

Development Impact Statement

Prescott Point: Phase 2

Portsmouth Assessor's Plat 55 Lot 1A
Middletown Assessor's Plat 104 Lot 7
Freedom Trail Drive
Portsmouth / Middletown, RI

Prepared For

Prescott Point, LLC
c/o Landings Real Estate Group
543 Thames Street
Newport, RI
02840

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1.0 INTRODUCTION

This Development Impact Statement is required under Section 310 – Development Impact Review of the Town of Middletown Zoning Ordinance, as amended.

1.1 Site Description

The subject property (The Site) is comprised of two partially developed parcels located on the west side of the boundary between Middletown and Portsmouth. The portion of the Site located in Portsmouth is zone R-30, while the portion located in Middletown is zoned RM. The 106+/- acre Site is accessible via West Main Road (RT Route 114) and stretches almost to Burma Road to the west. A stream runs northwest to southeast through the property and is associated with a large area of freshwater wetlands. An isolated area of freshwater wetlands is also present at the southeast corner of the property. The Site was originally home to the “Mother of Hope Novitiate” facility owned by the Roman Catholic Bishop of RI.

In the late 2000’s, the Site was permitted as a large multifamily development “Freedom Bay”, with units that spanned the property and were accessed by a network of private roadways. The development also included a commercial component which fronted West Main Road. During construction, the site underwent extensive environmental remediation. A private sewer treatment plan was designed and constructed for the project, which utilized the existing direct discharge permit of the Novitiate. The infrastructure for the eastern side of the development, as well as the main access road and wetlands crossing to the west side was completed in the early stages of construction. However, as the eastern units began to be constructed, the developer abandoned the project. While some units were completed, other units had been boarded up in an incomplete state. The treatment plant, while completed, never received sufficient flow to become operational.

In 2010, the development was acquired by the Landings Real Estate Group and renamed “Prescott Point”. Since that time, the units on the east side of the site have been completed and sold in accordance with the original approved plan. In 2013, a large drip irrigation leachfield system was permitted and constructed for the site to replace the direct discharge. These two large fields were constructed on the west side of the Site, located to the south of the existing treatment plant. At this time, the plant remained inactive. The remainder of the Site was undisturbed and was heavily vegetated with trees and brush. The soil characteristics of the Site include categories “NeA”, “NeB”, and “NeC” (Newport Silt Loams) as well as “PmB” (Pittstown Silt Loam), and “Se” (Stissing) as identified by the USDA Soil Conservation Service and the Rhode Island Soil Survey. These soils are all Type “C” Hydrologic soils.

1.2 Zoning

The portion of the project within Middletown is Zoned Residential (RM). Adjacent properties in Middletown are zoned high density residential (R20A) and public lands (P).

On the Middletown portion of the Site, the Applicant is proposing to develop twenty (20) single family residences, a clubhouse structure and an addition structure subject to future permitting (use not yet determined).

1.3 Regulations and Guidelines

Regulations and Ordinances that helped to shape the development of the project site were the following:

1. Town of Middletown Comprehensive Amendment Zoning Ordinance.
2. Town of Middletown Rules and Regulations Regarding the Subdivision and Development of Land.
3. State of Rhode Island Stormwater Design and Installation Rules (250-RICR-150-10-8).
4. Urban Hydrology for Small Watersheds. (TR-55 Manual)
5. Rhode Island Department of Transportation Standard Specifications for Road and Bridge Construction (as amended).
6. Rhode Island Department of Transportation Standard Details.
7. RI Soil Erosion and Sediment Control Handbook.
8. Town of Portsmouth Zoning Ordinance.
9. Town of Portsmouth Land Development & Subdivision Regulations.

2.0 SITE IMPROVEMENTS

2.1 Previous Permitting for Phase 2

In 2016 the developer permitted Phase 2 of “Prescott Point”, with a focus on single family development. The infrastructure and layout for the west side of the Site was completely redesigned from the original permitted development. A total of 91 single family condominium units were created along two new looping roadways. While the majority of the existing sewer infrastructure and sewage treatment plant remained, the existing drainage system within the Phase 2 area was to be replaced. The existing drip irrigation leaching fields remained. The permitted Phase I commercial component, which was intended to front West Main Road, was replaced with an additional six (6) single family units. All new roadways included 24-foot-wide paved construction. The existing Newport Water mains were to be extended to provide service to the full development. Gas mains and electrical conduits were likewise to be extended as directed by National Grid to provide service for all new units. The redesigned stormwater system was to comply fully with the Rhode Island Stormwater Design and Installation Rules (250-RICR-150-10-8) and the Rhode Island Soil Erosion and Sediment Control Handbook (RISESCH) and were intended to provide treatment and mitigation superior to the systems that were originally designed and constructed. The sewer treatment plant was to be upgraded and brought online to provide pretreatment for the sewage flow from the overall development. This pretreatment was to allow the use of the existing leaching fields for the proposed increase in flow.

The project included the following highlighted stormwater design points:

- The proposed private roadways were to be narrower than either town standards in order to reduce impervious surfaces and the resulting impact on site runoff.
- The project did not receive runoff from any off-site locations, which helped to minimize the infrastructure required to control runoff within the site. This also enabled the drainage design to most accurately mimic pre and post runoff patterns.
- Drainage requirements of the Portsmouth and Middletown Regulations, as well as the Rhode Island Stormwater Design and Installation Rules, were to be met by new surface stormwater facilities to be located across the site.
- A variety of stormwater treatment devices were designed in order to de-centralized the stormwater system. Conveyances were minimized as much as possible for a development of this size and scope.
- The newly designed stormwater management devices were to replace the devices previously permitted and constructed on the west side of the Site under Phase I. The new devices were based on the current Stormwater Rules and were to provide superior treatment to the devices designed under the previous regulations.

2.2 Current Permitting for Phase 2

The configuration of the 20 residential units to be constructed in Middletown has been revised such that more of the units front on the proposed roadway. The maximum building footprint for each unit remains unchanged at 1,800 square feet.

2.3 District Regulations (Middletown Zoning Ordinance Article 6)

The project as proposed requires the following variances from the subdivision and land development regulations.

- Section 521.3.D.2 – The required 20' wide landscaped buffer with six-foot wall screening is not provided along the southerly property line. (This is to be mitigated by alternate methods, such as fencing.)

2.4 Supplementary Regulations (Article 7)

The following information details the project's conformance with the Supplementary Regulations (Article 7) of the Zoning Ordinance:

- The front, side and rear yards shall be unoccupied and unobstructed by buildings or structures.
- No accessory structures are proposed within ten (10) feet of a proposed property line.
- All proposed structures shall not exceed the District Dimensional Regulations.
- Any fencing shall not exceed 6 feet in height.
- At the street intersections, there will be no structure or vegetation which will obstruct vision between the heights of three feet and ten feet above the triangle formed by the two intersecting streets and third line joining points on the street lines fifteen feet from the intersection.
- There will be no disposal trench, disposal bed, cesspool, seepage pit, septic tank, septic field or other facility designed to leach liquid wastes into the soil, which could enter a wetland or river.
- There will be no storage or parking of major recreation equipment, mobile homes or unserviceable vehicles.
- No more than one (1) commercial vehicle over one and one-half (1.5) ton weight capacity shall be parked and stored on the property.
- All proposed residential units shall meet or exceed the minimum residential floor areas listed in Section 711 of the Middletown Zoning Ordinance.
- There will be no farm activity on the project site.
- Any landscaping shall conform to Section 723 of the Middletown Zoning Ordinance (unless otherwise noted).

3.0 TRAFFIC CONDITIONS

Traffic from Phase 2 of “Prescott Point” will utilize the existing curb cut on West Main Road constructed for Phase 1. A traffic report was completed as part of the initial project permitting in 2001. As the density now proposed is less than the density described in that report, it is anticipated that there will be no detrimental effects on the surrounding traffic conditions. A bond remains in place for a potential future signal at West Main Road.

3.1 Proposed Development

Only one new roadway is proposed within the Middletown portion of the development. This road will stem from Freedom Trail Drive on the west side of the stream crossing. This roadway will run parallel to the southerly property line, then loops northward when approaching the freshwater wetlands at the southwest corner of the property. This roadway will rejoin the Freedom Trail extension on the Portsmouth side of the development. This roadway will be similar in design and construction to all roadways within the development. The roadway will be 24 feet in width with cape cod berms.

3.2 Off-Street Parking (Middletown Zoning Ordinance Article 13)

The proposed development meets the parking requirements of Middletown. Each single-family residential unit will have a paved driveway providing at least two off-street parking spaces. The club house will be provided with four spaces per 1,000 square feet of floor space. No public parking is required by any of the proposed uses.

4.0 WATER SUPPLY - DOMESTIC

Public water shall be provided by the existing Newport Water Department main in Freedom Trail Drive through the existing master meter. The project proposes a main extension from the terminus of the existing line. The Newport Water Department has previously stated that it has the capacity and is willing to service the project. All construction and design will be in accordance with their Rules and Regulations.

4.1 Water Quantity Methodology

The Rhode Island Department of Environmental Management Office of Water Resources Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment System (OWTS) (250-RICR-150-10-6) provided the guidelines to estimate the Average Daily Flow. The Civil Engineering Reference Manual was used to calculate the Max Daily Flow and Max Peak Hourly Flow.

References

1. Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems (250-RICR-150-10-6).
2. Civil Engineering Reference Manual, Ninth Edition, 2003
3. International Building Code (2021)

Water Quantity Demand Calculations

The following chart illustrates the estimated water usage:

Type	Units	Bedrooms	Water Usage Rate (gpb)	Water Usage from Calculated Occupancy (gpd)
Single Family	20	3	115	6,900

Based on the demand table above, the Maximum Daily Flow for the portion of the project within Middletown is estimated at 6,900 gallons per day. This is based on the RIDEM expected flows which is considered to be a maximum estimate as it is unlikely that all bedrooms will have two occupants. Based on this maximum water consumption of 6,900 gallons per day, we will calculate the maximum peak hourly flow on the following formula:

Max Peak Hourly Flow = Average Daily Flow x Max Peak Hourly Flow Multiplier

Max Peak Hourly Flow = 6,900 gpd x 2.5

Max Peak Hourly Flow = 17,250 gpd = 719 gph = 0.027 cfs

5.0 SEWAGE DISPOSAL

Sewer service will be provided by a private sewer treatment plant and drip irrigation fields. Sewage flow to this system will be provided by a conventional subsurface conveyance system located within the project roadways. Both the plant and the majority of the disposal fields are located in Portsmouth. An RIDEM OWTS permit has been secured for the project. All construction and design will be in accordance with the RIDEM Rules Establishing Minimum Standards Related to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems (250-RICR-150-10-6).

6.0 STORM DRAINAGE

The stormwater system design is required to treat 100% of the proposed impervious areas of the redesigned portion of the development. This is proposed to be achieved through a combination of large- and small-scale stormwater devices. In an effort to reduce the sources of pollutant loading, the applicant has proposed 24-foot-wide roadways, while the town standard typically requires wider travel ways. This reduced width is appropriate to low volume local traffic, and similar widths were approved for the existing portion of the development. Existing roadway surfaces were reused to the extent possible to minimize disturbance adjacent to freshwater wetlands.

Primary water quality treatment for the project will be provided in several community sand filters. Stormwater to these filters will be conveyed by a conventional system of catch basins and underground pipes or by shallow grassed swales. The catch basins will be provided with deep sumps and oil/water separating hoods to provide initial pre-treatment. Stormwater entering the filters will pass first through sediment forebays or hydrodynamic separators which will provide the remainder of the required pre-treatment. In some areas, rooftop runoff from single family homes will enter the sand filters directly, as pre-treatment is not required; however, wherever possible, additional pre-treatment has been provided. Class IV soil evaluations performed across the site revealed a sufficient depth to groundwater so as not to require that not all of the sand filters be lined, providing some measure of groundwater recharge. Overflow water from the filters will pass over secondary weirs to detention areas. Higher flow storms will bypass the sand filters entirely and flow direct from forebays or hydrodynamic separators to the detention areas. These detention areas will meter stormwater via small diameter perforated pipes set at the bottom of the basins. Stormwater exceeding the capacity of the outlet pipes will be discharged via stone weirs non-erosively to downstream areas through the application of stone spillways and concrete level spreaders which will reduce the runoff velocity and the potential impacts of discharged runoff.

With the exception of one small sand filter located at the southwest corner of the property, all drainage system devices are located on the Portsmouth side of the project.

7.0 ELECTRIC SERVICE

RI Energy provides electrical services for Phase I of the development. The project proposes to extend these services into Phase II. All construction and design will be in accordance with the RI Energy Rules and Regulations.

8.0 GAS SERVICE

RI Energy provides gas services for Phase I of the development. The project proposes to extend these services into Phase II. All construction and design will be in accordance with the RI Energy Gas Rules and Regulations.

9.0 POLICE

Police enforcement shall be provided by the Middletown and Portsmouth Police Departments. Since the project is surrounded by similar use developments and does not contain any special or unusual features, the project should receive similar protection.

10.0 FIRE PROTECTION

Fire protection shall be provided by the Middletown and Portsmouth Fire Departments. Since the project is surrounded by similar use developments and does not contain any special or unusual features, the project should receive similar protection.

The project proposed a multitude of new fire hydrants along the proposed roadways, two of which are to be located in Middletown. The location of the fire hydrants and all roadways access shall be approved by the Fire Department. It is not anticipated that any of the residential structures will require sprinkler protection.

11.0 SCHOOLS

Based on information available from the National Center for Educational Statistics it can be inferred that there are approximately 0.33 students enrolled in public schools per occupied housing unit. This average multiplied by the 20 new single-family units equates to approximately 7 new public-school students for the Middletown educational system. This project therefore will likely represent only a small increase to the load on the either public school system.

12.0 EMERGENCY SERVICES

Since the project is surrounded by similar use developments and does not contain any special or unusual features, the project should have similar access to emergency services.

13.0 PHYSICAL AND ECOLOGICAL CHARACTERISTICS

13.1 Surrounding Lands

Surrounding land use consists primarily of high-density single family homes neighborhoods and multi-family developments in Middletown and Portsmouth. The proposed development is consistent with this character.

13.2 Wetlands

The project as a whole is bisected by a stream which runs from south to north. A stream crossing in the form of three 30-inch culverts is present along Freedom Trail Drive providing access from West Main Road. A large area of freshwater and riverbank wetlands is associated with this stream. A second area of unassociated freshwater wetlands is present at the southwest corner of the project. A 50-foot-wide area of perimeter wetlands is associated with both of these features. These features were delineated by an RI registered wetlands biologist and flagged in the field.

13.3 Flood Plain & Soils

According to the Flood Insurance Rate Mapping for the Town of Portsmouth/Middletown (Community Panel No. 44005C0091J, revised September, 2013), the Middletown portion of the property is located in Zone X. Zone X is within the area of minimal flooding for the 100-year flood.

The soil characteristics of the Site include categories "NeA", "NeB", and "NeC" (Newport Silt Loams) as well as "PmB" (Pittstown Silt Loam), and "Se" (Stissing) as identified by the USDA Soil Conservation Service and the Rhode Island Soil Survey. These soils are all Type "C" Hydrologic soils. These soils are predominately moderately well-draining soils which are suitable for community development but, as with most soils on Aquidneck Island, they can be limited by a high-water table and slow permeability. Soil testing has been performed across the site in areas of the proposed drainage systems which confirm these soil characteristics.

13.4 Vegetation

Some of the undeveloped portions of the site are heavily vegetated with woods and shrubs. Other areas have been cleared for soil testing or in preparation of construction.

13.5 Wildlife Habitat

Since the surrounding areas are largely developed with similar usages, the subject property is not considered a significant wildlife habitat. To the best of our knowledge, there are no endangered or threatened species living on the site.

13.6 Environmental

The owner will meet all environmental requirements of the Rhode Island Department of Environmental Management and the Town of Middletown. This development will improve the environmental conditions of the area by providing sediment collection measures, a reduction in peak run-off and increased water quality of the stormwater discharge.

14.0 CHARACTER OF THE COMMUNITY

14.1 Scenic

An evaluation of the site surroundings reveals that the site is located in an area suitable for this type of development. The property is located in an area consisting of densely populated single family and multi-family homes with minimal areas of green or open space separating neighborhoods. This site offers scenic views towards the central vegetated areas and vegetated areas to the west. These areas are located at a lower elevation which promotes aesthetic views. At higher elevations on the site, there are water views of Narragansett Bay to the west.

There are no nearby recreational and open space areas adjacent to the site Site, with the exception of undeveloped lands to the west which are controlled by the US Navy. Prescott Farm and Simmons Farm are present to the south and east; however, these are private entities.

14.2 Archaeological Conditions

There are no special or unique archaeological conditions on the site. If any archaeological artifacts or remains are found during construction, work will stop immediately and a historic/archaeological expert will be consulted to determine the significance of the find. The archaeological remains, if they are found to be significant, will be preserved based on the Town and expert's recommendation and/or opinion.

14.3 Scale

The scale of the proposed residential buildings is expected to be similar to the surrounding abutting residences.

14.4 Placement

The placement of all existing and proposed residences shall meet all setback requirements of Middletown. Screening and general appearance were also considered during development so as to have the minimal impact to neighbors and traffic flow. A waiver was requested for the 20-foot-wide landscape buffer along the southerly property line required by Section 521.3.D.2 of the town ordinance.

14.5 Lighting

No exterior lighting is proposed at this time.

14.6 Use of Open Space

The layout of the development has been designed to provide vegetative screening between adjacent single family residential areas to the north and to protected areas on site. Stormwater management areas have been placed primarily in these open space areas to facilitate maintenance. The open space for this phase of the project has been identified a single contiguous area which wraps around the development areas on all sides in Portsmouth and to the west in Middletown.

14.7 Abutting Properties and Property Value

This development will have no detrimental effects on abutting property values since abutting properties are of the same type of land use.

15.0 CONCLUSION

It is our opinion that this proposed development will have no negative environmental impacts on the Town of Middletown as a whole or to abutting property owners. The quality of the development and its intended purpose to provide desirable, high density and low impact residences will be an asset to the town.