

CITY PLANNING DEPARTMENT



Memorandum – Unified Development Review

To: City Plan Commission
From: Brianna L. Valcourt, M.Arch; Senior Planner
Date: August 30, 2024
RE: “Orchard Meadows” – Assessors Plat 28, Lots 31 & 45
Major Subdivision: Preliminary Plan
Application for Dimensional Variance

Applicant: Saccoccia’s Construction & Landscaping
Owner: NKC Investments LLC and Cersosimo Construction LLC
Location: 1489 Pippin Orchard Road
Zoning: A-80 – Single-family dwellings (80,000 sq. ft.)
FLUM Designation: Single Family Residential Less Than 1 Unit Per Acre

I. Applicant | Property | Proposal

The Owner is NKC Investments LLC and Cersosimo Construction LLC, and the Applicant is Mike Saccoccia for Saccoccia’s Construction & Landscaping.

The subject property is located at 1489 Pippin Orchard Road, north of Laten Knight Road and south of Orchard Valley Drive, identified as Assessors Plat 28, Lots 31 & 45.

The property is zoned Residential A-80 and is not located in any municipal overlay district.

The Proposal is to reconfigure the two (2) record lots into six (6) new lots of various sizes for one (1) house to remain, four (4) new single-family homes and one (1) designation of public open space:

- Lot 1: 36,970 sq. ft.
- Lot 2: 36,092 sq. ft.
- Lot 3: 48,021 sq. ft.
- Lot 4: 45,515 sq. ft.
- Lot 5: 252,582 sq. ft – Existing house to remain
- Lot 6: 554,172 sq. ft – Public Open Space

Required relief includes relief from multiple dimensional requirements for a replat and residential development project in a A-80 zone (17.20.120 – Schedule of Intensity Regulations, 17.92.010 – Variances).

Relief from 17.20.120 - Schedule of intensity regulations:

- Minimum Lot Area- Required 80,000 SF

Lot	Area Provided (Usable Area) SF
1	36,970
2	36,092
3	47,614
4	45,156

- Minimum Lot width and frontage- Required 200'

Lot	Frontage Provided (Feet)
1	150
2	150
3	20
4	20

II. Documents Submitted for This Application

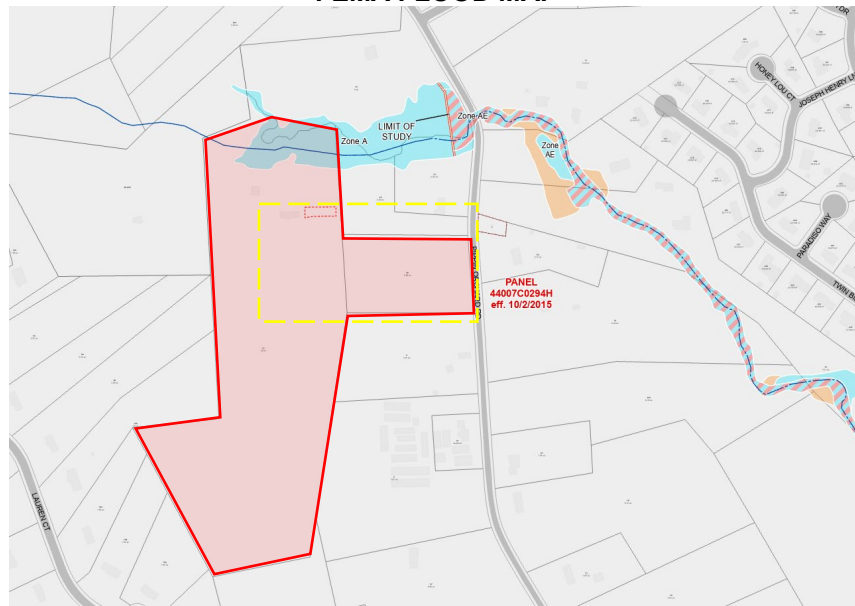
- Major Subdivision Plan entitled “Combined Master/Preliminary Submission – Orchard Meadows” prepared by Matthew Insana, PLS, prepared for Pippin Orchard Investors; dated July 31, 2024.
 - Sheet 1 of 8: Cover Sheet
 - Sheet 2 of 8: Aerial Half Mile Radius
 - Sheet 3 of 8: Existing Conditions Plan
 - Sheet 4 of 8: Overall Site Layout Plan
 - Sheet 5 of 8: SESC Plan
 - Sheet 6 of 8: Grading and Utilities Plan
 - Sheet 7 of 8: Detail Sheet 1
 - Sheet 8 of 8: Detail Sheet 2
- Major Subdivision and MLD – Master/Preliminary Plan Application, signed by Applicant, Mike Saccoccia for Saccoccia’s Construction & Landscaping; dated July 2, 2024.
 - Application Fee for \$800.00; dated July 2, 2024.
- Major Subdivision and MLD Master/Preliminary Plan Checklist; Prepared by Skyler Mills, PE of DiPrete Engineering; dated July 29, 2024.
- Project Narrative entitled “Orchard Meadows – Subdivision, 1489 Pippin Orchard Road, Cranston, Rhode Island, Project#: 2953-001” prepared by DiPrete Engineering; dated July 31, 2024.
- Soil Erosion and Sediment Control Plan, entitled “Orchard Meadows”, prepared by Eric Prive, PE, of DiPrete Engineering; dated Fall 2024-2025.
- Phase 1 Site Identification Archaeology Survey, prepared by Public Archaeology Laboratory for Saccoccia's Construction and Landscaping; dated September 2023.
- Rhode Island Historical Preservation & Heritage Commission Letter, prepared by Jeffrey D. Emidy of RI Historic Preservation for Jenna Shea, PE, of DiPrete Engineering; dated December 6, 2022.
- Stormwater Letter, prepared by Eric Prive, PE, of DiPrete Engineering; dated July 31, 2024.
- Paid Tax Receipts; dated July 22, 2024.
- Abutter Documentation
 - 100’ Abutters List
 - 100’ Abutters Map

III. Surrounding Land Use & Context

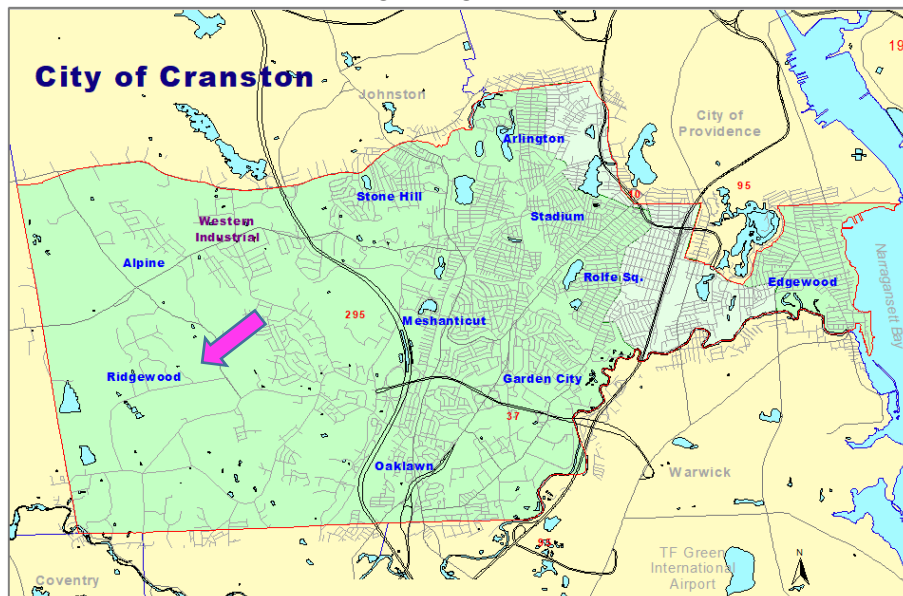
Analysis using the Cranston Geographic Information System and the FEMA Flood Map Service Center indicates that:

1. The subject property is located on the southerly side of Orchard Valley Drive, westerly side of Pippin Orchard Road and northern side of Laten Knight Road.
2. The surrounding area is A-80 land, with A-20 to the east. Development in the area consists mostly of single-family and farm-forest development with scattered industrial and large business 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 44007C0294H, although the subject property does lie within “Zone A – 1% Annual Chance Flood Hazard” of the Flood Hazard Zones, effective October 2, 2015.

FEMA FLOOD MAP



LOCATION MAP



STREET VIEWS



(View west from Pippin Orchard Road)



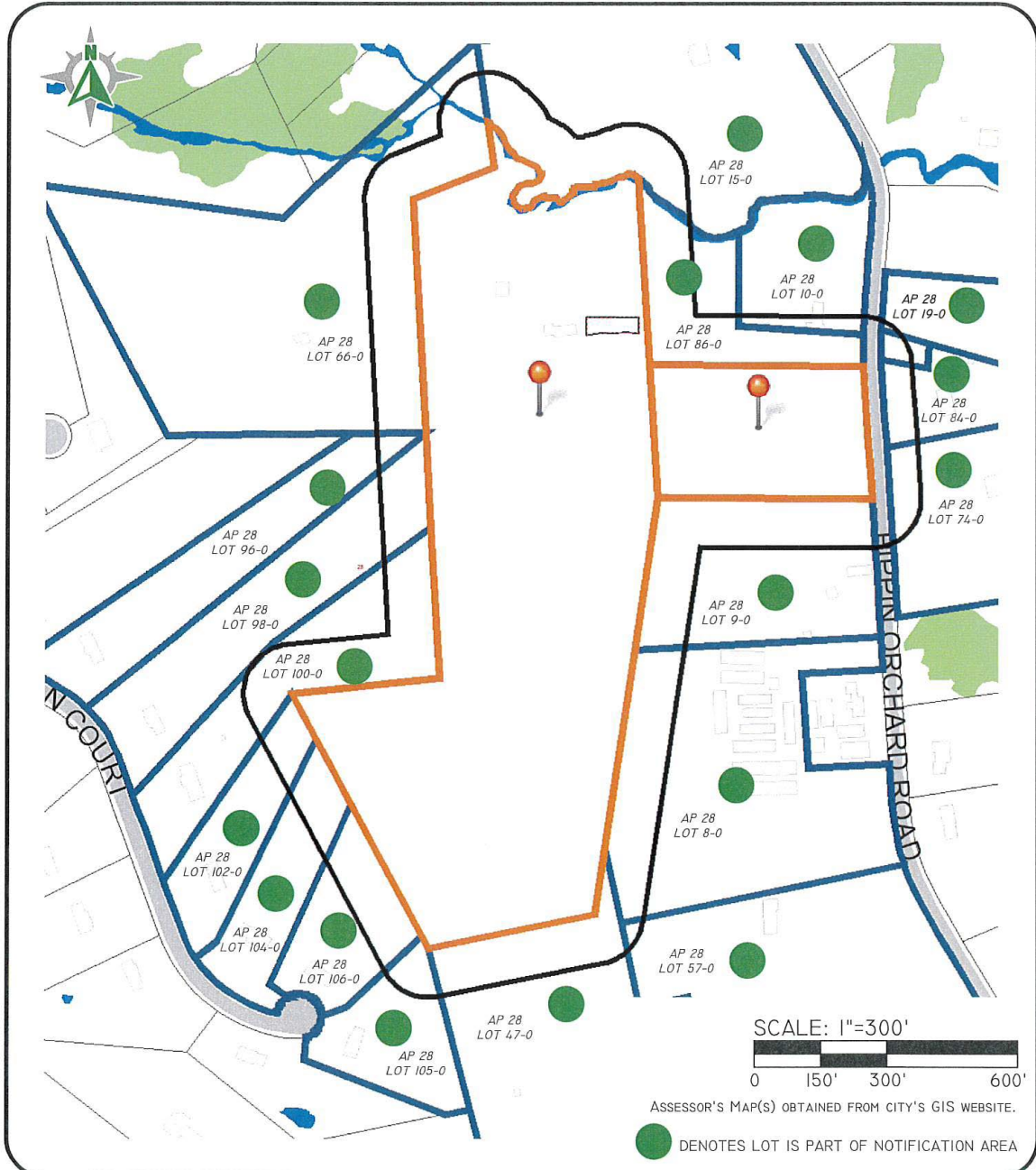
(View west from Pippin Orchard Road)

AERIAL PHOTO



3D AERIAL PHOTO





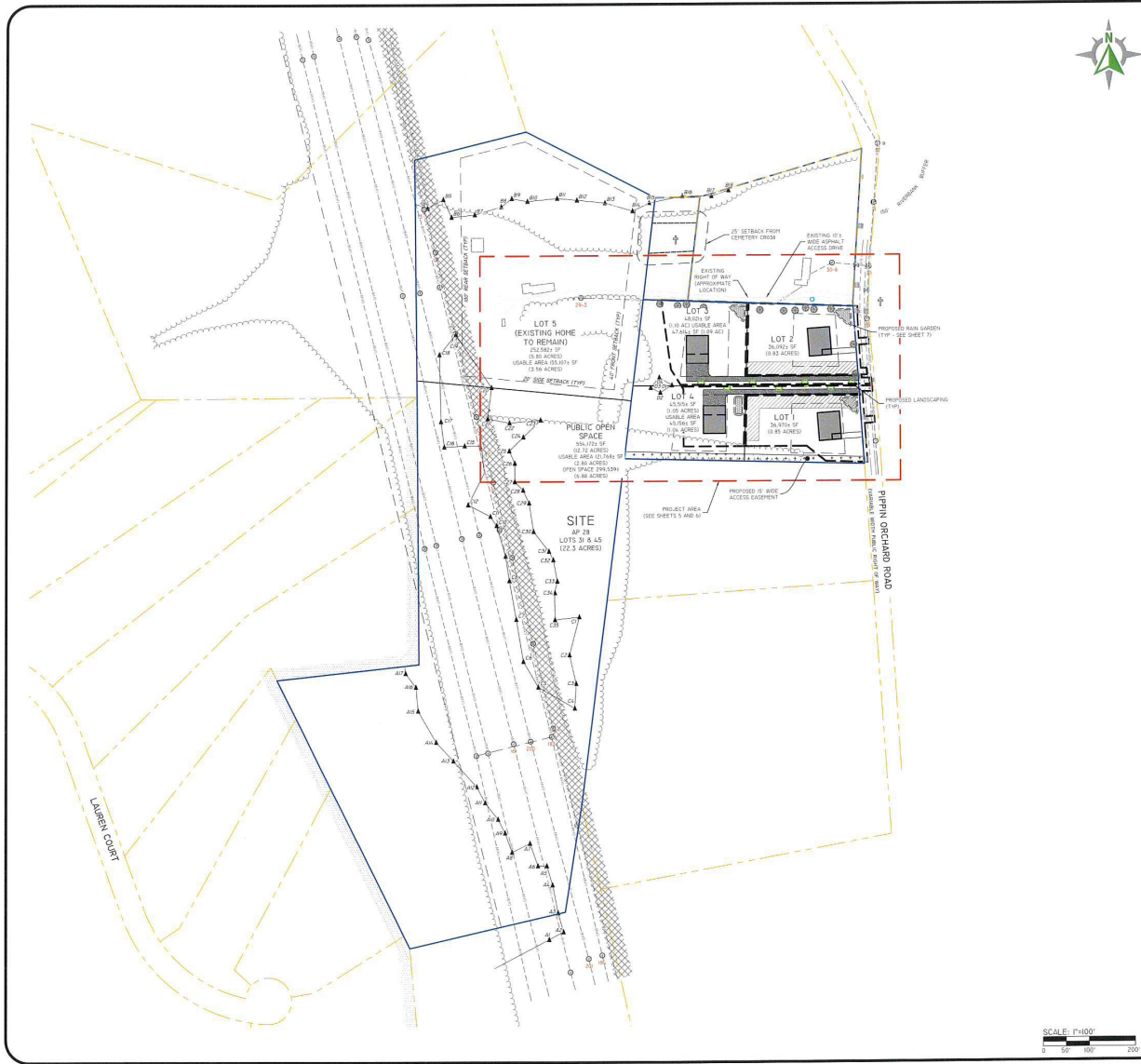
SHEET OF 1

100' RADIUS MAP
ORCHARD MEADOWS
 ASSESSOR'S PLAT 28, LOTS 31 & 45, CRANSTON, RI
 PREPARED FOR:
SACCOCCIA'S CONSTRUCTION & LANDSCAPING
 2289 FLAT RIVER ROAD, COVENTRY, RI 02816
 DATE:
 07/01/2024

 **DiPrete Engineering**

Two Stafford Court Cranston, RI 02920
 tel 401-943-1000 fax 401-464-6006 www.diprete-eng.com

Boston • Providence • Newport



DIMENSIONAL REGULATIONS:

MINIMUM SETBACK	MINIMUM FRONT YARD SETBACK	MINIMUM SIDE AND REAR YARD SETBACK	MINIMUM FRONT YARD SETBACK	MINIMUM SIDE AND REAR YARD SETBACK
MINIMUM SETBACK	MINIMUM FRONT YARD SETBACK	MINIMUM SIDE AND REAR YARD SETBACK	MINIMUM FRONT YARD SETBACK	MINIMUM SIDE AND REAR YARD SETBACK
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NO LESS THAN TWENTY-FIVE (25) PERCENT OF THE TOTAL LAND AREA OF A RESIDENTIAL DISTRICT SHALL BE OPEN SPACE. THIS OPEN SPACE SHALL BE DETERMINED BY MULTIPLYING THE APPLICANT'S TOTAL LOT AREA BY A FACTOR OF 0.25, EXCLUSIVE OF AREA COVERED BY EXISTING WATER BODIES AND STREAMS. THIS OPEN SPACE SHALL NOT INCLUDE BUILDING LOTS, STREET RIGHTS-OF-WAY, AND PROCEEDING OTHER PHYSICAL CONSTRAINTS WHICH IT TO BE AVAILABLE FOR RESIDENTIAL DEVELOPMENT.

DEVELOPMENT DATA:

TOTAL SITE AREA	12.21 ACRES
AREA SUITABLE FOR DEVELOPMENT	10.28 ACRES
TOTAL NUMBER OF LOTS	5
PROPOSED SINGLE-FAMILY HOMES (LOTS 1-4)	4
TOTAL LOT AREA	9.94 ACRES
TOTAL LOT AREA SUITABLE FOR DEVELOPMENT	7.84 ACRES
AVERAGE LOT AREA	1.99 ACRES

RELIEF TO BE REQUESTED

- MINIMUM LOT AREA AS REQUIRED FOR THE A40 ZONE FOR PROPOSED LOTS 1-4.
- MINIMUM FRONTAGE AS REQUIRED IN THE A40 ZONE FOR PROPOSED LOTS 1-4.

SOIL INFORMATION:

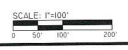
REFERENCE: SOIL MAPPING OBTAINED FROM RUGS. SOIL GEOLOGICAL DATA DEVELOPED BY THE MASSACHUSETTS SOIL SURVEY PROGRAM IN PARTNERSHIP WITH THE NATIONAL COORDINATED SOIL SURVEY.

SOIL NAME DESCRIPTION

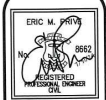
- D4* EXTENSIVE SILT LOAM, 0 TO 3 PERCENT SLOPES
 - R* ROSEBURY, BRIMFALL, AND LEICESTER EXTREMELY STONY FINE SANDY LOAMS
 - RU RUPERTY FINE SANDY LOAM
 - BW4* BROOKFIELD FINE SANDY LOAM, 0 TO 3 PERCENT SLOPES
 - BW4* BROOKFIELD FINE SANDY LOAM, 1 TO 4 PERCENT SLOPES
- NOTE: *TYPICAL FARMLAND
**LARGELY OF STATEWIDE IMPORTANCE

LEGEND

---	WATER LINE	---	SEWER LINE	---	GAS LINE	---	ELECTRIC LINE	---	OVERHEAD WIRE	---	MAJOR CONTOUR LINE	---	SPOT ELEVATION	---	PROPERTY LINE	---	PROPOSED LOT LINE	---	ADJACENT LOT LINE	---	TREELINE	---	BOUNDARY	---	FENCE	---	RETAINING WALL	---	STONE WALL	---	FLAGGED WETLAND	---	PERIMETER WETLAND	---	WETLAND BUFFER	---	ASPHALT PAVEMENT	---	SETBACK LINE	---	30' SIDE SETBACK	---	10' SIDE SETBACK	---	SOIL LINE AND REGULATION	---	LIMIT OF DISTURBANCE	---
---	SEED BED/ROOFAGE	---	ADJACENT'S PLAT	---	SOIL EVALUATION	---	CATCH BASIN	---	DOUBLE CATCH BASIN	---	WATER VALVE	---	GAS VALVE	---	SEWER VALVE	---	WETLAND FLAG	---	DRAINAGE MANHOLE	---	FLARED END SECTION	---	SUP POLE	---	ELECTRIC MANHOLE	---	MULTI-PHASE POLE	---	LIGHTPOST	---	WELL	---	MONITORING WELL	---	IRRIGATION VALVE	---	BENCH-MARK	---	UNKNOWN MANHOLE	---	TREE	---						



DIPrete Engineering
 100 WATER STREET, SUITE 200
 BOSTON, MASSACHUSETTS 02109
 TEL: 617.552.1234 FAX: 617.552.1235
 WWW.DIPRETE.COM



REVISIONS

NO.	DATE	DESCRIPTION
1	08/15/2024	ISSUED FOR PERMIT
2	08/15/2024	ISSUED FOR PERMIT
3	08/15/2024	ISSUED FOR PERMIT
4	08/15/2024	ISSUED FOR PERMIT
5	08/15/2024	ISSUED FOR PERMIT
6	08/15/2024	ISSUED FOR PERMIT
7	08/15/2024	ISSUED FOR PERMIT
8	08/15/2024	ISSUED FOR PERMIT
9	08/15/2024	ISSUED FOR PERMIT
10	08/15/2024	ISSUED FOR PERMIT

OVERALL SITE LAYOUT PLAN
ORCHARD MEADOWS
 ADDRESS: 1489 PIPPIN ORCHARD ROAD, LOT 1, 2, 3, 4, 5
 PREPARED BY: ERIC M. DIPRETE
 DATE: 08/15/2024
 SHEET 4 OF 8

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. Justin Mateus, P.E., Public Works Director, has not provided commentary at this time.
 - b. Traffic Safety Division: Mr. Stephen Mulcahy has provided commentary that states Lots 1-4 require a State Physical Alteration Permit (PAP) for new driveway openings.
 - c. Sewer Division: Mr. Edward Tally, Environmental Program Manager, reviewed the Proposal and determined that the submission of a sewer design is to be reviewed and approved by the DPW Department and states that a letter from the water authority is still needed at this time.
 - d. Providence Water Supply Board: PWSB has not provided commentary at this time. Evidence of a water supply line on the proposed Lots 1-4 is still needed. Staff notes that correspondence will be provided with the Final Plan application regarding suitable supply.
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, reviewed the Proposal and determined that the Proposal does require the zoning relief requested. The proposed frontage on Pippin Orchard Road is to be verified and labeled on a plan for each lot, Lots 1-5. Clarification on the use of the 30' utility easements within Lots 1 and 2 is needed 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 Less Than 1 Unit Per Acre*”
 - Per the Comprehensive Plan, the A-80 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 designation and inconsistent with the FLUM 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:
 - Housing Goal 4: Promote housing opportunity for a wide range of household types and income levels.
 - Housing Policy 4.1: Maintain a varied housing stock, with units of different age, size and type that are affordable to a wide range of incomes.
 - Housing Policy 4.2 Identify potential sites for redevelopment options for future residential use, and mixed use.

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 Master/Preliminary Plan has been conducted. Property owners within a 100' radius have been notified via first class mail (dated 9/19/2024) 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 dimensional relief is 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.

The fact that a use may be more valuable after the relief is granted shall not be grounds for relief.

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 generally 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 Master/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 generally consistent with the Comprehensive Plan’s Future Land Use Map (FLUM), which designates the subject property as “*Single Family Residential Less Than 1 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.” (emphasis added)*

- 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, with the anticipated private driveway, will have adequate permanent physical access to Pippin Orchard Road, a public city street.

- The Proposal, with the anticipated private driveway, will provide for safe and adequate local circulation for vehicular traffic.

X. Recommendation – Land Development Project

Staff finds this Proposal generally 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 Major Subdivision – Master/Preliminary Plan submittal subject to the conditions denoted below.

XI. Recommended Conditions of Approval

The Master/Preliminary Plan submittal shall be subject to the following:

1. Submission of Municipal Lien Certificates (MLCs) for all applicable lots.
2. Submission of letters of availability from the Providence Water Supply Board for water availability, respectively.
3. Payment of the Eastern Cranston Capital Facilities Development Impact Fee of \$1,389.50 x 5 (\$6,947.50)

Respectfully Submitted,



Brianna L. Valcourt, M.Arch
Senior Planner

Cc: City Planning Director
File