

Chapter 5 1/2

DIVISION OF LAND*

* **Editors Note:** An ordinance of Sept. 16, 1991, enacted provisions designated as Ch. 18; however, in order to maintain the alphabetical sequence of chapters, such provisions have been redesignated as Ch. 5 1/2 at the discretion of the editor.

Cross References: Buildings and building structures, Ch. 4; soil erosion and sediment control, Ch. 13 1/2.

Sec. 5 1 2-1./Application.

Sec. 5 1 2-2./Review procedure.

Sec. 5 1 2-1./Application.

Pursuant to RI General Laws Chapter 45-23-7, any division of land not subject to the subdivision regulations of the Town of North Smithfield, Rhode Island, shall be subject to the following filing and review procedure:

The applicant must submit all of the required documents to the town planner's office.

- (1) Required documents. Four copies (one on drafting film and three paper copies) of the proposed division drawn to scale (a bar scale shall be shown) and stamped by a professional land surveyor or professional engineer. Each sheet shall have a space, at least three inches wide and two inches high at the lower right hand corner for the stamp "North Smithfield Planning Board, Approval Not Required Under Current Subdivision Regulations."
- (2) The plan. The plan shall contain the following:
 - a. Plat and lot numbers, name and address of the owner of record, name of surveyor or engineer, date, north point and scale.
 - b. Names and owners of all abutting land.
 - c. Boundary lines of division.
 - d. Any existing water courses, railroad and street rights-of-way, utility lines, easements, wells, ISDS and all structures.
 - e. Sketch of the proposed streets in any contiguous land owner by the owner of the proposed division and intended for future development.
 - f. Dimensions as follows: widths of street rights-of-way, length of lot lines, areas of lots, diameters and lengths of water lines, sanitary sewers and surface drains.
 - g. Parcels of land proposed for conveyance to the town for public purposes.
 - h. Location of proposed monuments.

- i. Zoning classification.
 - j. Town boundary line (if applicable).
- (3) Accompanying documents. If applicable, the plan shall be accompanied by the following:
- a. Percolation test results indicating that each individual lot shown has been approved for construction by the Rhode Island Department of Health. Those lots not initially passing such percolation tests shall be enlarged or combined with other lots until acceptable lots are formed.
 - b. Certification by the North Smithfield tax collector that all town taxes due on the land in the proposed division have been paid for a period of three years prior to the filing and that there are no outstanding tax liens on the land.
 - c. A statement in duplicate of easements and conditions.
 - d. Any other data which may be required by the planning board or the town planner which relates to the utilization of the resources and satisfaction of the needs of the town with reference to its physical growth and development as affecting health, safety, morals, and general welfare of the people, economy and efficiency of community life.

(Ord. of 9-16-91, § 18.1)

Sec. 5 1 2-2./Review procedure.

(a) The required documents will be reviewed by the town planner in conjunction with the chairman of the planning board to determine the proposal's conformance with the requirements of the zoning ordinance, the goals and objectives of the comprehensive community plan, and the proposal's potential impact on existing or planned town resources and facilities. The town planner may refer such proposals to other town departments, agencies and officials for review and comment as deemed necessary. All comments shall be forwarded to the chairman of the planning board.

- (b) Prior to the scheduled planning board meeting, the chairman shall make the determination that:
 - (1) The proposed division does require planning board review; or
 - (2) The proposed division does not require planning board review.

A proposal determined to require planning board review shall be discussed at a regularly scheduled planning board meeting, at which time, the board shall accept or deny the proposal or provide the applicant with additional time in which to complete modification(s) to the plan in accordance with the requirements of the board.

A proposal determined not to require planning board review shall, upon receipt by the town planner, be endorsed by the chairman of the board. Such endorsement shall note that planning board review is not required under present subdivision regulations.

Said endorsed drafting film copy shall be returned to the applicant for the purposes of recording in the office of the town clerk. At the time of the recording, the four paper copies of the plan shall be distributed to the applicant, zoning inspector, tax assessor and town planner.

Endorsement of plans having been approved by the planning board shall be accomplished in a manner similar to that described above, noting the date of planning board action.
(Ord. of 9-16-91, § 18.2)