning Board if the Board finds that there is a reasonable relationship between the requested improvement and the proposed new development. Off-site improvements may include, but are not limited to improvements to the following:

- a. sanitary sewers
- b. water supply systems
- c. roadways
- d. sidewalks
- e. bicycle paths
- f. drainage systems
- g. traffic controls and signals
- h. fire/police/community rescue

2. Definition and Principles – As a condition of final approval, the Planning Board may require a developer to construct reasonable and necessary improvements located off of the proposed land being subdivided or developed. “Necessary” improvements are those clearly and substantially related to the subdivision or development being proposed. The Planning Board shall provide in its resolution of final approval the basis for requiring such off-site improvements. In its resolution, the Board must find that a significant negative impact on existing conditions will result if the off-site improvements are not made, and are clearly documented in the public record. The mitigation required as a condition of approval must be related to the significance of the identified impact. All required off-site improvements must be reflected in the Implementation sections of the various elements of the Comprehensive Community Plan.

K. Areas of Special Flood Hazard

The Planning Board shall examine each proposed project to ensure that:

1. If any part of the proposed subdivision or development is located within an area of special flood hazard as identified in Article II, it is consistent with the need to minimize flood damage.
2. It provides for adequate protection against flood damage with respect to materials, design, and methods of construction.
3. All public utilities and facilities such as sewers, gas, electrical and water systems are elevated and constructed to minimize or eliminate damage from flooding.
4. Adequate drainage is provided so as to reduce exposure to flood hazards.

L. Professional Services- Engineering, Land Surveying, Landscape Architecture, and Architecture

Wherever it is mandated by these Regulations that certain tasks associated with subdivision or development plans and improvements be performed by Registered Professional Engineers, Registered Professional Land Surveyors, Registered Architects, and/or Landscape Architects, all such tasks shall be performed according to existing and amended standards of the State of Rhode Island Board of Registration for Professional Engineers, Board of Registration for Professional Land Surveyors, Board of Examination and Registration of Architects, and Board of Examiners of Landscape Architects. Plans submitted for review must be current, or recertified within the past year by the original surveyor and/or engineer if previously recorded.

M. Topographic Mapping Standards and Calculation Method for Steep Slopes

All photogrammetric mapping shall meet ASPRS (American Society of Photogrammetry and Remote Sensing) Class 1 Mapping Standards for the specified contour interval (vertical) and shall meet, at a minimum, ASPRS Class 2 standards for the specified mapping scale (horizontal).

For Minor Subdivisions with a maximum 2 lot total buildout and no road creation, Topographical data can be prepared by a Professional Land Surveyor utilizing an actual field topographical survey of the site.

All Topographic data shall be collected in RI State Plane Coordinate System, NAD83 datum, in feet to be compatible with the RIGIS data formats and standards. All maps produced by photogrammetric methods shall be stamped and signed by a Certified Photogrammetrist (ASPRS), and shall clearly state what class and standard it meets. USGS Topo Quad Sheets are not acceptable base map data. Contours beyond the parcel boundary, or for pre-application plans only, may be interpolated from USGS published maps. Slopes greater than 15%, measured over overlapping 10-foot spans, shall be clearly shaded on the plan.

N. Conservation Development

The physical design requirements and public improvement standards for Conservation Design Developments shall meet all of the requirements of Sections A through M of this Article, and shall also meet the following additional requirements of this section as follows:

1. Residential Development Design Standards-
 - a. Views of house lots from exterior roads and abutting properties shall be minimized by the use of changes in topography, existing vegetation, or additional landscaping buffers.
 - b. House lots shall be accessed from interior streets rather than from roads bordering the tract.

- c. Placement of homes along one side of the local road ("Single-loaded" streets) may be required by the Planning Board to enhance design
- d. Lot lines shall follow natural boundaries such as stonewalls, tree lines, etc. as practicably possible.
- e. Where possible, incorporate existing special features such as unique trees, stone walls, glacial erratics, attractive views, etc. into the design of the home sites.
- f. Consideration shall be made for solar orientation, wind protection, and other energy efficient house siting techniques.

2. Utilities

- a. Water- shall be provided by private individual on-site wells
- b. On-site Wastewater Treatment System (OWTS/ISDS)- shall be located on individual lots (off-lot or shared systems shall not be permitted)
- c. Community Wells- not permitted
- d. Community Wastewater Treatment Facilities- not permitted
- e. Stormwater Best Management Practices- Stormwater facilities and structures for which Town maintenance will be required shall not be located on individual house lots, nor encumbered by a conservation restriction, and shall be encompassed by a Drainage and Right of Access easement. Drainage easement areas located within the open space lands may count toward minimum open space requirements provided they are naturally landscaped and provide wildlife habitat. Conveyance systems shall be within the public right-of-way. Stormwater management shall be incorporated into the subdivision improvements, landscaping, and lot design using Low Impact Development techniques.

3. Street Design Standards: Streets within a Conservation Development shall be publicly owned and maintained and shall conform to the standards of Article XIII, Section B.

4. Trail Design Standards

Trails shall be designed according to principles of quality trail design, and incorporate accessibility features as practicable. Guiding resources are provided in Appendix C. The general location of recreational trails should be sketched out on the Master and Preliminary Plans. The owners of the open space shall be responsible to develop the trails, and to ensure the trails are built properly and do not readily erode. Trails shall be constructed prior to the sale of any house lot, and shall be financially guaranteed as part of the subdivision improvements.

5. Open Space and Conservation Land Design Standards

Land proposed for the Conservation component shall meet the following design criteria:

- a. Include all of the land determined as unsuitable for development, also known as constraints to development and/or sensitive features. (Primary Conservation areas)
- b. Include a minimum of 50% of the suitable land from the total development, incorporating the character defining features of the site (such as hedgerows, scenic views, etc.), the culturally significant features, and the other environmentally sensitive features not considered land unsuitable for development; and as prioritized for inclusion within the open space by the Planning Board on a case-by-case basis (Secondary Conservation areas). Road right-of-ways shall not be counted towards the required minimum open space.
- c. The open space shall be established as a lot or lots separate and distinct from the lots intended for residential uses (except as permitted for 'homestead' lots), and from land dedicated as street right-of-ways.
- d. It shall be free of all structures except cultural artifacts, stone walls, and structures related to open space uses.
- e. Environmentally sensitive conservation land shall be designed in as large contiguous conservation areas as practicable to minimize fragmentation.
- f. Where feasible, open space borders shall utilize natural boundaries
- g. It shall be directly accessible to as many lots or dwellings within the development as practicable. Lots or units which cannot be physically adjacent to the open space may be provided with visual and/or safe and convenient pedestrian access to the open space, where possible.
- h. It shall directly abut existing and/or potential future conservation land, as identified in the Town's map of Potential Conservation Land, to serve as part of a larger interconnected greenway network, where applicable.
- i. It shall provide for pedestrian and maintenance access to those areas for public or common use, in accordance with the following requirements:
 - 1) Each neighborhood shall provide one centrally located access point per 15 lots, a minimum of thirty (30) feet in width.
 - 2) Trails and other open space improvements shall be designed to avoid fragmenting plant and animal habitat areas, and to avoid adversely impacting archeological sites.

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

- j. All conservation land that is not wooded, farmed, or managed as meadows shall be landscaped in accordance with the landscaping requirements of Section D (Landscaping Standards) of this Article.
- k. The conservation area shall be staked and marked by a surveyor in the field and on the plan.

6. Open Space and Conservation Land Maintenance and Management- see Article IV, Section D.

7. Conservation Design Development Restrictions- see Article IV, Section D, and the West Greenwich Zoning Ordinance Article VII Section 19.

ARTICLE XIV - CONSTRUCTION METHODS AND SPECIFICATIONS

A. Specifications

Construction of streets shall be in accordance with the Typical Cross Section of a street contained herein and the "Standard Specifications for Road and Bridge Construction" 1997 ed.) published by the State of Rhode Island, Department of Transportation, unless otherwise noted. Drainage systems shall be constructed in accordance with the "Standard Specification for Drainage Systems" as adopted herein. Sidewalks and curbing shall be constructed in accordance with the "Specifications for the Installation of Sidewalks and Curbs" as adopted herein.

B. Soil Erosion and Sediment Control

All soil erosion and sediment control measures required by these Regulations shall be constructed in accordance with the standards and procedures set forth in the Rhode Island Soil Erosion and Sediment Control Handbook, prepared by the U. S. Department of Agriculture Soil Conservation Service, the RI Department of Environmental Management and the RI State Conservation Committee, 1989, and any amendments thereto. (Refer to Article XIII, Section H. 4.)

C. General Construction Procedures and Requirements

The following procedures shall be followed by the developer, and by contractors under the direction of the developer, in the construction of any development, subdivision, or related improvement:

1. Construction Activity

a. No building, construction, removal of trees, or disturbance to the land may occur on a Sunday or a Holiday, as recognized by the State of Rhode Island, in any approved subdivision or development. Hours of construction activity are permitted only between 7:00 a.m. and 7:00 p.m. Machines shall not be left idling prior to or after this timeframe.

b. No tree cutting, land clearing, or site grading, nor any infrastructure construction shall be permitted prior to Preliminary Plan approval, unless authorized by the Planning Board, and in accordance with an approved Soil Erosion and Sediment Control Plan (Town Ordinance #79). Once an application has been submitted to the Planning Board for a subdivision or development project, no building permits, nor any other pre-development construction, shall be granted until the final plan has been approved by the Planning Board and recorded in the Land Evidence Records.

c. Proposed conservation lands and other sensitive features, such as historic stone walls and large specimen trees shall be adequately protected during construction, such as including the use of fencing and informational signage. Such protective measures, including limits of disturbance and erosion and sedimentation controls, shall be installed prior to the start of construction.

2. Pre-Construction Meeting

A pre-construction meeting shall be held with the Director of Public Works or Highway Supervisor, the Administrative Officer, and the Town's engineer at least seven (7) days prior to the start of any subdivision or development project improvements. The developer (or his duly authorized representative), the developer's engineer, and the designated on-site project manager shall attend this meeting.

3. Construction Plans

Following the pre-construction meeting, the applicant shall submit two (2) complete sets of construction plans including profiles, cross-sections, and other working drawings of required construction improvements to the Administrative Officer, and to the Town's engineer. The approval by the Town's engineer of the construction plans must be given in writing to the Administrative Officer prior to any construction.

4. Notification

No step in the construction of required improvements shall commence until the Town's engineer and Administrative Officer have been notified, in writing, at least 24 hours exclusive of Saturday, Sunday and holidays, in advance of the beginning of the step.

5. Construction Wastes and Sanitation

All job sites are required to have a dumpster, or some other method of containing debris, and a portable toilet. Discarded building materials, concrete truck washout, litter, and other debris shall be properly disposed of and removed from the site. Burying or dumping of debris is prohibited. Fuel and oil, if contained on site, shall be properly stored and contained to prevent spills

6. Inspection of Improvements

a. Inspection and written approval by the Town's engineer shall be required at several phases of subdivision improvements, including but not limited to:

- 1) Following installation of underground drainage and utilities, prior to backfilling.
- 2) During preparation of sub-base and with grade stakes installed prior to the installation of gravel.
- 3) Following preparation of the sub-base, backfilling and the installation of curbing or shoulders, retaining walls, drainage structures and site grading but prior to application of the base course.
- 4) Following spreading and compaction of the base course,
- 5) Immediately prior to and during the application and compaction of the binder and surface course on the roadway and sidewalks.

6) Following completion of improvements and installation of monuments.

7) Immediately prior to and upon completion of any maintenance period.

b. The Town's engineer may require inspection subdivision improvements or development project site improvements at such other intervals as he/she may deem necessary to assure proper construction of improvements, and to ensure compliance with the approved Erosion and Sediment Control Plan.

c. Whenever an inspection is required, the developer shall request the Town's engineer to make such inspection. The Town's engineer or his/her representative shall within 48 hours exclusive of Saturday, Sunday and holidays, make such inspection. After consultation with the Town Planner, Director of Public Works, Highway Supervisor or other town official, the Town's engineer shall give to the developer written approval or disapproval of the improvements inspected by him/her. Such written approval or disapproval shall become part of the permanent record for the project. No subsequent step or phase shall commence until an inspection has been made and approval granted.

d. The Town may require inspections on development project sites on an as-needed basis, and a final inspection shall be performed in order to ensure compliance with the approved plans prior to issuance of any Certificate of Occupancy.

7. As-Built Drawings

Upon completion of the final subgrade and drainage infrastructure, but prior to installation of the binder course of asphalt, the developer shall furnish three (3) sets of certified Roadway/Subgrade and drainage system As-Built drawings to the Administrative Officer. Upon completion of construction of all required improvements, and before reduction to a maintenance bond, the developer shall furnish three (3) blue line sets, and one (1) mylar set of certified Final As-Built drawings of all improvements to the Administrative Officer. The drawings shall accurately show all features listed below as designed on approved subdivision plans and as actually built and constructed in the field so that all features can be located by public and private agencies.

a. Accurate horizontal and vertical locations of:

- 1) all roads, walks, and utilities within the street right-of-way (street plan and profile drawn at a scale of 1"=40' horizontal and 1"=4' vertical
- 2) all drainage structures including but not limited to catch basins, retention and/or detention basins, manholes and pipes
- 3) all overhead utility poles, or underground power, telephone, cable TV, and fire alarm cables and boxes
- 4) all street lines (3 level profile) and spot driveway elevations at street right-of-way lines and at street center lines opposite driveways
- 5) all retaining walls, stone walls and other natural or manmade structures, including fire cisterns and dry hydrants
- 6) Open space improvements such as trails, ball fields, etc. as required by the Planning Board for Conservation Design Developments

- b. Accurate monumentation
 - 1) all horizontal changes in direction on both sides of subdivision streets
 - 2) all lot lines
- c. Plans
 - 1) plans must be drawn to scale as required for final subdivision plans, and shall include a title block, revision dates and reference notes
 - 2) plans must contain Professional Land Surveyor's certification that all horizontal and vertical locations are accurate
 - 3) plans must contain Professional Engineer's certification that all systems including roads and utilities will function as designed and constructed

D. Street Construction

1. Dimensions.

Streets constructed within subdivisions shall conform to the requirements listed in Article XIII, Section B, and to the cross section shown as Figure I, unless, such requirements are modified by the Planning Board.

2. Clearing and Grubbing.

Clear and grub the entire pavement width, plus from the proposed edge of pavement, an additional (6) six feet, as shown on the approved plan. Mature trees shall be left in the area of the balance of the 50 foot right-of-way, per the direction of the Planning Board. Remove root systems, trees, stumps, boulders, bushes and other objectionable material as determined by the Director of Public Works or Highway Supervisor. Any debris resulting from land development shall be within the authority of this section. All root systems, trees, stumps, bushes and other objectionable materials are to be removed from the site. Burying of boulders is permissible only with permission of the Planning Board. The Preliminary Plan shall indicate all proposed areas of burying boulders. The Final As-Built shall indicate the location where items are buried. Stumps from the public improvements shall not be buried on site.

3. Earth Excavation.

Earth excavation includes but is not limited to: the removal of clay, sand, gravel, loam, soft or disintegrated rock which can be removed without blasting; boulders of less than one (1) cubic yard in volume (one half (1/2) cubic yard in all Trenches) and other unacceptable materials within the limits of the roadway, drainage or other excavation. This item of work also includes the backfilling of all stump holes and other surface irregularities with suitable fill materials. Excavations shall be to a depth and cross-section as shown on the approved plans, profiles and cross-section drawings.

4. Rock and Ledge Excavation.

Rock and ledge excavation includes removal and disposal of all boulders one (1) cubic yard or more in volume (one half (1/2) cubic yard in all trenches), and all hard ledge rock which can be removed only by drilling and splitting by hand, by mechanical means or by blasting. Such excavation shall be to a depth at least *three (3) feet* below finished grade, and where applicable, ledge side slopes shall be four (4) feet vertical to one (1) foot horizontal beyond the Right-of-Way. Backfilled soil in areas where blasting has occurred must utilize water jetting to reduce the amount of settlement due to fissures created during blasting.

5. Sub-Surface Water.

Where seasonal high groundwater is encountered within three (3) feet of finished grade, construct adequate drainage at a depth of at least four (4) feet below finished grade. Drainage plan must show proposed outlets for all sub-drains. The amount of flow from the sub-drain into any designed retention or detention pond shall be calculated and included in the overall calculations for the designed pond.

6. Residential Street Construction. (See Fig. 1):

All residential street construction shall conform with Rhode Island Department of Transportation (RIDOT) and AASHTO standards. Should there be a conflict between RIDOT, AASHTO and the standards of this section, the more stringent standard shall control.

a. Materials

1) Base Course: Bank run or processed gravel meeting the following gradation requirements for gravel borrow in the referenced standard: Section M.01.09 Gradation of Aggregates Table 1 Gravel Borrow sieve sizes. A minimum 12-inch base course is required provided the top three (3) inches shall be processed gravel of size three-inch minus, while the bottom nine (9) inches may consist of bank run gravel.

2) Binder Course: Bituminous concrete (hot mix). Binder Course, must conform to RIDOT Standard Mix, Section M.03 for Binder Course.

3) Tack Coat: Prior to the application of the surface coat, a tack coat of asphalt emulsion shall be applied to the entire binder course. Application of tack coat shall conform with RIDOT Standard Specifications for "Tack coats."

4) Bituminous Surface Course: Bituminous concrete (hot mix). Class I-1: must conform to RIDOT Standard Mix, Section M.03.

5) All materials must be of a quality acceptable to the Director of Public Works or Highway Supervisor.

b. General Conditions.

During construction maintain the subdivision roads in passable condition and take appropriate measures to eliminate the creation of a dust nuisance during construction.

c. Construction Method.

1) Preparation of Sub-base:

Install underground sewer and water lines, utilities, laterals, service lines and related facilities prior to any street construction. Thoroughly compact sub-base with a ten (10) ton roller, or its equivalent, true to the lines, grades, and cross-sections shown on the approved construction drawings, at least thirty (30) days after filling and compaction of utility trenches. Clean the sub-base clear of mud, loose and foreign material. Determine and achieve Optimum Moisture Content of sub-base before spreading binder course.

2) Curbs:

Hold the edge of the wearing surface to line and grade by the installation of curbs in accordance with Section E, following.

3) Binder Course:

i. Standard. After the sub-base has been properly prepared and the curbs or shoulders set, spread the binder course for the full road width and in such volume as to provide a two & one half inch (2 1/2") cross-section after compaction with a ten (10) ton roller or the equivalent.

ii. Cape Cod Berm. Shall consist of a two (2) layer base course and integral raised section constructed in conjunction with the wearing surface.

4) Surface Course: Apply as follows:

i. Sweep the binder course clean of sand and debris. Remove protrusions, and bring holes, ripples or unevenness in the surface back to true line and cross-section by applying a leveling course of asphalt. Determination of need of leveling course, or, requiring of removal and replacement of section of binder course with a binder patch, shall be made by the Town Engineering Consultant. Town Engineering Consultant shall give guidance in removing and replacing of binder patch, to include, but not limited to: saw cutting around entire area, removal of existing binder, placement and compaction of gravel base if needed, use of asphalt tack on joints, and placement of the binder patch.

ii. No sooner than 270 days from completion of binder course, apply surface course at a temperature of 285 to 350 degrees

Fahrenheit by means of an approved paving spreader with a compactor. Place in sufficient quantity to provide a minimum compacted cross section of one and one half (1 1/2") inches.

iii. Compact the surface course with a ten (10) ton roller equipped with a sprinkler system to wet the wheels. Rolling shall be continued until all roller marks are eliminated and the minimum densities have been obtained based upon 95% of laboratory Marshall Densities made in proportions of the job-mix formula, method AASHTO – T-245. Upon completion of the application and compaction of the surface course, allow to stand for a minimum of eight (8) hours without traffic.

d. Traffic Limitation.

Limit traffic passing over constructed streets to wheeled vehicles, with no tracked equipment permitted.

e. Seasonal Limits.

Do not install bituminous material when the soil conditions are not suitable or during other unfavorable weather conditions as may be determined by the Director of Public Works or Highway Supervisor. Weather limitations for bituminous plant mix shall not be placed on any wet surface, or when air temperature is below 38 degrees F, or when weather conditions otherwise prevent the proper handling or finishing of the bituminous mixtures.

E. Curbs

1. Curb streets on the proposed subdivision with one of the following types:

- a. Rhode Island Standard 7.3.1: Quarry split granite.
- b. Cape Cod Berm – Per typical West Greenwich Cross Section detail (See Figure 1).

2. At street intersections, provide curb returns or shoulders with a radius of at least twenty five (25) feet.

3. Use appropriate Rhode Island Standard curb shapes for curb transition, inlet and apron installations.

4. Install handicapped access transition drops in curbs as directed by the Planning Board. Handicap transitions shall meet all applicable standards, including, but not limited to the Americans with Disabilities Act, as amended.

5. The Planning Board shall require quarry split granite curbing where necessary to control excessive drainage and runoff caused by steep street slopes.

F. Sidewalks

Construct sidewalks when required, 42 inches wide, in accordance to the sidewalk cross-section as detailed in Figure 1 as follows:

1. Materials: Refer to Residential Street Construction Material: Section D, 6 a.
2. Base Course: Compacted depth of six (6) inches.
3. Surface Course: Compacted depth of one and one half (1 1/2) inches.

4. Observe same timing of successive steps, use limitations, and surface preparations as outlines for steps of road construction.

G. Drainage Structures and Facilities

1. Earthwork and Drainage.

Construct surface and subsurface storm drainage structures and facilities to conform to the following sections of the referenced standard, exclusive of any items therein covering methods of measurement and basis of payment:

a. Earthwork:

Section 203, Structure Excavation and Backfill.
Section 204, Trimming and Fine Grading.
Section 205, Trench Excavation.

b. Drainage:

Section 701, Culverts and Storm Drains.
Section 702, Manholes, Inlets, Catch Basins, and Headwalls.
Section 703, Underdrains.
Section 704, Paved Waterways.

Such standard specifications may be modified at the discretion of the Director of Public Works or Highway Supervisor with the approval of the Planning Board.

2. Manholes.

Locate manholes on storm sewer trunk lines:

- a. At maximum distances of three hundred (300) feet;
- b. At angles in the sewer lines;
- c. At street intersections and other points where catch basins, inlets or laterals are to be connected;
- d. At points where pipe sizes change:

- e. At points where the grade of the sewer changes.

3. Minimum Cover

Provide subsurface drainage structures and facilities within street rights-of-way, with a minimum cover of three (3) feet. Where required minimum cover is physically impossible to achieve, the Planning Board will review for approval, an alternative proposal. Do not cover any installed work until it has been inspected and approved by the Director of Public Works or Highway Supervisor.

H. Installation of Water Mains

Install water mains in conformance with the American Water Works Association Standard Specifications and other specifications, as the Kent County Water Authority may require.

I. Permanent Monuments

1. Location.

Set at every corner and angle point on the boundary line of the subdivision and at every angle point of curvature on the proposed street rights of way, except as waived by the Planning Board.

2. Materials.

Actual granite bounds only, conforming in size and shape to the specifications below:

a. Dimensions:

- 1) At least thirty (30) inches in length and four (4) inches square in cross-section.
- 2) Place and center on the top surface of the monument a drill hole one-half (1/2) inch in diameter and three-quarters (3/4) of an inch deep.
- 3) Install at points indicated on the final plan.

3. Setting Monuments.

Set flush with the ground or the finished grade.

J. Special Grading Provision

1. Within ten (10) feet of adjoining property, limit changes to existing grade to slope of 2:1, with adequate stabilizing measures. Provide retaining structures to contain slopes that exceed the 2:1 ratio.

K. Repaving of Road Due to Disturbance

1. Any disturbance to an existing asphalt street including, but not limited to: installation of public water, public sewers or natural gas, shall require the repaving of an area not smaller than six (6) feet on both sides of the edges of the disturbed area – said repaving to be from curb to curb. The intent of this section is to create areas of transition over disturbed areas of asphalt, rather than, a depressed area or cut area of a few feet in width– deemed to be a safety hazard to drivers.

ARTICLE XV - CHECKLISTS

- A. Administrative Subdivisions
- B. Preliminary Plan Checklist – Minor Land Developments, Minor Subdivisions, and Development Plans
- C. Final Plan Checklist – Minor Land Developments, Minor Subdivisions, and Development Plans
- D. Pre-application Meetings and Concept Review (Minor, Major, or Development Plan)
- E. Master Plan Checklist – Major Land Developments and Major Subdivisions
- F. Preliminary Plan Checklist – Major Land Developments and Major Subdivisions
- G. Final Plan Checklist – Major Land Developments and Major Subdivisions
- H. Administrative Requirements for Inclusionary Zoning
- I. Application for Waivers or Modifications
- J. Stormwater Management Design Checklist

A. CHECKLIST – ADMINISTRATIVE SUBDIVISION

The applicant shall submit to the Administrative Officer one (1) Mylar and five (5) blue-line copies of the proposed plat for recording. (A single copy may be submitted for initial review and comment.) The scale shall be sufficient to show all of the information required and shall be subject to the approval of the Administrative Officer. At a minimum, the following information shall be provided:

- 1.____ Name and address of all property owners and applicants
- 2.____ Date of plan preparation, with revision date(s) (if any)
- 3.____ Graphic scale and true north arrow
- 4.____ Plat and lot numbers of the parcel being re-subdivided
- 5.____ Zoning district(s) of the parcel being re-subdivided, including all zoning requirements (such as for impervious coverage, parking, and setbacks). If more than one district, zoning boundary lines must be shown
- 6.____ Existing property lines, easements and rights of way
- 7.____ Proposed property lines, drawn so as to distinguish them from existing property lines
- 8.____ Existing and proposed area(s) of the parcel(s) being re-subdivided
- 9.____ Approximate location of wooded areas and wetlands (if any)
- 10.____ Location and size of existing buildings, structures, utilities and improvements
- 11.____ Location, width and names of existing public and private streets within or immediately adjacent to the parcel being re-subdivided
- 12.____ Certification (stamp) of a Professional Land Surveyor that the plan conforms to a minimum of a Class II Survey
- 13.____ Filing fee (\$100)
- 14.____ RIDEM approvals, if any
- 15.____ Deed(s) to be recorded for land transfer(s) (Required as part of Administrative Subdivision approval and recording.)
- 16.____ Are either of these parcels in the Farm Forest and Open Space Act tax program?
- 17.____ Locus inset map
- 18.____ Cover letter and signature of all property owners.
- 19.____ Photocopy of Certificate of Authorization to Practice in the State of Rhode Island for design professional.

**B. CHECKLIST – PRELIMINARY PLAT
MINOR LAND DEVELOPMENTS, MINOR SUBDIVISIONS,
AND DEVELOPMENT PLAN REVIEW**

A. Preliminary Plat Map(s)

The applicant shall submit to the Administrative Officer at least seven (7) copies of the preliminary site plans drawn to a scale of 1 inch to 40 feet, and ten (10) copies of reduced plans (11" x 17"). The scale may be modified with the permission of the Administrative Officer. Each sheet shall be no larger than 24 inches by 36 inches, and a sufficient number of sheets shall be included to clearly show all of the information required (with the exception of the north arrow, items 1-6 should be located within the title block). Sheets shall be numbered sequentially (e.g., sheet 1 of 3, 2 of 3, etc.).

- 1.____ Name of the proposed subdivision (or development project)
- 2.____ Name and address of all property owners and applicants, including names and addresses of all officers, members, directors, and principal stockholders of business or corporate entities.
- 3.____ Name, address and telephone number of engineer or land surveyor
- 4.____ Date of plan preparation, with revision date(s) (if any)
- 5.____ Graphic scale and true north arrow
- 6.____ Plat and lot number(s) of the land being subdivided or developed
- 7.____ Zoning district(s) of the parcel(s), including all zoning requirements (such as for impervious coverage, parking, and setbacks), and actual dimensions provided. If more than one district, zoning boundary lines must be shown
- 8.____ Perimeter boundary lines of the parcel(s), drawn so as to distinguish them from other property lines
- 9.____ Area of the project parcel(s) and proposed number of buildable lots, dwellings, or other units
- 10.____ Location and dimensions of existing property lines within or forming the perimeter of the parcel(s)
- 11.____ Easements and rights-of-way, and man-made paths, within or adjacent to the parcel(s)
- 12.____ Location, width and names of existing streets within and immediately adjacent to the proposed project parcel(s), including width and surface material of existing roads at access points
- 13.____ Names of abutting property owners and property owners immediately across any adjacent streets
- 14.____ Location of wooded areas and notation of existing ground cover, including major stands of trees, large specimen trees, rock outcrops, and other prominent physical features.
- 15.____ Location of wetlands and/or watercourses within or within 200 feet of the perimeter of the subdivision parcel or development. (A valid Wetland Edge Verification by RIDEM is required if wetlands are within 300 feet of proposed area to be developed on any subdivision of land.)

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

- 16.____ Areas of agricultural use
- 17.____ Existing contours at intervals of two feet, certified by Surveyor or Photogrammetrist (ASPRS) per Article XIII, Section M. Slopes greater than 15% shall be shaded
- 18.____ Location and approximate size of existing buildings or significant above ground structures on or immediately adjacent to the development
- 19.____ Location and dimension of all existing utilities within and immediately adjacent to the parcel, including sewer, water, gas, electric, phone, cable TV, fire alarm, hydrants, utility poles, septic, wells, stormwater drainage facilities or other above or underground utilities
- 20.____ Location of historic sites or cemeteries on or immediately adjacent to the parcel(s) (if any)
- 21.____ Location of any unique natural and/or historic features, including stone walls, archeological sites, rock outcroppings, etc.
- 22.____ Notation on plan if the parcel(s) are located within ____ Natural Heritage Areas (RIDEM) or ____ Zoning Overlay Districts, if any
- 23.____ Proposed streets, lots, lot lines, with approximate lot areas and dimensions. Proposed lot lines shall be drawn so as to distinguish them from existing property lines. (Conservation Design Developments shall follow the design process in Article V. Section G 2, and the Physical Design Requirements in Article XIII Section N.)
- 24.____ Location and dimensions of all proposed building footprints, structures, sidewalks, driveways, parking lot layout and other impervious surfaces, including dumpster locations, loading zones, and fire lanes; and any other proposed site improvements, including retaining walls and fences, and outdoor storage.
- 25.____ Proposed utilities plan, within and immediately adjacent to the parcel, including sewer, water, gas, electric, phone, cable TV, fire alarm, hydrants, utility poles, septic, wells, or other proposed above or underground utilities, as applicable
- 26.____ Building Envelope for each lot
- 27.____ Notation of Area Suitable for Development for each lot
- 28.____ For projects proposing 4 or more residential lots or units (including the original lot or unit), notation on the plan that 20% of the total lots or units, rounded up to the next whole number, shall be designated for Low or Moderate Income Housing under the Inclusionary Zoning Requirements of the West Greenwich Zoning Ordinance.
- 29.____ Indication on the specific lots or units proposed to be earmarked as for the production of low or moderate income housing
- 30.____ Aerial photograph or a black line copy of an existing aerial photograph of the proposed development parcel and surrounding area, at a scale of 1"= 400' or larger

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

- 31.____ Soils Map of the parcel(s) and surrounding area, and a general analysis of soil types and suitability for the development proposed. If any prime agricultural soils are within the development parcel, the soils map shall be marked to show the location of said prime agricultural soils
- 32.____ Vicinity Map, drawn to a scale of 1"=400' to show the area within one-half mile of the project parcel showing the locations of all streets, existing lot lines, and zoning district boundaries. Schools, parks, fire stations and other significant public facilities shall be indicated on the map by shading and labeling the specific use.
- 33.____ Base flood elevation data and location of 100-year flood plain
- 34.____ For projects other than single family homes, notation indicating the zoning dimensional requirements including square footage and percent structure coverage and impervious coverage for existing and proposed development.
- 35.____ Grading plan to show proposed contours at two foot intervals for all grading proposed for on and off-site street construction, drainage facilities and grading upon individual lots if part of proposed subdivision improvements (if applicable)
- 36.____ Proposed drainage plan and 2 copies of drainage calculations prepared by a Registered Professional Engineer, if required.
- 37.____ Soil erosion and sediment control plan, including limits of disturbance, and plan for protecting completed public improvements during building construction.
- 38.____ Proposed landscaping plan, prepared by a Registered Landscape Architect, to show all significant proposed clearing of land, removal of existing vegetation, revegetation and/or landscaping on street rights-of-way, parking areas, buffer areas, around buildings, and upon individual lots if part of the proposed subdivision or project improvements
- 39.____ Lighting plan, if applicable, including location, direction, power and timing, and details for all outdoor pole and building mounted lighting. (Photometric plan)
- 40.____ Location, dimension and area of any land proposed to be set aside as open space, and proposed use, including proposed improvements and proposed ownership and easement holders. (Conservation Design Developments shall follow the design process in Article V. Section G 2, and the Physical Design Requirements in Article XIII Section N.)
- 41.____ Location of proposed boulder burial areas (stumps shall not be buried)
- 42.____ Proposed signage plan, if applicable, including location, size, color, and illumination.
- 43.____ Proposed street plan and profiles drawn at a scale of 1"= 40' horizontal and 1"= 4' vertical
- 44.____ Street cross-sections
- 45.____ For projects other than single family detached structures, submit architectural renderings (Prepared by a RI Registered Architect) with proposed heights and including any proposed division of buildings into units of separate occupancy, and breakdowns of all proposed floor space by type of use.

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

- 46.____ Any other item(s) as required by the Zoning Ordinance or these regulations.
(e.g., Exit 7 SMD, CZD, SRD, Residential Compound, Conservation Design Development,
etc.)
- 47.____ Certification by a Professional Land Surveyor that a current perimeter survey of the land
being subdivided or developed has been performed and conforms to a Class I Survey
- 48.____ Notation and Certification for topographic mapping standard by a Certified Photogrammetrist
(ASPRS) per Article XIII, Section M.
- 49.____ Certification (stamp) of a Registered Professional Engineer that the construction drawings
are correct
- 50.____ Ten (10) copies of the proposed plan reduced to no larger than 11" x 17"

B. Supporting Materials

- 1.____ Cover letter and signature of all property owners and applicants.
- 2.____ Filing Fee: - \$300 + \$50 per lot or unit, or, if a multi family dwelling, \$300 + \$10 per bedroom;
and required mailing and advertising expenses
- 3.____ Project Review Fee (see Article XI, Section E.) (\$3,000)
- 4.____ For non-residential projects, 15 copies of a project narrative addressing specific uses
proposed, number of employees for which buildings are designed, type of power to be used
for any manufacturing process, type of wastes or by-products to be produced by any
manufacturing process, and the proposed method of disposal of such wastes or by-
products.
- 5.____ Development Impact Statement
- 6.____ Written confirmation that the appropriate water company or district has reviewed the plan
and is able to provide water service (if proposed)

Water Company or District _____
Date of Letter _____

- 7.____ If Individual Sewage Disposal Systems are proposed, confirmation from the State
Department of Environmental Management that the soils are adequate for the use of ISDS.
Either of the following:

____ Preliminary Subdivision Suitability Report No. _____
(3-5 lots)

____ Site Suitability No. _____
(2 lots)

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

- 8.____ Written confirmation from the RI Department of Environmental Management pursuant to the RIDEM Rules and Regulations Governing the Enforcement of the Freshwater Wetlands Act, and any subsequent amendments thereto, that plans of the proposed subdivision or development, including any required off-site construction, have been reviewed and indicating that the Wetlands Act either does not apply to the proposed site alteration or that approval has been granted for the proposed site alteration.
- 9.____ In lieu of item 8 above, an affidavit signed by a qualified wetlands biologist stating that there are no freshwater wetlands present on or within 200 feet of the property being developed.
- 10.____ A Physical Alteration Permit (PAP) issued by the State Department of Transportation for any connection to or construction work within a State highway or other right-of-way (if necessary)
- 11.____ Two (2) copies of traffic analysis and site distance report, prepared by a Registered Professional Engineer.
- 12.____ Two (2) copies of drainage calculations, prepared by a Registered Professional Engineer.
- 13.____ Copies of permits from all appropriate Federal, State, and local regulatory agencies, if applicable.
- 14.____ For projects with road creation, the names and addresses of owners of all properties, agencies or communities requiring notification of the Preliminary Plan Public Hearing as required by these Regulations, accompanied by Affidavit that proper notice was sent to all required entities.
- 15.____ Copies of return receipts for Certified Mail notices
- 16.____ Either of the following:
____ A letter to the Planning Board of the developer's intent to complete the required improvements prior to endorsement and recording; or,
____ A letter to the Planning Board requesting that security sufficient to cover the cost of required improvements be established by the Board
- 17.____ Is this property in the Farm Forest and Open Space Act tax program?
18. ____ Copy of Certificate of Authorization to Practice in the State of Rhode Island for design professionals
- 19.____ Certificate of the Tax Collector showing that all taxes due on the parcel being subdivided or developed have been paid for a period of five (5) years prior to start of construction and that there are no outstanding municipal liens on the parcel

- 20.____ Draft copies of all legal documents describing the property, proposed easements and rights-of-way, dedications, restrictions, or other required legal documents, accompanied by a Metes and Bounds description of said areas (required).

Specify

For Conservation Design Developments, the following documents are required:

____ draft Open Space Property Management Plan (ie, Forest Management Plan, etc.)

____ draft Conservation Easement documents

____ draft Homeowner Association bylaws (if proposed)

C. Conservation Design Layouts- IF REQUESTED BY THE PLANNING BOARD. For residential projects with the potential to be developed as Conservation Design developments, follow the design process in Article V. Section G 2, and submit the following additional items, after having a Pre-application Plan review with the Planning Board:

- 1.____ The Planning Board may require soil testing for septic suitability on a sample of the lots designed in A above.
- 2.____ the required Preliminary plan in A. above shall serve as the yield plan
- 3.____ Report, by qualified professionals, of an inventory and description of the conservation values of the property, including the purpose(s) of the conservation lands (draft Baseline Documentation Report)
- 4.____ an Existing Conditions and Site Resources Map with information from the Pre-application plan, and including greater detail as required on the Preliminary Plan and including those elements for further study as determined by the Planning Board
- 5.____ a Potential Conservation Areas plan with information from the Pre-application plan, and further refined considering details from 4.above. This plan shall include identification of the most suitable locations for house sites.
- 6.____ 2 alternative layouts for roads and house lot configurations in conformance with the zoning dimensional requirements for Conservation Design Development, working off the Potential Conservation Areas plan from 5 above. This plan shall include potential trails and other open space amenities, along with conceptual drainage design.
- 7.____ Proposed ownership for the conservation open space land
- 8.____ Proposed conservation easement, restrictions, and easement holders
- 9.____ Proposed maintenance and management responsibility for the open space

C. CHECKLIST – FINAL PLAT
MINOR LAND DEVELOPMENTS AND MINOR SUBDIVISIONS

The applicant shall submit to the Administrative Officer copies of final site plans and supporting materials as indicated below:

A. Plat Plans to be Recorded – One copy of the final plat plan drawn on mylar to a scale of 1 inch to 40 feet. The scale may be modified with the permission of the Administrative Officer. In addition, five (5) blueline copies shall also be submitted. Each sheet shall be no larger than 24 inches by 36 inches, and a sufficient number of sheets shall be included to clearly show all of the information required. Sheets shall be numbered sequentially (e.g., sheet 1 of 3, 2 of 3, etc.). The following information shall be shown on the plans (with the exception of the north arrow, items 1-7 should be located within the title block):

- 1.____ Name of the proposed subdivision or development project
- 2.____ Notation that the subdivision or development is located in the Town of West Greenwich, RI
- 3.____ Name and address of all property owners and applicants, including names and addresses of all officers, members, directors, and principal stockholders of business or corporate entities.
- 4.____ Name, address and telephone number of engineer or land surveyor
- 5.____ Date of plan preparation, with revision date(s) (if any)
- 6.____ Graphic scale and true north arrow
- 7.____ Plat and lot number(s) of the parcel being subdivided or developed
- 8.____ Zoning district(s) of the parcel(s), including all zoning requirements (such as for impervious coverage, parking, and setbacks), and actual dimensions provided. If more than one district, zoning boundary lines must be shown
- 9.____ Locus map inset
- 10.____ Perimeter boundary lines of the project parcel(s), drawn so as to distinguish them from other property lines
- 11.____ Location and dimensions of existing property lines, easements and rights-of-way within or immediately adjacent to the parcel(s) being developed
- 12.____ Location, width and names of proposed and existing streets within and immediately adjacent to the parcel being developed
- 13.____ Names of abutting property owners and property owners immediately across any adjacent streets
- 14.____ Location of proposed permanent bounds
- 15.____ Location of all interior lot lines and street lines with accurate dimensions indicated
- 16.____ Location and number of all proposed lots, with accurate areas indicated

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

- 17.____ Location and notation of type of proposed easement(s) or existing easement(s) to remain (if any) with accurate dimensions and areas indicated
- 18.____ Location of fire suppression cisterns or dry hydrants
- 19.____ Location of wetlands, streams, and other water bodies, and associated State and local setback distances
- 20.____ Building envelope for each lot
- 21.____ For non-residential projects, the location and dimensions of improvements required in A. 23 through A. 26 on Checklist B. of these regulations.
- 22.____ Notation of special conditions of approval imposed by the Planning Board (if any)
- 23.____ Notation of any permits and agreements with state and federal reviewing agencies (if any)
- 24.____ For projects proposing 4 or more residential lots or units (including the original lot or unit), notation on the plan that 20% of the total lots or units, rounded up to the next whole number, shall be designated for Low or Moderate Income Housing under the Inclusionary Zoning Requirements of the West Greenwich Zoning Ordinance.
- 25.____ Indication on the specific lots or units proposed to be earmarked for low or moderate income housing
- 26.____ Certification by a Professional Land Surveyor that all interior and perimeter lot lines and street lines of the land being subdivided have been designed to meet a Class I Survey and to conform to Procedural and Technical Standards For the Practice of Land Surveying In the State of Rhode Island and Providence Plantations as Prepared by the Rhode Island Society of Professional Land Surveyors, Inc., May 1992, as amended.
- 27.____ Submission Cover Sheet and signature of all property owners and applicants.

B. Final As-Built Drawings – For projects involving street creation and/or drainage improvements, Five (5) blue-line copies of as-built plans drawn to a scale of 1 inch to 40 feet. The scale may be modified with the permission of the Administrative Officer. Each sheet shall be no larger than 24 inches by 36 inches, and a sufficient number of sheets shall be included to clearly show all of the information required. Sheets shall be numbered sequentially (e.g., sheet 1 of 3, 2 of 3, etc.).

- 1.____ Final as-built plans as listed in Article XIV, Section C 7, including plans of any additional improvements as required by the Planning Board as a condition of approval.
- 2.____ Certification (stamp) of a Registered Professional Engineer that the as-built drawings are correct, and that all systems including roads and utilities will function as designed and constructed.
- 3.____ As-built street plan and profiles drawn at a scale of 1"=40' horizontal and 1"=4' vertical

C. Supporting Materials

- 1.____ Checklist H - Administrative Requirements for Inclusionary Zoning
- 2.____ Two original signed copies of all legal documents describing the property, including proposed easements and rights-of-way, dedications, restrictions, or other required legal documents. A Metes and Bounds description is required for all legal documents. Easements shall be tied into the road bounds.

Specify: _____

- 3.____ A Physical Alteration Permit (PAP) issued by the State Department of Transportation for any connection to or construction work within a State highway or other right-of-way (if necessary).
- 4.____ Certificate of the Tax Collector showing that all taxes due on the parcel being subdivided have been paid for a period of five (5) years prior to filing of the final plat and that there are no outstanding municipal liens on the parcel
- 5.____ Deed transferring land proposed for dedication to the Town or other qualified group or agency for open space or public purposes
- 6.____ Cost of all improvements, and cost estimate of remaining improvements
- 7.____ Any other item(s) as required by the Zoning Ordinance or these regulations. (e.g., Exit 7 SMD, Residential Compound, Conservation Design Development, etc.)
- 8.____ Ten (10) copies of reduced plans to be recorded (11" X 17") (A, above)
- 9.____ Ten (10) copies of reduced As Built plans (11" X 17") (B, above)

D. Payment of Required Fees - Payment of the following fees or posting of financial guarantees, if required, to be prior to endorsement by the Planning Board and recording of final plans:

- 1.____ Filing Fee - \$150 + \$50 per lot or unit, or, if a multi family dwelling, \$150 + \$10 per bedroom.
- 2.____ Final plat recording fee - Amount _____
- 3.____ Financial guarantees
Initial amount _____
Date set by Planning Board _____
- 4.____ Fees in-lieu-of land dedication - Amount _____
- 5.____ Inspection fee (Project Review Fee) - Amount _____

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

6.____ Maintenance bond for acceptance of public improvements (if applicable)

Amount _____

Date of Council Acceptance _____

Description _____

Date of Expiration of Maintenance Bond _____

7.____ Fire Suppression Fees in-lieu-of dedication – Amount - _____

8.____ Is this parcel in the Farm Forest and Open Space tax program?

9.____ Street signs- \$50.00 per sign at ____ signs= Amount _____

**D. CHECKLIST - PRE-APPLICATION
MAJOR LAND DEVELOPMENTS, MAJOR SUBDIVISIONS,
AND DEVELOPMENT PLAN REVIEW**

The applicant shall submit to the Administrative Officer at least seven (7) blueline copies of the pre-application maps required below. The scale of all plans shall be sufficient to clearly show all of the information required and shall be subject to the approval of the Administrative Officer. At a minimum, the following information shall be provided:

A. Pre-Application Drawing(s) – Existing Conditions for all Projects. A map or plan of the subdivision or development parcel showing the following information (with the exception of the north arrow, items 1-6 should be located within the title block):

- 1.____ Name of the proposed subdivision or development
- 2.____ Name and address of all property owners and applicants, including names and addresses of all officers, members, directors, and principal stockholders of business or corporate entities.
- 3.____ Name, address and telephone number of person or firm preparing the plan
- 4.____ Date of plan preparation, with revision date(s) (if any)
- 5.____ Graphic scale and true north arrow
- 6.____ Plat and lot number(s) of the land being subdivided or developed
- 7.____ Zoning district(s) of the parcel(s), including all zoning requirements (such as for impervious coverage, parking, and setbacks). If more than one district, zoning boundary lines must be shown
- 8.____ Perimeter boundary lines of the project parcel(s), drawn so as to distinguish them from other property lines
- 9.____ Area of the project parcel
- 10.____ Building Envelope
- 11.____ Location, and names of existing streets, easements, rights-of-way, and man-made paths within and immediately adjacent to the parcel(s), including width and surface material of existing roads at access points
- 12.____ Location of wooded areas and notation of existing ground cover
- 13.____ Hydrologic features and their associated buffer areas, including estimated location of wetlands and/or watercourses present on or within 200 feet of the property being developed, surface water bodies, 100-year floodplains, springs, vernal pools, stream channels, natural swales, and groundwater aquifers and recharge areas, as available from existing information
- 14.____ Location of wells and wellhead protection areas present on or within 200 feet of the property
- 15.____ Existing topography with minimum contour intervals of two feet (if available); using available information, shade out areas of slope greater than 15%

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

- 16.____ Location and approximate size of existing buildings or significant above-ground structures on or immediately adjacent to the development
- 17.____ Location of existing utilities within and immediately adjacent to the parcel(s), including sewer, water, gas, electric, fire suppression, wells, septic, utility poles, and stormwater drainage facilities including catch basins, swales, culverts, and detention ponds
- 18.____ Location of historic structures, sites, and/or cemeteries on or immediately adjacent to the project (if any)
- 19.____ General location of any unique natural and/or archeological & historic features, including stone walls, cellar holes, wells, other ruins, and rock outcroppings
- 20.____ Base flood elevation data, and location of 100-year floodplains, from FEMA maps
- 21.____ Open space areas, if any, existing on the parcel or immediately abutting the parcel
- 22.____ Locus Map Inset
- 23.____ A copy of the soils map of the project parcel and surrounding area, and a general analysis of soil types and suitability for the development proposed. If any prime agricultural soils are within the parcel(s) the soils map shall be marked to show the location of said prime agricultural soils. The map analysis shall address the presence of moderate and severe constraints to development including hydric soils, high water table, slowly-permeable soils, depth to bedrock, steep slopes, and erodible soils.
- 24.____ An aerial photograph or a black line copy of an existing aerial photograph of the proposed project parcel and surrounding area, at a scale of 1' = 400' or larger
- 25.____ A vicinity map, drawn to a scale of 1"=400' to show the area within one-half mile of the subdivision or development parcel showing the locations of all streets, existing lot lines, and zoning district boundaries. Schools, parks, fire stations and other significant public facilities shall be indicated on the vicinity map by shading and labeling the specific use.

B. Additional Site Resources for all Residential Developments- these items may be shown on the same plan as the required Existing Conditions map. This section does not apply for commercial or industrial development applications.

- 1.____ Identification of visually prominent topographical features such as knolls, hilltops, ridges
- 2.____ Unique geologic features such as bedrock outcrops and glacial features
- 3.____ Land Cover according to general cover type, including areas of agricultural use, agricultural soils, or abandoned agricultural fields; and locations of various forest types and groups of trees by type.
- 4.____ IF REQUESTED BY THE PLANNING BOARD View Analysis. Views of the site, including views into the site as seen from surrounding roads, abutting conservation lands, other public areas, and elevated areas; views out from the site; adjacent scenic road corridors; and including photographs with a map indicating the location where the photographs were taken.

C. Site Context Map for all Residential Developments- A map of the parcel and its surrounding area within one half mile, at a scale of 1"= 400'. These items may be shown on the same sheets as the required vicinity map or aerial photo. Information may be obtained from RIGIS. This section does not apply for commercial or industrial development applications.

- 1.____ topography of the entire area from available information
- 2.____ outline of project parcel
- 3.____ roads and other transportation networks
- 4.____ utility easements
- 5.____ waterways and water resources including streams, wetlands, groundwater aquifers and recharge areas
- 6.____ Wellhead protection areas
- 7.____ Watershed boundaries
- 8.____ Recreational resources, including hiking, biking, and horse riding trails, boat launches and other water access points and water trails, beaches and existing play fields
- 9.____ Protected open space, including public land, conservation easements, State management areas, and land owned by conservation organizations.
- 10.____ Forested areas and land use cover
- 11.____ State Greenway Corridors
- 12.____ Natural Heritage Areas and rare species
- 13.____ Scenic road corridors and state-designated scenic areas
- 14.____ Archaeological sites

D. Potential Conservation Areas Plan- IF REQUESTED BY THE PLANNING BOARD. For residential developments with the potential to become Conservation Design developments, submit a map including the standard title block and plan information from items A1 through A23, and B1 through B3, and considering the information from the Site Context Map and the View Analysis, to make the following additional analysis:

- 1.____ Demarcate the areas with physical and regulatory constraints to development, including utility easements.
- 2.____ Demarcate the areas with important resources and noteworthy natural, cultural, and recreational features to protect

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

E. Proposed Conditions Plan. – A map including the standard title block and plan information from items A1 through A20 above, and including the following additional information:

- 1.____ Conceptual conventional layout, including streets, buildings, paved areas, lots, and lot lines with approximate lot areas and dimensions. Proposed lot lines shall be drawn so as to distinguish them from existing property lines.
- 2.____ Proposals, if any, for connection with existing water supply and sanitary sewer systems

F. Supporting Materials - The applicant shall submit to the Administrative Officer fifteen (15) copies of a narrative report (providing a general description of the existing physical environment and existing use(s) of the property along with a general description of the uses and type of development proposed by the applicant. The narrative report shall include reduced copies (11" x 17" and readable) of all plans required above.

- 1.____ Filing Fee: - \$150
- 2.____ 15 copies of Narrative Report, including reduced plan set
- 3.____ Is this parcel(s) in the Farm Forest and Open Space tax program?
- 4.____ Submission Cover Sheet and signature of all property owners and applicants.

G. Site Visit- The Planning Board shall visit the site of a potential Conservation Design subdivision during the Pre-application stage of review

Scheduled Date(s) of Site Visit: _____

Areas for further study and/or mapping. The following items may need to be surveyed in the field or further investigated in preparation for the Master Plan for a Major project and for the Preliminary Plan for a Minor project: archeological sites, trails, stone walls, agricultural elements, historic houses and outbuildings, cellar holes, other landscape features and views, or other natural, cultural, and/or recreational resources; and areas for field testing of soils and water table.

E. CHECKLIST - MASTER PLAN
MAJOR LAND DEVELOPMENTS AND MAJOR SUBDIVISIONS

The applicant shall submit to the Administrative Officer at least seven (7) blueline copies of master plan maps required below, and 10 copies of the plan set reduced to 11"x17". The scale of all plans shall be sufficient to clearly show all of the information required and shall be subject to the approval of the Administrative Officer. Plans shall include a certification that all plans and improvements conform to all existing and amended standards of the State of Rhode Island and Providence Plantations, Board of Registration for Professional Engineers and Board of Registration of Land Surveyors. At a minimum, the following information shall be provided:

A. Master Plan Drawing(s) - A map or plan of the subdivision or development parcel at a scale not smaller than 1"= 100' showing the following information (with the exception of the north arrow, items 1-6 should be located within the title block):

- 1.____ Name of the proposed subdivision or development project
- 2.____ Names and addresses of all property owners and applicants, including names and addresses of all officers, members, directors, and principal stockholders of business or corporate entities.
- 3.____ Name, address and telephone number of person or firm preparing master plan
- 4.____ Date of plan preparation, with revision date(s) (if any)
- 5.____ Graphic scale and true north arrow
- 6.____ Plat and lot number(s) of the land being subdivided or developed
- 7.____ Zoning district(s) of the parcel(s), including all zoning requirements (such as for impervious coverage, parking, and setbacks), and actual dimensions provided. If more than one district, zoning boundary lines must be shown
- 8.____ Locus map inset
- 9.____ Perimeter boundary lines of the parcel(s), drawn so as to distinguish them from other property lines
- 10.____ Area of the project parcel and proposed number of buildable lots, dwellings, or units
- 11.____ Location and dimensions of existing property lines, man-made paths, easements, and rights-of-way, within or adjacent to the project parcel
- 12.____ Location, pavement and right-of-way width, and names of existing streets within and immediately adjacent to the project, including width and surface material of existing roads at access points
- 13.____ Names of abutting property owners and property owners immediately across any adjacent streets
- 14.____ Location of wooded areas and notation of existing ground cover, including major stands of trees, large specimen trees, rock outcrops, and other prominent physical features.

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

- 15.____ Location of wetlands, and watercourses present on or within 200 feet of the property being subdivided or developed, as verified by a valid RIDEM Wetland Edge Verification, and any available water table data (including scattered test pits indicating the mottling zone)
- 16.____ Areas of agricultural use
- 17.____ Existing topography with minimum contour intervals of two feet, certified by Surveyor or Photogrammetrist (ASPRS) per Article XIII, Section M. Shade the slopes greater than 15% to 25%, and shade out darker slopes greater than 25%
- 18.____ Location and approximate size of existing buildings or significant above-ground structures on or immediately adjacent to the subject parcel(s)
- 19.____ Location and dimension of all existing utilities within and immediately adjacent to the parcel(s), including sewer, water, gas, electric, phone, cable TV, fire alarm, hydrants, wells, septs, utility poles, stormwater drainage facilities or other above or underground utilities.
- 20.____ Proposals, if any, for connection with existing water supply and sanitary sewer systems or a notation that wells and ISDS are proposed
- 21.____ Provisions for collecting and discharging stormwater, including water table data from test pits in proposed collection areas.
- 22.____ Location of historic sites or cemeteries on or immediately adjacent to the project (if any)
- 23.____ Location of any unique natural and/or archeological & historic features, including stone walls and rock outcroppings
- 24.____ Notation on plan if the parcel(s) are located within ____ Natural Heritage Areas (RIDEM), or ____ Zoning Overlay Districts, if any
- 25.____ Proposed improvements including streets, lots, lot lines, with approximate lot areas and dimensions. Proposed lot lines shall be drawn so as to distinguish them from existing property lines
- 26.____ Proposed building footprints, paved areas, and uses of the site
- 27.____ Building Envelope on each lot
- 28.____ Notation of Area Suitable for Development on each lot
- 29.____ Base flood elevation data, and location of 100-year floodplain, from FEMA maps
- 30.____ Open space use plan, if any
- 31.____ Location of Fire Suppression technique
32. ____ An aerial photograph or a black line copy of an existing aerial photograph of the proposed subdivision or development parcel and surrounding area, at a scale of 1" = 400' or larger

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

- 33.____ A copy of the soils map of the subdivision or development parcel and surrounding area, and a general analysis of soil types and suitability for the development proposed. If any prime agricultural soils are within the subdivision or development parcel(s) the soils map shall be marked to show the location of said prime agricultural soils
- 34.____ A vicinity map, drawn to a scale of 1"=400' to show the area within one-half mile of the project parcel showing the locations of all streets, existing lot lines, and zoning district boundaries. Schools, parks, fire stations and other significant public facilities shall be indicated on the locus map by shading and labeling the specific use.
35. ____ For projects other than single family detached structures, submit architectural renderings (prepared by a RI Registered Architect) with proposed heights and uses of the structures.
- 36.____ Any other item(s) as required by the Zoning Ordinance or these regulations. (e.g., Exit 7 SMD, CZD, SRD, Residential Compound, etc.)
- 37.____ For projects proposing 4 or more residential lots or units (including the original lot or unit), notation on the plan that 20% of the total lots or units, rounded up to the next whole number, shall be designated for Low or Moderate Income Housing under the Inclusionary Zoning Requirements of the West Greenwich Zoning Ordinance.
- 38.____ Indication on the specific lots or units proposed to be earmarked for low or moderate income housing

B. Conservation Design Layouts- IF REQUESTED BY THE PLANNING BOARD. For residential projects with the potential to be developed as Conservation Design developments, follow the design process in Article V. Section G 2, and submit the following additional items:

- 1.____ The Planning Board may require soil testing for septic suitability on a sample of the lots designed in A above.
- 2.____ the required Master plan in A. above shall serve as the yield plan
- 3.____ Report, by qualified professionals, of an inventory and description of the conservation values of the property, including the purpose(s) of the conservation lands (draft Baseline Documentation Report)
- 4.____ an Existing Conditions and Site Resources Map with information from the Pre-application plan, and including greater detail as required on the Master Plan and including those elements for further study as determined by the Planning Board
- 5.____ a Potential Conservation Areas plan with information from the Pre-application plan, and further refined considering details from 4. above. This plan shall include identification of the most suitable locations for house sites.
- 6.____ 2 alternative layouts for roads and house lot configurations in conformance with the zoning dimensional requirements for Conservation Design Development, working off the Potential Conservation Areas plan from 5. above. This plan shall include potential trails and other open space amenities, along with conceptual drainage design.

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

- 7.____ Proposed ownership for the conservation open space land
- 8.____ Proposed conservation easement, restrictions, and easement holders
- 9.____ Proposed maintenance and management responsibility for the open space

C. Supporting Materials - The applicant shall submit to the Administrative Officer fifteen (15) copies of a narrative report providing a general description of the existing physical environment and existing use(s) of the property along with a general description of the uses and type of development proposed by the applicant. The narrative report shall include reduced copies, 11" x 17" and readable, of all plans required in No. A. above, plus items 5-11, below:

- 1.____ Filing Fee: - \$300 plus \$50 per lot or unit, or, if a multi family dwelling, \$300 + \$10 per bedroom, plus required mailing and advertising expenses
- 2.____ Cover letter and signatures of all property owners and applicants.
- 3.____ Two (2) copies of traffic analysis and site distance report, prepared by a Registered Professional Engineer.
- 4.____ 15 copies of Narrative Report, including reduced plan set.
- 5.____ For non-residential uses, include in the narrative report required in 4. above, the specific uses proposed, number of employees for which buildings are designed; type of power to be used for any manufacturing process, type of wastes or by-products to be produced by any manufacturing process, and the proposed method of disposal of such wastes or by-products shall also be shown.
- 6.____ An estimate of the approximate population of the proposed subdivision or development
- 7.____ An estimate of the number of school-aged children to be housed in the development
- 8.____ Fiscal impact statement
- 9.____ Proposed phasing, if any
- 10.____ Site Analysis (see Article XIII, Section I.) including written analysis of the site context, geology and soil, agricultural lands, wetlands, topography, climate, ecology, existing vegetation, structures, and road networks; visual features; historic features; rare or endangered plant or animal species; vernal pools; and past and present use of the site.
- 11.____ Development Impact Statement, unless waived by Planning Board

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

- 12.____ Initial written comments on the Master Plan from the following agencies:
(Provided by the Administrative Officer)

Local Agencies

- | | |
|--|-------------|
| A. ____ Planning Department | Date: _____ |
| B. ____ Public Works | Date: _____ |
| C. ____ Building Inspector | Date: _____ |
| D. ____ Solicitor | Date: _____ |
| E. ____ Conservation Comm | Date: _____ |
| F. ____ Land Trust | Date: _____ |
| G. ____ Police Dept. | Date: _____ |
| H. ____ Fire District | Date: _____ |
| I. ____ School Dept. | Date: _____ |
| J. ____ Potential Open Space owner | |
| K. ____ Potential Conservation Easement holder | |
| L. ____ Other (specify) _____ | Date: _____ |

Adjacent communities (specify)

- | | |
|----------|-------------|
| A. _____ | Date: _____ |
| B. _____ | Date: _____ |
| C. _____ | Date: _____ |
| D. _____ | Date: _____ |
| E. _____ | Date: _____ |

State agencies

- | | |
|----------------------------------|-------------|
| A. ____ Environmental Management | Date: _____ |
| B. ____ Transportation | Date: _____ |
| C. ____ Other (specify) _____ | Date: _____ |

Federal agencies

- | | |
|-----------------------------------|-------------|
| A. ____ U.S. Army Corps Engineers | Date: _____ |
| B. ____ FEMA | Date: _____ |

- 13.____ Is this parcel(s) in the Farm Forest and Open Space Act tax program?
- 14.____ Project Review Fee (see Article XI, Section E.) (\$3,000.00, plus \$100 per unit or lot, after the first six.
- 15.____ Copy of Certificate of Authorization to Practice in the State of Rhode Island for design professionals
- 16.____ The names and addresses of owners of all properties, agencies or communities requiring notification of the Master Plan Public Informational Meeting as required by these Regulations, accompanied by Affidavit that proper notice was sent to all required entities.

**F. CHECKLIST - PRELIMINARY PLAT
MAJOR LAND DEVELOPMENTS AND MAJOR SUBDIVISIONS**

A. Preliminary Plat Map(s) - The applicant shall submit to the Administrative Officer at least seven (7) copies of the preliminary site plans drawn to a scale of 1 inch to 40 feet, and 10 copies of the plan set reduced to 11"x17". The scale may be modified with the permission of the Administrative Officer. Each sheet shall be no larger than 24 inches by 36 inches, and a sufficient number of sheets shall be included to clearly show all of the information required. Sheets shall be numbered sequentially (e.g., sheet 1 of 3, 2 of 3, etc.). Plans shall include a certification that all plans and improvements conform to all existing and amended standards of the State of Rhode Island and Providence Plantations, Board of Registration for Professional Engineers and Board of Registration of Land Surveyors.

All maps required by this Checklist shall show the following information (with the exception of the north arrow, items 1-6 should be located within the title block), if applicable:

- 1.____ Name of the proposed project, including phase number
- 2.____ Names and addresses of all property owners and applicants, including names and addresses of all officers, members, directors, and principal stockholders of business or corporate entities.
- 3.____ Name, address and telephone number of engineer or land surveyor
- 4.____ Date of plan preparation, with revision date(s) (if any)
- 5.____ Graphic scale and true north arrow
- 6.____ Plat and lot number(s) of the parcel being subdivided or developed
- 7.____ Zoning district(s) of the parcel(s), including all zoning requirements (such as for impervious coverage, parking, and setbacks), and actual dimensions provided. If more than one district, zoning boundary lines must be shown
- 8.____ Locus map inset
- 9.____ Perimeter boundary lines of the parcel or phase, drawn so as to distinguish them from other property lines
- 10.____ Location and dimensions of existing property lines, man-made paths, easements and rights-of-way within or immediately adjacent to the parcel being subdivided or developed
- 11.____ Location, width and names of existing streets within and immediately adjacent to the parcel being subdivided or developed, including width and surface material of existing roads at access points
- 12.____ Names of abutting property owners including immediately across any adjacent streets

B. An Existing Conditions Map(s) to show the following:

- 1.____ Date of the existing conditions shown
- 2.____ Area of the parcel being subdivided or developed

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

- 3.____ Location and dimensions of existing property lines within or forming the perimeter of the parcel(s).
- 4.____ Location, width, and names of existing streets, easements, man-made paths, and right-of-ways within and immediately adjacent to the proposed project parcel(s) , including width and surface material of existing roads at access points
- 5.____ Names of abutting property owners and property owners immediately across any adjacent streets
- 6.____ Location of wooded areas and notation of existing ground cover, including major stands of trees, large specimen trees, rock outcrops, and other prominent physical features.
- 7.____ Location of wetlands and watercourses present on or within 200 feet of the property
- 8.____ Existing topography with minimum contour intervals of two feet, certified by Surveyor or Photogrammetrist (ASPRS) per Article XIII, Section M.
- 9.____ Location and approximate size of existing buildings or significant above-ground structures on or immediately adjacent to the parcel
- 10.____ Location and dimension of all existing utilities within and immediately adjacent to the subdivision or development, including sewer, water, gas, electric, phone, cable TV, fire alarm, hydrants, utility poles, stormwater drainage facilities or other existing above or underground utilities
- 11.____ Location of historic sites or cemeteries on or immediately adjacent to the parcel (if any)
- 12.____ Areas of agricultural use (if any)
- 13.____ Location of any unique natural and/or historic features, including stone walls, archaeological sites, rock outcroppings, etc.
- 14.____ Base flood elevation data, from FEMA maps
- 15.____ Certification by a Professional Land Surveyor that a current perimeter survey of the land being subdivided or developed has been performed and conforms to a Class I Survey
16. ____ An aerial photograph or a black line copy of an existing aerial photograph of the proposed subdivision or development parcel and surrounding area, at a scale of 1" = 400' or larger
- 17.____ A copy of the soils map of the subdivision or development parcel and surrounding area, and a general analysis of soil types and suitability for the development proposed. If any prime agricultural soils are within the subdivision or development parcel(s) the soils map shall be marked to show the location of said prime agricultural soils
- 18.____ A vicinity map, drawn to a scale of 1"=400' to show the area within one-half mile of the project parcel showing the locations of all streets, existing lot lines, and zoning district boundaries. Schools, parks, fire stations and other significant public facilities shall be indicated on the locus map by shading and labeling the specific use.

C. A Proposed Conditions Map(s) to show the following:

- 1.____ Proposed improvements including streets, lots, lot lines, with approximate lot areas, building envelopes, and dimensions shown. Proposed lot lines shall be drawn to distinguish from existing lot lines. (Conservation Design Developments shall follow the design process in Article V. Section G 2, and the Physical Design Requirements in Article XIII Section N.)
- 2.____ Location and dimensions of all proposed building footprints, structures, sidewalks, driveways, parking lot layout and other impervious surfaces, including dumpster locations, loading zones, and fire lanes; and any other proposed site improvements, including retaining walls and fences, and outdoor storage.
- 3.____ Location and dimension of all proposed utilities within and immediately adjacent to the parcel, including wells, septic, sewer, water, gas, electric, phone, cable TV, fire alarm, hydrants, utility poles, stormwater drainage facilities or other proposed above or underground utilities
- 4.____ Grading plan to show proposed contours at two-foot intervals for all grading proposed for on and off-site street construction, drainage facilities and upon individual lots if part of proposed development improvements
- 5.____ Proposed stormwater management and drainage plan, prepared by a Registered Professional Engineer
- 6.____ Soil erosion and sediment control plan, including limits of disturbance, and plan for protecting completed public improvements during building construction.
- 7.____ Plan and detail/method for protecting existing trees
- 8.____ Landscaping plan, prepared by a Registered Landscape Architect, to show all significant proposed clearing of land, removal of existing vegetation, revegetation and/or landscaping on street rights-of-way, parking areas, buffer areas, around buildings, and upon individual lots if part of proposed subdivision or development or project improvements
9. ____ Lighting plan, if applicable, including location, direction, power and timing, and details for all outdoor pole and building mounted lighting. (Photometric plan)
- 10.____ Proposed signage plan, if applicable, including location, size, color and illumination.
- 11.____ Proposed street plan and profiles drawn at a scale of 1"= 40' horizontal and 1" = 4' vertical
- 12.____ Street cross-sections
- 13.____ Proposed street names
- 14.____ Proposed sidewalks, bike paths, and trails
- 15.____ Proposed street trees, if required by the Planning Board
- 16.____ For projects other than single family detached structures, submit architectural renderings (prepared by a RI Registered Architect) with proposed heights and including any proposed division of buildings into units of separate occupancy, and breakdowns of all proposed floor space by type of use.

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

- 17.____ For projects other than single family homes, notation indicating the zoning dimensional requirements including square footage and percent structure coverage and impervious coverage for existing and proposed development.
- 18.____ For projects proposing 4 or more residential lots or units (including the original lot or unit), notation on the plan that 20% of the total lots or units, rounded up to the next whole number, shall be designated for Low or Moderate Income Housing under the Inclusionary Zoning Requirements of the West Greenwich Zoning Ordinance.
- 19.____ Indication on the specific lots or units proposed to be earmarked for low or moderate income housing
- 20.____ Location, dimension and area of any land proposed to be set aside as open space
- 21.____ Open space use plan, including proposed improvements; and including proposed ownership and easement holders. (Conservation Design Developments shall follow the design process in Article V. Section G 2, and the Physical Design Requirements in Article XIII Section N.)
- 22.____ Location of proposed boulder burial areas (stumps shall not be buried)
- 23.____ Location of fire suppression technique
- 24.____ Any other item(s) as required by the Zoning Ordinance or these regulations. (e.g., Exit 7 SMD, CZD, SRD, Residential Compound, Conservation Design Development, etc.)
- 25.____ Certification (stamp) of a Registered Professional Engineer that the construction drawings are correct
- 26.____ Ten (10) copies of the proposed subdivision or development plan reduced to 11" x 17"

D. Supporting Materials

- 1.____ Filing Fee: \$500 plus \$100 per lot or unit, or, if a multi family dwelling, \$500 + \$20 per bedroom; plus required mailing and advertising expenses.
- 2.____ Project Review Fee (\$1,000.00 plus \$100 per unit or lot, after the first six.)
- 3.____ Cover letter and signature of all property owners and applicants.
- 4.____ Development Impact Statement
- 5.____ Written confirmation from the RI Department of Environmental Management pursuant to the RIDEM Rules and Regulations Governing the Enforcement of the Freshwater Wetlands Act, and any subsequent amendments thereto, that plans of the proposed development, including any required off-site construction, have been reviewed and indicating that the Wetlands Act either does not apply to the proposed site alteration or that approval has been granted for the proposed site alteration. If no wetlands are present on site, submit RIPDES approval.

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

- 6.____ Written confirmation that the appropriate water company or district has reviewed the plan and is able to provide water service (if proposed)

Water Company or District_____

Date of Letter_____

- 7.____ A Physical Alteration Permit (PAP) issued by the State Department of Transportation for any connection to or construction work within a State highway or other right-of-way (if necessary)
- 8.____ Two (2) copies of traffic analysis and site distance report, prepared by Registered Professional Engineer. (For phased projects, an updated analysis may be required)
- 9.____ Two (2) copies of drainage calculations, prepared by Registered Professional Engineer.
- 10.____ Preliminary Subdivision Suitability Determination by the Department of Environmental Management for the use of individual sewage disposal systems (if proposed).
- 11.____ Copies of permits from all appropriate Federal, State, and local regulatory agencies.
- 12.____ The names and addresses of owners of all properties, agencies or communities requiring notification of the Preliminary Plan Public Hearing as required by these Regulations, accompanied by Affidavit that proper notice was sent to all required entities.
- 13.____ Copies of return receipts for certified mail notices (above)
- 14.____ Draft copies of all legal documents describing the property, proposed easements and rights-of-way, dedications, restrictions, or other required legal documents, accompanied by a Metes and Bounds description of said areas (required).

Specify _____

For Conservation Design Developments, the following documents are required:

_____ draft Open Space Property Management Plan (ie, Forest Management Plan, etc.)

_____ draft Conservation Easement documents

_____ draft Homeowner Association bylaws (if proposed)

15. Either of the following:

- ____ a. A letter stating it is the intent of the applicant to complete the required improvements prior to the Planning Board's endorsement of the final plat; or,
- ____ b. A letter requesting that security sufficient to cover the cost of required improvements as provided in Article VII be set by the Planning Board

Initial amount set by Board_____

Date_____

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

16.____ Final written comments on the Preliminary Plan by the following:
(*Provided by the Administrative Officer*)

- | | |
|---|-------------|
| A. ____ Planning Department | Date: _____ |
| B. ____ Public Works | Date: _____ |
| C. ____ Building Inspector | Date: _____ |
| D. ____ Solicitor | Date: _____ |
| E. ____ Conservation Commission | Date: _____ |
| F. ____ Land Trust | |
| G. ____ Town Council | |
| H. ____ Open Space owner/easement holders | |
| I. ____ Other (specify)_____ | Date: _____ |

17.____ Is this parcel(s) in the Farm Forest and Open Space Act tax program?

18.____ Copy of Certificate of Authorization to Practice in the State of RI for all design professionals.

19.____ Certificate of the Tax Collector showing that all taxes due on the parcel being subdivided or developed have been paid for a period of five (5) years prior to start of construction and that there are no outstanding municipal liens on the parce

G. CHECKLIST - FINAL PLAT
MAJOR LAND DEVELOPMENTS AND MAJOR SUBDIVISIONS

The applicant shall submit to the Administrative Officer copies of final site plans and supporting materials as indicated below:

A. Plat Plans to be Recorded - One copy of the final plat plan drawn on mylar to a scale of 1 inch to 50 feet. The scale may be modified with the permission of the Administrative Officer. In addition, five (5) blueline copies shall also be submitted. Each sheet shall be no larger than 24 inches by 36 inches, and a sufficient number of sheets shall be included to clearly show all of the information required. Sheets shall be numbered sequentially (e.g., sheet 1 of 3, 2 of 3, etc.). The following information shall be shown on the plans (with the exception of the north arrow, items 1-7 should be located within the title block):

- 1.____ Name of the proposed subdivision or development project
- 2.____ Notation that the project is located in the Town of West Greenwich, RI
- 3.____ Names and addresses of all property owners and applicants, including names and addresses of all officers, members, directors, and principal stockholders of business or corporate entities.
- 4.____ Name, address and telephone number of engineer or land surveyor
- 5.____ Date of plan preparation, with revision date(s) (if any)
- 6.____ Graphic scale and true north arrow
- 7.____ Plat and lot number(s) of the parcel being subdivided or developed
- 8.____ Zoning district(s) of the parcel(s), including all zoning requirements (such as for impervious coverage, parking, and setbacks), and actual dimensions provided. If more than one district, zoning boundary lines must be shown
- 9.____ Locus map inset
- 10.____ Perimeter boundary lines of the project parcel(s), drawn so as to distinguish them from other property lines
- 11.____ Location and dimensions of existing property lines, easements and rights-of-way within or immediately adjacent to the parcel
- 12.____ Location, width and names of proposed and existing streets within and immediately adjacent to the parcel
- 13.____ Names of abutting property owners and property owners immediately across any adjacent streets
- 14.____ Location of proposed permanent bounds
- 15.____ Location of all interior lot lines and street lines with accurate dimensions indicated
- 16.____ Location and number of all proposed lots, with accurate areas indicated

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

- 17.____ Location and notation of type of proposed easement(s) or existing easement(s) to remain (if any) with accurate dimensions and areas indicated
- 18.____ Location of fire suppression technique
- 19.____ Location of wetlands, streams, and other water bodies, and associated State and local setback distances
- 20.____ Building envelope for each lot
- 21.____ For non-residential projects, the location and dimensions of improvements required in C. 1. through C. 3. of Checklist F. of these regulations.
- 22.____ Notation of special conditions of approval imposed by the Planning Board (if any)
- 23.____ Notation of any permits and agreements with state and federal reviewing agencies
- 24.____ For projects proposing 4 or more residential lots or units (including the original lot or unit), notation on the plan that 20% of the total lots or units, rounded up to the next whole number, shall be designated for Low or Moderate Income Housing under the Inclusionary Zoning Requirements of the West Greenwich Zoning Ordinance.
- 25.____ Indication on the specific lots or units proposed to be earmarked for low or moderate income housing
- 26.____ Phasing schedule (if any)
- 27.____ Certification by a Professional Land Surveyor that all interior and perimeter lot lines and street lines of the land being subdivided have been designed to conform to a Class I Survey and to conform to Procedural and Technical Standards for the Practice of Land Surveying in the State of Rhode Island and Providence Plantations as prepared by the Rhode Island Society of Professional Land Surveyors, Inc., May 1992, as amended.
- 28.____ Cover letter and signature of all property owners and applicants.

B. As-Built Drawings - Five (5) blue-line copies of as-built plans drawn to a scale of 1 inch to 50 feet. The scale may be modified with the permission of the Administrative Officer. Each sheet shall be no larger than 24 inches by 36 inches, and a sufficient number of sheets shall be included to clearly show all of the information required. Sheets shall be numbered sequentially (e.g., sheet 1 of 3, 2 of 3, etc.).

- 1.____ Final As-Built plans as listed in Article XIV, Section C 7, including plans of any additional improvements as required by the Planning Board as a condition of approval.
- 2.____ Certification (stamp) by a Registered Professional Engineer that the as-built plan is correct, and that all systems including roads, drainage, and utilities will function as designed and constructed.
- 3.____ As-built street plan and profiles drawn at a scale of 1"=40' horizontal, and 1"=4' vertical
- 4.____ For phased projects, as-built drawings for the previous phase (if applicable)

C. Supporting Materials

- 1.____ Checklist H – Administrative Requirements for Inclusionary Zoning
- 2.____ Two original signed copies of all legal documents describing the property, creating a Homeowners' Association, proposed easements and rights-of-way, dedications, restrictions or other required legal documents, accompanied by a Metes and Bounds description of said areas (required) (Easements shall be tied into the road bounds).

Specify:

For Conservation Design Developments, the following documents are required for final review and approval by the Town, and shall be recorded in the West Greenwich Land Evidence Records:

- ____ Final Conservation Easement document
- ____ Final Open Space Property Management Plan (ie, Forest Management Plan, etc.)
- ____ Final Baseline Documentation Report
- ____ Final Homeowner Association bylaws (if proposed)
- ____ Statement of Conservation Design Development

- 3.____ Certificate of the Tax Collector showing that all taxes due on the parcel being subdivided or developed have been paid for a period of five (5) years prior to filing of the final plat and that there are no outstanding municipal liens on the parcel
- 4.____ Deed transferring land proposed for dedication to the Town or other qualified group or agency for open space or public purposes
- 5.____ Ten (10) copies of reduced plans to be recorded (11" X 17") (A, above)
- 6.____ Ten (10) copies of reduced As Built plans (11" X 17") (B, above)
- 7.____ Cost of all improvements completed and cost estimate for remaining improvements
- 8.____ Any other item(s) as required by the Zoning Ordinance or these regulations. (e.g., Exit 7 SMD, CZD, SRD, Residential Compounds, Conservation Design Developments, etc.)

D. Payment of Required Fees - Payment of the following fees or posting of financial guarantees– if required, to be prior to endorsement by the Planning Board and recording of final plans:

- 1.____ Filing Fee: \$150 + \$50 per lot or unit, or, if a multi family dwelling, \$150 + \$10 per bedroom.
- 2.____ Final plat recording fee - Amount _____
- 3.____ Performance bond or other financial guarantees

Initial amount _____

Date set by Planning Board _____

Date of Expiration of Surety _____

- 4.____ Fees in-lieu-of land dedication - Amount _____
- 5.____ Inspection/Engineering fee (Project Review Fee)- Amount _____
- 6.____ Maintenance bond for acceptance of public improvements (if applicable)
- Amount _____
- Date of Council Acceptance _____
- Description _____
- _____
- Date of Expiration of Maintenance Bond _____
- 7.____ Fee in-lieu- of Fire Suppression technique, if applicable
- 8.____ Is this parcel(s) in the Farm Forest and Open Space Act tax program?
- 9.____ Street signs- \$50.00 per sign at ____ signs= Amount_____

H. CHECKLIST -ADMINISTRATIVE REQUIREMENTS
for Inclusionary Zoning
(Required for Final approval of project)

Date:_____

Name of Project:_____

Location:_____ A.P._____ Lot(s)_____

Number of Lots/ Units earmarked for Inclusionary Zoning:_____

Total number of Lots/ Units in development:_____

Are any units being provided off-site:_____ How Many_____ Where:_____

Average number of bedrooms per unit in development:_____

Developer:

Name:_____

Contact Person:_____

Address:_____

Phone:_____

Monitoring Agency:

Name:_____

Contact Person:_____

Address:_____

Phone:_____

1. _____ Submit Contract with Monitoring Agency

Following items to be addressed:

- a) _____ current sale or rental pricing
- b) _____ criteria established for qualifying purchasers or renters for occupancy
based upon household size and income
- c) _____ marketing and resident selection plan
- d) _____ local preference for resident selection

Signature of Solicitor Approval:_____

Date of Approval:_____

Recording Date/ Book/ Page _____

Notes:_____

2._____ Submit draft/template of deed restriction addressing the following requirements:

- a) _____ basis for calculation of the maximum allowable sales or rental price for the housing unit both initially and on future buyers or renters (for up to 99 years)
- b) _____ reference to recorded book and page of contract with monitoring agency, for marketing plan that meets local preferences and state and federal fair housing requirements
- c) _____ provisions for monitoring and assurance of compliance with income eligibility, maximum allowable sales or rental pricing, and local preference, over time
- d) _____ basis for income eligibility criteria for future purchasers or occupants and how income eligibility criteria will again be observed at the time of each future resale, release, or other transfer.
- e) _____ renewal provisions for Term of Affordability (30 years, renewed an additional 30 years for each sale prior to the 30 year minimum limit)
- f) _____ statement of what the Federal, State, or cost mitigating provisions applied to the creation of the affordable unit are.
- g) _____ Signatory line for Town to sign in order to enforce authority over long-term affordability restrictions
- h) _____ Approval of Town Solicitor (shall be required for each actual rental agreement and deed)

3._____ Submit Marketing and Resident Selection Plan addressing the following requirements:

- a) _____ how the affordable units will be marketed
- b) _____ how the homebuyers or tenants will be selected (description of process)
- c) _____ how the local resident preference will be implemented
- d) _____ how the local resident preference will be prioritized
- e) _____ how the results of each selection will be reported to the Town Administrator
- f) _____ how to ensure that purchaser's or tenants' incomes will meet the prescribed limits at the time of purchase or occupancy
- g) _____ how income eligibility criteria will again be observed at the time of each future resale, release, or other transfer.

**Requirements After Recording
(to be filled in by Town, on file)**

Name of Project:_____

Location:_____ Plat _____

List Assessors Lot and/or Unit Number for each earmarked Affordable Lots/ Units in the following Table
(if more than one Plat, indicate Plat numbers in table)

Average number of bedrooms per unit in development:_____

Total number of units in the development_____

NOTE: no more than 50% of the market rate units shall be granted building permits until all the inclusionary units have received Certificates of Occupancy.

Record Lot	Assessor Lot	Date of Building Permit	# of Bdrms	Deed Reviewed by Solicitor, Approval Date	Date of CO	Selection of Occupant reported to Administrator	Percent of Market rate units with CO's at this time

Copy this page as needed for more lots.

**I. CHECKLIST – APPLICATION FOR WAIVER
(Article VIII)**

Date: _____

Project Name: _____

Project Location: _____ A.P. _____ Lot(s) _____

Current Zoning District of Parcel(s): _____ Acreage: _____

Applicant:

Name: _____

Contact Person: _____

Mailing Address: _____

Phone: _____ Fax: _____

Authorized Agent:

Name: _____

Mailing Address: _____

Phone: _____ Fax: _____

Relationship of Applicant to Property: _____ Owner
_____ Tenant
_____ Purchase Agreement

Please check all that apply and provide the required supporting information

A. _____ Waiver of Development Plan Review

_____ \$150 Application fee and Pre-application meeting with Planning Board

Supporting Information:

a) Prior Use of Site: _____

b) Proposed Use and/or Improvements: _____

c) 10 copies of existing plan of site (if no plan exists, submit plans, prepared by a professional, meeting the Pre-application checklist)

d) Describe the impact the proposed use will have on the following (attach narrative reports, and supporting information):

1. Drainage _____
2. Traffic/ circulation _____
3. Relationship to abutting buildings/uses _____
4. Are there adequate buffers in place for the proposed use? (describe)

B. _____ Waiver or Modification of
_____ **Design and Public Improvement Standards**
_____ **Construction Methods and Specifications**

Waiver of design or construction standards requires a Public Hearing before the Planning Board in accordance with the requirements of Article V, Section C. 4.m., and will be heard as part of either the Master Plan or Preliminary Plan review process.

Section Reference Number and Page _____

Summary of Requested Waiver or Modification _____

State hardship and/or practical difficulties resulting from strict compliance with the Regulations:

C. _____ Waiver of Checklist or Administrative Requirements

Waiver of Checklist requirements shall be considered by the Planning Board at the Pre-Application stage of review, and does NOT require a public hearing.

Stage of Review _____

Checklist Item for waiver request: _____

Reason for requesting waiver: _____

J. STORMWATER MANAGEMENT DESIGN CHECKLIST

This checklist is provided as a guide for plan preparers only; additional items not listed herein may be required by the Planning Board on a project-by-project basis.

[] SEDIMENTATION & EROSION CONTROL (SEC) PLAN (Article XIII, Section H.4) (Items to be depicted on land development plans)

[] Existing Conditions Features (Section H.4.b.1)

- []** Natural waterways & water bodies
- []** Man-made waterways & water bodies
- []** Special areas susceptible to erosion

[] Proposed Conditions Features (H.4.b.2)

- []** Proposed limits of disturbance (L.O.D.)
- []** Location/type of proposed SEC measures
- []** Standard details for all proposed SEC measures
- []** Detailed construction sequence
- []** Detailed short-term SEC maintenance plan

[] STORMWATER MITIGATION PLAN (SMP) (Section H.5)

[] Stormwater Mitigation Report (H.5.b)

- []** Pre & post development peak flow rates (all analyzed storms)
- []** Pre & post development peak volumes (all analyzed storms)
- []** Post-development water quality volume (WQV) calculations
- []** Peak flow rate mitigation design (required)
- []** Peak volume mitigation design (recommended)
- []** Water quality design
- []** Supporting materials (soil maps, soil evaluation reports, etc.)
- []** Long-term stormwater collection, conveyance and mitigation feature O&M plan
- []** Stormwater feature easement language (for Town-maintained features on or accessed through private property)
- []** Stormwater feature maintenance agreement language (for privately-maintained features only)
- []** Non-structural SMP narrative (if applicable)

West Greenwich Land Development & Subdivision Regulations: amended 5/18/ 2015

- [] Pre-Development Watershed Maps (H.5.c.1) i.)
(May be incorporated into plan set or provided separately in SMP Report)
 - [] Existing topography
 - [] Existing physical features
 - [] Watershed perimeters
 - [] Tc flow paths
 - [] Watershed annotations
- [] Post-Development Watershed Maps (H.5.c.1) ii.)
(May be incorporated into plan set or provided separately in SMP Report)
 - [] Proposed topography
 - [] Proposed physical features
 - [] Watershed perimeters
 - [] Tc flow paths
 - [] Watershed annotations
- [] Stormwater Collection, Conveyance & Mitigation Features
(Items to be depicted on Land Development Plans)
 - [] All proposed collection, conveyance and mitigation features
 - [] Standard details for all elements of proposed features
 - [] Long-term stormwater collection, conveyance and mitigation feature O&M plans

APPENDIX A.

Low Impact Development Resources

US Environmental Protection Agency:

EPA Low Impact Development Page

<http://www.epa.gov/owow/nps/lid/>

RI Department of Environmental Management:

Rhode Island Stormwater Design and Installation Manual, September 1993.

<http://www.dem.ri.gov/programs/benviron/water/permits/ripdes/stwater/pdfs/desman.pdf>

RIDEM is currently working on an update to the 1993 Stormwater Design and Installation Manual. The Draft RI Storm Water Manual Chapters are located on the following website:

<http://www.dem.ri.gov/programs/benviron/water/quality/nonpoint/index.htm>

(chapters are listed as links on the left hand side)

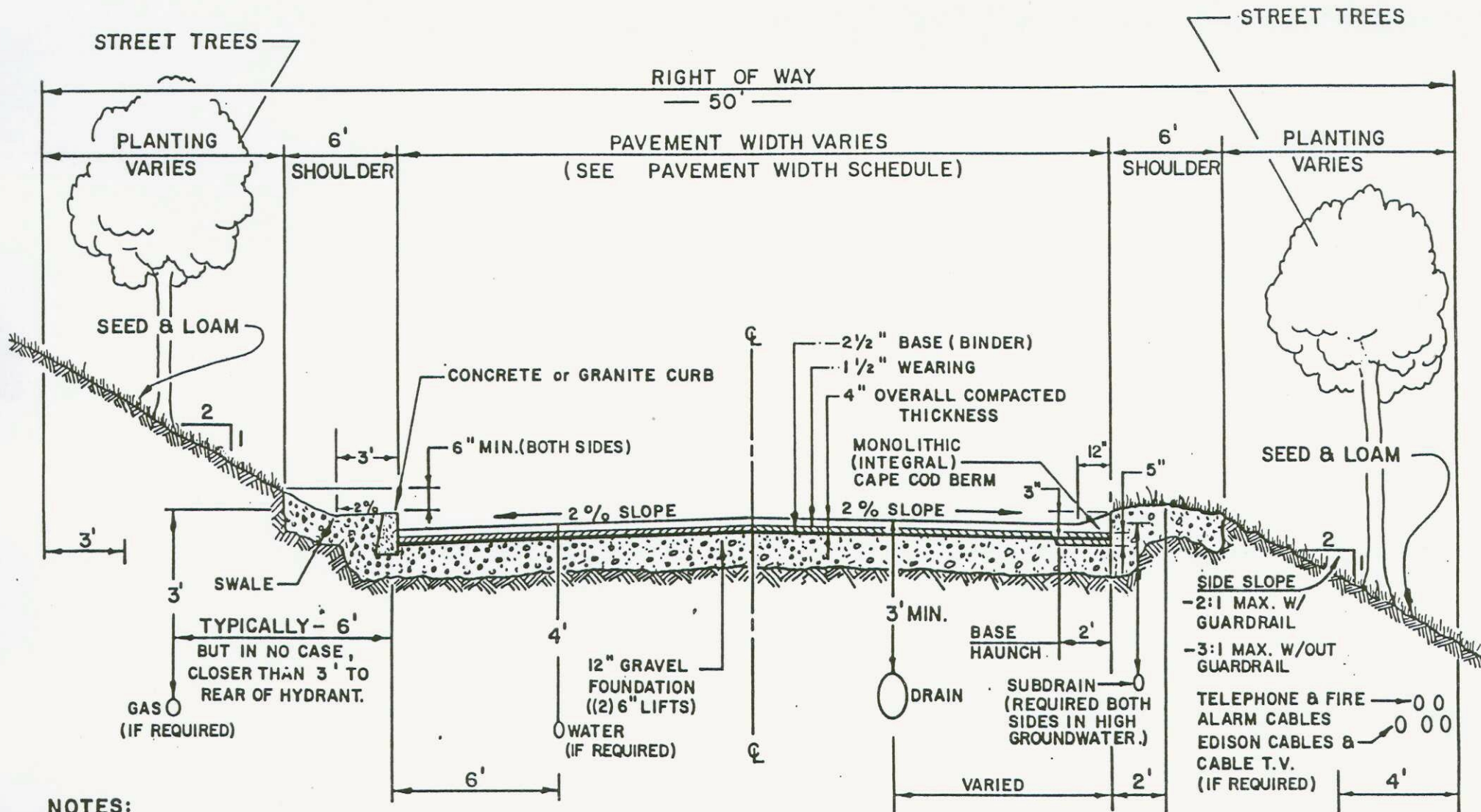
Massachusetts LID Toolkit:

<http://www.mapc.org/LID.html>

APPENDIX B.

LIST OF FIGURES

Figure 1	Typical Cross Section - Local Public Street
Figure 2	Roadway Design Table
Figure 3	Cistern Detail- (Standard for all 3 Fire Companies)
Figure 4	Cul-de-sac Design



NOTES:

1. SIDEWALK(S) AND CURBS REQUIRED ON A SITE BY SITE BASIS AT THE DISCRETION OF THE PLANNING BOARD. GRAVEL BASE TO EXTEND UNDER OPTIONAL SIDEWALK(S) AND CURBS IF REQUIRED.
2. GUTTER FLOW FOR A 10 YEAR STORM SHALL NOT IMPINGE MORE THAN 6 FEET INTO THE ROADWAY.
3. IN EXTREMELY ROCKY AREAS OR LEDGE, PROVIDE A 3 FOOT DEEP CLEAR ZONE BENEATH THE TRAVELED WAY.

-TOWN OF WEST GREENWICH- TYPICAL CROSS-SECTION

— NOT TO SCALE —

- FIGURE 1 -

NOTE:

BASE & WEARING COURSE IN 2 COMPACTED LAYERS SECOND APPLIED > 270 DAYS AFTER HAUNCH.

FIGURE 2

ROADWAY DESIGN TABLE

GENERAL	Type of Street:	Minor	Collector	Parking Lots
# Houses Served **		≤ 50	> 50	
Design Speed		25 mph	35 mph	
Assumed Travel Speed		25 mph	35 mph	

HORIZONTAL DESIGN

Minimum Site Distance			
@ intersection (8ft. back)	200 ft.	200 ft.	
Minimum Stopping Site Distance	200 ft.	250 ft.	
Minimum Centerline Radii	200	350	
Minimum Tangent Between			
Reverse Curves	150	250	
Right-of-Way Width "A"	50 ft.	50 ft.	
Pavement Width "B"	24 ft.	26 ft.	
Minimum Intersection Angle	60	60	
Minimum Center Line Offsets			
(Intersecting Street)	150 ft.	150 ft.	
Cul-De-Sac			

See Figure 4 Cul-de-sac Detail

VERTICAL DESIGN

Minimum Grade	0.5%	0.5%	0.5%
Maximum Grade	0.8%	0.7%	0.4%
Transition Areas:			
Max Grade Within 100 ft.			
of an intersection street			
(proposed)	2%	2%	2%
Existing Street	4%	4%	4%
Crest Vertical Curve	K = 28	K = 40	
Sag Vertical Curve	K = 36	K = 49	

* Minimum K = $\frac{\text{Length of Vertical Curve in Feet}}{\text{Algebraic Difference in Feet}}$

DRAINAGE DESIGN

See Article XIII, Section H.

** General Guidelines: May include exterior incidental traffic

9,000 GAL FIRE CISTERN DESIGN

as Approved by the
Fire Board of Engineers

Town of West Greenwich
Rhode Island

DATE: 01/05/2008

REV. 1

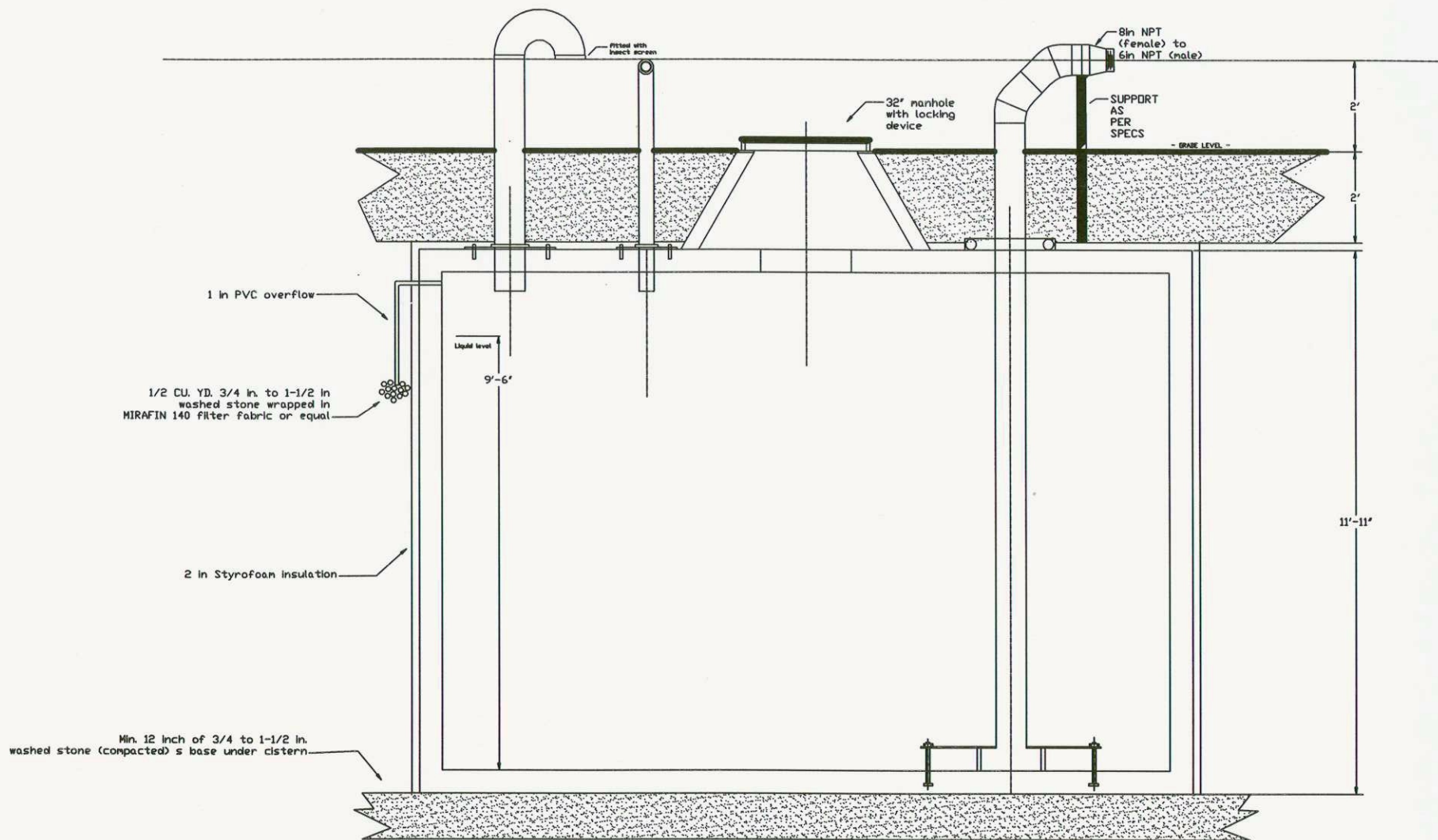
Page 1 of 8

FIGURE 3

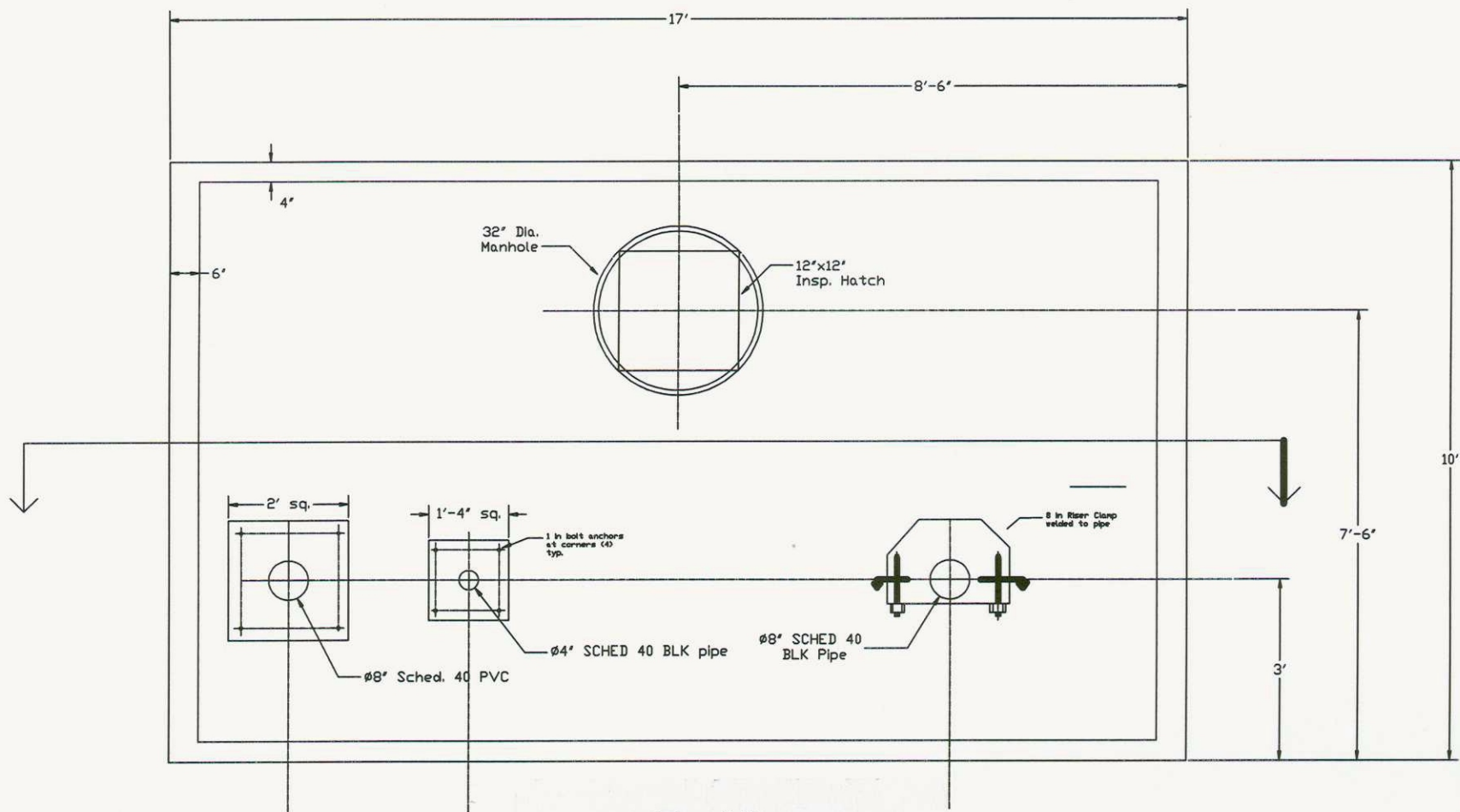
NOTES:

1. SPECIFICATIONS AND INSTALLATION OF EACH CISTERN AND DRY HYDRANT SHALL BE IN COMPLIANCE WITH NFPA 1142 STANDARD ON WATER SUPPLIES FOR SUBURBAN AND RURAL FIRE FIGHTING (1999 EDITION)
2. MAINTENANCE OF THE CISTERNS AND DRY HYDRANTS SHALL BE THE RESPONSIBILITY OF THE SUBDIVISION ASSOCIATION.
3. THE DESIGN OF A CISTERN SHOULD BE TROUBLE FREE AND LAST A LIFETIME.
4. THE CISTERN CAPACITY SHALL BE 9,000 GALLONS MINIMUM, AVAILABLE THROUGH SUCTION PIPING SYSTEM.
5. THE SUCTION PIPING SYSTEM SHALL BE SUBMITTED TO THE AUTHORITY HAVING JURISDICTION FOR APPROVAL PRIOR TO CONSTRUCTION. ALL PLANS SHALL BE SIGNED BY AN ACCEPTABLE REGISTERED PROFESSIONAL ENGINEER.
6. THE SUCTION PIPING SYSTEM SHALL BE CAPABLE OF DELIVERING 1000 GPM FOR THREE QUARTERS OF THE CISTERNS CAPACITY.
7. THE ENTIRE SHALL BE RATED FOR HIGHWAY LOADING UNLESS SPECIFICALLY EXEMPTED BY THE AUTHORITY HAVING JURISDICTION.
8. ALL DRAWINGS ARE FOR ESTIMATING PURPOSES ONLY AND ARE NOT FOR USE AS DESIGN, EXCEPT FOR PIPING PLACEMENT AND SUCTION DESIGN.
9. EACH CISTERN SHALL BE SIGHTED TO A PARTICULAR LOCATION BY A REGISTERED ENGINEER AND APPROVED BY THE AUTHORITY HAVING JURISDICTION.
10. PRECAST CONCRETE SHOULD ACHIEVE A 28 DAY STRENGTH OF 5000 PSIG (34,500 KPA).
11. THE CONCRETE SHALL BE PORTLAND CEMENT TYPE II PER ASTM C150-81. STEEL REINFORCEMENT PER ASTM A-615 GRADE 60. DESIGN LOADING TO CONFORM TO AASHTO HS-20. TANK JOINTS TO BE SEALED WITH BUTYL RUBBER JOINT SEAL AND EXTERIOR OF TANK COATED WITH BITUMINOUS WATERPROOFING.
12. ALL SUCTION AND FILL PIPING SHALL BE ASTM SCHEDULE 40 STEEL. ALL VENT PIPING SHOULD BE ASTM SCHEDULE 40 WITH GLUED JOINTS.
13. ALL PVC PIPING SHALL HAVE GLUED JOINTS.
14. THE FINAL SUCTION CONNECTION SHALL BE A MINIMUM OF 6 INCHES AND SHALL BE CAPPED WITH A STORTZ COUPLING WITH LOCKING CAP OR 6 INCH MALE NATIONAL FIRE THREAD COUPLING WITH CAP, AS SPECIFIED BY AUTHORITY HAVING JURISDICTION.

15. THE FILLER PIPE SHALL HAVE 1 (ONE) 4 INCH STORTZ COUPLING WITH LOCKING CAP OR 2 1/2 INCH MALE NATIONAL FIRE THREAD COUPLING WITH CAP, AS SPECIFIED BY AUTHORITY HAVING JURISDICTION.
16. THE ENTIRE CISTERN SHALL BE COMPLETED AND INSPECTED BEFORE BACKFILLING IS DONE.
17. ALL BACKFILLING MATERIAL SHALL BE SCREENED GRAVEL WITH NO STONES LARGER THAN 1-1/2 INCHES AND SHALL BE COMPACTED TO 95 PERCENT PER ASTM 1557.
18. BEDDING FOR THE CISTERN SHALL CONSIST OF A MINIMUM OF 12 INCHES OF 3/4 INCH TO 1-1/2 INCH CRUSHED WASHED STONE COMPACTED. NO FILL SHOULD BE USED UNDER STONE.
19. SUCTION PIPE AND FILLER PIPE CONNECTIONS SHALL BE 24 INCHES ABOVE FINISHED GRADE.
20. SUCTION PIPE SHALL BE SUPPORTED EITHER TO THE TOP OF THE TANK OR TO A LEVEL BELOW FROST.
21. BASE SHALL BE DESIGNED SO THAT CISTERN WILL NOT FLOAT WHEN EMPTY.
22. PERIMETER OF TANK AT FLOOR/WALL JOINT SHALL BE SEALED WITH 8 INCH PVC WATERSTOP.
23. BACKFILL OVER THE TANK SHALL BE:
 - (A) 24 INCH MINIMUM FILL OVER 2 IN STYROFOAM INSULATION ON TOP OF CISTERN.
 - (B) ALL BACKFILL SHALL EXTEND 10 FEET BEYOND THE EDGE OF THE CISTERN, AND HAVE A MINIMUM OF 3:1 SLOPE, LOAMED AND SEEDED.
24. AFTER BACKFILLING, TANK SHALL BE PROTECTED BY FENCING OR LARGE STONES, AS DEEMED NECESSARY BY AUTHORITY HAVING JURISDICTION.
25. BOTTOM OF SUCTION PIPE TO PUMPER CONNECTION SHALL NOT EXCEED 14 FEET VERTICAL DISTANCE.
26. PITCH OF SHOULDER AND VEGICLE PAD FROM EDGE OF PAVEMENT TO PUMPER SUCTION CONNECTION SHALL BE 1 TO 6 PERCENT DOWNGRADE.
27. ALL CONSTRUCTION, BACKFILL, AND GRADING MATERIAL SHALL BE IN ACCORDANCE WITH PROPER CONSTRUCTION PRACTICES AND ACCEPTABLE TO THE AUTHORITY HAVING JURISDICTION.



Side View Cistern Detail
 not to scale

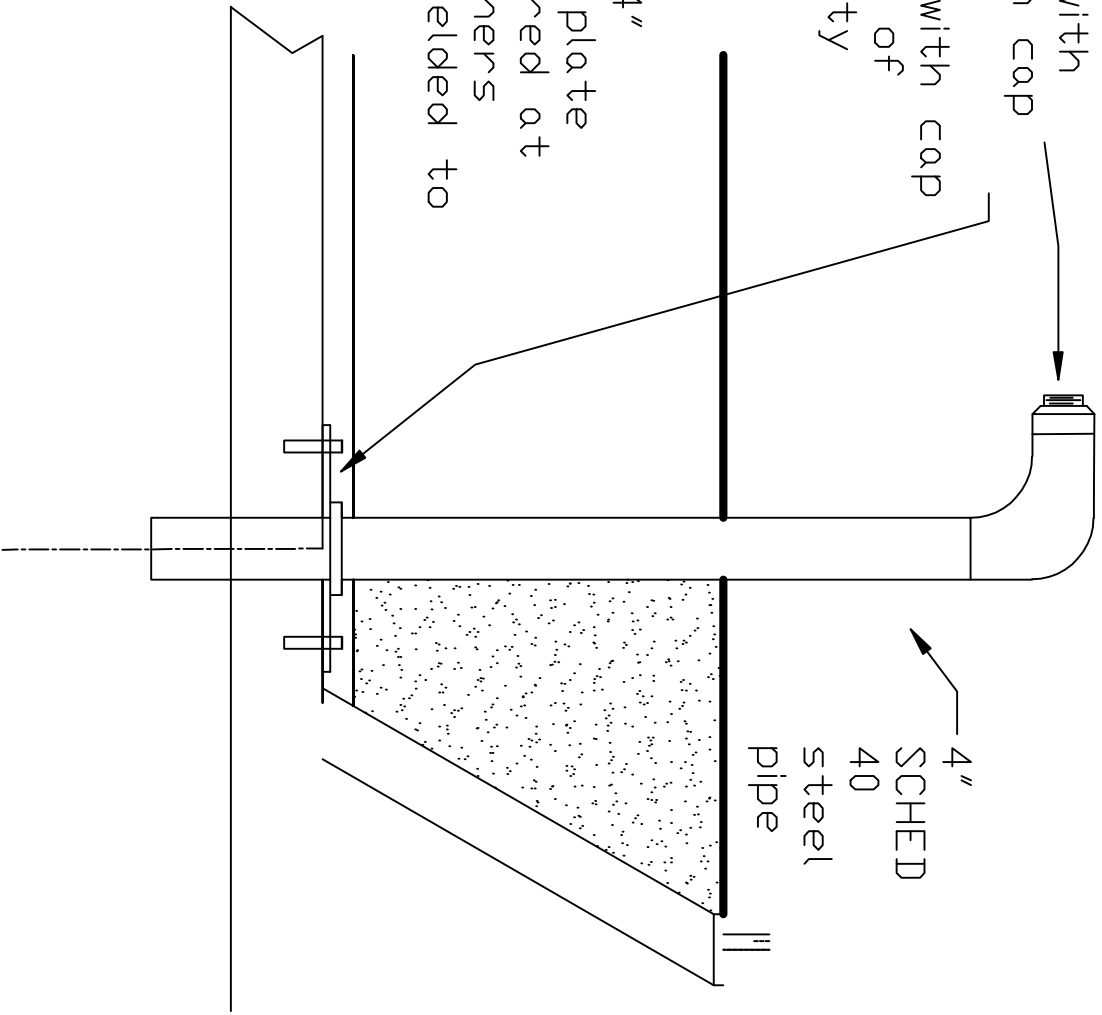


Top View
 not to scale

To be terminated with
4"locking Stortz with cap
OR
2 1/2" NF MALE Thread with cap
as per preference of
Local Fire Authority

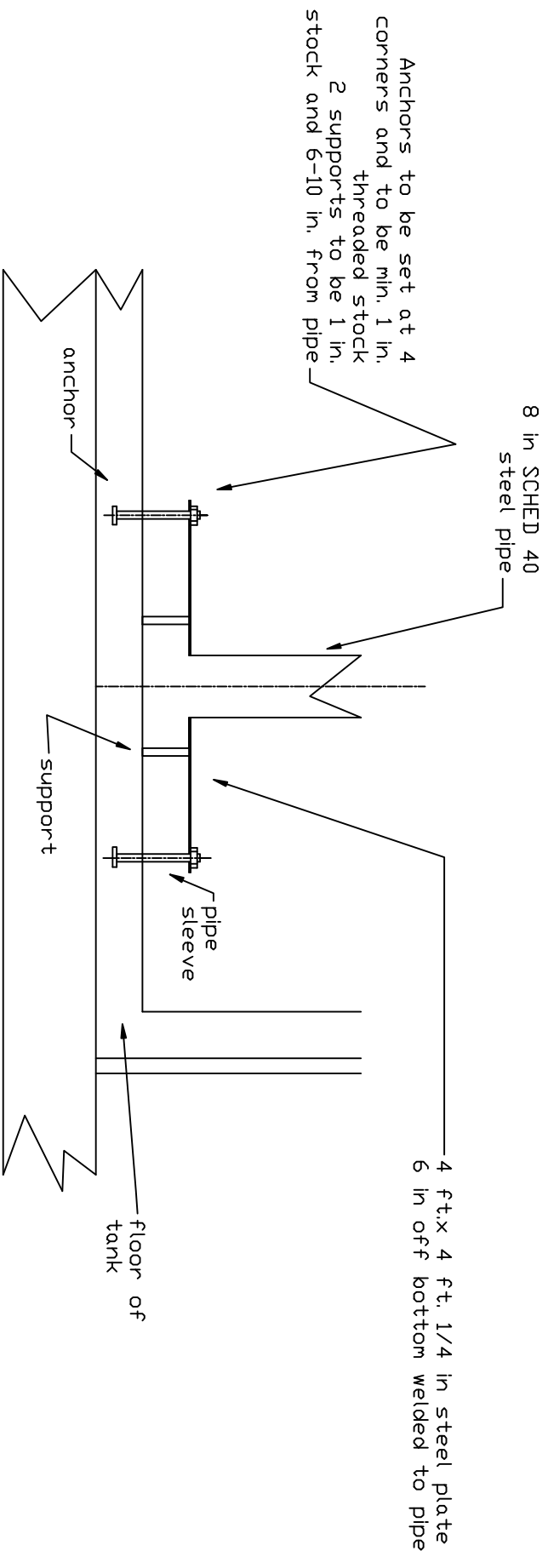
24"x24"
steel plate
anchored at
4 corners
pipe welded to
plate

4"
SCH40
steel
pipe



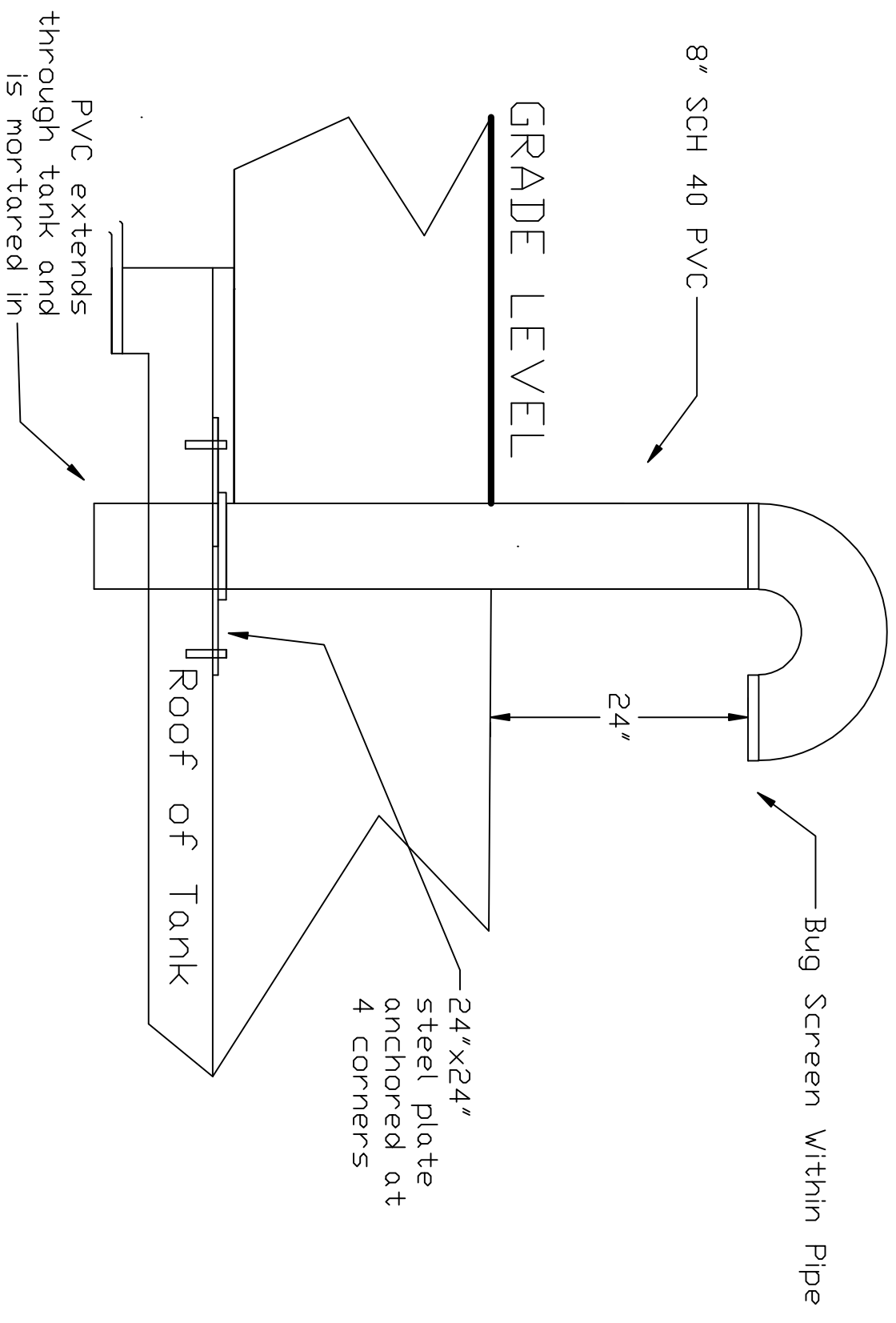
FILL PIPE DETAIL

not to scale



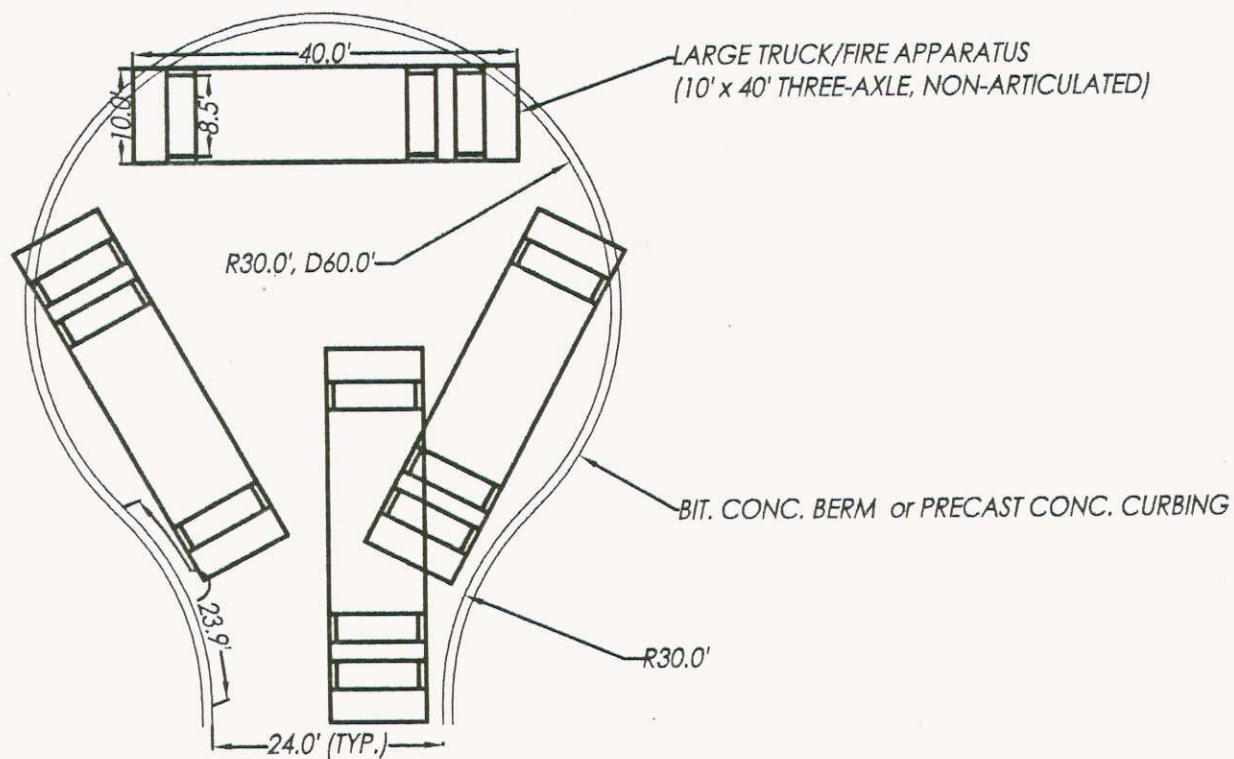
FILL PIPE DETAIL LOWER SECTION

not to scale



VENT PIPE DETAIL

not to scale



Z ENGINEERING, LLC

CIVIL ENGINEERING SERVICES

716 CENTRE OF NEW ENGLAND BLVD. #142
COVENTRY, RI 02816
(401) 392-6932
Z-ENGINEERING@COX.NET

WEST GREENWICH SUBDIVISION REGULATIONS

**Figure 4:
Cul-de-sac Detail**

PREPARED FOR: WEST GREENWICH PLANNING DEPARTMENT
PLAN DATE: 11/18/07

Z PROJECT NO: N/A

APPENDIX C.

Conservation Design Development Resources

Design Process

The Rhode Island Conservation Development Manual: A Ten-Step Process for Planning and Design of Creative Development Projects; RIDEM 2003

Available at <http://www.dem.ri.gov/programs/bpoladm/suswshed/condev.htm>

Conservation Reports, Management Plan, and Legal Documents

Rhode Island Conservation Easement Guidance Manual; 2009

Available at http://www.nbwctp.org/programs/easements_openspace.html

Mapping Conservation Features and Data Sources for West Greenwich

- a) South County Greenspace Protection Project Maps for West Greenwich, posted on RIDEM website at <http://www.dem.ri.gov/maps/scg.htm>
- b) Rhode Island State Geographic Information System data layers, available at <http://www.edc.uri.edu/rigis/>
- c) RI Geographic Data Viewer on RIDEM website, available at <http://www.dem.ri.gov/maps/index.htm>
- d) Rhode Island Critical Resource Atlas, available from URI Environmental Data Center at <http://www.edc.uri.edu/riatlas/>
- e) Rapid Site Assessment, from URI Cooperative Extension, at <http://www.uri.edu/ce/wq/NEMO/Tools/siteassess.htm#RASintro>
- f) Rhode Island Digital Atlas base maps, available from <http://www.edc.uri.edu/atlas/>
- g) Historic and Architectural Resources of West Greenwich, Rhode Island: A Preliminary Report, available from http://www.preservation.ri.gov/pdfs_downloads/survey_pdfs/west_greenwich.pdf
- h) South County Greenspace Protection Strategy- Project Report, available on RIDEM website at <http://www.dem.ri.gov/programs/bpoladm/suswshed/scgreen.htm#report>

Trail Design and Construction Resources

The USDA Forest Service Trail Design and Maintenance Notebook, available at

<http://www.fhwa.dot.gov/Environment/fspubs/00232839/index.htm>

Massachusetts Department of Conservation and Recreation: Trails Guidelines and Best Practices Manual, available at <http://www.mass.gov/dcr/stewardship/greenway/publications.htm>

Minnesota Department of Natural Resources- Trail Planning, Design, and Development Guidelines, available at <http://www.bestpracticesmn.org/presentations/NRW9-20-06/FULL%20DOCUMENT%20no%20cover.pdf>

Forest Service Trail Accessibility Guidelines, available at

<http://www.fs.fed.us/recreation/programs/accessibility/FSTAG.doc>

USDA Forest Service Accessibility Guidebook for Outdoor Recreation and Trails, available at www.fs.fed.us/recreation/programs/accessibility/htmlpubs/html06232801/index.htm