

CITY PLANNING DEPARTMENT



Memorandum – Unified Development Review

AMENDED 12/16/24

To: City Plan Commission
From: Brianna L. Valcourt, M.Arch; Senior Planner
Date: December 16, 2024
RE: "East Street Plat" – Assessors Plat 15, Lots 636, 1643 & 1661
Minor Subdivision: Preliminary Plan
Application for Dimensional Variance

Applicant: Ronn David
Owner: Michael Boscia and Dawn Boscia
Location: 337 East Street
Zoning: A-8 – Single-family dwellings (8,000 sq. ft.)
FLUM Designation: Single Family Residential 7.26 To 3.64 Unit Per Acre

I. Applicant | Property | Proposal

The Owner is Michael Boscia and Dawn Boscia, and the Applicant is Ronn David.

The subject property is located at 337 East Street and contains approximately 58,053 +/- square feet, south of Bateman Avenue and east of Sweet Meadow Drive, identified as Assessors Plat 15, Lots 636, 1643 & 1661

The property is zoned Residential A-8 and is not located in any municipal overlay district.

The Proposal is to reconfigure the three (3) existing lots to be subdivided into five (5) lots. Under existing zoning regulations, four (4) lots would be allowed by right. Zoning regulations in the A-8 residential zone require 8,000 square feet in area and eighty (80) feet of frontage.

- Parcel A 11,710 sq. ft.
- Parcel B 11,153 sq. ft.
- Parcel C 11,399 sq. ft.
- Parcel D 11,715 sq. ft.
- Parcel E 12,075 sq. ft.

Required relief includes relief from the frontage dimensional requirement for a replat and residential development project in a A-8 zone (17.20.120 – Schedule of Intensity Regulations, 17.92.010 – Variances).

Relief from 17.20.120 - Schedule of intensity regulations:

Minimum Frontage:

- Required: 80 feet of frontage
- Proposed:
 - Parcel A – 68.20 feet of frontage
 - Parcel B – 67.00 feet of frontage
 - Parcel C – 67.00 feet of frontage

337 East Street - "East Street Plat"

Minor Subdivision – Preliminary Plan: Staff Memorandum – Page 1 of 13

- Parcel D – 67.00 feet of frontage
- Parcel E – 67.00 feet of frontage

II. Documents Submitted for This Application

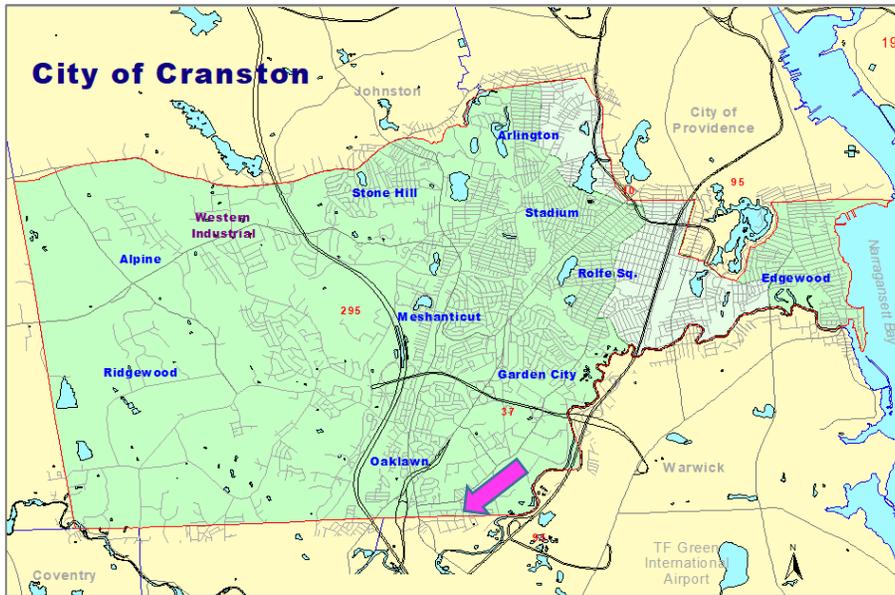
1. Minor Subdivision Plan entitled “East Steet Plat – Preliminary Subdivision” prepared by Richard T. Bzdyra, PLS, of Ocean State Planners, Inc., prepared for Ronn David; dated November 11, 2024.
 - a. Sheet 1 of 3: Existing Conditions Survey
 - b. Sheet 2 of 3: Unified Review Plan
 - c. Sheet 3 of 3: Minor Subdivision Plan
2. Minor Subdivision and MLD – Preliminary Plan Application, signed by Applicant, Ronn David; dated November 20, 2024; signed by Owners, Michael Boscia and Dawn Boscia; dated November 20, 2024.
 - a. Pre-Application Fee for \$200.00; dated November 20, 2024.
 - b. Preliminary Plan Application Fee for \$475.00; November 20, 2024.
3. Minor Subdivision and MLD Preliminary Plan Checklist; Richard T. Bzdyra, PLS, of Ocean State Planners, Inc.; dated November 11, 2024.
4. Project Narrative entitled “East Steet Plat” –prepared for Owners, Michael Boscia and Dawn Boscia.
5. Narrative Report entitled “East Steet Plat” – Project#: 10932, prepared by DiPrete Engineering; dated November 12, 2024.
6. Water Availability Letter, prepared by Christopher M. Watts, Supervisor of T&D, of Providence Water Supply Board; September 9, 2024.
7. Availability of Sewer Service Letter, prepared by John C. Arruda Jr., Civil Engineer - Underground Asset Manager, of Veolia Water; September 13, 2024.
8. Certificate of Municipal Liens; dated November 20, 2024.
9. Abutter Documentation
 - a. 400’ Abutters List
 - b. 400’ Abutters Map

III. Surrounding Land Use & Context

Analysis using the Cranston Geographic Information System and the FEMA Flood Map Service Center indicates that:

1. The subject property is located on the southerly side of Bateman Avenue and east of Sweet Meadow Drive
2. The surrounding area is A-8 land to the west and A-6 land to the east, location along southern city border. Development in the area consists of a mix between single-family and two-family development.
3. The subject property is outside of any regulated resource areas under jurisdiction of the Rhode Island Department of Environmental Management, (RIDEM).
4. The subject property is outside of any identified historic / cultural districts under jurisdiction of the Local Historic District Commission, State Historical Preservation Commission, State, or National Registers of Historic Places.
5. The project area is identified as “Zone X – Area of Minimal Flood Hazard” on FEMA Flood Map Panel 44007C0427H.

LOCATION MAP



STREET VIEWS



(View from East Street)



(View south from East Street)



(View across the street from property on East Street)

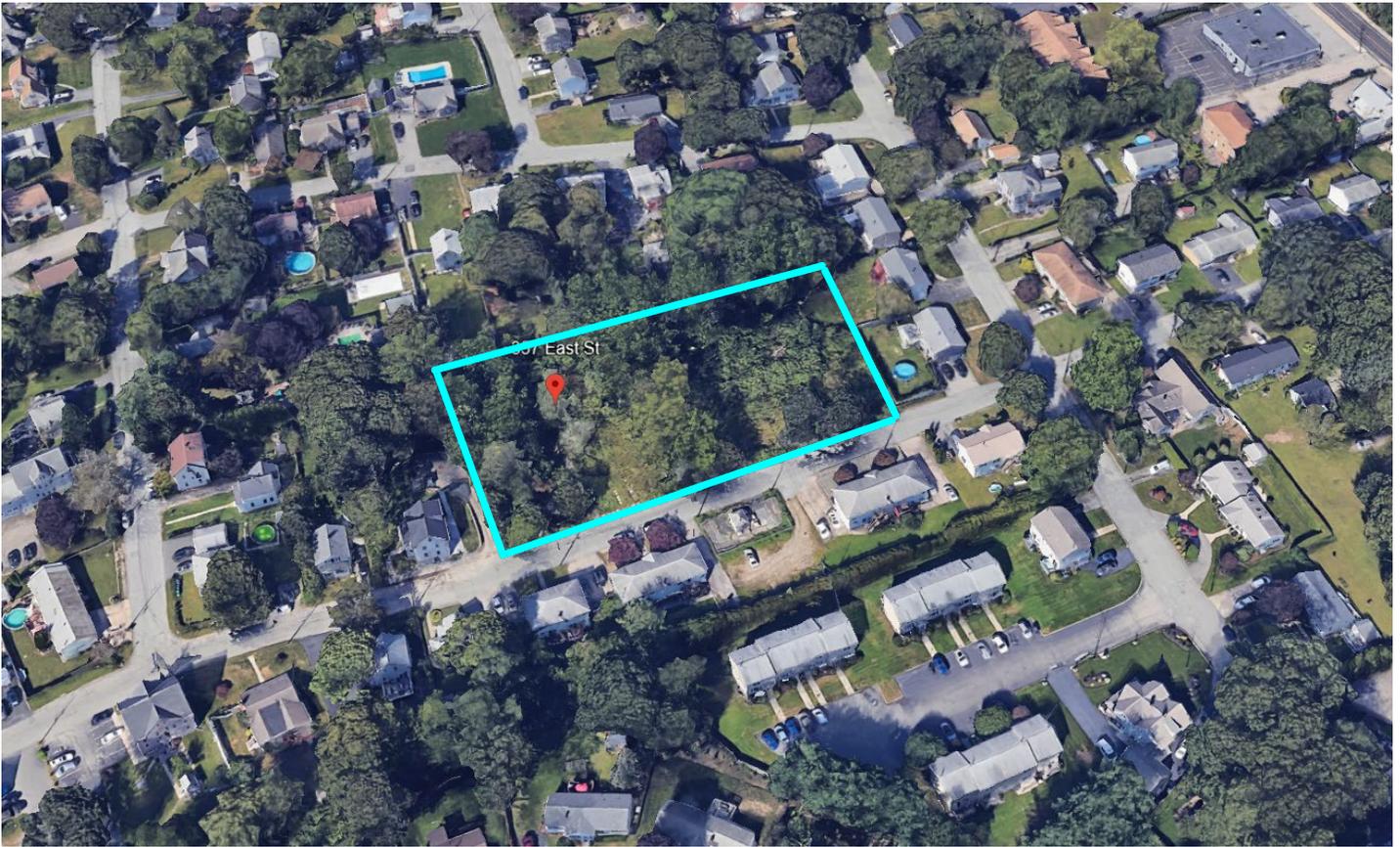


(View across the street from property on East Street)

AERIAL PHOTO

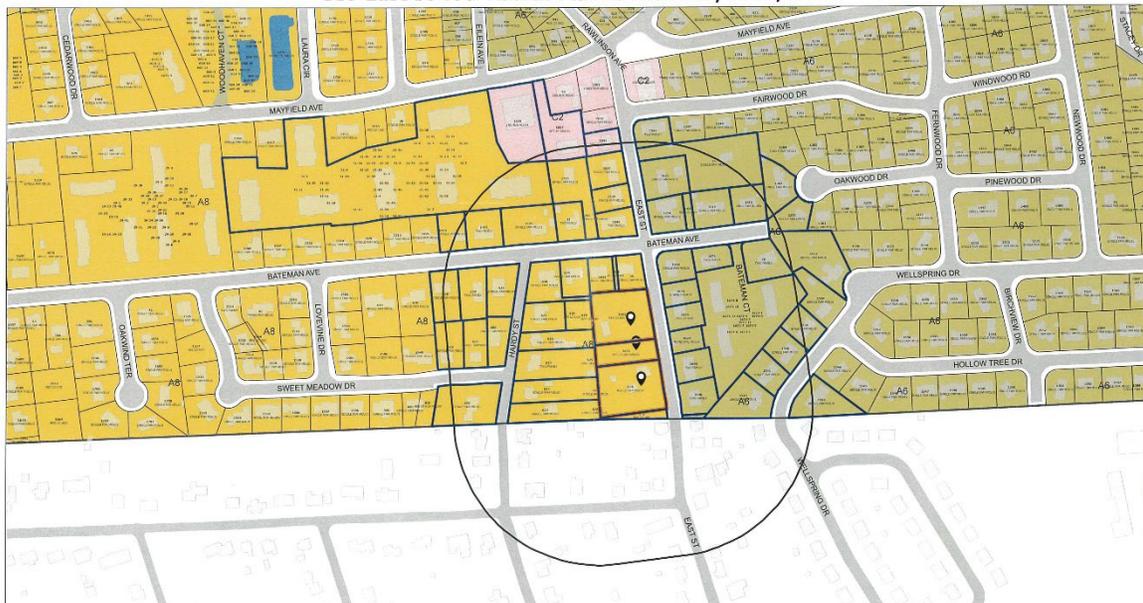


3D AERIAL PHOTO



RADIUS MAP

337 East St 400' Radius Plat 15 Lots 363, 1661, 1643



- Parcel Boundary
- Easement
- Road
- Stream/Water Body
- Swamp
- Building

- Conston Boundary
- Easement
- Conston Boundary
- Road
- Historic Cherty District
- Zoning A12

- A80
- A8
- A80
- B1
- B2

- C1
- C2
- C3
- C4
- C5
- E1

- M1
- M2
- MRP
- Other
- S1

0 200 400 ft
 Map Scale: 1:3,343
 Map created by Web Application on 11/20/2024 12:11 PM

Disclaimer: This map is a geospatial product and is not the product of a Professional Land Survey. It was created for general reference, informational, planning and guidance use and is not a legally authoritative source as to location of natural or man-made features. Please refer to the original data source for the location of any natural or man-made features. The City of Granbury makes no warranties, expressed or implied, related to the spatial accuracy, reliability, completeness or currency of this map.

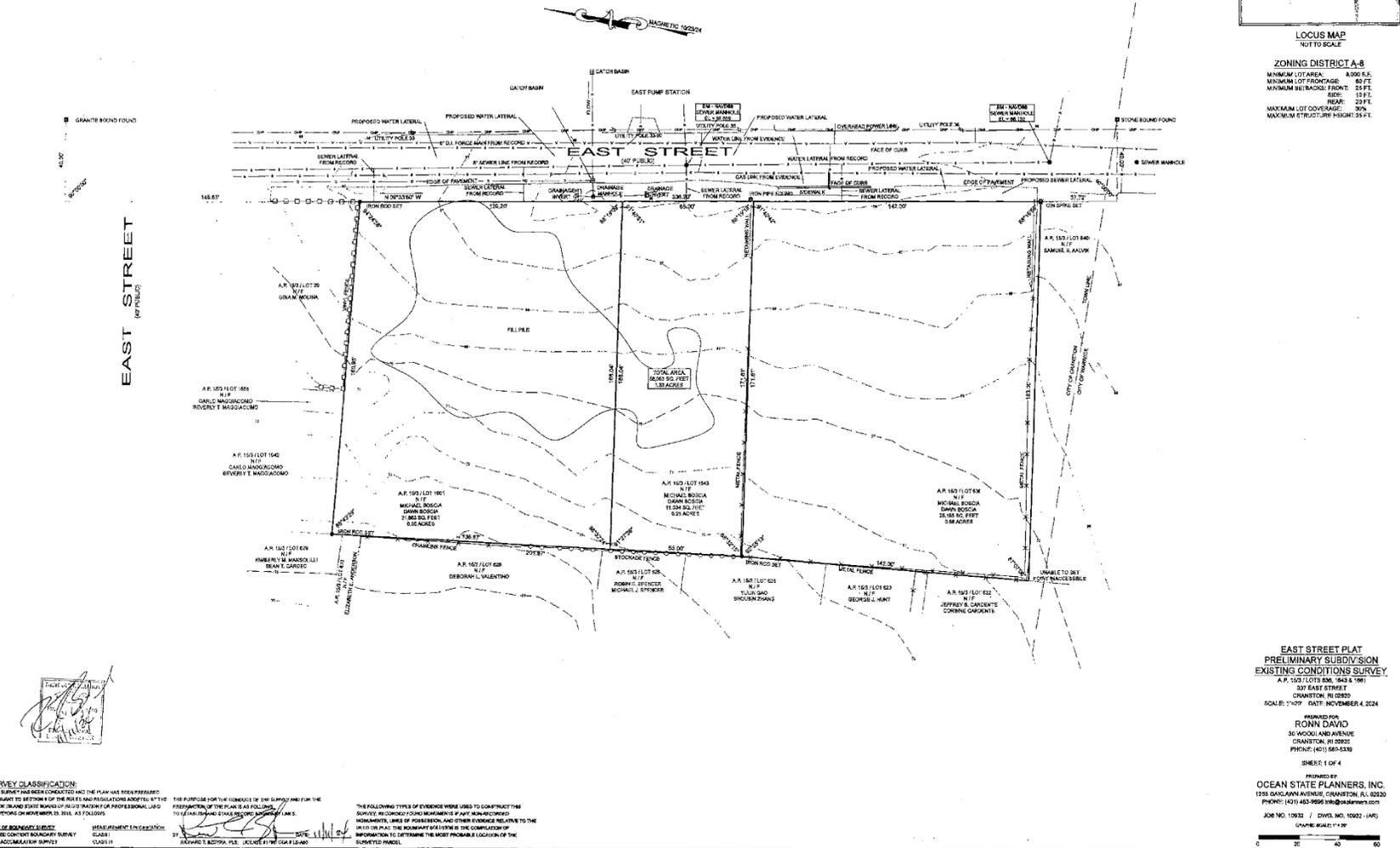
REFERENCE:
 1. LOCUS DEED BK 4115 PG. 105
 2. LOCUS DEED BK 6718 PG. 243
 3. LOCUS DEED BK 6678 PG. 237

EAST STREET
 BATEMAN AVENUE
 STREET INDEX



LOCUS MAP
 NOT TO SCALE

ZONING DISTRICT A-8
 MINIMUM LOT AREA: 8,000 S.F.
 MINIMUM LOT FRONTAGE: 80 FT.
 MINIMUM SETBACK: FRONT: 25 FT.
 REAR: 15 FT.
 SIDE: 25 FT.
 MAXIMUM LOT COVERAGE: 30%
 MAXIMUM STRUCTURE HEIGHT: 35 FT.



[Signature]
 Surveyor

EAST STREET PLAT
 PRELIMINARY SUBDIVISION
 EXISTING CONDITIONS SURVEY
 A.P. 152/LOTS 186, 183 & 181
 337 EAST STREET
 CRANSTON, RI 02910
 SOLID: 7'-0" DATE: NOVEMBER 4, 2024

PREPARED FOR:
 RONN DAVID
 36 WOODLAND AVENUE
 CRANSTON, RI 02910
 PHONE: (401) 583-5330

PREPARED BY:
 OCEAN STATE PLANNERS, INC.
 1335 GANGLAW AVENUE, CRANSTON, RI 02910
 PHONE: (401) 453-9999 info@oceanplanners.com
 JOB NO. 19033 / DWG. NO. 10022 - 1A-F
 SHEET: 1 OF 4

SURVEY CLASSIFICATION:
 THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE R.I. PROFESSIONAL LAND SURVEYING ACT AND THE R.I. BOARD OF LAND SURVEYING. THE SURVEY IS CLASSIFIED AS A LIMITED-CONDITION BOUNDARY SURVEY.
 CLASS I
 CLASS II

FOR PURPOSES OF THE CONDUCT OF THIS SURVEY AND FOR THE PREPARATION OF THIS PLAN, THE SURVEYOR HAS REVIEWED THE RECORDS OF THE BUREAU OF LAND SURVEYING AND HAS FOUND THAT THE INFORMATION IS SUFFICIENT TO DETERMINE THE MOST PROBABLE LOCATION OF THE SURVEYED PARCEL.

DATE: 11/04/24
 SURVEYOR: [Signature]

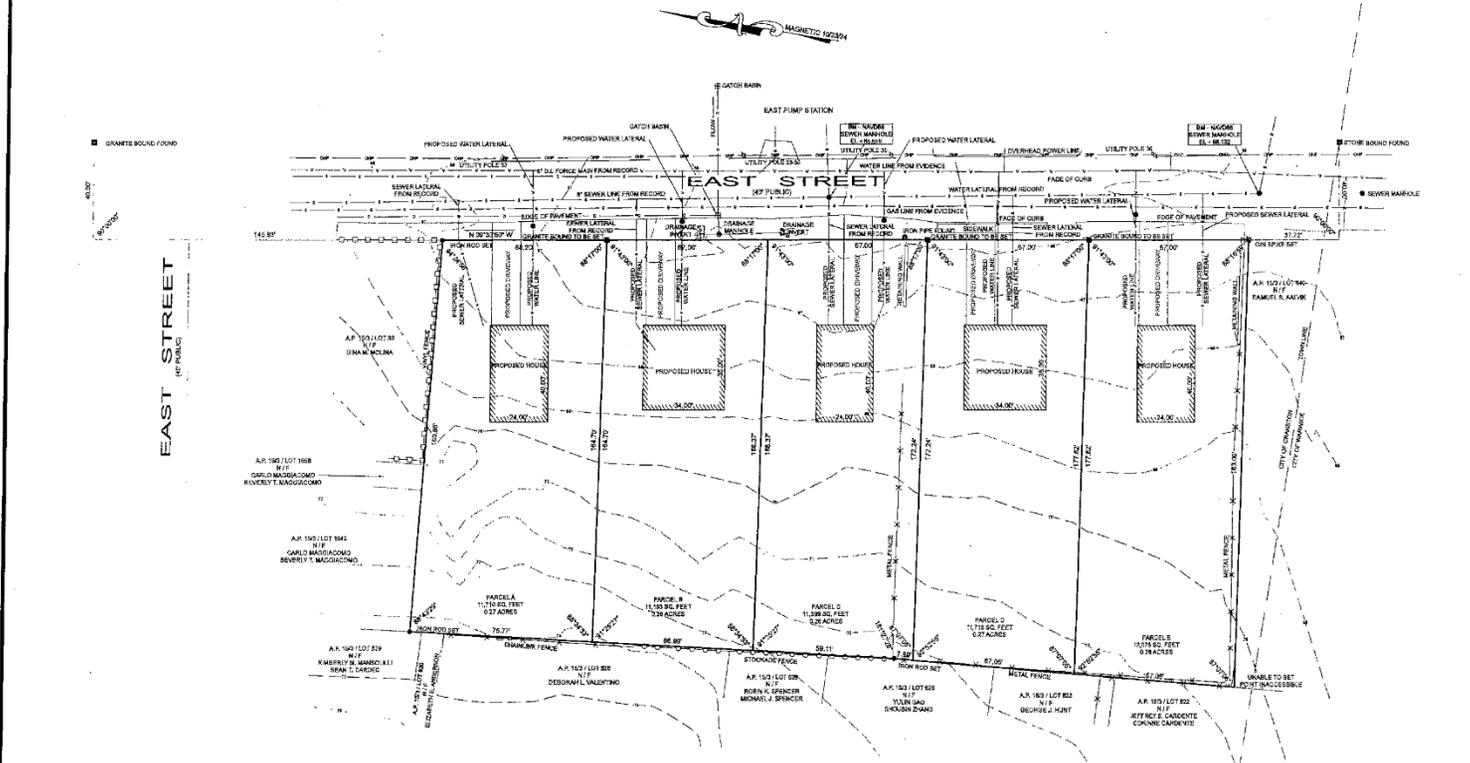
REFERENCE:
 1. LOCUS DEED BK. 4413 PG. 133
 2. LOCUS DEED BK. 8778 PG. 243
 3. LOCUS DEED BK. 8678 PG. 237

EAST STREET
 BATEMAN AVENUE
 STREET INDEX



LOCUS MAP
 NOT TO SCALE

ZONING DISTRICT A-B
 MINIMUM LOT AREA: 4,000 S.F.
 MINIMUM LOT FRONTAGE: 80 F.T.
 MINIMUM SETBACKS: FRONT: 25 F.T.
 SIDE: 15 F.T.
 REAR: 20 F.T.
 MAXIMUM LOT COVERAGE: 30%
 MAXIMUM STRUCTURE HEIGHT: 35 F.T.
 NOTE: ZONING RELIEF REQUIRED FOR FRONTAGE ONLY



EAST STREET
 (IF PUBLIC)

[Handwritten signature]
 11/11/14

EAST STREET PLAT
 PRELIMINARY SUBDIVISION
 UNIFIED REVIEW PLAN
 A.P. 152/ LOTS 158, 159 & 161
 321 EAST STREET
 CRANSTON, RI 02909
 SCALE: 1"=40' DATE: NOVEMBER 4, 2014

PREPARED FOR:
 RONN DAVID
 PHONE: (401) 580-5238
 SHEET 2 OF 4

PREPARED BY:
 OCEAN STATE PLANNERS, INC.
 1284 OAK MAN AVENUE, CRANSTON, R.I. 02909
 PHONE: (401) 580-5000 FAX: (401) 580-5001
 JOB NO. 10092 J. CIVIL NO. 10092-04F
 DRAWING SCALE: 1"=30'

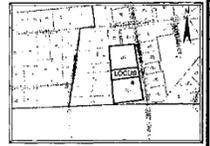


SURVEY CLASSIFICATION:
 THIS SURVEY HAS BEEN CONDUCTED AND THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH SECTION 1-2.1 OF THE REGULATION AND REGULATORY CODES OF THE BOARD OF REGISTRATION FOR PROFESSIONAL LAND SURVEYORS OR PROFESSIONAL CIVIL ENGINEERS.
 THE PURPOSE FOR THE CONDUCT OF THE SURVEY AND FOR THE PREPARATION OF THIS PLAN IS AS FOLLOWS:
 TO ESTABLISH THE BOUNDARY RECORDING LINES.
 THE FOLLOWING TYPES OF EVIDENCE WERE USED TO CONFIRM THE QUANTITY RECORDED (LAND MONUMENTS IF ANY) AND LOCATIONS MONUMENTS LINES OF POSSESSION AND OTHER EVIDENCE RELATIVE TO THE TRACT OR PART OF THE TRACT AND TO DETERMINE THE MOST PROBABLE LOCATION OF THE BOUNDARY RECORDING LINES.
 TYPE OF BOUNDARY SURVEY: LIMITED CONTROL BOUNDARY SURVEY
 MEASUREMENT TECHNIQUE: CLASS II
 DATE: 11/11/14
 SURVEYOR: [Signature]

REFERENCE:
 1. LOCUS DEED BK 4418 PG. 158
 2. LOCUS DEED BK 8718 PG. 243
 3. LOCUS DEED BK 0619 PG. 257

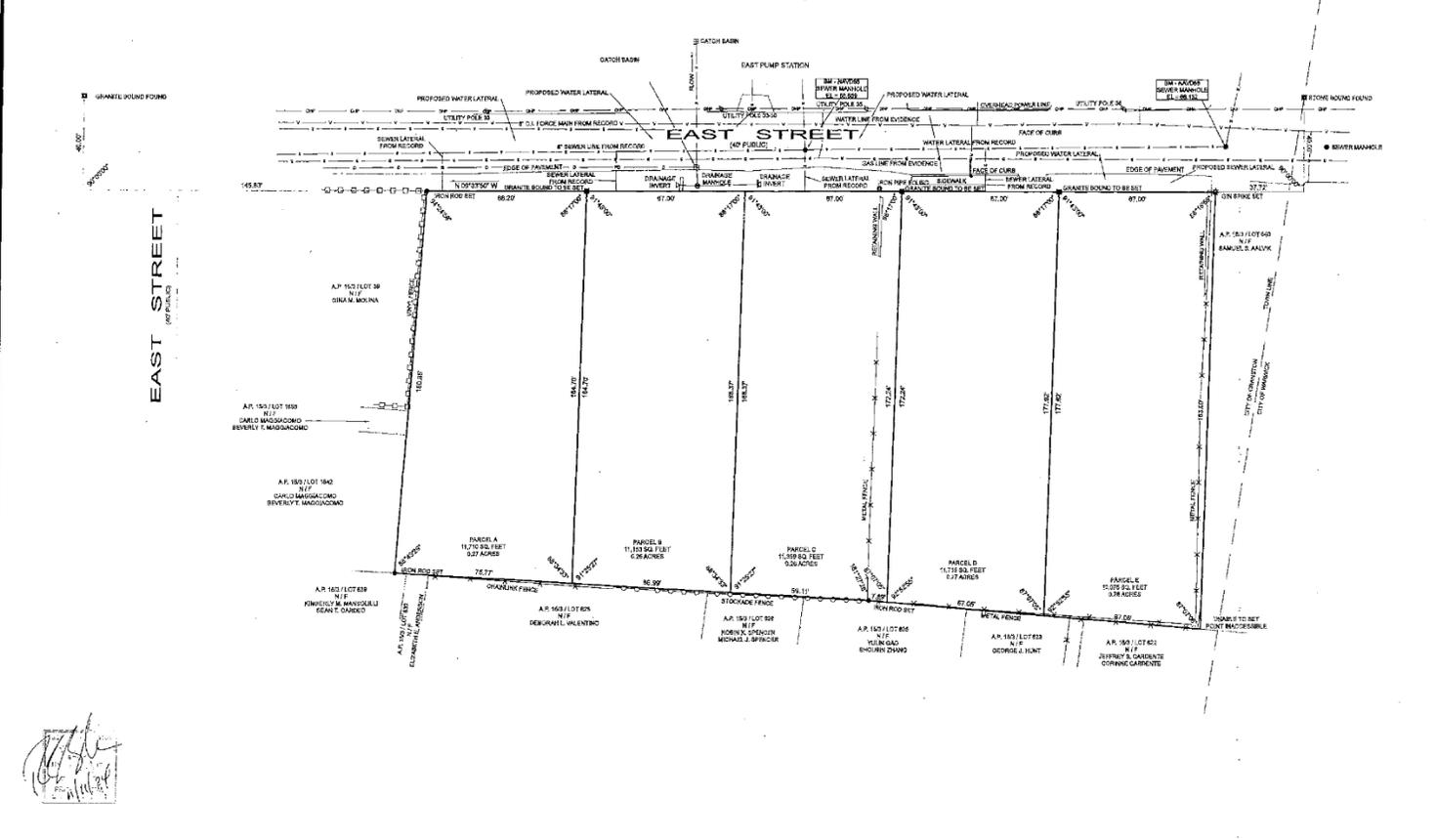
NOTE:
 1. FEMA ZONE X1 MAP: 44007C0428H1 / DATED: 10-03-16
 2. FEMA ZONE X1 MAP: 44007C0428H1 / DATED: 10-03-16
 3. ELEVATION: 11.8 FT.
 4. BOLS DR 6115 CORNERS IS PARTLY OF
 PASTON/BERMAN LAND COMPLEX (C/L) AND PARTLY OF
 LOCUSTS URBAN LAND COMPLEX (L/C), WHICH ARE
 CONSIDERED SUITABLE FOR DEVELOPMENT.

EAST STREET
 BATEMAN AVENUE
 STREET INDEX



LOCUS MAP
 NOT TO SCALE

ZONING DISTRICT A-8
 MINIMUM LOT AREA: 8,000 S.F.
 MINIMUM LOT FRONTAGE: 85 FT.
 MINIMUM SETBACKS FRONT: 25 FT.
 REAR: 15 FT.
 SIDE: 25 FT.
 MAXIMUM LOT COVERAGE: 30%
 MAXIMUM STRUCTURES HEIGHT: 35 FT.
 NOTE: ZONING RELIEF REQUIRED FOR FRONTAGE ONLY



SURVEY CLASSIFICATION
 THIS SURVEY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE MEASUREMENT REGULATIONS ADOPTED BY THE BOARD OF SURVEY AND MAPS FOR PROFESSIONAL LAND SURVEYORS ON NOVEMBER 25, 2014, AS FOLLOWS:
 CLASS OF SURVEY: BOUNDARY SURVEY
 CLASS: B

THE PURPOSE FOR THE CONDUCT OF THIS SURVEY AND FOR THE PREPARATION OF THIS PLAN IS AS FOLLOWS:
 TO ESTABLISH AND SHOW THE BOUNDARY LINES OF THE LOTS AND EASEMENTS SHOWN ON THIS PLAN.
 THE FOLLOWING TYPES OF EVIDENCE WERE USED TO CONSTRUCT THIS SURVEY:
 1. METAL MONUMENTS
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IV. Municipal Review

Pursuant to RIGL §45-23-37, these Plans and submitted documents were distributed for comment to the following agencies. Responses are as follows:

1. Department of Public Works
 - a. Engineering Division: Mr. Frank Corrao, P.E., Public Works Director, has not provided commentary at this time.
 - b. Traffic Safety Division: Mr. Stephen Mulcahy has not provided commentary at this time.
 - c. Sewer Division: Mr. Edward Tally, Environmental Program Manager, has not provided commentary at this time.
 - d. Providence Water Supply Board: PWSB has provided evidence of sufficient reserves in the Providence Water system for this residential development.
2. Department of Building Inspection & Zoning Enforcement
 - a. Mr. David Rodio, Building Official, has not provided commentary at this time.
 - b. Mr. Stanley Pikul, Alt. Building Official, has not provided commentary at this time.
3. Fire Department: Mr. James Woyciechowski, Fire Marshal has no commentary at this time.

V. Planning Analysis

Consistency with the Comprehensive Plan

- The Future Land Use Map (FLUM) designates the subject property as “*Single Family Residential 7.26 To 3.64 Unit Per Acre*”
 - Per the Comprehensive Plan, the A-8 zoning district is an appropriate zoning classification for Single Family Residential development.
 - The proposed use (Residential) is consistent with the Comprehensive Plan.
 - Staff finds that the Application is consistent with the FLUM land use and density designation.
- The Comprehensive Plan outlines goals, policies, and action items pertaining to residential development which Staff find support the approval of this Application, specifically:
 - Land Use Goal LU-6: Protect and stabilize existing residential neighborhoods.
 - Policy LU-18: Preserve the existing density of established neighborhood.
 - Land Use Goal LU-5: Ensure that the zoning map is consistent with the future land use map.
 - Policy LU-12: Protect and stabilize existing residential neighborhoods by increasing open space, improving roadway conditions, and making the zoning conform to existing uses.

VII. Interests of Others

None to Report.

VIII. Additional Matters

None to Report.

IX. Waivers

None Requested.

VI. Findings of Fact

An orderly, thorough, and expeditious technical review of this Preliminary Plan has been conducted. Property owners within a 400' radius have been notified via first class mail and the meeting agenda has been properly posted.

A. Unified Development Review (Zoning Variances)

Staff has reviewed this Master/Preliminary Plan application for conformance and consistency with the required Findings of Fact in accordance with RIGL §§ 45-23-50.1(b)(1), 45-24-41(d), 45-24-41(e)(2), and 45-24-46.4(f), as well as Section VII of the Subdivision & Land Development Regulations and finds as follows:

The Applicant has submitted the following response to the required Findings of Fact in accordance with RIGL § 45-24-41:

The hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant;

The hardship is not the result of any prior action of the applicant and;

The granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance codified in this title or the comprehensive plan upon which the ordinance is based.

That the hardship that will be suffered by the owner of the subject property if the dimensional variance is not granted shall amount to more than a mere inconvenience, which shall mean that the relief sought is minimal to the reasonable enjoyment of the permitted use to which the proposed property is devoted.

Staff has reviewed the requested dimensional relief for conformance and consistency with the required Findings of Fact in accordance with RIGL § 45-24-41 and finds as follows:

RIGL § 45-24-41. General provisions – variances. (d)(1) states, “That the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in § 45-24-30(a)(16).”

- Staff notes that there is no reasonable avenue to construct this type of permitted development on the subject property without some type of dimensional relief.

RIGL § 45-24-41. General provisions – variances. (d)(2) states, “That the hardship is not the result of any prior action of the applicant.”

- The applicant has presented sufficient testimony to satisfy this required finding of fact.

RIGL § 45-24-41. General provisions – variances. (d)(3) states, “That the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based.”

- The proposed use (single-family residential) is consistent with the Comprehensive Plan.
- Staff finds that the Application is consistent with the Future Land Use Map designation.

RIGL § 45-24-41. General provisions – variances. (e)(2) states, “In granting a dimensional variance, that the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience, meaning that relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted. The fact that a use may be more profitable or that a structure may be more valuable after the relief is granted is not grounds for relief. The zoning board of review, or, where unified development review

is enabled pursuant to § 45-24-46.4, the planning board or commission has the power to grant dimensional variances where the use is permitted by special-use permit.”

- Staff notes that there is no reasonable avenue to construct this type of permitted development on the subject property without some type of dimensional relief.

B. Subdivision & Land Development Review

Staff has reviewed this Preliminary Plan application for conformance and consistency with the required Findings of Fact in accordance with RIGL § 45-23-60 as well as the Subdivision & Land Development Regulations and finds as follows:

RIGL § 45-23-60. Procedure – Required findings. (a)(1) states, “The proposed development is consistent with the comprehensive plan and/or has satisfactorily addressed the issues where there may be inconsistencies.”

- The Proposal is consistent with the Comprehensive Plan’s Future Land Use Map (FLUM), which designates the subject property as “*Single Family Residential 7.26 To 3.64 Unit Per Acre*”.

RIGL § 45-23-60. Procedure – Required findings. (a)(2) states, “The proposed development is in compliance with the standards and provisions of the municipality’s zoning ordinance.”

- Staff notes that this Proposal requires and will seek dimensional zoning relief which if granted, will grant compliance with the Zoning Ordinance.

*RIGL § 45-23-60. Procedure – Required findings. (a)(3) states, “There will be no significant negative environmental impacts from the proposed development as shown on the **preliminary** plan, with all required conditions for approval.”*

- No significant environmental impacts are anticipated.
- The Proposal will be subject to all state and local regulations pertaining to environmental impacts and wetlands.
- RIDEM’s Natural Heritage Map shows that there are no known rare species located on the site.

RIGL § 45-23-60. Procedure – Required findings. (a)(4) states, “The subdivision, as proposed, will not result in the creation of individual lots with any physical constraints to development that building on those lots according to pertinent regulations and building standards would be impracticable. (See definition of Buildable lot). Lots with physical constraints to development may be created only if identified as permanent open space or permanently reserved for a public purpose on the approved, recorded plans.”

- The Proposal 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.
- The design and location of building lots, utilities, drainage, and other improvements will conform to local regulations for mitigation of flooding and soil erosion.

RIGL § 45-23-60. Procedure – Required findings. (a)(5) states, “All proposed land developments and all subdivision lots have adequate and permanent physical access to a public street. Lot frontage on a public street without physical access shall not be considered in compliance with this requirement.”

- The Proposal will have adequate permanent physical access to East Street, a public city street.

- The Proposal will provide for safe and adequate local circulation for vehicular traffic.

X. Recommendation – Land Development Project

Staff finds this Proposal consistent with the Comprehensive Plan, the Zoning Ordinance, and the standards for required Findings of Fact set forth in RIGL § 45-23-60 and Section **III(L)** of the Subdivision & Land Development Regulations.

Staff therefore recommends that the City Plan Commission adopt the Findings of Fact documented above and **APPROVE** the Minor Subdivision – Preliminary Plan submittal.

Respectfully Submitted,

Brianna L. Valcourt

Brianna L. Valcourt, M.Arch
Senior Planner

Cc: City Planning Director
File