



## *Town of Foster Planning Department*

### *Application for Administrative Subdivision*

**APPLICANT** \_\_\_\_\_ Date Submitted: \_\_\_\_\_

Signature \_\_\_\_\_

Road \_\_\_\_\_

Town \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax: \_\_\_\_\_

(All listed owners must sign application)

**Land Owner** \_\_\_\_\_

Signature \_\_\_\_\_

Road \_\_\_\_\_

Town \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_

**Land Owner** \_\_\_\_\_

Signature \_\_\_\_\_

Road \_\_\_\_\_

Town \_\_\_\_\_

State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_

#### **LOCATION OF LAND**

Address \_\_\_\_\_ Zoning District \_\_\_\_\_

Plat No. \_\_\_\_\_ Lot No. \_\_\_\_\_ Plat No. \_\_\_\_\_ Lot No. \_\_\_\_\_

Existing Acreage or Sq. Ft.: \_\_\_\_\_ Total number of proposed lots : \_\_\_\_\_

Sizes of all lots:

Lot No. \_\_\_\_\_ Size \_\_\_\_\_ Lot No. \_\_\_\_\_ Size \_\_\_\_\_ Lot No. \_\_\_\_\_ Size \_\_\_\_\_

Lot No. \_\_\_\_\_ Size \_\_\_\_\_ Lot No. \_\_\_\_\_ Size \_\_\_\_\_ Lot No. \_\_\_\_\_ Size \_\_\_\_\_

#### **Items to be included with Application:**

- **Copy of Tax Lien Certificate showing taxes and fees on all properties involved as current.** (Verify fee with Tax Collector.)
- **Copy of Title Deed evidencing proof of ownership.**
- **Legal Descriptions of all reconfigured lots with new Deed**
- **\$100.00 Application Fee**

Once your application has final approval:

- **1 Mylar and 4 Paper copies of the approved plan to be submitted for recording after final electronic approval (Verify fee with Recorder of Deeds).**
- **All final map information must be provided electronically.**

**NOTE:** Final maps approved by the appropriate Town Official along with Final Deed Transfer documentation must be recorded to constitute a legal, valid subdivision. New Lots become taxable on the date of final approval regardless of the date upon which the deed is filed.

## ***Town of Foster Planning Department Administrative Subdivision Checklist***

### **Definitions:**

**Subdivision.** The division of a lot, tract, or parcel of land into two or more lots, tracts, or parcels or any adjustment to existing lot lines is considered a subdivision.

**Administrative subdivision.** Subdivision of existing lots that yields no additional lots for development, and involves no creation or extension of streets. This subdivision only involves division, mergers, mergers and division, or adjustments of boundaries of existing lots. The process by which an administrative officer or municipal planning board or commission reviews any subdivision qualifying for this review is set forth in RIGL 45-23-37.

### **A. Application Requirements/Required Documents**

1. **Application Form:** must be completed prior to submission. Application must be signed by the applicant and all landowners.
2. **“Owner Authorization”** form must be submitted with the application.
3. **“Site Walk Authorization” Form:** allows town staff and members of volunteer boards to walk the property for the purposes of assessment and evaluation.
4. **Contact List:** include the names of all parties involved in the Subdivision.
5. **Class I Boundary Survey:** the applicant must base the proposed Administrative Subdivision on a Class I survey. If a previously recorded survey is submitted to fulfill the requirements, it must be re-certified by the original surveyor and must also comply with the Class I standards. Please refer to the Class I Survey Checklist. ***Do not submit Mylar until approval has been received.***

### **B. Site Plan Requirements**

The site plans shall be prepared by a professional land surveyor registered in or authorized by the RI Board of Registration for Professional Land Surveyors and shall contain the following information upon electronic submission. Review is conducted administratively.

2. ☐ Appropriate Scale
3. ☐ Graphic Scale Bar must be included
4. ☐ Key: Map legend defining symbols used on map.
5. ☐ North Point
6. ☐ Locus Map
7. ☐ Title of Subdivision, if any
8. ☐ List existing or proposed deed restrictions, easements, rights-of-way, and appropriate covenants
9. ☐ List Zoning requirements for the type of zone
10. ☐ Date of plan preparation, with revision date(s), if any

11. ☐ Name, stamp, and signature of a registered land surveyor
12. ☐ Name and address of firm preparing said map(s)
13. ☐ A signed statement shall appear on the plan, as required by the RI State Board of Professional Land Surveyors. Please refer to the Class I Survey checklist.
14. ☐ A certificate block for signatures for the Administrative Officer / Planning Board approval must appear on the map as shown below.

<i>Town of Foster, Rhode Island</i>		<i>Department of Planning</i>	
<i>Submission Record for</i>		<i>-Administrative-</i>	<i>Subdivision</i>
<i>Submission</i>	<i>Board Action</i>	<i>Date:</i>	<i>Signed:</i>
<i>Certificate of Completeness</i>	<input type="checkbox"/> <i>Certified</i> <input type="checkbox"/> <i>Returned for cause</i> <input type="checkbox"/> <i>Denied</i>	_____	_____
<i>Preliminary Review</i>	<input type="checkbox"/> <i>Approved</i> <input type="checkbox"/> <i>Returned for cause</i> <input type="checkbox"/> <i>Denied</i>	_____	_____
<i>Final Review</i>	<input type="checkbox"/> <i>Approved</i> <input type="checkbox"/> <i>Returned for cause</i> <input type="checkbox"/> <i>Denied</i>	_____	_____
<i>Received for Record</i> _____		<i>Date:</i> _____	
<i>At</i> _____ <i>M. Recorded in Book No</i> _____ <i>Page</i> _____			
<i>Of the Land Evidence in the Town of Foster, Rhode Island.</i>			
_____ <i>Town Clerk</i>			

15. ☐ Notation on plan if the subdivision parcel(s) are located within any of the following areas:
  - ☐ Rare & Endangered Species
  - ☐ Natural Heritage Areas (RIDE)
  - ☐
  - ☐ Scituate Reservoir Watershed

**C. General Lot(s) Information for both Existing and Proposed Lots**

1. ☐ Assessor's Plat and Lot Number of Property, and all abutting properties
2. ☐ Name(s) of Property Owners and all abutting property owners
3. ☐ Total acreage and square footage of each lot / parcel within the subdivision.
4. ☐ Existing boundary line of entire parcel shown as a solid line and new lot line shown as solid line.
5. ☐ Property lines to be revised or eliminated shown as a broken line.
6. ☐ Dimensions and lengths of the following items: width of road, widths and location of any existing rights-of-way, distances of existing lot lines, and the angles that are formed by their intersections

7. ☐ **Dimensions, lengths, and approximate areas of the following:** Proposed lot lines, and lots. Proposed lot lines shall be drawn so as to distinguish them from existing property lines.
8. ☐ State the amount of road frontage for each individual lot, and any changes therein. For example: Administrative Subdivision, show the original frontage of both lots, as well as the new frontage of both lots, and indicate the addition or subtraction of frontage.
9. ☐ Show location of existing monuments and any monuments to be set. All monuments must be set prior to recording of Class I survey plan with the Town of Foster.
10. ☐ Show setback requirements graphically, as required by zoning ordinances, on individual lots
11. ☐ Proposed front corners shall be referenced by measurement to an abutter of the original parcel or to an established point

#### **D. Existing and Proposed Conditions, Structures & Setbacks**

1. ☐ Identification and location of Historic Cemeteries on / in / or immediately adjacent to the subdivision parcel if any.<sup>1</sup> Indicate if none are present.
2. ☐ Identification and location of any unique natural and/or historic features and resources, including stone walls, rock outcroppings, soil types, and listed historic sites, building, and structures.<sup>1</sup> Indicate if none are present.
3. ☐ Identification, location and size of all existing and proposed structures with distances to front, side, and rear lot lines shown on the plan and utilities and improvements. Indicate if parcel is vacant land.
4. ☐ Identification and location of any existing and proposed septic system and wells, with distances to front, side, and rear lot lines shown on plan. Note: It may be necessary to verify that the proposed lot, or any structures thereon, does not interfere with an abutter's well setback or OWTS setback requirement.
5. ☐ List names and locations of all existing roads, easement, or other public or rights-of-way either bordering on the property or going through the property so divided. Indicate if none are present.

#### **E. Wetlands Issues & Setbacks (indicate if none are present)**

1. ☐ Location of any existing ponds, watercourses or other wetland areas. Include copy of USGS map with parcel located on it
2. ☐ Indication of property's location in relation to 100-year flood plain areas
3. ☐ Indication of the setback requirements from the wetlands, in accordance with state and town regulations.

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<sup>1</sup> See list of historic resources in Foster, Rhode Island, Statewide Historical Preservation Report P-F-1, Rhode Island Historical Preservation Commission, June 1992.

## **F. Certification**

1. The application shall be certified as complete or incomplete by the Administrative Officer, or the Technical Review Committee within a fifteen (15) day period from the date of its submission according to the provisions of RIGL 45-23-36(b).
2. Once an application is certified as complete the required time frame for approval begins.
3. In the event that the certification of the application is not made within the time specified above (15 days) the application is deemed complete for purposes of commencing the review period, unless the application lacks information required for these regulations and the Administrative Officer has notified the applicant in writing of the deficiencies in the application.

## **G. The Review Process**

1. Within fifteen (15) days of Certification of Completeness, the Administrative Officer, and/or the Technical Review Committee, shall review the application and approve, deny or refer to the Planning Board with recommendations.

The Administrative Officer or Technical Review Committee shall report its actions to the Planning Board at its next regular meeting, to be made part of the record.

2. If no action is taken by the Administrative Officer or the Technical Review Committee within the fifteen (15) days, the application shall be placed on the agenda of the next regular Planning Board meeting.
3. If referred to the Planning Board, the board shall consider the application and the recommendations of the Administrative Officer and/or the Technical Review Committee and 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 prescribed period constitutes 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 upon the request of the applicant.
4. Denial of an application by the Administrative Officer and/or the Technical Review Committee is not appealable and requires the plans to be submitted as a Minor Subdivision application.
5. Any approval of an administrative subdivision shall be evidenced by a written decision which shall be filed and posted in the office of the Town Clerk.
6. Approval of an Administrative Subdivision expires ninety (90) days from the date of approval unless within that period a plan in conformity with that approval is submitted for signature and recording as specified in RIGL 45-23-64.

## **H. Signing and Recording of Plans**

1. All approved Administrative plans are signed either by the Planning Board Chairperson, the Secretary, or the Administrative Officer as the board's designated agent. All approved plans must show the date of approval.
2. Upon signature, all plans and plats are submitted to the Administrative Officer prior to recording and filing with the appropriate municipal departments. The material to be recorded for all plans and plats include all pertinent plans with notes thereon concerning all the essential aspects of the approved project design, the implementation schedule, special conditions placed on the development if referred to the Planning Board and approved with

conditions, permits and agreements with the state and federal reviewing agencies, and other information as may be required by the municipality.

3. Other parts of the applications record for the Administrative Subdivision, including all meeting records, site analysis, impact analysis, all legal agreements, and the entire final approval set of drawings are permanently kept by the municipal departments responsible for implementation and enforcement.

#### **I. Timeline**

1. Completed application submitted
2. Certification of Completeness within 15 days
3. Review process within 15 days of Certification of Completeness. The application shall be reviewed and approved, denied, or referred to the Planning Board with recommendations.
4. If no action is taken by the Administrative Officer within the 15 days, the application shall be placed on the agenda of the next regular Planning Board meeting; Planning Board shall consider the application within 65 days of the Certificate of Completeness.
5. Approval of an Administrative Subdivision expires 90 days from the date of approval unless proper recording is completed.

#### **J. Requirements for Recording**

1. One (1) Mylar of the subdivision plan (based on the Class I Registered Survey) must be signed by the Administrative Officer.