

CLUSTER DEVELOPMENT CHECKLIST - FINAL SUBMISSION

The applicant shall submit to the Administrative Officer 5 full-sized copies of final cluster site plans and supporting materials as indicated below:

A. Cluster plans are to indicate the following:

TITLE BLOCK INFORMATION

- 1.____ Name of the proposed subdivision
- 2.____ Name and address of property owner and applicant
- 3.____ Name, address and telephone number of person or firm preparing the conceptual master plan and proposed design
- 4.____ Date of plan preparation, with revision date(s) (if any)
- 5.____ Graphic scale and true north arrow
- 6.____ Plat and lot number(s) of the land being subdivided

PLAN INFORMATION

- 1.____ Alternate plans for conventional development at Preapplication and Preliminary stage.
- 2.____ Wetlands, as defined in Title 2, Chapter 1 of the Rhode Island General Laws.
- 3.____ Land located within Zone A. as shown on the Federal Insurance Administration Flood Insurance Rate Maps for the Town of Coventry.
- 4.____ Street Allowance which shall be that area actually occupied by areas of public and or common vehicular and pedestrian access and egress.
- 5.____ Land consisting of slopes in excess of 15% as measured in ten (10) foot intervals
- 6.____ 100' (for single family) perimeter for location of structures shown to comply with the zoning for the district for minimum yard dimensions on principal and accessory buildings. (See Zoning Ordinance, Section 1315.)
- 7.____ 100' (for two family) and 1 1/2 minimum yard dimensions for principal and accessory building. (See Zoning Ordinance, Section 1315).
- 8.____ 150' minimum perimeter for Town Houses on an RCD. (See Zoning Ordinance, Section 1315).

9. ___ Minimum Lot Areas (Zoning Ordinance, Section 1320)

With Public Water and/or Sewer Systems

- ___ 15,000 square feet for single family dwelling.
- ___ 20,000 square feet for two-family dwelling or duplex.

Public Water or Sewer System are not available.

- ___ 43,560 square feet for single family dwelling.
- ___ 60,000 square feet for two-family dwelling or duplex.

B. Town House Criteria (Zoning Ordinance, Section 1323)

- 1. ___ Not more than three (3) contiguous town houses shall be built in a row with the same or approximately the same front line
- 2. ___ Each town house shall have on its own lot on one (1) yard containing not less than four hundred (400) square feet, reasonably secluded from streets or from neighboring property.
- 3. ___ Yards excluded from use as off street parking, garages, driveways, leachfields or any accessory building.
- 4. ___ 100' minimum distance between any two rows of town house building.
- 5. ___ 60' minimum distance between any two abutting ends of town house buildings.
- 6. ___ Buffer zone of intervening open space between RCD and adjacent single family residences. (See article 17.)

C. General Requirements (Zoning Ordinance, Section 1340)

- 1. ___ RCD is in a residential district.
- 2. ___ 5' minimum frontage of the parcel for development. Additional frontage required for more than one access.
- 3. ___ Paved areas other than roadways and driveways.

D. Written Agreement or Contract Between Developer And Town of Coventry including:

- 1. ___ That the owner or developer will construct the development and install improvements both public and private in accordance with the approved plan.
- 2. ___ Guarantee in the amount of \$ _____ to be posted to guarantee completion. (See attached worksheet).
- 3. ___ That in the event of failure of the owners, successors, or assigns to maintain any common space, recreation areas, landscaping features or other required improvements the Town may enter said development and perform such necessary maintenance work and charge the cost, including attorney

fees to the owner, successor or assigns and place liens on the properties should it become necessary.

4.____ That this contract shall be binding upon the heirs, assigns, successors or receivers of the development and shall constitute a lien on the property in the development.

5.____ Proposed timing for the development:

Phase:_____ No. of Lots:_____
Expected completion date:_____

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Expected completion date:_____

6.____ RCD Site Plan for recording in addition to the Final Subdivision Plan showing the following information:

- ___Entire development
___Lots
___Roads
___Easements
___Open Space
___Phases for Development
___Recreational Uses
___Buildings to be constructed in Open Space
___Ponds
___Streams
___Wetlands
___Other requirements of the Planning Commission:

7.____ Approval required before improvements (Section 1381).

No street, public water supply or other improvement shall be constructed and no building permit shall be issued for the construction of any building within any cluster development unless the plan of such development has been approved by the Planning Commission and recorded in the Office of the Town Clerk.

E. _____ Additional stipulations established by the planning commission to govern the residential cluster development

F. _____ Open Space (Zoning Ordinance, Article c)

1.____ Plan and calculations showing that no less than 25% of the total land area in the Residential Cluster is open space. This land shall not include building lots, street rights-of-way, or facilities or land which is designated by the regulations as being unsuitable for development.

- 2. ___ Plans and calculations showing that at least one half of the open space or (12.5% of the total land area) is useable for active recreation.
- 3. ___ Plans and calculations showing that no more than 20% of the open space (5% of the total area) is devoted to paved areas and structures devoted to recreational uses or uses accessory to permitted uses.
- 4. ___ Site plan for review and approval by Planning Commission, showing all structural improvements and that any structure located within 100' of residential property abutting the cluster development complies with Section 1315 of the Zoning Ordinance.
- 5. ___ Indications on plans that strips of open space are only used for access paths between residences, streets, other open space areas, as drainage areas and a buffers. Other uses not permitted.
- 6. ___ Plans marked to indicate and description of proposed markers to distinguish open space and open space access areas from private property.
- 7. ___ Compliance with open space designated uses as follows:

- ___ Active Recreation Agriculture
- ___ Passive Recreation
- ___ Conservation
- ___ Forestry
- ___ Natural Buffers
- ___ Open Space
- ___ Agriculture
- ___ Structures accessory to approved uses/define: _____

8. ___ Provide evidence to show that land which has been environmentally damaged prior to final approval of the development as a result of earth removal operations, harvesting or trees or other natural features, refuse disposal or other causes shall not included as common open space unless and until the land is restored to a condition which the Planning Commission determines to be reasonable and appropriate to effectuate the purpose of this article.

9. ___ A guarantee for restoration of the common open space, if required by the Planning Commission, before final approval can be granted.

G. ___ Open Space Deed (Zoning Ordinance, Article d)

- 1. ___ Deed for Town owned recreational lands, and/or ___ Recreation Fees.
- 2. ___ Copy of sample deed for lots showing fractional interest in common open space, covenants, restrictions or easements attached to the RCD, each lot, common open space and home owners' association agreements pertaining thereto.
The last ten (10) percent of the maintenance bond shall not be released until the developer can show proof to the Planning Commission that a homeowners association meeting has been held.
- 3. ___ Conservation Easement to the Town, retracting the area against any future building and against removal of soil, trees, and other natural features, except as is consistent with conservation, recreation or agricultural uses.

H. ___ Maintenance of Open Space (Zoning Ordinance, Article e)

1. ___ Proof of legal association under R.I. law
 ___ Mandatory membership clause
2. ___ Covenants and restrictions running with the land for its perpetuation, maintenance, functions and facilities.
3. ___ List of lands and improvements by location, size, use; and by restrictive covenant setting forth the method of assessment and maintenance of such lands and written to run with the land.
4. ___ Continuity of covenant and organization to control land and facilities thereby provided; for their intended function and protecting the development from unplanned densities of use.
 ___ Restrictions for preventing the dissolution of association or disposal of any common open space by sale or otherwise.
5. ___ Guarantee that land in open space shall not be used or disturbed in any manner inconsistent with the intent of these regulations.
6. ___ Deed restriction to provide for maintenance of open space, recreation areas, landscaping areas or other improvements, including private roadways, drainage systems etc by the Town of Coventry, should the association fail to do so, and the ability to charge all costs, including attorneys fees and the placement of liens on all properties should it become necessary.
7. ___ Provisions establishing ultimate legal liability and responsibilities for use and maintenance of common open space with the homeowners.
- I. ___ Home Owner's Association (Zoning Ordinance, Article f)
 1. ___ The following documents shall be submitted to and approved by the Planning Commission:
 - a. ___ Articles of association or other organizational documentation for the non-profit organization.
 - b. ___ By-laws of the non profit organization and a list of officers and their terms of office.
 - c. ___ Covenants or restrictions related to the use of common property, including the system and amounts of assessments for perpetuation and maintenance.
 - d. ___ Document granting the rights of entry upon such common property to Town officials, law enforcement officers, rescue personnel and fire fighting personnel while in pursuit of their duties; and, in the case of private streets and common driveways, permitting the enforcement of cleared emergency vehicle access.
 - e. ___ Time schedule for the maintenance of major facilities, including streets not accepted into the town highway systems, private street signs and sidewalks, parking area improvements, buildings, pools and other common areas.
 - f. ___ Copy of the Deed of Conveyance and Title of Certificate, where applicable, for all lands proposed to be conveyed to the Town of other appropriate governmental agency.
 - g. ___ Plan for the transfer of control of the common open space from the developer to the Home Owner's Association.

h. ___ Copy of the management policies or proposed policies for the whole development and common open space.

2. ___ Deed restriction or other document to guarantee that each original purchaser of a lot in the RCD will be given a copy of all documents pursuant to the above paragraph Article F.1. a thru h.

3. ___ Fiscal program for maximum of ten years to include adequate reserve funds for the maintenance and care of all lands, streets, facilities, and uses under the purview of the Home Owners Association.

4. ___ All documents under Article F must have received approval from the Planning Commission before the final plat can be approved.

___ Proof that the articles of association or other organizational documentation has been filed with the appropriate state agency prior to final approval by the Commission.

J. ___ Planning Commission Review and Approval of above Date: _____

___ Proof that articles of association or other organizational documentation has been filed with the appropriate state agency prior to obtaining final approval by the Planning Commission. These documents shall be recorded in the Town Clerk’s office as part of the recording of the final submission.

___ Articles of Association recorded with final plat on _____.

K. ___ Other Required Certificates of Documents (Zoning Ordinance, Article g)

1. ___ Copies of Management Policies

___ Copies of existing or proposed deed restrictions or covenants running with the land in the development.

2. ___ Description of any existing easement, covenants or restrictions affecting land within the development.

___ Instrument conveying any easements required as condition of approval to the Town of Coventry, to include that which is required under Article E.

3. ___ Sample Purchase and Sale Agreement to include:

___ Statement printed in conspicuous type:

“THAT THE PROPERTY IS PART OF THE RESIDENTIAL CLUSTER DEVELOPMENT SUBJECT TO THE ZONING ORDINANCE AND THE SUBDIVISION REGULATIONS OF THE TOWN OF COVENTRY. THAT THE PURCHASER AND SUBSEQUENT OWNERS OF THE PROPERTY ARE SUBJECT TO THE REQUIREMENTS THEREIN CONTAINED: THAT THE PURCHASER SHALL BE REQUIRED TO BE A MEMBER OF A HOMEOWNERS’ ASSOCIATION, SHALL BE SUBJECT TO THE RULES AND REGULATIONS OF SAID ASSOCIATION AND SHALL BE LIABLE FOR ANY APPLICABLE ASSESSMENT MADE BY OR AGAINST SAID ASSOCIATION AND THAT THE ULTIMATE LIABILITY FOR THE OPEN SPACE FALLS ON THE INDIVIDUAL LOT OWNER.”

___ STATEMENT BY SELLER that the purchaser has been provided with a copy of the documents as required in Article G and prospectus which shall be a summary in layman’s language of the information contained in the other documents.

- ___ STATEMENT printed in conspicuous type that any PRIVATE ROADS owned in common by the homeowner explaining that costs and expenses of repairing and maintaining said roads are the responsibility of the Homeowner's Association

- 4. ___ Statement by Registered Professional Engineer and/or Land Surveyor showing the following information:
 - ___ Computations for dwelling units in a Residential Cluster Development.

 - ___ Compliance with minimum number of dwelling units (6).
 - ___ Compliance with permitted uses:
 - a. ___ Single Family dwelling.
 - b. ___ Two-family dwelling
 - c. ___ Town House
 - d. ___ Uses customarily accessory to residences.
 - e. ___ Uses permitted in the open space.
 - f. ___ Community centers, recreation facilities and similar structures designed for the use of the residents of the development.

- 5. ___ Proof that a homeowners association has been established by submitting a copy of meeting minutes and/or list of homeowners association officers. The last ten (10) percent of the maintenance guarantee shall not be released until the developer can show proof to the Planning Commission that a homeowners at least one association meeting has been held.