

*Michael A. Kelly*  
[mkelly@ksplawpc.com](mailto:mkelly@ksplawpc.com)

January 3, 2022

Tom Kravitz, Town Planner  
Town of North Smithfield  
Planning Department  
83 Greene Street  
Slatersville, RI 02896

**RE: Narragansett Improvement/Rankin Estates**

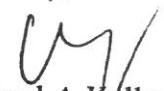
Dear Tom:

Enclosed please find Master Plan Application Major Land Development Plan - Decision of Approval with regards to the above-referenced project. Said Decision was recorded on March 6, 2019 in Book 806, Page 231. As such, we are seeking our second by right one year extension of this Approval in accordance with R.I. Gen. Laws §45-23-40(g)(1).

Therefore, I would respectfully request that this matter be assigned to the February Planning Board Agenda for approval of this request.

Thank you in advance for your attention to this matter. Should you need any additional information, please do not hesitate to contact me.

Sincerely,

  
Michael A Kelly

Enclosure

cc.: Client

Town of North Smithfield Planning Board  
Master Plan Application Major Land Development  
Plan - Decision of Approval

RECEIVED FOR RECORD  
NORTH SMITHFIELD R.I.  
MAY 2019  
BOOK 806 PAGE 231  
DOC #: 00039060

**1. Applicant Owner/Developer:** Narragansett Improvements  
223 Allens Avenue, Providence, RI 02903  
**Surveyor/Engineer:** DiPrete Engineering, Inc.  
**Business phone:** 401-943-1000

**2. Property Location:** Plat 14, Lots: 17, 19, 29, 31, 32, 34, 88, 93, 106, 125, 128, 135, 144, 145, 147, 202, and 242 **Type of Application:** Major Land Development, Master Plan Application.

**3. The Record:**

At its meeting of February 28, 2019, the Planning Board voted by a count of 4 to 1 to approve this decision of approval, subject to the conditions listed in section 6.

**4. Statement of Review, Hearing & Authority:**

This application was heard under the provisions of the *North Smithfield, Rhode Island Land Development & Subdivision Regulations adopted* pursuant to Title 43, Chapter of the General Laws of the State of Rhode Island & Providence Plantations, entitled *The Land Development and Subdivision Review Enabling Act of 1992 as amended*.

**5: Findings of Fact:**

Pursuant to R.I.G.L. § 45-23-60, The following findings of fact shall serve as the decision:

1. The proposed development is consistent with the comprehensive community plan as follows:

Land Use Goal 1. Ensure that the density and design of residential development will respect the existing natural and man-made environment and the capacity of public facilities.

Natural & Cultural Resources Goal 1. Protect prime groundwater aquifers and recharge areas from potential environmental damage. Requiring the use of advanced OWTS ensures the highest form of protection and is consistent with this goal. (see specific condition in section 6 of this decision)

Natural & Cultural Resources Goal 3. Adopt and implement action programs to protect natural resources and conservation areas through acquisition, conservation easements and other measures. Placing a conservation easement over the western portion of the property is consistent with this goal, and the recommendations of the Recreation Commission and Conservation Commission. See Planning Department file for specific local government staff input. (see specific condition in section 6 of this decision)

Natural & Cultural Resources Goal 7. Protect the cultural resources from physical change inappropriate to their character, and, Action item B. Protect archeological resources as part of the development

- The intersection of Route 7 and Route 104 shall be added to the traffic impact analysis.
- The connector road to Leonard Drive shall be aligned parallel with existing topography to the maximum extent practicable as to limit cuts and fills.
- Given the proposed lot size and individual well requirements, the Town Planner shall author correspondence to the RIDEM expressing the Planning Board's desire to employ advanced onsite waste water treatment systems in effort to protect water quality to the maximum extent practicable. The Planning Board will defer to RIDEM's expertise based on the outcomes of Test Pit analysis.
- The Town Planner shall author correspondence to RIDEM as to communicate the Planning Board's desire to encourage RIDEM to permit a beaver deceiver along the connector road to Leonard Drive. The Planning Board will defer to RIDEM wetland biologists' expert opinion on the matter.
- The following specific recommendations of the Heritage Association (as submitted by NSHA member Richard Keene) shall be reflected in the Preliminary Plan Application:
  - a. Leave specific land and trails undisturbed that are designated for open space and greenways such as the trail that runs through the north section of lot 65, shifting the north boundary to a point 50 feet south of the trail; shift the greenway on the east boundary of lot 99 to the west boundary to preserve the trail; relocate lot 47 to the vacant space between lot 49 and 50 to create a greenway that maintains a continuous loop of existing trails connecting seven communities.
  - b. NSHA item 8 shall be re-examined in the context of what RIDEM demands with respect to RIPDES and stormwater permitting by way of a site restoration and replanting plan.

**7. Certification:**

This is to certify that the above statement of Decision reflects the action of the North Smithfield Planning Board at their special meeting of Thursday, February 28<sup>th</sup>, 2018. This is a true and accurate recording of such action and is intended to be part of the official record of the North Smithfield Planning Board.

Certified:



Thomas Kravitz  
Administrative Officer

Date: MARCH 6, 2019

RECORDED IN NORTHSMITHFIELD RI Mar 06, 2019  
AT 11:04A ATTEST DEBRA A TODD  
Town Clerk

