

***Town of Foster Planning Department  
Minor Land Development or Minor Subdivision  
Preliminary Checklist***

**Definitions: Land development project.** A project in which one or more lots, tracts, or parcels of land or a portion thereof are developed or redeveloped as a coordinated site for one or more uses, units, or structures, including but not limited to, planned development or cluster development for residential, commercial, institutional, recreational, open space, or mixed uses. The local regulations shall include all requirements, procedures, and standards necessary for proper review and approval of land development projects to ensure consistency with this chapter and the Rhode Island zoning enabling act.

**Minor land development project.** A land development project involving any one of the following:

- (A) Seven thousand five hundred (7,500) gross square feet of floor area of new commercial, manufacturing, or industrial development, or less; or
- (B) An expansion of up to fifty percent (50%) of existing floor area or up to ten thousand (10,000) square feet for commercial, manufacturing, or industrial structures; or
- (C) Mixed-use development consisting of up to six (6) dwelling units and two thousand five hundred (2,500) gross square feet of commercial space or less; or
- (D) Multi-family residential or residential condominium development of nine (9) units or less; or
- (E) Change in use at the property where no extensive construction of improvements is sought; or
- (F) An adaptive reuse project of up to twenty-five thousand (25,000) square feet of gross floor area located in a commercial zone where no extensive exterior construction of improvements is sought; or
- (G) An adaptive reuse project located in a residential zone that results in less than nine (9) residential units

**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.

**Minor subdivision.** A subdivision creating nine (9) or fewer buildable lots. The process by which a municipal planning board, commission, technical review committee, and/or administrative officer reviews a minor subdivision is set forth in § 45-23-38.

**Application types and review stages.**

**Applications requesting relief from the zoning ordinance.**

- (i) Applications under this section that require relief that qualifies only as a modification under § 45-24-46 and local ordinances shall proceed by filing an application under this chapter and a request for a modification to the zoning enforcement officer. If such modification is granted, the application shall then proceed to be reviewed by the administrative officer pursuant to the applicable requirements of this section. If the modification is denied or an objection is received as set forth in § 45-24-46, such application shall proceed under unified development plan review pursuant to § 45-23-50.1.
- (ii) Applications under this section that require relief from the literal provisions of the zoning ordinance in the form of a variance or special-use permit, shall be reviewed by the planning board under unified development plan review pursuant to § 45-23-50.1, and a request for review shall accompany the preliminary plan application.
- (iii) Any application involving a street creation or extension shall be reviewed by the planning board and require a public hearing.

**Other applications.** The administrative officer shall review and grant, grant with conditions, or deny all other applications under this section and may grant waivers of design standards as set forth in the local regulations and zoning ordinance. The administrative officer may utilize the technical review committee for initial review and recommendation. The local regulations shall specifically list what limited waivers an administrative officer is authorized to grant as part of their review.

**Review stages.** Minor plan review consists of two (2) stages, preliminary and final; provided, that unless otherwise set forth in this section, if a street creation or extension is involved, or a request for variances and/or special-use permits is submitted, pursuant to the regulation's unified development review provisions, a public hearing is required before the planning board. The administrative officer may combine the approval stages, providing requirements for both stages are met by the applicant to the satisfaction of the administrative officer. Pre-application meetings may be held for administrative and minor applications, upon request of either the municipality or the applicant. Pre-application meetings allow the applicant to meet with appropriate officials, boards and/or commissions, planning staff, and, where appropriate, state agencies, for advice as to the required steps in the approvals process, the pertinent local plans, ordinances, regulations, rules and procedures and standards which may bear upon the proposed development project. See RIGL 45-23-35 for further pre-application meeting procedures.

#### **A. Preliminary Site Plans**

1. **Contact List:** include the names of all parties involved in the Subdivision.
2. **Narrative Report:** Seven (7) copies providing a general description of the existing physical environment of the uses and type of development proposed by the applicant.
3. **Stenographer Fee (Applications requiring a public hearing only):** \$250.00 and to be paid before the meeting.
4. **Proof of abutter notification (Applications requiring a Public Hearing only):** List of abutting properties and respective property owners within 200 feet of the subject property. Proof of first-class or certified mail sent within 14 days of the hearing if a public hearing is to be held.
5. **Waiver requests for the next review stage, if any**

#### **B. Map Requirements**

The applicant shall submit to the Administrative Officer an electronic copy of the preliminary site plans and Class I registered survey. 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 site plans shall be prepared by a registered professional preparer(s) and shall contain the following information:

1. ☐ A Graphic Scale Bar must be included
2. ☐ Key: Map legend defining symbols used on the map
3. ☐ North Point
4. ☐ Locus Map
5. ☐ Title of Subdivision, if any
6. ☐ List Zoning Requirements for the type of zone
7. ☐ Date of Plan Preparation, with revision date(s), if any.
8. ☐ Name, stamp, and signature of registered professional preparer(s)
9. ☐ Name and address of firm preparing said map(s).
10. ☐ List all proposed easements, rights-of-way, and all appropriate covenants and deed restrictions.
11. ☐ List location, dimensions and area of any land proposed to be set aside as open space.
12. ☐ A signed statement shall appear on the survey plan, as required by the RI State Board of Professional Land Surveyors. Please refer to the Class I Survey checklist.

13. ☐ A certificate block for signatures for the Administrative Officer/Planning Board approval must appear on every page of every plan as shown below:

<b><i>Town of Foster, Rhode Island</i></b>		<b><i>Department of Planning</i></b>	
<b><i>Submission Record for</i></b>		<b><i>-Minor-</i></b>	<b><i>Subdivision</i></b>
<b><i>Submission</i></b>	<b><i>Board Action</i></b>	<b><i>Date:</i></b>	<b><i>Signed:</i></b>
<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>	_____	_____
<b><i>Received for Record</i></b> _____		<b><i>Date:</i></b> _____	
<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>			

14. ☐ 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 Owner(s) 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(s) shown as a 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 locations of existing rights-of-way; distances of existing lot lines; and the angles formed by their intersections.
7. ☐ Dimensions, lengths, and approximate areas of the following: Proposed roads, lots, 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.
9. ☐ Show location of existing monuments, and any monuments to be set. All monuments must be set prior to recording of the Class I survey in the Town of Foster.
10. ☐ Show setback requirements graphically, as required by zoning ordinance 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 any wooded areas and notation of existing ground cover upon / within the subdivision.
2. ☐ Identification and location of Historic Cemeteries on / in / or immediately adjacent to the subdivision parcel(s) (if any).1 Indicate if none are present.
3. ☐ Identification and location of any unique natural and/or historic features and resources, including stone walls, listed historic sites, buildings and structures.1 Indicate if none are present.

4. ☐ Identification and location of all existing and proposed structures with distances to front, side and rear lot lines shown on the plan. Indicate if none are present.
5. ☐ 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 requirements.
6. ☐ List names and location of all existing and proposed roads, easements or other public rights-of-way, either bordering on the property or going through the property so divided. Indicate if none are present.

#### **E. Topographic, Grading, Drainage, and Utilities Issues:**

1. ☐ Location and dimensions of all existing utilities within and immediately adjacent to the subdivision, including water, electric, phone, fire alarm, hydrants, utility poles, stormwater drainage facilities or other above or underground utilities.
2. ☐ Existing topographic contours at intervals of at least five (5) feet.
3. ☐ Identification and location of existing areas of agricultural, silvicultural, or farm use.
4. ☐ Grading plan in sufficient detail to show proposed contours 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)
5. ☐ Proposed drainage plan and drainage calculations prepared by a Registered Professional Engineer, if required by the Planning Board
6. ☐ Proposed utilities plans, including electric, phone, fire alarm, hydrants, utility poles, or other proposed aboveground or underground utilities as applicable.

#### **F. Wetlands, Wetland Issues and Setbacks (Indicate if none are present.)**

1. ☐ Location of any existing ponds, watercourses, streams, rivers or other wetland areas or environmental features within 200 feet of the perimeter of the subdivision parcel. Include copy of USGS map with parcel located on it.
2. ☐ Indication of the property's location in relation to 100-year-floodplain areas. Indicate if not applicable.
3. ☐ Indication of setback requirements from the wetlands in accordance with state regulations.

#### **G. Supporting Materials**

1. ☐ Soils map of the area. If any prime agricultural soils are within the subdivision parcel(s), the soils map shall be marked to show location of said prime agricultural soils
2. ☐ 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.
3. ☐ If alteration of freshwater wetlands is proposed, confirmation from the RIDEM that such alteration is permitted and under what conditions, if any.
4. ☐ Soil and sedimentation erosion control plan, if required
5. ☐ 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)
6. ☐ Either of the following:
  - a. A letter to the<sup>1</sup> Planning Board of the subdivider's intent to complete the required improvements prior to endorsement and recording; or,

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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.

- b. A letter to the Planning Board requesting that security sufficient to cover the cost of required improvements prior to endorsement and recording
- 7. ☐ The names and addresses of all property owners, agencies or communities requiring notification as required by these Regulations
- 8. ☐ Copies of return receipts for certified mail notices
- 9. ☐ Proposed landscape plan, if required

#### **H. Certification and Review Process**

1. The application shall be certified, in writing, as complete or incomplete by the Administrative Officer within twenty-five (25) days from the date of submission so long as a completed checklist of the requirements for submission is provided as part of the submission. Such certification shall be made in accordance with the provisions of § 45-23-36(c). If no street creation or extension is required, and/or unified development review is not requested, and a completed checklist of the requirements for submission is provided as part of the submission, such application shall be certified, in writing, complete or incomplete by the administrative officer within fifteen (15) days according to the provisions of § 45-23-36(c). The running of the time period set forth in this section 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 ten (10) days after its resubmission.
2. Once certified as complete, the application will be referred as a whole to the Planning Board for review at its next meeting.
3. The Planning Board may reassign a proposed minor project to major review if it is unable to make positive findings as required in RIGL 45-23-60.
4. If no street creation or extension is required, the planning board or administrative officer will approve, deny, or approve with conditions, the preliminary plan within sixty-five (65) days of certification of completeness, or within any further time that is agreed to by the applicant and the board, according to the requirements of §§ 45-23-60 and 45-23-63. If a street extension or creation is required, or the application is reviewed under the unified development plan review, the planning board will hold a public hearing prior to approval according to the requirements in § 45-23-42 and will approve, deny, or approve with conditions, the preliminary plan within ninety-five (95) days of certification of completeness, or within any specified time that is agreed to by the applicant and the board, according to the requirements of §§ 45-23-60 and 45-23-63.
5. Upon approval, the preliminary plan shall be referred to the final review stage.